



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EMERGENCY EXECUTIVE ORDER NO. 172

DECLARATION EXTENDING LOCAL STATE OF EMERGENCY

January 2, 2021

EMERGENCY EXECUTIVE ORDER

WHEREAS, on March 7, 2020, New York State Governor Andrew Cuomo declared a State disaster emergency for the entire State of New York to address the threat that COVID-19 poses to the health and welfare of New York residents and visitors; and

WHEREAS, Emergency Executive Order No. 98, issued March 12, 2020 and extended most recently by Emergency Executive Order No. 165, issued December 3, 2020, contains a declaration of a state of emergency in the City of New York due to the threat posed by COVID-19 to the health and welfare of City residents, and such declaration remains in effect; and

WHEREAS, this Order is given because of the propensity of the virus to spread person-to-person and also because the actions taken to prevent such spread have led to property loss and damage; and

WHEREAS, measures taken to combat the spread of COVID-19 may prevent individuals, businesses and other entities from meeting legally imposed deadlines for the filing of certain documents or for the completion of other required actions; and

WHEREAS, this Order is given in order to ensure that the Governor's orders are enforced;

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that the State of Emergency declared in Emergency Executive Order No. 98, dated March 12, 2020, and extended by subsequent orders, is extended for thirty (30) days.

§ 2. I hereby direct that section 1 of Emergency Executive Order No. 170, dated December 28, 2020, and section 1 of Emergency Executive Order No. 171, dated December 29, 2020, are extended for five (5) days.

§ 3. a. I hereby revoke section 5 of Emergency Executive Order No. 107, as amended by section 3 of Emergency Executive Order No. 133, to the extent such section 5 suspended and tolled the implementation deadline in section 23-1102(b)(12) of the Administrative Code of the City of New York, concerning publication of language access implementation plans, provided such section 5 otherwise remains in effect.

b. I hereby order that any agency required by section 23-1102(b)(12) of the Administrative Code of the City of New York to provide language access services by July 1, 2020 for purposes of issuing a license, permit or registration, but for which such implementation deadline had been suspended by section 3 of Emergency Executive Order No. 133, shall provide such services by April 1, 2021.

§ 4. I hereby amend section 4(a) of Emergency Executive Order No. 130, issued July 7, 2020, to read as follows:

§ 4. a. I hereby order the Department of Parks and Recreation, the Police Department, and the Street Activity Permit Office to reject any application for a permit for a procession, parade, street activity, special event, or use of a sound device that does not comply with the requirements provided for in sections 4(b) and 4(c) of this Order, as amended by subsequent emergency executive orders, and refund any fees paid for such rejected application, provided that the applicant may either reapply for a permit in accordance with such requirements, or defer such application until 2022 and request that any fees paid be credited to the 2022 application.

§ 5. I hereby add a new subdivision 4 to section 3 of Emergency Executive Order No. 131, as last amended by section 2 of Emergency Executive Order No. 169, requiring listed licenses, permits, consents or registrations be subject to expiration and renewal in accordance with their terms or conditions beginning 45 days from the listed date, to read as follows:

4. January 2, 2020, for any license, permit, consent or registration issued by the Department of Sanitation.

§ 6. I hereby amend section 1(c) of Emergency Executive Order No. 171, which amended section 7 of Emergency Executive Order No. 157, to read as follows:

c. Section 7 is amended to read as follows:

§ 7. In order to further encourage the use of outdoor space by retail businesses and customers, I hereby authorize the Department of Transportation to grant concessions for the use of pedestrian plazas for outdoor retail markets, provided any such concession shall not be subject to renewal and shall have a term of less than 120 days.

a. The Department of Transportation shall issue guidelines governing the procedures for applying for concessions described in this section. Any recipient of such a concession shall comply with the provisions of such guidelines.

b. Notwithstanding New York City Charter sections 373, 374 and 375 and 12 RCNY sections 1-16(d) and 1-17, any concession granted pursuant to this section shall not be subject to review by the Franchise and Concession Review Committee or to registration with the City Comptroller. Such provisions of the Charter and the RCNY are hereby modified or suspended to the extent necessary to effectuate this section.

§ 7. I hereby suspend paragraph 10 of subdivision c of section 3-02 of title 21 of the Rules of the City of New York, and any other applicable provisions of such title, to the extent necessary to allow an application for administrative review by the Tax Commission of a tentative real property tax assessment to be filed electronically pursuant to instructions posted by the Tax Commission on its website. Such instructions may include appropriate conditions or other requirements related to electronic filing for specified categories of applicants, including but not limited to representatives and self-represented applicants, as such terms are defined in section 1-03 of title 21 of the Rules of the City of New York.

§ 8. I hereby incorporate in the Order the provisions of Governor Executive Order No. 205.3 relating to quarantine restrictions on travelers arriving in New York.

§ 9. This Order incorporates any and all relevant provisions of Governor Executive Order No. 202 and subsequent orders issued by the Governor of New York State to address the State of Emergency declared in that Order pursuant to his powers under section 29-a of the Executive Law.

§ 10. I hereby direct the Fire Department of the City of New York, the New York City Police Department, the Department of Buildings, the Sheriff, and other agencies as needed to immediately enforce the directives set forth in this Order in accordance with their lawful enforcement authorities, including but not limited to Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the New York City Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the New York City Health Code, title 24 Rules of the City of New York sections 3.07 and 3.11, and may be enforced as such by the Department of Health and Mental Hygiene or any other agency named in this section.

§ 11. This Emergency Executive Order shall take effect immediately. The State of Emergency shall remain in effect for a period not to exceed thirty (30) days or until rescinded, whichever occurs first. Additional declarations to extend the State of Emergency for additional periods not to exceed thirty (30) days shall be issued if needed. The remainder of this Order shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.



Bill de Blasio,
MAYOR