



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

EMERGENCY EXECUTIVE ORDER NO. 130

DECLARATION EXTENDING LOCAL STATE OF EMERGENCY

July 7, 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 the State of Emergency declared in Emergency Executive Order No. 98, dated March 12, 2020, and extended by subsequent orders, is extended for thirty (30) days.

§ 2. I hereby direct that section 1 of Emergency Executive Order No. 129, dated July 2, 2020, is extended for five (5) days, except as described herein.

§ 3. I hereby amend section 4(e) of Emergency Executive Order No. 102, as amended by section 5 of Emergency Executive Order No. 127, to permit the reopening of barbershops, hair salons, and establishments providing non-hair-related personal care services, including tattoo and piercing facilities, appearance enhancement practitioners, spas and providers of massage therapy, cosmetology, nail specialty, UV and non-UV tanning or waxing services. Personal care services that require customers to remove face coverings, including but not limited to, lip/nose piercings, face massages, facials, and lip/nose waxing, are prohibited.

§ 4. a. I hereby order the Department of Parks and Recreation, the Police Department, and the Street Activity Permit Office to reject any application for a permit for a procession, parade, street activity, special event, or use of a sound device and refund any fees paid for such application, provided that the applicant may either reapply for a permit in accordance with this section, or defer such application until 2021 and credit any fees paid to the 2021 application.

b. Notwithstanding sections 10-108 and 10-110(a) and (b)(3) of the Administrative Code and the following provisions of the Rules of the City of New York ("RCNY"): 16 RCNY § 14-04, 38 RCNY §§ 8-04 and 19-04, 50 RCNY §§ 1-05(b), (d) and (g), and 56 RCNY §§ 1-05(a), 2-08(c) and (d), the agencies named in subdivision a may not issue a permit for a procession, parade, street activity, special event, or use of a sound device:

1. In a location that would consist of more than 1 block of any street or the equivalent of more than 1 block of a plaza;
2. In a location that infringes upon or conflicts with the flow of traffic in the surrounding area or the recreational use of any part of a street opened to pedestrians and cyclists pursuant to the Department of Transportation's Open Streets program, as indicated on the Department's website;
3. In a location that would include any space that has an existing permit for the use of that space or has been authorized for use by a restaurant participating in the Department of Transportation's Open Restaurants program as indicated on the NYC Open Restaurants map and dashboard at nycopenrestaurants.info;
4. In a park, where the proposed activity would prevent members of the public from the reasonable simultaneous use of all or part of the park for recreational purposes or would require the authorization of vehicles in the park;
5. For a street fair, as defined in 50 RCNY § 1-01; or

6. For a use of a sound device permit when the event would include a stage or video screens.

c. An applicant for a permit for a procession, parade, street activity, special event, or use of a sound device, in addition to fulfilling all other applicable requirements in law and rules, shall submit with their application for a permit a safety plan for the event showing how the following concerns will be addressed without utilizing City services, personnel or resources:

1. Measures to reduce the risk of transmission of COVID-19 at the event site, including: fulfilling the requirements of any relevant guidelines published by the State Department of Health; the strong promotion of physical distancing; the availability of face coverings for volunteers, employees and attendees; health screening and messaging to prevent staff from coming to work if they have had symptoms of or are a confirmed case of COVID-19, or have had a recent exposure to someone with COVID-19; and the availability of hand sanitizer or hand washing stations as appropriate; and
2. Cleaning the event space during and after the event in accordance with 16 RCNY chapter 14.

d. While measures to reduce the risk of transmission of COVID-19 should continue to be followed to the extent practicable, the requirements of this section shall not apply to an application for a permit for:

1. A demonstration, as defined in 38 RCNY § 19-02(d) or 56 RCNY § 1-02, including religious events;
2. A press conference/rally/stationary demonstration, as defined in 50 RCNY § 1-01;
3. A farmer's market, as defined in 50 RCNY § 1-01; or
4. A use of any part of a street or park to provide a service directly associated with the response to COVID-19 including but not limited to, temporary testing sites, mobile medical units, and food bank refrigerators.

§ 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. The State of Emergency shall remain in effect for a period not to exceed thirty (30) days or until rescinded, which occurs first. Additional declarations to extend the State of Emergency for additional periods not to exceed thirty (30) days shall be issued if needed. The remainder of this Order shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.



Bill de Blasio,
MAYOR