



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

EMERGENCY EXECUTIVE ORDER NO. 350

March 6, 2023

**WHEREAS**, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

**WHEREAS**, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

**WHEREAS**, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

**WHEREAS**, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, first declared in Emergency Executive Order No. 224, dated October 7, 2022, and extended most recently by Emergency Executive Order No. 326, dated February 4, 2023, remains in effect;

**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. 224, dated October 7, 2022, and extended by subsequent orders, is extended for thirty (30) days.

§ 2. I hereby order that section 1 of Emergency Executive Order No. 346, dated March 1, 2023, is extended for five (5) days.

§ 3. Where the provisions of the 1968 Building Code apply to the alteration of a prior code building in accordance with section 28-101.4.3 of the Administrative Code of the City of New York, I hereby suspend section 27-359, and the corresponding capacity requirements in table 6-1 of article 2 of subchapter 6 of chapter 1 of title 27, of the Administrative Code of the City of New York, to the extent that they would prevent the alteration and/or use of buildings as temporary humanitarian relief centers (“Humanitarian Emergency Response and Relief Centers”

or “HERRCs”) that will provide assistance for arriving asylum seekers, provided that for such buildings: (i) section 1005 of the New York City Building Code shall apply to such alteration; (ii) the relevant space shall comply with section 901-04 of title 3 of the Rules of the City of New York, including with protection throughout such space by a functional sprinkler system designed and installed in accordance with the applicable provisions of such Building Code or prior code, as such section may otherwise be modified by the Fire Department pursuant to Emergency Executive Order No. 302; (iii) every occupied floor shall be staffed with fire guards for fire watch coverage; and (iv) such structures or buildings, regardless of length of stay, shall be occupied in a manner that will not endanger public safety, health, or welfare as certified by a registered design professional.

§ 4. 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.



Eric Adams  
Mayor