

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 1996**

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**No. 35**

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Introduced by the Speaker (Council Member Vallone) and Council Members Leffler, Weiner, Williams, Berman, Cruz, Dear, Malave-Dilan, Eisland, Fisher, Harrison, Koslowitz, O'Donovan, Povman, Rivera, Robles, Spigner, Warden, White, Wooten and Stabile (in conjunction with the Mayor); also Council Members Foster and Abel.

**A LOCAL LAW**

**In relation to the distribution of fire department street alarm boxes.**

*Be it enacted by the Council as follows:*

Section one. Legislative findings of fact and declaration of intent. Pursuant to Local Law 73 for the year 1995, the Council authorized the Fire Department to conduct a limited pilot program for the deactivation of street alarm boxes, commencing in October 1995. That pilot project ended in December 1995, and the Fire Department subsequently submitted to the Mayor and the Council a final report on the results of the pilot program in accordance with the requirements of Local Law 73.

In consultation with the Council, the Fire Department has submitted a new proposal, the "False Alarm Reduction Program," pursuant to which the Fire Department will retain, at a minimum, in excess of 10,000 street alarm boxes throughout the city. All of these boxes would be two-way voice communication alarm boxes. Under this plan, the ERS boxes would be distributed so that there will be equivalent coverage throughout the city. In addition, the plan calls for the maintenance of the alarm boxes located in schools, public buildings and hospitals and the Police Department cellular boxes located on highways and in parks.

Pursuant to the False Alarm Reduction Program, the Department will conduct public education programs to increase awareness of the danger of false alarms and the proper method of using telephone and street alarm boxes to report emergencies. The program also calls for a joint effort by the Fire Department and the Police Department aimed at identifying alarm boxes that are chronically abused for making false alarms. This joint enforcement effort will include detection and apprehension programs to address the false alarm problem.

With the adoption of this local law, and the approval of the plan contained in the Fire Department's False Alarm Reduction Program, it is the Council's intention to reduce the number of false alarms made through alarm boxes, while providing an improved method of reporting fires and other emergencies through the two-way voice communication boxes, by insuring the maintenance of a fixed number of alarm boxes throughout the city.

§2. Except as provided by this local law and the provisions of the proposal of the fire department entitled "False Alarm Reduction Program", dated April 23, 1996, no fire

department street alarm box shall be permanently removed, deactivated or otherwise rendered unusable for the purpose of summoning the fire department and other emergency services, nor any administrative action related thereto taken, unless the city council shall have authorized such removal, deactivation or other measure by means of appropriate legislative action.

§3. Pursuant to the provisions of local law 73 for the year 1995, the council hereby authorizes the fire department to remove those street alarm boxes that are activated by pulling a lever, known as "BARS alarm boxes", and to distribute the remaining street alarm boxes (which provide a voice intercom and are known as "ERS alarm boxes") substantially to appropriate locations at which street alarm boxes were placed as of September first, nineteen hundred ninety-five, so that, to the extent practicable, the distance of the remaining street alarm boxes from each other is generally no more than one thousand feet, measured along publicly accessible routes, in accordance with the provisions set forth in the proposal of the fire department entitled "False Alarm Reduction Program", dated April 23, 1996 and presented to the council.

§4. The minimum number of alarm boxes throughout the city shall remain fixed at that number established in the "False Alarm Reduction Program", dated April 23, 1996. Provided, however, that nothing contained in this local law shall preclude the fire department from increasing the number of street alarm boxes within appropriations therefor, nor from relocating alarm boxes in accordance with the limitations set forth in the "False Alarm Reduction Program", dated April 23, 1996.

§5. Notwithstanding any other provision of this local law, the fire department may: (i) temporarily remove street alarm boxes for repair, road maintenance or other routine governmental operations; or (ii) replace street alarm boxes with upgraded communication technology intended to improve public safety; or (iii) alter or enhance street alarm boxes with such technology. The fire department shall not remove a street alarm box pursuant to the preceding sentence for the purpose of replacing such box with a public pay telephone.

§6. The fire department shall conduct appropriate public education programs to increase awareness of the dangers of false alarms and the proper method of using telephones and street alarm boxes to report fires and other emergencies.

§7. This local law shall take effect immediately.

**THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:**

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on May 2, 1996, and approved by the Mayor on May 14, 1996.

CARLOS CUEVAS, City Clerk, Clerk of the Council

**CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27**

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 35 of 1996, Council Int. No. 769) contains the correct text and:

Received the following vote at the meeting of the New York City Council on May 2, 1996: 45 for, 5 against.

Was approved by the Mayor on May 14, 1996.

Was returned to the City Clerk on May 14, 1996.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel