

38

EXECUTIVE ORDER NO. 38

AUGUST 29, 19775

ELIMINATION OF THE OFFICE OF CIVIL DEFENSE

Whereas, The City of New York is making every effort to achieve cost-saving economies; and

Whereas, It is necessary to eliminate the Office of Civil Defense and reorganize the function as the Office of Emergency Services—Civil Preparedness; and

Whereas, The Office will be established under the Police Commissioner pending the completion of the one year review and analysis of City emergency response mechanism by the Mayor's Task Force on Emergency Preparedness; and

Whereas, Substantial economies will be achieved by the transfer of the functions to the Police Department; and

Whereas, The Defense Civil Preparedness Agency at the Federal, State and local level are working with the City to enable the reorganization to meet federal standards and comply with legislative requirements; and

Whereas, The City, under this reorganization, will continue to be eligible for reimbursement under the federal government's matching funds program; and

Whereas, The Mayor's Emergency Control Board, established with the Mayor as Chairman, the First Deputy Mayor as Deputy Chairman and consisting of Administrators of Municipal Services Administration, Transportation Administration, Environmental Protection Administration; Commissioners of Fire, Health, Police, Public Works, Traffic, Sanitation, Water Resources, Social Services; President, Health and Hospitals Corporation; Chairman, Metropolitan Transportation Authority, shall continue in order to meet City emergencies. The Board will coordinate its activities with the Office of Emergency Services in planning for natural or man-made disasters.

Now, therefore, by the power vested in me as Mayor of The City of New York, it is hereby ordered:

Section 1. Executive Order No. 51 dated September 11, 1967 is hereby repealed.

§ 2. The Police Commissioner is hereby appointed as the interim coordinator of the functions of Emergency Services—Civil Preparedness, pending completion of a review and analysis of the emergency response mechanism of The City of New York.

§ 3. The Mayor's Emergency Control Board will continue to be responsible for coordinating activities in case of natural or man-made disaster.

§ 4. The Director of Emergency Services—Civil Preparedness shall be responsible to the Police Commissioner and shall serve as the local Director of Civil Defense, with the powers of a local Director of Civil Defense under L. 1951, Ch. 784, as amended.

§ 5. The functions of the Office of Emergency Services—Civil Preparedness shall include:

- (a) Coordination of New York City's Civil Defense effort in accordance with the provisions of the Defense Emergency Act of New York State and development of a Civil Defense Emergency operations plan involving all relevant municipal agencies;
- (b) Preparation of plans designed to contain and control emergency conditions caused by a disaster, maintain essential services during a disaster and to restore essential services;

(c) Aiding various City departments in obtaining funds under the Federal Government Matching Funds Program for Civil Defense activities;

(d) Carrying out all Civil Defense functions mandated by the Defense Emergency Act of New York State that are not transferred to other City departments by this Executive Order.

§ 6. The Municipal Broadcasting System shall continue to be responsible for communications functions of the former office.

§ 7. The Department of Public Works shall continue to be responsible for the Shelter Management functions of the former office.

§ 8. The Police Department shall continue to:

- (a) Maintain the Borough and Emergency Control Centers on a standby basis.
- (b) Develop plans for activating these centers in an actual emergency.

§ 9. The Fire Department shall continue to be in complete charge of Fire Auxiliaries and keep the necessary records of these units. The Police Department shall continue to be in complete charge of the Police Auxiliaries and the Rescue Service and keep the necessary records of these units.

§ 10. The Commissioner of Public Works shall continue to have the primary responsibility for the coordination of all City and private sector equipment, such as trucks, generators, bull-dozers and power shovels. Public Works will continue to be responsible for the replacement and maintenance of the City's 742 sirens.

§ 11. The Health and Hospital Departments shall continue their civil defense assignments.

§ 12. The Fire Department shall continue to maintain and operate a radiological detection and reporting system.

§ 13. All municipal agencies with civil defense responsibilities not specifically mentioned in this Executive Order, shall continue these responsibilities.

§ 14. This Order shall take effect immediately.

s4-10

ABRAHAM D. BEAME, Mayor.