

City of Philadelphia



(Bill No. 090260)

AN ORDINANCE

Amending Section 6-403 of Title 6 (“Health Code”) of The Philadelphia Code, to establish prohibitions on items containing lead and to add jewelry to the list of items that may not receive or maintain a lead-based coating, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

Section 1. Title 6 of The Philadelphia Code is hereby amended to read as follows:

TITLE 6. HEALTH CODE.

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CHAPTER 6-400. MISCELLANEOUS STANDARDS AND REQUIREMENTS.

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§ 6-403. Residential and Occupancy Hygiene.

(1) Definitions.

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(b) *Containing Lead.* Having a content that includes lead or lead compound in excess of the limits set forth in the Consumer Product Safety Improvement Act of 2008, P.L. 110-314, Sec. 101 (codified at 12 U.S.C. § 1278a (a)(2)), unless the Board of Health determines that the amount of lead in the content of a specific product or type of product does not constitute “Containing Lead” for purposes of this Section.

(2) Prohibited Conduct.

(a) No person shall apply or cause to be applied any lead based coating to toys, furniture, food utensils, *jewelry*, household products or the interior or exterior surfaces, fixtures or appurtenances of any dwelling, rooming house, dwelling unit, rooming unit, institution or similar type facility, except at those locations permitted by Federal Law or Regulation.

(b) No person shall sell, transfer or deliver toys, furniture, food utensils, *jewelry*, or household products *containing lead*, or to which lead based coating has been applied.

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(d) No person shall permit lead based coating to remain on any toy, furniture, food utensil, *jewelry*, household product or the exterior or interior surfaces, fixtures or appurtenances of any dwelling, rooming house, dwelling unit, rooming unit, institution or similar type facility where the surface may be readily accessible to children under the age of six years and where the Department determines that the presence of lead based coating creates a health hazard to children under the age of six.

(e) No person shall permit any toy, furniture, food utensil, jewelry, household product or exterior or interior surfaces, fixtures or appurtenances containing lead to remain in or on any dwelling, rooming house, dwelling unit, rooming unit, institution or similar type facility where the object or material may be readily accessible to children under the age of six years.

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Explanation:

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 18, 2009. The Bill was Signed by the Mayor on August 17, 2009.



Michael A. Decker
Deputy Chief Clerk of the City Council