



Dear Friend,

A properly installed and maintained smoke detector provides a vital early warning at a low cost. That's why it's the law for all New York State homes to have smoke detectors. It could mean the difference between life and death.

The Legislature also passed a law requiring all smoke detectors sold in this state to be powered by a sealed, non-removable battery with a minimum battery life of 10 years or be hardwired to the building.

Remember, having a smoke detector in your home is not just the law – it might save your life. If I can be of additional help in this or any other issue, please do not hesitate to contact my office.

Sincerely,

  
Angelo Santabarbara, PE  
Member of Assembly

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**Protect your family...  
Smoke detectors  
save lives.**

# Home Smoke Detector Law



It could save  
your life.

Courtesy of...  
Assemblyman  
Angelo  
Santabarbara, PE



## What does the law require?

Owners of one- and two-family residences must install and maintain a smoke detector with an audible alarm in each sleeping area. This gives sleeping residents an early warning in case of nighttime fire, which is most likely to go undetected and cause loss of life.

**Your community may have stricter smoke detector laws that supersede state requirements. Contact your local code enforcement officer to find out more.**

## Can I install any type of detector?

As of 2019, any new or replacement smoke detector sold in New York State must be either hardwired to the home or powered by a sealed, non-removable battery with a minimum life of 10 years. Check the outside package to ensure a testing laboratory, such as Underwriters Laboratories (UL) or Factory Mutual (FM), has approved the smoke detector and be sure to read the manufacturer's instructions before installing.

## How many smoke detectors do I need?

This will depend on the number and location of sleeping areas in your home. The law only specifies that smoke detectors be installed so they can be clearly heard in each bedroom, or other rooms used for sleeping, with intervening doors closed. In homes with sleeping areas on

different floors, a smoke detector should be on each floor adjacent to the sleeping quarters. If you need assistance in selecting locations or want advice on the proper installation of these devices, contact your local fire department or building inspector.

## How is the law enforced?

Fire officials or building and code inspectors can't demand entrance to your home. Instead, this law is enforced through such things as financial incentives and educational programs. Insurance companies regularly provide a 2% premium reduction if the structure has smoke detectors in it. If an owner fails to comply with an order to adhere to the uniform fire prevention and building code, including failing to comply with an order to install smoke detectors, the law allows a fine of no more than \$1,000 per day of violation or imprisonment not exceeding one year, or both, for the first 180 days. For the following 180 days, if the violation persists, the law allows a minimum fine of \$25 per day of violation or imprisonment not exceeding one year or both. If the violation persists for more than 360 days, the law allows a minimum fine of \$50 per day of violation or imprisonment not exceeding one year or both.

## Remember... only working smoke detectors can save lives.

- ✓ **TEST** your smoke detectors at least once a month. Push the test button.
- ✓ **CLEAN** your detectors at least once a year to remove dust.
- ✓ **REPLACE** 10-year battery-operated smoke detectors after 10 years.



**Time is crucial. When your smoke detector sounds, you may have only a minute or two to escape.**

**Develop and practice a home escape plan.**

## Installation note

Place smoke alarms on the ceiling or high on the wall. Check the manufacturer's instructions for the best place for your alarm. Keep them at least 4 inches away from corners. In wall-mounted installations, the bottom of the detector should be no more than 12 inches from the ceiling.

## Added protection: Carbon monoxide alarms are required by law

Carbon monoxide, an odorless, invisible gas produced by home fuel-burning equipment, can cause serious illness or death. State law requires carbon monoxide detectors in all dwellings. For more information, visit [health.ny.gov/environmental/emergency/weather/carbon\\_monoxide](http://health.ny.gov/environmental/emergency/weather/carbon_monoxide). The New York State Assembly also offers a brochure about the dangers of carbon monoxide and how to detect it.