



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

EMERGENCY EXECUTIVE ORDER NO. 152

October 10, 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. 151, issued October 5, 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;

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 2 and 3 of Emergency Executive Order No. 151, dated October 5, 2020, are extended for five (5) days.

§ 2. I hereby revoke section 3 of Emergency Executive Order No. 115, which suspended section 37-78(b) of the Zoning Resolution concerning periodic compliance reporting and section 25-114(f) of the Administrative Code concerning inspections of privately owned public space, and ordered the tolling of deadlines for inspections or submission of compliance reports imposed by

such provisions, and I hereby order that the running of the time to comply with such deadlines shall resume on the date of this Order.

§ 3. 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.

§ 4. 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.

§ 5. Notwithstanding section 4 of this Order, I hereby incorporate in this Order the provisions of Governor Executive Order No. 202.68 which suspend or modify sections 12 and 206 of the Public Health Law, to the extent necessary to provide that any individual who encourages, promotes or organizes a non-essential gathering as set forth in State Department of Health regulation, shall be liable for a civil penalty not to exceed \$15,000 per day. A violation for encouraging, promoting or organizing such a non-essential gathering may be issued as if it was a violation under section 3.07 of the New York City Health Code, and an individual found to have committed such violation shall be liable for a penalty of \$15,000 for each day such violation exists. I hereby suspend section 555(b)(2) of the Charter and modify section 3.11 of the Health Code, and direct the Board of Health to do the same, to the extent necessary to impose such a civil penalty.

§ 6. 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