

641—69.8(135) Emergency renovation, remodeling, or repainting in child-occupied facilities. A person who performs emergency renovation, remodeling, or repainting of child-occupied facilities for compensation, except for minor repair and maintenance activities that disrupt less than 1.0 square feet of painted surface, must do the following as soon as reasonably possible:

69.8(1) Provide the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, to the owner of the building where renovation, remodeling, or repainting is performed.

69.8(2) Notify each owner and, if different, the operator of the child-occupied facility, in writing, of the remodeling, repainting, or renovation, and make the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, available upon request. At a minimum, this notification shall be accomplished by distributing written notice to each owner and, if different, operator of the child-occupied facility. The notice shall describe:

- a.* The general nature and location of the renovation, remodeling, or repainting activity.
- b.* The starting and ending dates of the renovation, remodeling, or repainting activity.
- c.* A statement of how each owner and, if different, the operator of the child-occupied facility can obtain the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, at no charge from the person conducting the renovation, remodeling, or repainting activity.

69.8(3) Provide the pamphlet, Lead Poisoning: How to Protect Iowa Families, or the federal pamphlet, Renovate Right, and information regarding the general nature and locations of the renovation, remodeling, or repainting and the anticipated completion date to the parents and guardians of children using the child-occupied facility where renovation, remodeling, or repainting will be performed. The person conducting the renovation, remodeling, or repainting shall provide this information using one of the following methods:

- a.* Mail or hand-deliver the pamphlet and information to each parent or guardian of each child using the child-occupied facility (the pamphlet and information may not be sent home with the child); or
- b.* While the renovation, remodeling, or repainting is ongoing, post informational signs describing the general nature and locations of the renovation, remodeling, or repainting and the anticipated completion date. These signs must be posted in areas where they can be seen by the parents or guardians of the children frequenting the child-occupied facility. The signs must be accompanied by a posted copy of the pamphlet or information on how interested parents or guardians can review a copy of the pamphlet or obtain a copy from the person conducting the renovation, remodeling, or repainting at no cost to the parents or guardians.

69.8(4) The activities in subrule 69.8(3) shall be conducted by the person planning to perform the renovation, remodeling, or repainting or by the owner or operator of the child-occupied facility on behalf of this person. Regardless of who performs the notification activities required in subrule 69.8(3), the person conducting the renovation, remodeling, or repainting shall be responsible for ensuring compliance with this rule and shall be liable for any failures to comply with the notification requirements in this rule.

[ARC 8501B, IAB 2/10/10, effective 1/13/10]