



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

EMERGENCY EXECUTIVE ORDER NO. 127

June 22, 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 and extended most recently by Emergency Executive Order No. 123, issued June 7, 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; and

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 section 1 of Emergency Executive Order No. 125, dated June 17, 2020, is extended for five (5) days.

§ 2. I hereby direct that sections 1, 2, 4 and 5 of Emergency Executive Order No. 126, dated June 18, 2020, and section 3 of such Order, as amended by this Order, are extended for five (5) days.

§ 3. I hereby amend section 3 of Emergency Executive Order No. 126 to read as follows: I hereby suspend the following provisions of the Rules of the City of New York (“RCNY”) to the extent necessary to provide for the implementation, administration and operation of the Open Restaurants Program, subject to applicable guidance issued by the Department of Transportation, the Department of Health and Mental Hygiene, the New York State Department of Health, and the State Liquor Authority:

- a. RCNY Title 3, Chapter 4, Sections 404-03(b)(2), relating to Building Code and permit requirements, and 404-03(b)(3), relating to submission of floor and elevation plans;
- b. RCNY Title 6, Chapter 2, Subchapter F, relating to licenses for sidewalk cafes;
- c. RCNY Title 6, Chapter 1, Section 1-03(b), relating to the display of license signs by sidewalk cafe licensees;
- d. RCNY Title 34, Chapter 2, Sections 2-03 and 2-04(b)(2), to the extent such provisions require a restaurant to obtain a permit or pay a fee to erect or maintain a canopy over any outdoor seating area such restaurant operates pursuant to the Open Restaurants Program;
- e. RCNY Title 50, Chapter 1, Section 1-01, to the extent necessary to clarify that the definition of “street event” set forth in such section shall not include any outdoor service provided by a restaurant pursuant to the Open Restaurants Program; and
- f. RCNY Title 62, Chapter 3, Subchapter B, Sections 3-07(c)(2) and 3-07(f)(4), to the extent such provisions impose fees for sidewalk cafe revocable consent applications or renewal applications.

§ 4. I hereby amend section 7 of Emergency Executive Order No. 100, section 4(d) of Emergency Executive Order No. 102, and section 3(a) of Emergency Executive Order No. 103, to permit restaurants, bars and other establishments participating in the Open Restaurants Program established pursuant to Emergency Executive Order No. 126, dated June 18, 2020, to provide on-site service in accordance with all guidance and procedures applicable to such program. All restaurants, bars and other establishments offering food or drink may continue to provide take-out and delivery service, in accordance with the aforementioned Emergency Executive Orders.

§ 5. I hereby amend section 4(e) of Emergency Executive Order No. 102 to permit the reopening of barbershops and hair salons. Establishments providing personal care services other than cutting and styling of hair and shaving facial hair, including but not limited to electrolysis, laser hair removal, and the services of nail technicians, cosmetologists and estheticians, and the provision of electrolysis, laser hair removal services, and other personal care services, shall remain closed to members of the public and barbershops and hair salons shall not provide such services.

§ 6. I hereby amend section 2 of Emergency Executive Order No. 103 to read as follows: All businesses and not-for-profit entities in the City shall utilize, to the maximum extent possible,

any telecommuting or work from home procedures that they can safely utilize, provided that they may allow their workers to return to their workplace to the extent permitted by the Governor's orders and in accordance with guidance issued by the Empire State Development Corporation and the State Department of Health.

§ 7. I hereby revoke section 2 of Emergency Executive Order No. 114, which suspended section 3-703(1)(n) of the Administrative Code relating to the requirement that as a precondition of eligibility to receive public funds in a future covered election, candidates must satisfy any claim made by the Campaign Finance Board for the payment of civil penalties or repayment of public funds that remain outstanding from a prior covered election.

§ 8. I hereby revoke section 4 of Emergency Executive Order No. 123, which required City-owned golf courses to remain closed.

§ 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, and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.



Bill de Blasio,
MAYOR