



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

**MAYOR'S OFFICE OF MEDIA AND ENTERTAINMENT  
COMMISSIONER'S DIRECTIVE NO. 6  
CONCERNING THE CORONAVIRUS  
JUNE 19, 2020**

WHEREAS, there is currently an outbreak of novel coronavirus disease 2019 (“COVID-19”); and

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services announced a nationwide public health emergency to respond to COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic, the first ever pandemic caused by a coronavirus; and

WHEREAS, COVID-19 has been detected in thousands of people worldwide; and

WHEREAS, the risk of community spread throughout New York City impacts the lives and health of the public, and public health is imperiled by the person-to-person spread of COVID-19; and

WHEREAS, on March 12, 2020, Mayor Bill de Blasio issued Emergency Executive Order No. 98, which continues to be in effect, declaring a state of emergency in New York City and authorizing all agency heads to “take all appropriate and necessary steps to preserve public safety and the health of their employees, and to render all required and available assistance to protect the security, well-being and health of the residents of the City”; and

WHEREAS, on March 14, 2020, to minimize the risk of person-to-person spread, New York State Governor Andrew Cuomo issued Executive Order No. 202.3 that, among other things, required any large gathering or event to be cancelled or postponed if more than fifty persons are expected in attendance, and such order has subsequently been extended by Executive Order No. 202.10 to require non-essential gatherings of individuals of any size be cancelled or postponed; and

WHEREAS, on March 18, 2020, New York State Governor Andrew Cuomo issued Executive Order No. 202.6 that, among other things, requires each non-governmental employer to “reduce the in-person workforce at any work locations by 50% no later than March 20 at 8:00 p.m.” unless such non-governmental employer is an “essential business or entity” listed in such Order or deemed to be essential by the Empire State Development Corporation (“ESDC”), and such order has subsequently been extended; and

WHEREAS, on March 20, 2020, New York State Governor Andrew Cuomo issued Executive Order No. 202.8 that, among other things, reduced the in-person workforce at any non-essential work location by 100% no later than March 22, 2020 at 8:00 p.m. and until April

19, 2020, except for non-governmental essential businesses and entities, as described above, and such order has subsequently been extended; and

WHEREAS, on April 16, 2020, New York State Governor Andrew Cuomo issued Executive Order No. 202.18 that, among other things, extended the cancellation or postponement of all non-essential gatherings and closed or otherwise restricted non-essential public or private businesses or places of accommodation in New York State until 11:59 p.m. on May 15, 2020, and such order has subsequently been extended; and

WHEREAS, on April 17, 2020, Mayor Bill de Blasio announced that the City of New York would not issue permits for non-essential events through at least May 31, 2020; and

WHEREAS, on May 14, 2020, New York State Governor Andrew Cuomo issued Executive Order No. 202.31 that, among other things, provided that in regions that have met the Phase One public health and safety metrics, the reductions and restrictions on the in-person workforce at non-essential businesses for certain industries no longer applies but such industries must operate subject to the guidance promulgated by the New York State Department of Health; and

WHEREAS, on May 29, 2020, New York State Governor Andrew Cuomo issued Executive Order No. 202.35 that, among other things, provided that in regions that have met the Phase Two public health and safety metrics, the reductions and restrictions on the in-person workforce at non-essential businesses for certain industries no longer applies but such industries must operate subject to the guidance promulgated by the New York State Department of Health; and

WHEREAS, on June 2, 2020, ESDC announced that certain aspects of Pre- and Post-Production film activities were authorized to resume with respect to certain operations, with restrictions in specific regions of New York State, as part of Phase Two of the State's reopening plan; provided, however, that no principal photography is permitted that congregates a total of over 10 people together for one shoot; and

WHEREAS, as a condition of resuming operations, businesses must complete the New York State Department of Health COVID-19 Reopening Safety Plan, post it in a conspicuous location on site, and make it available to the New York State Department of Health and New York City health or safety authorities in the event of an inspection; and

WHEREAS, the Office of Film, Theatre and Broadcasting ("OFTB") of the Mayor's Office of Media and Entertainment ("MOME issues permits for the use of public property for filming, rigging, and scouting pursuant to New York City Charter section 1301(1)(r) and 43 RCNY Chapter 9 ("Film Permits"); and

WHEREAS, certain activities authorized by a Film Permit involve close proximity of cast and crew members to each other and to residences, businesses, and other members of the public, and many neighborhoods in New York City that are used for film shoots have high population density; and

WHEREAS, on March 14, 2020, I issued a Commissioner's Directive ("Commissioner's Directive No. 1") limiting the total combined number of cast and crew members covered by a Film Permit to no more than 50 persons during the COVID-19 outbreak; and

WHEREAS, on March 20, 2020, I issued Commissioner's Directive No. 2, suspending Film Permits for activity on public property, with an exception for Film Permits issued to the news media, through April 17, 2020; and

WHEREAS, on April 18, 2020, I issued Commissioner's Directive No. 3, extending the limitations on Film Permits through May 31, 2020; and

WHEREAS, on May 28, 2020, I issued Commissioner's Directive No. 4, extending the limitations on Film Permits through June 15, 2020; and

WHEREAS, on June 11, 2020, I issued Commissioner's Directive No. 5, extending the limitations on Film Permits through June 30, 2020; and

WHEREAS, it is now necessary to issue this Commissioner's Directive No. 6 to allow for activity covered by Film Permits that is authorized by Governor Andrew Cuomo's Executive Orders and ESDC guidelines for regions in Phase Two of its reopening plan and to ensure that activity covered by a Film Permit does not pose a danger or a threat to participants, onlookers or the general public, does not interfere unreasonably with the operation of City functions, and can be reasonably accommodated in the proposed location;

NOW, THEREFORE, it is hereby directed:

Section 1. Section 1 of Commissioner's Directive No. 5 is amended to read as follows:

Section 1. The terms of Commissioner's Directive No. 2, as previously extended by Commissioner's Directive No. 3 and 4, are further extended through 11:59 p.m. on June 30, 2020, with respect to Film Permit applications for activity occurring on or prior to June 30, 2020.

§ 2. With respect to Film Permit applications for activity occurring after June 30, 2020, OFTB will deny any Film Permit application for activity in which more than 10 cast and crew members would be present.

§ 3. A Film Permit holder shall conspicuously post its completed New York State Department of Health COVID-19 Reopening Safety Plan, which plan is designed to prevent the spread of COVID-19, at the location covered by the Film Permit for rigging and filming and shall provide such plan to OFTB upon request.

§ 4. Film Permits will be subject to the following restrictions:

- (a) Film Permits shall not authorize parking for more than five vehicles nor provide for reserved parking. Parking for vehicles shall be limited to passenger vans holding no more than 15 persons, cube-style trucks, and cargo vans.
- (b) Film Permits shall not authorize the closure of public streets or sidewalks nor the intermittent holding of vehicular traffic.
- (c) With the exception of equipment that is handheld for the duration of the Film Permit, Film Permits shall not authorize more production equipment than the following: (1) no more than two cameras (handheld or affixed to a tripod), (2) no more than three lights on stands, and (3) sound equipment.
- (d) Film Permits shall not authorize potentially dangerous activity described in 43 RCNY Section 9-02(c)(11) or pyrotechnics described in 43 RCNY Section 9-02(c)(9).
- (e) OFTB shall not issue Film Permits for locations that may interfere with locations being used for COVID-19 response, such as hospitals, mobile COVID-19 testing centers, and makeshift morgues. The preceding sentence shall not apply to Film Permits issued to the news media.
- (f) OFTB shall not issue Film Permits for filming or rigging at locations that are within 16 feet of businesses participating in the NYC Open Restaurants Program, as defined in Emergency Executive Order No. 126 issued by Mayor Bill de Blasio on June 18, 2020, without the written consent of the affected business or businesses participating in the NYC Open Restaurants Program. The preceding sentence shall not apply to Film Permits issued to the news media.

§ 5. The terms of this Commissioner's Directive No. 6 may be modified as necessary.

§ 6. This Commissioner's Directive No. 6 shall take effect immediately.



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Anne del Castillo, Commissioner  
Mayor's Office of Media and Entertainment