S T A T E O F N E W Y O R K

4374

2009-2010 Regular Sessions

I N A S S E M B L Y

February 3, 2009

Introduced by M. of A. HYER-SPENCER, MILLMAN, TITUS, BENEDETTO, MARKEY, CUSICK, COOK, ESPAILLAT -- Multi-Sponsored by -- M. of A. ALFANO, BOYLAND, DIAZ, ERRIGO, GABRYSZAK, MAYERSOHN, McDONOUGH, ROBINSON, WALKER -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to regulation of the placement of cellular towers or antennas near school facilities in the city of New York

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general municipal law is amended by adding a new section 96-c to read as follows:

S 96-C. PROTECTION OF SCHOOL FACILITIES. ANY OTHER PROVISION OF ANY OTHER LAW TO THE CONTRARY NOTWITHSTANDING, AND IN ADDITION TO ANY POWER OR AUTHORITY OF THE CITY OF NEW YORK TO REGULATE CELLULAR ANTENNAS OR CELLULAR TOWERS OR ANY STRUCTURES RELATED THERETO, A CELLULAR ANTENNA OR CELLULAR TOWER AND SUPPORT STRUCTURES SHALL NOT BE PLACED OR ERECTED WITHIN FIVE HUNDRED FEET OF A SCHOOL BUILDING WITHIN THE CITY OF NEW YORK. FOR PURPOSES OF THIS SECTION, THE TERM "SUPPORT STRUCTURES" MEANS AND INCLUDES ANTENNAS, TRANSMITTING, RECEIVING AND COMBINING EQUIPMENT, EQUIPMENT SHELTERS, TRANSMISSION CABLES, AND BACKUP POWER SOURCES. MEASUREMENTS REFERRED TO IN THIS SECTION SHALL BE TAKEN IN STRAIGHT LINES FROM THE OUTSIDE WALL OF THE NEAREST SCHOOL BUILDING. AS USED IN THIS SECTION, THE TERM "SCHOOL" MEANS ANY PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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