



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

EMERGENCY EXECUTIVE ORDER NO. 110

April 29, 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 by Emergency Executive Order No. 106, issued April 9, 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welfare of City residents, and such declaration remains in effect for a period not to exceed thirty (30) days or until rescinded, whichever occurs first; and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, 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 sections 1 and 2 of Emergency Executive Order No. 109, dated April 24, 2020, are extended for five (5) days.

§ 2. I hereby suspend sections 72-23 and 73-70 of the Zoning Resolution of the City of New York to the extent such sections provide that a variance or special permit shall automatically lapse if substantial construction is not completed within four years of the date of granting such

variance or special permit, and order that any such period of time is tolled for the duration of the emergency.

§ 3. I hereby suspend sections 11-331 and 11-332 of the Zoning Resolution of the City of New York, to the extent such sections impose limitations on the amount of time permitted for the submission of building permit renewal applications, and order that such time limitations are tolled for the duration of the emergency.

§ 4. I hereby suspend section 52-61 of the Zoning Resolution of the City of New York to the extent such section requires that, following a continuous two-year period of discontinuance of a non-conforming use of land, building or other structure, such land, building or other structure shall be used only for a conforming use, and order that any such two-year period is tolled for the duration of the emergency.

§ 5. I hereby suspend sections 1-06.3(c), 1-07.3(c) and 1-07.3(d) of title 2 of the Rules of the City of New York to the extent such provisions impose limitations on the amount of time permitted for the filing of applications for statutory vested rights, extensions of time to complete construction or extensions of time to obtain certificates of occupancy, and order that any such time limitations are tolled for the duration of the emergency.

§ 6. I hereby suspend Administrative Code sections 31-106, relating to the establishment of veterans resource centers, 31-107, relating to benefits counseling, and 31-110(b), relating to higher education outreach and engagement, for the pendency of the emergency, to the extent such provisions require that certain materials be made available and benefits counseling services be provided at each such veterans resource center, and that each such veterans resource center be open for no less than 10 office hours per week.

§ 7. Section 4 of Emergency Executive Order No. 107, as extended by section 1 of Emergency Order No. 108 and 109, is hereby amended to read as follows: Any license, permit, consent, or registration issued by the City, and authorized by a local law or rule, that will expire or is otherwise required to be renewed during the State of Emergency is extended during the pendency of the emergency, provided that such license, permit, consent, or registration shall expire after such time and such extension shall not alter the term or conditions of such renewal.

§ 8. 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.

§ 9. 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.

§ 10. 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.

A handwritten signature in black ink, appearing to read "Bill de Blasio", is positioned above a horizontal line.

Bill de Blasio,
MAYOR