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**Division of Quality Assurance
Administrative Memo No. 97-01**

MEMORANDUM

TO: Executive Directors of Voluntary Agencies
DDSO Directors

FROM: Mr. Richard P. Johnson *R.P.J.*
Division of Quality Assurance

SUBJECT: Smoke Detectors in Residences

DATE: January 22, 1997

There has been some confusion arising from ADM 96-03, regarding a change in the New York State Uniform Fire Prevention and Building Code (NYSUFP&BC), referencing the requirement for additional smoke detectors in one/two family dwellings and apartments. The following points should clarify the policy of OMRDD regarding smoke detectors:

1. **New residences** (those constructed after 7/95) are required to comply with the current NYSUFP&BC. That means they must have detectors outside each bedroom area, in each sleeping room, and on every floor level.
2. **Residences with a valid Certificate of Occupancy (C of O)** in an existing building, do not need to add the additional smoke detectors required by the new code.
3. **Residences which do not have a current C of O** (e.g. 100 year old brownstone, etc.) must meet the new code requirement since there is no evidence that they meet any code.

The above is operative for all residences seeking initial certification. Residences certified prior to 7/95 are assumed by virtue of that certification, to have met the NYSUFP&BC requirements in effect at that time.

Another related issue requires clarification. This has to do with the requirement for hard wired smoke detectors. At the September training for DDSO staff, it was noted that the Division of Quality Assurance policy was that all required smoke detectors were to be hard wired. This continues to be the case. However, the Division recognizes that there may be instances where it may be a hardship for an agency to install hard wired detectors in a residence. The requirements, if an agency were to request exception to the hard-wired requirement, and use battery operated detectors instead, are as follows:

1. Detailed justification for a hardship exception for a particular site must be submitted to the Division of Quality Assurance Regional Director.
2. The battery operated smoke detector must:
 - a) be a combination photo-electric/ionization type. (A potential source for information regarding this type of smoke detector may be the local fire department.)
 - b) be equipped with a distinctive audible trouble signal which is given before the battery is incapable of operating the detector unit for alarm purposes.
 - c) be capable of producing an alarm signal for at least four minutes at the battery voltage at which a trouble signal is normally obtained, followed by seven days of trouble signal operation; the audible trouble signal is produced at least once every minute for seven consecutive days.
3. A readily noticeable visual indicator is displayed when a primary battery is removed from the unit. (This may or may not be part of the unit.)
4. Staff must develop a system to conduct a manual battery check of the detector once each week, and results must be documented.

If you have any questions regarding the above, please contact Joel Altschul at (518) 474-8007.