

## Legislation Text

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**File #:** 160609, **Version:** 0

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Amending Chapter 6-800 of The Philadelphia Code, entitled “Lead Paint Disclosure,” to require as a condition of licensing Family Child Day Care facilities built before March 1978 that such facilities be certified as lead safe or lead free; and amending Section B-425 of the Code, entitled “Family Child Day Care Facilities,” and Section F-409 of the Code, entitled “Family Child Day Care Facilities,” to make conforming changes; all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Chapter 6-800 of The Philadelphia Code is amended to read as follows:

**CHAPTER 6-800. RESIDENTIAL LEAD PAINT DISCLOSURE AND  
FAMILY CHILD DAY CARE FACILITY LEAD CERTIFICATION.**

\* \* \*

§ 6-802. Definitions.

(13) Valid Certification. For a certification that a property is lead safe, a certification based on an inspection no more than 24 months prior to the date a lease is entered into *or the date of an application for a Family Child Day Care facility license*. For a certification that a property is lead free, a certification based on an inspection performed at any time prior to the date a lease is entered into *or any time prior to the date of an application for a Family Child Day Care facility license*.

\* \* \*

§ 6-814. *Lead-Safe Certification for Family Child Day Care Facilities.*

(1) *As a condition of obtaining a license to operate a Family Child Day Care facility, as defined in Sections B-425 and F-409 of the Code, the operator must either:*

(a) *certify that the property was built after February 1978; or*

(b) *provide a valid certification, as defined in this Chapter, by a certified lead inspector, stating that the property is lead free or lead safe, under the conditions required for such a certification as established in this Chapter with respect to leased properties.*

\* \* \*

SECTION 2. Section B-425 of The Philadelphia Code is amended to read as follows:

**SECTION B-425 FAMILY CHILD DAY-CARE FACILITIES**

\* \* \*

B-425.2 License. A license to operate a Family Child Day Care Facility shall be obtained from the Department of Licenses and Inspections, which includes an annual fire inspection. No license shall be issued under this Section unless the applicant has secured a Commercial Activity License to the extent required by Title 19 of The Philadelphia Code *and the applicant has met the requirements of Section 6-814 of the Code (Lead-Safe Certification for Family Child Day Care Facilities)*.

SECTION 3. Section F-409 of The Philadelphia Code is amended to read as follows:

#### SECTION 409 FAMILY CHILD DAY CARE FACILITIES

\* \* \*

F-409.2 License. A license to operate a Family Child Day Care Facility shall be obtained from the Department of Licenses and Inspections, which includes an annual fire safety inspection. No license shall be issued under this section unless the applicant has secured a Commercial Activity License to the extent required by Title 19 of The Philadelphia Code *and the applicant has met the requirements of Section 6-814 of the Code (Lead-Safe Certification for Family Child Day Care Facilities)*.

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**Explanation:**

*Italics* indicate new matter added.