



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

EMERGENCY EXECUTIVE ORDER NO. 99

March 15, 2020

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, 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welfare of City residents, and such declaration remains in effect for a period not to exceed thirty (30) days or until rescinded, whichever occurs first; and

WHEREAS, the reduction of opportunities for the person-to-person transmission of COVID-19 in meetings and other gatherings is necessary to combat the spread of this disease; and

WHEREAS, on March 13, 2020, Governor Cuomo issued Executive Order No. 202.1, whereby he directed, in part, that large gatherings and events shall be cancelled or postponed, and that the maximum occupancy of places of business or public accommodation shall operate at no greater than fifty percent occupancy, and no greater than fifty percent of seating capacity;

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, and in accordance with Executive Order No. 202.1 issued by Governor Cuomo on March 13, 2020:

Section 1. In order to avoid the mass congregation of people in public places and to reduce the opportunity for the spread of COVID-19, any large gathering or event for which attendance is anticipated to be in excess of five hundred people shall be cancelled or postponed.

Section 2. All places used for the gathering of any number of persons for purposes such as civic, social or religious functions, recreation, food or drink consumption, or similar group activities shall operate at no greater than fifty percent occupancy and no greater than fifty percent of seating capacity. Furthermore, in order to promote social distancing, places where such events are held shall not close off any portion of the area to which the occupancy or seating capacity limit applies. Any occupancy that exceeds the limits established by this Order shall be subject to the fines, levies, or other penalties that

would apply if the maximum occupancy or seating capacity limit established for the relevant space and in effect prior to this Order had been violated.

Section 3. All gatherings or events for which attendance is anticipated to be fewer than five hundred people shall operate at no greater than fifty percent occupancy, and no greater than fifty percent of seating capacity. Furthermore, in order to promote social distancing, places where such events are held shall not close off any portion of the area to which the occupancy or seating capacity limit applies. Any occupancy that exceeds the limits established by this Order shall be subject to the fines, levies, or other penalties that would apply if the maximum occupancy or seating capacity limit established for the relevant space and in effect prior to this Order had been violated.

Section 4. The directives set forth in sections 1 through 3 of this order shall not apply to:

- a. a private dwelling, school, hospital, nursing home, other medical office or facility as determined by the New York State Commissioner of Health, mass transit or mass transit facility, governmental facility, law enforcement facility, or retail establishments including grocery stores, or
- b. the High Line Park and other public parks, public spaces and trails under the jurisdiction of the Department of Parks and Recreation, except for any enclosed area within such a park, public space or trail that otherwise falls under the provisions of section 2 of this Order and events held in such places where the attendance is anticipated to be in excess of five hundred people.

Section 5. I hereby direct the Fire Department of the City of New York, the New York City Police Department, and the Department of Buildings, 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 §§ 15-227(a), 28-201.1, and section 107.6 of the New York City Fire Code.

Section 6. In accordance with Executive Law § 24, any person who knowingly violates the provisions of this order shall be guilty of a class B misdemeanor.

Section 7. This Emergency Executive Order shall take effect immediately, and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.



Bill de Blasio,
MAYOR