



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

EMERGENCY EXECUTIVE ORDER NO. 176

January 22, 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. 172, issued January 2, 2021, 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, the availability of a 24-hour workforce is necessary for hospitals to provide vital services during the pandemic; and persons working at hospitals may begin and end work at times that make the use of public transportation inconvenient or when it may be unavailable, and therefore, are more likely to commute to work by car and to have a need for access to legal parking near their place of work where their presence is required; 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 section 1 of Emergency Executive Order No. 175, dated January 17, 2021, is extended for five (5) days.

§ 2. I hereby add a new subdivision 6 to section 3 of Emergency Executive Order No. 131, as last amended by section 2 of Emergency Executive Order No. 173, relating to requiring that 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:

6. January 22, 2021, for any license, permit, consent or registration issued by the Department of Parks and Recreation.

§ 3. a. I hereby amend section (1)(a)(1) of Emergency Executive Order No. 157, as amended by Emergency Executive Order No. 171, regarding the Open Storefronts Program, to provide that for the purposes of the Open Storefronts Program, the term “covered business” means a business located in or operating out of a ground floor commercial premises, including a food service establishment, to the extent such food service establishment limits the business that it conducts in its outdoor commercial premises to pick-up of pre-ordered food and the offer and sale of prepared prepackaged food or whole, uncut fruit or vegetables when operating as an Open Storefront. Any such pre-ordered food for pick-up or prepackaged food offered for sale outdoors must comply with Articles 71 and 81 of the New York City Health Code, Chapter 23 of Title 24 of the Rules of the City of New York, the New York State Sanitary Code, and any other relevant State or Federal food safety regulation or law.

b. A food service establishment may participate in the Open Storefronts Program and the Open Restaurants Program established by Emergency Executive Order No. 126, and as amended by subsequent Emergency Executive Orders, provided that any such food service establishment may not provide both outdoor dining seating and goods for sale on the sidewalk at the same time.

§ 4. I hereby order that, for the period beginning on March 20, 2020 to and including December 31, 2020, a person working at a general hospital, as such term is defined in subdivision 10 of section 2801 of the Public Health Law, shall be deemed to have been authorized to park in any space where it would be lawful for a person issued a “NYC COVID-19 medical/health on street parking permit” to park as if such person working at such hospital had been issued such permit and had displayed such permit when parking. This authorization is applicable only for parking within one-half mile from the hospital and only for the period of time such person was at work at the hospital, as certified by supervisory or administrative personnel of the hospital. Such certification shall be submitted in any proceeding alleging a parking violation to which this authorization would apply.

§ 5. 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.

§ 6. 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.

§ 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