

Request for Committee Action

To: Health, Environment & Community Engagement
Date: 8/10/2015
From: Health Department
Prepared by: Becky McIntosh, Director of Administration, x2884
Presented by: Jim Doten, Environmental Services Supervisor
File type: Ordinance
Subcategory: Code Amendment

Subject:

Public hearing to amend the Air Pollution and Environmental Protection Ordinance

Description:

Public hearing to consider amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities, amending requirements related to abrasive blasting permits.

Previous Actions:

Referred from City Council on July 24, 2015

Ward/Neighborhood/Address:

Select a ward.

Select a neighborhood.

Background/Analysis:

The proposed amendments to the abrasive blasting ordinance centers on two concerns: better defining violations and eliminating the city role in testing surfaces for lead.

The current language states the permit holder must contain the dust on site. The ambiguity in the language has led to different interpretations by inspectors on the site. This has resulted in uneven enforcement and does not provide a standard performance measure. After reviewing numerous ordinances in cities nationwide we proposed to adopt language similar to Boston's ordinance. Boston's language has been used as the basis for many ordinances since its development. The language clearly defines what constitutes a violation.

The second action is to eliminate the city's role in testing lead surfaces to complete the permit application. The city of Minneapolis tests surfaces for lead when the permit requestor has not provided the information. This provides a competitive advantage for these firms over requestors who have conducted the work. It also places a burden on limited city staff to conduct the testing without compensation to the city. The incorporated rules require the lead testing be performed by a certified lead assessor which addresses safety concerns for our citizens.

Financial Review:

No financial impact.

Attachments:

1. Document of proposed changes to ordinance.