



Legislation Details (With Text)

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**File created:** 1/17/2018      **In control:** COMMON COUNCIL  
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**Effective date:**

**Title:** Substitute resolution amending Common Council File Number 160964 relating to testing for lead of drinking fountains and faucets at all City-chartered schools.

**Sponsors:** ALD. BOHL

**Indexes:** LEAD POISONING, SCHOOLS

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
1/17/2018	0	COMMON COUNCIL	ASSIGNED TO		
2/15/2018	1	STEERING & RULES COMMITTEE	SUBSTITUTED	Pass	6:0
2/15/2018	1	STEERING & RULES COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	6:0
2/27/2018	1	COMMON COUNCIL	ADOPTED	Pass	15:0
3/8/2018	1	MAYOR	SIGNED		

171520  
SUBSTITUTE 1  
160964  
ALD. BOHL

Substitute resolution amending Common Council File Number 160964 relating to testing for lead of drinking fountains and faucets at all City-chartered schools.  
This resolution amends File Number 160964, adopted by the Common Council January 18, 2017. The resolution clarifies the effect of the resolution by stating the following:

1. Charter schools shall create a contractual obligation with any outside vendor for food preparation, requiring the food preparer to conduct lead-in-water testing on all water fixtures at the food preparer's expense.
2. Lead-in-water testing at all charter schools will be conducted on an annual basis, with the City paying for the initial test each year.
3. Charter schools shall provide sufficient access to the Health Department to conduct testing on a non-school day.
4. Initial certified test results shall be submitted by August 1 of every year.
5. Any fixture not meeting the required federal standard shall remain out of service until the fixture is brought into compliance at the school's expense and a certified test is performed at the school's

expense verifying that the fixture is in compliance.

6. Charter schools shall provide test results and remediation plans (if applicable) to parents and guardians within 10 business days.

Whereas, Common Council Resolution File Number 160964 was adopted by the Common Council on January 18, 2017, directing the Charter School Review Committee to require satisfactory testing for lead of drinking fountains and faucets at all City-chartered schools; and

Whereas, Certain aspects of the resolution require clarification; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 160964, adopted January 18, 2017, is amended as follows:

1. The first "Further Resolved" clause shall be replaced with the following:

"Further Resolved, That if a charter school uses an outside vendor for food preparation, such as catering of hot lunch, the charter school shall create a contractual obligation that the outside vendor shall conduct, at its own expense, certified testing by a third-party provider of all its food-preparation faucets and submit to both the charter school and the CSRC, at least 60 days before the annual document-submission deadline, test results showing that every food-preparation faucet has test results below 5 parts per billion lead level; and, be it"

2. The third "Further Resolved" clause shall be replaced with the following:

"Further Resolved, That the initial required lead-in-water testing of all faucets and fixtures at charter schools shall be conducted by the Milwaukee Water Works (MWW) in conjunction with the Health Department, with the City paying for initial testing on an annual basis; and, be it"

3. The following "Further Resolved" clause shall be inserted between the third and fourth "Further Resolved" clauses:

"Further Resolved, That every charter school shall provide sufficient access to the Health Department during reasonable business hours on a non-school day, preferably during the summer when the school will be vacant; and, be it"

4. The fourth "Further Resolved" clause shall be replaced with the following:

"Further Resolved, That every charter school shall submit the certified lead-in-water test results to the CSRC not later than August 1 of every year before the school year begins; and, be it"

5. The fifth "Further Resolved" clause shall be replaced with the following:

"Further Resolved, That the results submitted by the charter school shall show that no drinking fountain and no faucet used in food preparation exceeds 5 parts per billion lead level; and, be it"

6. The following "Further Resolved" clause shall be inserted as the third-from-last "Further Resolved" clause:

"Further Resolved, That any fixture having test results at or above 5 parts per billion lead level shall remain out of service until it is remedied at the charter school's expense and a certified test is performed by a third-party provider at the charter school's expense verifying that the fixture is within the required standard, and no food shall be prepared by the food preparer until certified test results verifying compliance have been received; and, be it"

7. The following "Further Resolved" clause shall be inserted as the second-from-last "Further Resolved" clause:

"Further Resolved, That every charter school shall provide test results and remediation plan, if applicable, to parents, guardians, and other legally responsible persons of all students enrolled in the school within 10 business days of receiving certified test results; and, be it"

LRB170430-1  
Tea Norfolk  
1/29/2017