



Legislation Text

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By Council Members Restler, Abreu, Menin, De La Rosa, Powers, Gennaro, Lee, Cabán, Stevens, Gutiérrez, Brewer, Hudson, Marte, Hanif and Avilés (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of emergency management to develop and implement a plan regarding public notification during air quality emergencies

Be it enacted by the Council as follows:

Section 1. Section 30-115 of the administrative code of the city of New York, as added by local law number 31 for the year 2017, is amended to read as follows:

§ 30-115 Emergency notifications. a. Definitions. For purposes of this section, the following terms have the following meanings:

Air quality emergency. The term “air quality emergency” means a circumstance during which the air quality index for a particular day is expected to or does exceed 150.

Air quality index. The term “air quality index” means the index established by the United States environmental protection agency for the purpose of reporting daily air quality.

b. Any emergency alert originated by a city office or city agency that is issued through a commercial mobile service alert system established pursuant to section 1201 of title 47 of the United States code shall, to the extent practicable and to the extent permissible under regulations enacted pursuant to such section, be issued in no fewer than the two most commonly spoken languages within the area covered by the emergency alert as determined by the commissioner in consultation with the department of city planning, provided that this subdivision does not require the issuance of an emergency alert in a language if exigent circumstances prohibit the issuance of an alert in such language.

[b.] c. Any emergency notification system operated and controlled by the office of emergency management for the purposes of aggregating information obtained from other offices or agencies to inform the public about emergencies or disruptive events through e-mail, text, phone, social media platform, or internet-based feed shall offer each notification in no fewer than the seven most commonly spoken languages within the city as determined by the commissioner in consultation with the department of city planning, provided that this requirement shall not delay or prohibit the immediate issuance of notifications in any individual language. Notifications shall be separated into distinct messages in separate feeds for each language. A general version of each notification may be used when a real-time translation is unavailable, provided that priority shall be placed upon making notifications available with the greatest specificity possible. Any dissemination limitation applicable to an English language notification may be applied to its equivalent notification in another language. If no potential recipient is registered for a specific language, then a notification need not be disseminated in that language.

d. The commissioner shall develop and implement a plan to ensure that notifications relating to an air quality emergency that are disseminated through any such emergency notification system meet the criteria set forth in this subdivision, and shall coordinate with any relevant agencies to obtain the relevant information to be contained in such notifications. The criteria for such notifications include but are not limited to the following:

1. Such notifications are frequent;
2. Such notifications are timely;
3. Such notifications are disseminated in advance of such air quality emergency, to the extent possible;
4. Such notifications include the expected air quality index;
5. Such notifications include information about how to stay safe during such air quality emergency, including but not limited to such information targeting individuals who are sensitive to poor air quality;
6. Such notifications direct the recipient of any such notification to the website of the department of

environmental protection for further information on the city's response to such air quality emergency;

7. Such notifications include information about additional services, materials, and allowances the city is making available to the public during such air quality emergency; and

8. Such notifications include information on any limitations the city is imposing on the public to reduce air pollution during such air quality emergency.

§ 2. No later than 90 days after the effective date of this local law and annually thereafter for a total of 3 annual reports, the commissioner of emergency management shall issue a report to the speaker of the council regarding the contents of the plan developed pursuant to subdivision d of section 30-115 of the administrative code of the city of New York as added by section one of this local law and any relevant updates regarding such plan.

§ 3. This local law takes effect immediately.

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