



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

EMERGENCY EXECUTIVE ORDER NO. 172

DECLARATION EXTENDING LOCAL STATE OF EMERGENCY

January 2, 2021

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. 165, issued December 3, 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 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. 170, dated December 28, 2020, and section 1 of Emergency Executive Order No. 171, dated December 29, 2020, are extended for five (5) days.

§ 3. a. I hereby revoke section 5 of Emergency Executive Order No. 107, as amended by section 3 of Emergency Executive Order No. 133, to the extent such section 5 suspended and tolled the implementation deadline in section 23-1102(b)(12) of the Administrative Code of the City of New York, concerning publication of language access implementation plans, provided such section 5 otherwise remains in effect.

b. I hereby order that any agency required by section 23-1102(b)(12) of the Administrative Code of the City of New York to provide language access services by July 1, 2020 for purposes of issuing a license, permit or registration, but for which such implementation deadline had been suspended by section 3 of Emergency Executive Order No. 133, shall provide such services by April 1, 2021.

§ 4. I hereby amend section 4(a) of Emergency Executive Order No. 130, issued July 7, 2020, to read as follows:

§ 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 that does not comply with the requirements provided for in sections 4(b) and 4(c) of this Order, as amended by subsequent emergency executive orders, and refund any fees paid for such rejected application, provided that the applicant may either reapply for a permit in accordance with such requirements, or defer such application until 2022 and request that any fees paid be credited to the 2022 application.

§ 5. I hereby add a new subdivision 4 to section 3 of Emergency Executive Order No. 131, as last amended by section 2 of Emergency Executive Order No. 169, requiring listed licenses, permits, consents or registrations be subject to expiration and renewal in accordance with their terms or conditions beginning 45 days from the listed date, to read as follows:

4. January 2, 2020, for any license, permit, consent or registration issued by the Department of Sanitation.

§ 6. I hereby amend section 1(c) of Emergency Executive Order No. 171, which amended section 7 of Emergency Executive Order No. 157, to read as follows:

c. Section 7 is amended to read as follows:

§ 7. In order to further encourage the use of outdoor space by retail businesses and customers, I hereby authorize the Department of Transportation to grant concessions for the use of pedestrian plazas for outdoor retail markets, provided any such concession shall not be subject to renewal and shall have a term of less than 120 days.

a. The Department of Transportation shall issue guidelines governing the procedures for applying for concessions described in this section. Any recipient of such a concession shall comply with the provisions of such guidelines.

b. Notwithstanding New York City Charter sections 373, 374 and 375 and 12 RCNY sections 1-16(d) and 1-17, any concession granted pursuant to this section shall not be subject to review by the Franchise and Concession Review Committee or to registration with the City Comptroller. Such provisions of the Charter and the RCNY are hereby modified or suspended to the extent necessary to effectuate this section.

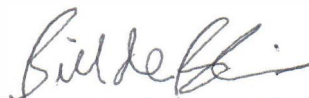
§ 7. I hereby suspend paragraph 10 of subdivision c of section 3-02 of title 21 of the Rules of the City of New York, and any other applicable provisions of such title, to the extent necessary to allow an application for administrative review by the Tax Commission of a tentative real property tax assessment to be filed electronically pursuant to instructions posted by the Tax Commission on its website. Such instructions may include appropriate conditions or other requirements related to electronic filing for specified categories of applicants, including but not limited to representatives and self-represented applicants, as such terms are defined in section 1-03 of title 21 of the Rules of the City of New York.

§ 8. I hereby incorporate in the Order the provisions of Governor Executive Order No. 205.3 relating to quarantine restrictions on travelers arriving in New York.

§ 9. 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.

§ 10. 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.

§ 11. 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. 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



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

EMERGENCY EXECUTIVE ORDER NO. 173

January 7, 2021

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. 172, issued January 2, 2021, 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, 3, 4, 5, 6, 7, and 8 of Emergency Executive Order No. 172, dated January 2, 2021 are extended for five (5) days.

§ 2. I hereby amend subdivision 4 of section 3 of Emergency Executive Order No. 131, as last amended by section 5 of Emergency Executive Order No. 172, and add a new subdivision 5 to such section requiring that listed licenses, permits, consents or registrations be subject to

expiration and renewal in accordance with their terms or conditions beginning 45 days from the listed date, to read as follows:

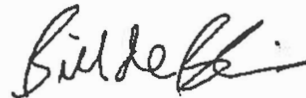
4. January 2, 2021, for any license, permit, consent or registration issued by the Department of Sanitation.

5. January 7, 2021, for any license, permit, certificate, consent or registration issued by the Landmarks Preservation Commission.

§ 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. 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



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

EMERGENCY EXECUTIVE ORDER NO. 176

January 22, 2021

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. 172, issued January 2, 2021, 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, the availability of a 24-hour workforce is necessary for hospitals to provide vital services during the pandemic; and persons working at hospitals may begin and end work at times that make the use of public transportation inconvenient or when it may be unavailable, and therefore, are more likely to commute to work by car and to have a need for access to legal parking near their place of work where their presence is required; 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 section 1 of Emergency Executive Order No. 175, dated January 17, 2021, is extended for five (5) days.

§ 2. I hereby add a new subdivision 6 to section 3 of Emergency Executive Order No. 131, as last amended by section 2 of Emergency Executive Order No. 173, relating to requiring that listed licenses, permits, consents or registrations be subject to expiration and renewal in accordance with their terms or conditions, beginning 45 days from the listed date, to read as follows:

6. January 22, 2021, for any license, permit, consent or registration issued by the Department of Parks and Recreation.

§ 3. a. I hereby amend section (1)(a)(1) of Emergency Executive Order No. 157, as amended by Emergency Executive Order No. 171, regarding the Open Storefronts Program, to provide that for the purposes of the Open Storefronts Program, the term “covered business” means a business located in or operating out of a ground floor commercial premises, including a food service establishment, to the extent such food service establishment limits the business that it conducts in its outdoor commercial premises to pick-up of pre-ordered food and the offer and sale of prepared prepackaged food or whole, uncut fruit or vegetables when operating as an Open Storefront. Any such pre-ordered food for pick-up or prepackaged food offered for sale outdoors must comply with Articles 71 and 81 of the New York City Health Code, Chapter 23 of Title 24 of the Rules of the City of New York, the New York State Sanitary Code, and any other relevant State or Federal food safety regulation or law.

b. A food service establishment may participate in the Open Storefronts Program and the Open Restaurants Program established by Emergency Executive Order No. 126, and as amended by subsequent Emergency Executive Orders, provided that any such food service establishment may not provide both outdoor dining seating and goods for sale on the sidewalk at the same time.

§ 4. I hereby order that, for the period beginning on March 20, 2020 to and including December 31, 2020, a person working at a general hospital, as such term is defined in subdivision 10 of section 2801 of the Public Health Law, shall be deemed to have been authorized to park in any space where it would be lawful for a person issued a “NYC COVID-19 medical/health on street parking permit” to park as if such person working at such hospital had been issued such permit and had displayed such permit when parking. This authorization is applicable only for parking within one-half mile from the hospital and only for the period of time such person was at work at the hospital, as certified by supervisory or administrative personnel of the hospital. Such certification shall be submitted in any proceeding alleging a parking violation to which this authorization would apply.

§ 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, 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



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

EMERGENCY EXECUTIVE ORDER NO. 177

January 27, 2021

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. 172, issued January 2, 2021, 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 1, 2, 3, and 4 of Emergency Executive Order No. 176, dated January 22, 2021, are extended for five (5) days.

§ 2. In order to maintain public safety and health while allowing the Office of Administrative Trials and Hearings ("OATH") to continue to hold administrative trials, hearings, and related conferences, and notwithstanding any contrary provision of Chapter 45-A of the New

York City Charter or Title 48 of the Rules of the City of New York ("RCNY"), I hereby direct OATH to facilitate hearings, trials and related procedures held by remote means, and ratify actions already taken in furtherance of such hearings and trials.

§ 3. I hereby suspend the following provisions of Title 48 of the RCNY to the extent such provisions would require the physical in-person presence at OATH for an appearance or attendance at an OATH procedure, in order to provide for the implementation, administration, and operation of remote hearings, trials and related procedures at OATH:

- (a) RCNY Title 48, Chapter 1, Section 1-11, relating to parties' appearance in person;
- (b) RCNY Title 48, Chapter 1, Section 1-14, relating to ex-parte communications;
- (c) RCNY Title 48, Chapter 1, Section 1-28, relating to notice of conference or trial;
- (d) RCNY Title 48, Chapter 1, Section 1-30, relating to attendance at and conduct of conferences;
- (e) RCNY Title 48, Chapter 1, Section 1-31, relating to settlement conferences;
- (f) RCNY Title 48, Chapter 1, Section 1-45, relating to failure of parties to appear at OATH for trial;
- (g) RCNY Title 48, Chapter 1, Section 1-49, relating to public access to OATH proceedings;
- (h) RCNY Title 48, Chapter 5, Section 5-02, relating to taxi adjudications;
- (i) RCNY Title 48, Chapter 6, Section 6-01, relating to the definition of "appearance" as applicable to OATH's Hearings Division; and
- (j) RCNY Title 48, Chapter 6, Section 6-09, relating to parties' appearances at hearings.

§ 4. Notwithstanding any contrary provision of Title 48 of the RCNY, I hereby direct that OATH may accept electronic methods of filing for all filings, pleadings, and documents as part of its administration of a program facilitating remote hearings, trials and related procedures.

§ 5. To the extent necessary to permit the OATH Hearings Division to accommodate parties' scheduling needs by allowing additional requests to adjourn and reschedule remote hearings upon an appropriate showing of necessity, and allowing additional time to file motions to vacate default judgments, I hereby suspend RCNY Title 48, Chapter 6, Sections 6-05 and 6-21(b), and authorize the Chief Administrative Law Judge or her designee to extend as appropriate the deadlines for such requests and motions.

§ 6. 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.

§ 7. 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.

§ 8. 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 written above a horizontal line.

Bill de Blasio,
MAYOR



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

EMERGENCY EXECUTIVE ORDER NO. 179

DECLARATION EXTENDING LOCAL STATE OF EMERGENCY

February 1, 2021

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. 172, issued January 2, 2021, 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 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 sections 1, 2, 3, 4 and 5 of Emergency Executive Order No. 177, dated January 27, 2021, are extended for five (5) days.

§ 3. I hereby amend Emergency Executive Order No. 177 to add a new section 4-a to read as follows:

§ 4-a. I hereby suspend RCNY Title 48, Chapter 6, Section 6-10, relating to remote adjudications, to the extent necessary to enable OATH to require remote hearings, trials and related procedures, provided that a party may request an in-person appearance where, subject to the approval of the Chief Administrative Law Judge, circumstances would make a remote hearing, trial or procedure impracticable.

§ 4. 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.

§ 5. 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.

§ 6. 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. 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



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

EMERGENCY EXECUTIVE ORDER NO. 181

February 11, 2021

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. 179, issued February 1, 2021, 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 section 1 of Emergency Executive Order No. 180, dated February 6, 2021, is extended for five (5) days.

§ 2. I hereby suspend sections 163(b) and 164-a(a) of the New York City Charter and section 3-02(h)(1) and (2) of title 21 of the Rules of the City of New York, solely to the extent such provisions would require an application for the correction of a tax assessment of real property to be notarized.

§ 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. 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



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

EMERGENCY EXECUTIVE ORDER NO. 183

February 21, 2021

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. 179, issued February 1, 2021, 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 section 1 of Emergency Executive Order No. 182, dated February 16, 2021, is extended for five (5) days.

§ 2. I hereby amend section 7 of Emergency Executive Order 157, as amended by section 6 of Emergency Executive Order No. 172, to allow the Department of Transportation to

grant concessions for the use of pedestrian plazas for outdoor commercial activities, to read as follows:

§ 7. In order to further encourage the use of outdoor space by businesses and customers, I hereby authorize the Department of Transportation to grant concessions for the use of pedestrian plazas for outdoor commercial activities, provided any such concession shall not be subject to renewal and shall have a term of less than 120 days.

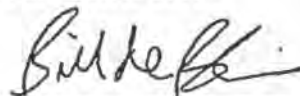
a. The Department of Transportation shall issue guidelines governing the procedures for applying for concessions described in this section. Any recipient of such a concession shall comply with the provisions of such guidelines.

b. Notwithstanding New York City Charter sections 373, 374 and 375 and 12 RCNY sections 1-16(d) and 1-17, any concession granted pursuant to this section shall not be subject to review by the Franchise and Concession Review Committee or to registration with the City Comptroller. Such provisions of the Charter and the RCNY are hereby modified or suspended to the extent necessary to effectuate this section.

§ 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. 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



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

EMERGENCY EXECUTIVE ORDER NO. 184

February 22, 2021

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. 179, issued February 1, 2021, 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 business closures and increased unemployment; and

WHEREAS, the COVID-19 pandemic has led to a precipitous decline in airport traffic, resulting in extraordinary economic loss, and it will take several years for the commercial airline industry to fully recover and for airport revenues to return to pre-pandemic levels; and

WHEREAS, COVID-19 has magnified the need to redesign airports to facilitate health and safety; and

WHEREAS, the Port Authority of New York and New Jersey ("Port Authority") holds a ground lease with the City of New York for John F. Kennedy International Airport ("JFK Airport") and LaGuardia Airport (together, the "City Airports") through the year 2050, and for the past few years has been working with its subtenants at JFK Airport (e.g., terminal operators and airlines) on a comprehensive plan for the redevelopment of JFK Airport, which is projected to create approximately 20,000 jobs over the life of the project and significantly improve the airport's operations, environmental sustainability and stature as a world class airport; and

WHEREAS, due to the unforeseen delays in finalizing construction contracts and the financial impact resulting from the pandemic, including reduced revenues due to decreased airport traffic, diminished revenue projections into the near future, and constrained financing options, the

Port Authority's redevelopment plan for JFK Airport has been delayed and is no longer financially viable under the lease's current term; and

WHEREAS, the Port Authority has indicated it can only expect to proceed with its redevelopment plan if the lease is extended, and an extension of the lease term would be subject to the Uniform Land Use Review Procedure, a process that ordinarily would be expected to take 9-12 months; and

WHEREAS, an immediate extension of the lease term is necessary in order to enable the redevelopment to proceed;

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, to the extent an amendment to extend the term of the ground lease between the Port Authority and the City of New York for the City Airports by a period of ten (10) years is subject to sections 197-b, 197-c, 197-d, or 1301(2)(l) of the New York City Charter or sections 2-01 through 2-07 of title 62 of the Rules of the City of New York, such provisions are suspended.

§ 2. 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



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

EMERGENCY EXECUTIVE ORDER NO. 186

DECLARATION EXTENDING LOCAL STATE OF EMERGENCY

March 3, 2021

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. 179, issued February 1, 2021, 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 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. 185, dated February 26, 2021, is extended for five (5) days.

§ 3. I hereby amend section 3 of Emergency Executive Order No. 131, as last amended by section 2 of Emergency Executive Order No. 176, to read as follows:

§ 3. Notwithstanding section 4 of Emergency Executive Order No. 107, as amended by section 2 of Emergency Executive Order No. 131, the following licenses, permits, consents, or registrations shall be subject to expiration or renewal in accordance with their terms or conditions beginning 45 days from the date indicated below, except that the commissioner or head of a City agency may further extend an individual license, permit, consent, or registration, for the minimum amount of time the commissioner or agency head determines in writing is necessary to provide a continuation of public services:

1. July 12, 2020, for any permit issued by the Department of Transportation for work performed in the street.
2. August 7, 2020, for any license, permit, or registration issued by the Department of Buildings, provided that the renewal of any such license, permit, or registration will be tolled from the date renewal would have otherwise been required, as described in a schedule of renewals issued by the Department.
3. December 23, 2020, for any license or permit issued by the Department of Environmental Protection.
4. January 2, 2021, for any license, permit, consent or registration issued by the Department of Sanitation.
5. January 7, 2021, for any license, permit, certificate, consent or registration issued by the Landmarks Preservation Commission.
6. January 22, 2021, for any license, permit, consent or registration issued by the Department of Parks and Recreation.

§ 4. 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.

§ 5. 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.

§ 6. 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. The remainder of this Order shall remain in effect for five (5) days unless it is terminated or modified at an earlier date..

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 188

March 13, 2021

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. 186, issued March 3, 2021, 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, it is necessary to maintain public safety and health while allowing hearings and meetings related to the Uniform Land Use Review Procedure to continue to be held, and to avoid continued disputes regarding whether such hearings and meetings may be held remotely; 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 section 1 of Emergency Executive Order No. 187, dated March 8, 2021, is extended for five (5) days.

§ 2. a. I hereby order that hearings and meetings related to the Uniform Land Use Review Procedure may be held by remote means, and ratify actions already taken in furtherance of holding such hearings and meetings by remote means.

b. I hereby suspend the following provisions of Title 62 of the Rules of the City of New York ("RCNY") to the extent such provisions would require physical in-person hearings or meetings to be held by community boards, borough boards, or the City Planning Commission, in order to enable the holding of hearings and meetings by remote means:

- i. RCNY Title 62, Chapter 1, Section 1-01, relating to the general rules for the practice and procedure of the City Planning Commission;
- ii. RCNY Title 62, Chapter 2, Section 2-03(d) and (e), relating to public hearings and public meetings of community boards;
- iii. RCNY Title 62, Chapter 2, Section 2-05(c) and (d), relating to public hearings and public meetings of borough boards; and
- iv. RCNY Title 62, Chapter 2, Section 2-06(f), relating to public hearings of the City Planning Commission.

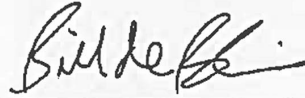
§ 3. I hereby amend section 3 of Emergency Executive Order No. 131, as last amended by section 3 of Emergency Executive Order No. 186, relating to requiring that listed licenses, permits, consents or registrations be subject to expiration and renewal in accordance with their terms or conditions, beginning 45 days from the listed date, to add a new subdivision 7 to read as follows:

7. March 15, 2021, for any license or registration issued by the Business Integrity Commission.

§ 4. 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.

§ 5. 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.

§ 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, provided that section 2 of this Emergency Executive Order is retroactive to and deemed to have been in effect on March 12, 2020.

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 199

May 7, 2021

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. 198, issued May 2, 2021, 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, the New York State Department of Health's Interim Guidance for Sports and Recreation, updated on March 25, 2021 ("NYSDOH Guidance"), states that "participants in higher risk sports and recreation activities may partake in individual or distanced group training and organized no/low-contact group training and, further, may partake in other types of play, including competitions and tournaments, only as permitted by the respective local health authorities;" and

WHEREAS, the Commissioner of Health and Mental Hygiene has advised that higher risk sports and recreational activities may resume, provided they are conducted outdoors; 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 section 2 of Emergency Executive Order No. 198, dated May 2, 2021, is extended for five (5) days.

§ 2. a. In accordance with the NYSDOH Guidance and the advice of the Commissioner of Health and Mental Hygiene, I hereby direct that higher risk sports and recreational activities, such as football, rugby, basketball, wrestling, volleyball, martial arts, contact lacrosse, competitive cheer and group dance, and other sports and recreational activities with similar limited abilities to maintain physical distance or limit exposure to shared equipment prior to such equipment being cleaned and disinfected, may resume beginning on May 7, 2021, subject to the requirements of this section and the NYSDOH Guidance, and any applicable guidance of the Department of Health and Mental Hygiene (“DOHMH”), including the DOHMH guidance for “Competitive Sports in New York City: What Organizers Need to Know” (“DOHMH Guidance”), available on DOHMH’s website at: <https://www1.nyc.gov/assets/doh/downloads/pdf/covid/businesses/covid-19-high-risk-competitive-sports.pdf>.

b. The following restrictions shall apply to higher-risk sports and recreational activities within New York City:

1. Higher-risk sports and recreational activities may only be played or conducted outdoors.

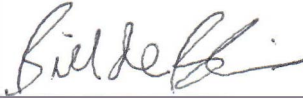
2. The use of locker rooms, including showers, is prohibited, except that players, spectators and staff may enter a locker room for the sole purpose of using the restroom.

c. All players, staff and spectators of higher-risk sports and recreational activities are encouraged to follow the best practices recommended in the DOHMH Guidance.

§ 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. 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



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

EMERGENCY EXECUTIVE ORDER NO. 200

May 12, 2021

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. 198, issued May 2, 2021, 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 1 and 2 of Emergency Executive Order No. 199, dated May 7, 2021, are extended for five (5) days.

§ 2. I hereby suspend section 1-06 of title 40 of the Rules of the City of New York to the extent that such section prohibits the Department of Correction from implementing measures necessary to prevent the person-to-person transmission of COVID-19.

§ 3. Any valid permit or authorization issued by the Fire Department for the use of a portable heater fueled by propane liquefied petroleum gas in an outdoor dining area pursuant to Emergency Executive Order No. 153 is hereby extended until May 31, 2021, and is hereby revoked effective June 1, 2021.

§ 4. I hereby order that, effective June 1, 2021, permission to utilize propane-fueled heaters in outdoor dining areas is revoked. Notwithstanding any contrary provision of Emergency Executive Order No. 153, I hereby order that, effective June 1, 2021:

a. The use of a temporary outdoor heater, as defined in section 1(a) of Emergency Executive Order No. 153, that is fueled by propane in an outdoor dining area operated by a restaurant, bar or other establishment participating in the Open Restaurants Program, or in a courtyard or other outdoor space on private property used by a food service establishment for outdoor dining, is prohibited.

b. Any such propane-fueled temporary outdoor heater must be removed from the outdoor dining area and disconnected from any propane container, but may be stored on the premises of the restaurant, bar or establishment in accordance with applicable guidance issued by the Fire Department.

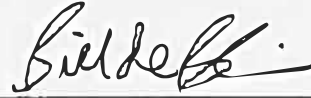
c. Any propane container used for outdoor heating must be removed from the premises of the restaurant, bar or establishment at the close of business on May 31, 2021. After such date, propane shall not be used, handled or stored at such premises except as permitted by the Fire Code or title 3 of the Rules of the City of New York.

d. Any guidance issued by the Fire Department or Department of Buildings pursuant to section 1(c) of Emergency Executive Order No. 153 shall be updated and revised as necessary to reflect the provisions of this section.

§ 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, 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



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

EMERGENCY EXECUTIVE ORDER NO. 202

May 18, 2021

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. 198, issued May 2, 2021, 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 business closures and increased unemployment; and

WHEREAS, the COVID-19 pandemic has led to a decline in tourism, and the hotel sector in New York City has been substantially impacted, with jobs, inventory, occupancy rates, and room rates sold, all down substantially, resulting in extraordinary economic loss for the sector; and

WHEREAS, thus far in Fiscal Year 2021, hotel tax revenue is down approximately 89 percent as compared with Fiscal Year 2020; and

WHEREAS, to aid in New York City's post-pandemic economic recovery, it is necessary to provide economic relief to this hard-hit industry, which would enable more hotels to remain open or to reopen, to keep New Yorkers in the hotel trade employed, and to boost tourism in New York City; and

WHEREAS, immediate relief is warranted in order to assist in the economic recovery of the New York City hotel industry;

WHEREAS, hotel operators and room remarketers remit the hotel occupancy tax on a quarterly cycle and the elimination of the hotel occupancy tax rate of 5.875 percent for the period

commencing on June 1, 2021 and ending on August 31, 2021, would reduce the cost of a hotel room and thereby stimulate higher demand for hotel rooms and tourism in New York City or allow hotels to charge more for rooms; and

WHEREAS, the overall leisure and hospitality sector lost approximately 257,000 jobs from March through December 2020.

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. a. I hereby suspend paragraph (3) of subdivision a of section 11-2502 of the Administrative Code of the City of New York to the extent necessary to provide for the reduction of the tax for occupancy of a room in a hotel in the City of New York imposed by such paragraph to zero percent for any such occupancy from June 1, 2021 through August 31, 2021.

b. Nothing in this section shall affect the imposition of the tax for the occupancy of a room in a hotel in the City of New York pursuant to paragraph (2) of subdivision a of such section.

§ 2. 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



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

EMERGENCY EXECUTIVE ORDER NO. 203
May 22, 2021

WHEREAS, on March 7, 2020, Governor Cuomo declared a State disaster emergency for the State of New York to address the threat COVID-19 poses to public health and welfare; and

WHEREAS, the state of emergency in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 198, 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 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:

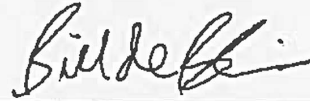
Section 1. I hereby direct that section 1 of Emergency Executive Order No. 201, dated May 17, 2021, and section 1 of Emergency Executive Order 202, dated May 18, 2021, are extended for five (5) days.

§ 2. I hereby revoke Emergency Executive Order No. 137, relating to the establishment of checkpoints at City and State boundary crossings, and Emergency Executive Order No. 141, sections 1 and 2 of such Order as amended by subdivision b of section 3 of Emergency Executive Order No. 159, relating to the completion of the State Traveler Health Form by guests at hotels and certain other places of temporary lodging.

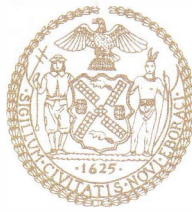
§ 3. This Order incorporates all relevant provisions of Governor Executive Order No. 202 and subsequent orders of the Governor addressing the State of Emergency declared in that Order.

§ 4. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 5. This Emergency Executive Order shall take effect immediately and remain in effect for 5 days unless terminated or modified at an earlier date.

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 204
May 24, 2021

WHEREAS, on March 7, 2020, Governor Cuomo declared a State disaster emergency for the State of New York to address the threat COVID-19 poses to public health and welfare; and

WHEREAS, the state of emergency in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 198, 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 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. 203, dated May 22, 2021, are extended for five (5) days.

§ 2. I hereby revoke section 4 of Emergency Executive Order No. 130, subdivision b of such section as amended by Emergency Executive Order No. 148, paragraph 2 of subdivision b of such section as further amended by Emergency Executive Order No. 155, and subdivision a of such section as amended by Emergency Executive Order No. 172, relating to applications for permits for a procession, parade, street activity, special event, or use of a sound device, provided that the refund of any fees or deferment of any application pursuant to subdivision a of such section, as so amended, shall be in accordance with section 3 of this Order.

§ 3. 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, or special event that does not comply with the requirements provided for in this section, and to refund any fees paid for such rejected application, provided that the applicant may either reapply for a permit in accordance with the requirements of this section and request that any fees paid be credited to such reapplication, or defer the application until 2022 and request that any fees paid be credited to the 2022 application.



b. Notwithstanding sections 10-110(a) and (b)(3) of the Administrative Code and the following provisions of the Rules of the City of New York ("RCNY"): 38 RCNY § 19-04, 50 RCNY §§ 1-05(b), (d) and (g), and 56 RCNY §§ 1-05(a), 2-08(c) and (d), any procession, parade, street activity, or special event for which a permit is issued by an agency named in subdivision a of this section shall comply with any other applicable Emergency Executive Order, any applicable Executive Order of the Governor, and any applicable City- or State-issued guidance relating to COVID-19.

c. An applicant for a permit for a procession, parade, street activity, or special event, 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. Such safety plan shall show how the applicant will, in accordance with the forms or guidance provided by the agencies named in subdivision a of this section, and without the use of City services, personnel or resources, fulfill the requirements of all Emergency Executive Orders and Executive Orders of the Governor and guidelines published by the Department of Health and Mental Hygiene and the State Department of Health regarding processions, parades, street activities or special events, including social gathering limits, physical distancing and contact tracing requirements, and the availability of face coverings.

d. 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, vaccination sites, mobile medical units, and food bank refrigerators.

§ 4. This Order incorporates all relevant provisions of Governor Executive Order No. 202 and subsequent orders of the Governor addressing the State of Emergency declared in that Order.

§ 5. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 6. This Emergency Executive Order shall take effect immediately and remain in effect for 5 days unless 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



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

EMERGENCY EXECUTIVE ORDER NO. 205
May 28, 2021

WHEREAS, on March 7, 2020, Governor Cuomo declared a State disaster emergency for the State of New York to address the threat COVID-19 poses to public health and welfare; and

WHEREAS, the state of emergency in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 198, 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 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 sections 1, 2, and 3 of Emergency Executive Order No. 204, dated May 24, 2021, are extended for five (5) days.

§ 3. I hereby direct that, beginning on May 28, 2021, higher-risk sports and recreational activities may be played or conducted indoors or outdoors, subject to the requirements of section 2 of Emergency Executive Order No. 199 and all applicable guidance, and amend paragraph 1 of subdivision b of section 2 of Emergency Executive Order No. 199 to read as follows:

1. Higher-risk sports and recreational activities may be played or conducted indoors or outdoors.

§ 4. I hereby amend subdivision b of section 4 of Emergency Executive Order No. 144, relating to the suspension and tolling of the limitations period imposed by section 11-332(a) of the New York City Zoning Resolution, to read as follows:

b. I further suspend section 11-332(a) of the Zoning Resolution, to the extent such section imposes a two year limitation on the amount of time permitted for the completion of construction and issuance of a certificate of occupancy, and order that such time limitation is tolled until the earlier of the expiration of the State of Emergency or August 31, 2021, at which time the running of such time limitation shall recommence.

§ 5. This Order incorporates all relevant provisions of Governor Executive Order No. 202 and subsequent orders of the Governor addressing the State of Emergency declared in that Order.

§ 6. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 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, 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. The remainder of this Order 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 written over a horizontal line.

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 206
June 1, 2021

WHEREAS, on March 7, 2020, Governor Cuomo declared a State disaster emergency for the State of New York to address the threat COVID-19 poses to public health and welfare; and

WHEREAS, the state of emergency in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 205, 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 in order to ensure that the Governor's orders are enforced; and

WHEREAS, the Commissioner of Health and Mental Hygiene has advised that older adult congregate centers operating within the City that were closed pursuant to Emergency Executive Order No. 100 may resume activities, 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 section 2, 3, and 4 of Emergency Executive Order No. 205, dated May 28, 2021, are extended for five (5) days.

§ 2. a. I hereby revoke section 17 of Emergency Executive Order No. 100, which closed older adult congregate centers operating within the City.

b. I hereby direct that older adult congregate centers operating within the City that were ordered closed pursuant to Emergency Executive Order No. 100 may resume outdoor activities beginning June 1, 2021, and may resume indoor activities beginning June 14, 2021. All such activities shall be conducted in accordance with any applicable guidance of the New York City Department of Health and Mental Hygiene, New York City Department for the Aging, and the New York State Department of Health. Notwithstanding any inconsistent provision of this section, in order to provide access to food for older adults, any such older adult congregate center may continue to operate to the extent necessary to prepare and distribute meals.

§ 3. This Order incorporates all relevant provisions of Governor Executive Order No. 202 and subsequent orders of the Governor addressing the State of Emergency declared in that Order.

§ 4. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 5. 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



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

EMERGENCY EXECUTIVE ORDER NO. 208
June 11, 2021

WHEREAS, on March 7, 2020, Governor Cuomo declared a State disaster emergency for the State of New York to address the threat COVID-19 poses to public health and welfare; and

WHEREAS, the state of emergency in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 205, 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 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:

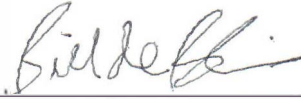
Section 1. I hereby direct that section 1 of Emergency Executive Order No. 207, dated June 6, 2021, is extended for five (5) days.

§ 2. I hereby revoke section 3 of Emergency Executive Order No. 149, relating to indoor pools, provided that operators of such pools shall continue to comply with all applicable guidance issued by the New York State Department of Health.

§ 3. This Order incorporates all relevant provisions of Governor Executive Order No. 202 and subsequent orders of the Governor addressing the State of Emergency declared in that Order.

§ 4. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 5. 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



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

EMERGENCY EXECUTIVE ORDER NO. 209
June 16, 2021

WHEREAS, on March 7, 2020, Governor Cuomo declared a State disaster emergency for the State of New York to address the threat COVID-19 poses to public health and welfare; and

WHEREAS, the state of emergency in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 205, 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 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. 208, dated June 11, 2021, are extended for five (5) days.

§ 2. I hereby revoke paragraph 2 of subdivision b of section 2 of Emergency Executive Order No. 199, as modified by section 3 of Emergency Executive Order No. 205, relating to prohibiting the use of locker rooms for higher-risk sports and recreational activities for any purpose other than restroom use.

§ 3. This Order incorporates all relevant provisions of Governor Executive Order No. 202 and subsequent orders of the Governor addressing the State of Emergency declared in that Order.

§ 4. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 5. 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", written over a horizontal line.

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 211

June 24, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 205, 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;

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 section 1 of Emergency Executive Order No. 210, dated June 21, 2021, is extended for five (5) days.

§ 2. I hereby revoke section 1 of Emergency Executive Order No. 101, which banned all group riding (otherwise known as "pooled" or "shared" rides) other than paratransit vehicles.

§ 3. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 4. 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", written over a horizontal line.

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 214
June 30, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 212, 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;

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 following orders, all of which were last extended by section 1 of Emergency Executive Order No. 213, are extended for five (5) days:

- (a) Sections 11 through 16 of Emergency Executive Order No. 100, dated March 16, 2020, and section 2 of Emergency Executive Order No. 200, dated May 12, 2021, relating to the operations of the Department of Correction.
- (b) Section 2 of Emergency Executive Order No. 101, dated March 17, 2020, relating to the suspension of rules and laws related to procurement.
- (c) Emergency Executive Order No. 126, dated June 18, 2020, as amended by section 3 of Emergency Executive Order No. 127 and section 4 of Emergency Executive Order No. 128, relating to establishing the Open Restaurants program, and Emergency Executive Order No. 139, dated August 11, 2020, relating to concessions and restaurants in parks.
- (d) Emergency Executive Order No. 153, dated October 14, 2020, and sections 3 and 4 of Emergency Executive Order No. 200, dated May 12, 2021, relating to temporary outdoor heaters.
- (e) Sections 1 through 7 of Emergency Executive Order No. 157, dated October 28, 2020, as amended by section 1 of Emergency Executive Order No. 171, section 6 of Emergency Executive Order No. 172, section 3 of Emergency Executive Order

No. 176 and section 2 of Emergency Executive Order No. 183, relating to the Open Storefronts program and concessions for the use of pedestrian plazas for outdoor retail markets.

- (f) Sections 2, 3, 4, 4-a and 5 of Emergency Executive Order No. 177, dated January 27, 2021, as amended by section 3 of Emergency Executive Order No. 179, relating to remote procedures at the Office of Administrative Trials and Hearings.
- (g) Section 1 of Emergency Executive Order No. 202, dated May 18, 2021, relating to the hotel room occupancy tax.

§ 2. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 3. 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



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

EMERGENCY EXECUTIVE ORDER NO. 215
July 1, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 212, 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;

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 section 1 of Emergency Executive Order No. 214 is extended for five (5) days.

§ 2. I hereby suspend 34 RCNY 4-08(a)(1), beginning June 30, 2021, to the extent that street cleaning parking rules (also known as alternate side parking or ASP) in residential areas be limited to one day a week. Until further notice from the Department of Transportation, streets where alternate side parking is restricted on multiple days by a sign with the letter "P" with a broom through it will be cleaned, and such parking restrictions will only be in effect, on the last day of the week posted on such signs. However, parking restrictions for street sweeping on consecutive days (daily street sweepings) in metered parking spots will be enforced in accordance with the restrictions posted on the authorized signs for that street.

§ 3. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 4. 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 written over a horizontal line.

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 225

August 16, 2021

**KEY TO NYC: REQUIRING COVID-19 VACCINATION FOR
INDOOR ENTERTAINMENT, RECREATION, DINING AND FITNESS SETTINGS**

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments;

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 220, remains in effect;

WHEREAS, this Order is necessary 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;

WHEREAS, the U.S. Centers for Disease Control ("CDC") reports that new variants of COVID-19, classified as "variants of concern," are present in the United States;

WHEREAS, some of these new variants currently account for the majority of COVID-19 cases sequenced in New York City and are much more transmissible than earlier variants;

WHEREAS, the CDC has stated that vaccination is the most effective tool to mitigate the spread of COVID-19 and protect against severe illness;

WHEREAS, the CDC has also stated that vaccination benefits both vaccine recipients and those with whom they come into contact, including individuals who are ineligible for the vaccine due to age, health or other conditions;

WHEREAS, the recent appearance in the City of the highly transmissible Delta variant of COVID-19 has substantially increased the risk of infection;

WHEREAS, indoor entertainment, recreation, dining and fitness settings generally involve groups of unassociated people interacting for a substantial period of time and requiring vaccination for all individuals in these areas, including workers, will protect the public health, promote public safety, and save the lives of not just those vaccinated individuals but the public at large;

WHEREAS, 56% of City residents are fully vaccinated and 62% of residents have received at least one dose, and mandating vaccinations at the types of establishments that residents frequent will incentivize vaccinations, increasing the City's vaccination rates and saving lives; and

WHEREAS, a study by Yale University demonstrated that the City's vaccination campaign was estimated to have prevented about 250,000 COVID-19 cases, 44,000 hospitalizations and 8,300 deaths from COVID-19 infection since the start of vaccination through July 1, 2021, and the City believes the number of prevented cases, hospitalizations and death has risen since then; and that between January 1, 2021, and June 15, 2021, over 98% of hospitalizations and deaths from COVID-19 infection involved those who were not fully vaccinated;

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 order that a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination.

§ 2. I hereby order that the following individuals are exempted from this Order, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times they are unable to maintain six (6) feet of distance from other individuals inside the covered premises:

- a. Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);
- b. A nonresident performing artist not regularly employed by the covered entity while they are in a covered premises for purposes of performing;
- c. A nonresident professional athlete/sports team who enters a covered premises as part of their regular employment for purposes of competing; and
- d. A nonresident individual accompanying a performing artist or professional athlete/sports team into a covered premises as part of their regular employment so long as the performing artist or professional athlete/sports team are performing or competing in the covered premises.

§ 3. I hereby direct each covered entity to develop and keep a written record describing the covered entity's protocol for implementing and enforcing the requirements of this Order. Such written record shall be available for inspection upon a request of a City official as allowed by law.

§ 4. I hereby direct each covered entity to post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this Order and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene ("DOHMH") shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at nyc.gov/keytoNYC, or use its own sign provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

§ 5. For the purposes of this Order:

a. "Contractor" means the owner and/or employees of any business that a covered entity has hired to perform work within a covered premise, except that it shall not include nonresident owners and/or employees.

b. "Covered entity" means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, child care programs, senior centers, community centers, or as otherwise indicated by this Order.

c. "Covered premises" means any location, except a location in a residential or office building the use of which is limited to residents, owners, or tenants of that building, that is used for the following purposes:

(i) **Indoor Entertainment and Recreational Settings**, including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums and galleries, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of food service establishment that is regulated by the New York State Department of Agriculture and Markets offering food for on-premises indoor consumption. The requirements of this Order shall not apply to any food service establishment offering food and/or

drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing charitable food services such as soup kitchens;

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

d. “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

e. “Nonresident” means any individual who is not a resident of New York City.

f. “Patron” means any individual 12 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

g. “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

h. “Proof of vaccination” means proof of receipt of at least one dose of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization. Such proof may be established by:

i. A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

ii. A New York City COVID Safe Pass (available to download on Apple and Android smartphone devices); or

iii. A New York State Excelsior Pass.

§ 6. I hereby direct that each instance that a covered entity fails to check an individual’s vaccination status shall constitute a separate violation of this Order.

§ 7. I hereby direct the City's Commission on Human Rights to develop guidance to assist covered entities in complying with this Order in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

§ 8. I hereby direct, in accordance with Executive Law § 25, that staff from any agency as may hereafter be designated by the DOHMH Commissioner shall enforce the directives set forth in this Order.

§ 9. I hereby direct that any person or entity who is determined to have violated this Order shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this Order within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This Order may be enforced pursuant to sections 3.05, 3.07, and/or 3.11 of the Health Code and sections 558 and 562 of the Charter. I hereby suspend Appendix 7-A of Chapter 7 of the Rules of the City of New York to the extent it would limit a violation of this Order to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000.

§ 10. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this Order and increase the number of vaccinated individuals in the City.

§ 11. This Emergency Executive Order shall take effect on August 17, 2021, except for section 9 of this Order, which shall take effect on September 13, 2021.

A handwritten signature in dark ink, appearing to read "Bill de Blasio", is written over a horizontal line.

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 226
August 20, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 220, 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;

WHEREAS, the U.S. Centers for Disease Control ("CDC") reports that new variants of COVID-19, classified as "variants of concern," are present in the United States;

WHEREAS, some of these new variants currently account for the majority of COVID-19 cases sequenced in New York City and are much more transmissible than earlier variants;

WHEREAS, the CDC has stated that vaccination is the most effective tool to mitigate the spread of COVID-19 and protect against severe illness;

WHEREAS, the CDC has also stated that vaccination benefits both vaccine recipients and those with whom they come into contact, including individuals who are ineligible for the vaccine due to age, health or other conditions;

WHEREAS, the recent appearance in the City of the highly transmissible Delta variant of COVID-19 has substantially increased the risk of infection;

WHEREAS, indoor entertainment, recreation, dining and fitness settings generally involve groups of unassociated people interacting for a substantial period of time and requiring vaccination for all individuals in these areas, including workers, will protect the public health, promote public safety, and save the lives of not just those vaccinated individuals but the public at large;

WHEREAS, 56% of City residents are fully vaccinated and 62% of residents have received at least one dose, and mandating vaccinations at the types of establishments that residents frequent will incentivize vaccinations, increasing the City's vaccination rates and saving lives; and

WHEREAS, a study by Yale University demonstrated that the City's vaccination campaign was estimated to have prevented about 250,000 COVID-19 cases, 44,000 hospitalizations and 8,300 deaths from COVID-19 infection since the start of vaccination through July 1, 2021, and the City believes the number of prevented cases, hospitalizations and death has risen since then; and that between January 1, 2021, and June 15, 2021, over 98% of hospitalizations and deaths from COVID-19 infection involved those who were not fully vaccinated;

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 section 1 of Emergency Executive Order No. 224, dated August 15, 2021, is extended for five (5) days.

§ 2. I hereby direct that sections 1 through 11 of Emergency Executive Order No. 225, dated August 16, 2021 shall be superseded in their entirety by the following provisions:

1. This section shall be known as the Key to NYC program.

2. I hereby order that a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination.

3. I hereby order that the following individuals are exempted from this section, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times when they are unable to maintain six (6) feet of distance from other individuals inside the covered premises:

- a. Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);

- b. A nonresident performing artist not regularly employed by the covered entity, or a nonresident individual accompanying such a performing artist, while the performing artist or individual is in a covered premises for the purposes of such artist's performance; and

- c. A nonresident professional athlete/sports team that is not based in New York City (i.e., not a New York City "home team"), or a nonresident individual accompanying

such professional athlete/sports team, who enters a covered premises as part of their regular employment for purposes of the professional athlete/sports team competition.

4. I hereby direct each covered entity to develop and keep a written record describing the covered entity's protocol for implementing and enforcing the requirements of this section. Such written record shall be available for inspection upon a request of a City official as allowed by law.

5. I hereby direct each covered entity to post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this section and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene ("DOHMH") shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at nyc.gov/keytoNYC, or use its own sign provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

6. For the purposes of this Order:

a. "Contractor" means the owner or employee of any business that a covered entity has hired to perform work within a covered premise.

b. "Covered entity" means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, houses of worship, child care programs, senior centers, community centers, or as otherwise indicated by this Order.

c. "Covered premises" means any location, except a location in a residential or office building the use of which is limited to residents, owners, or tenants of that building, that is used for the following purposes:

(i) **Indoor Entertainment and Recreational Settings**, including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of an establishment that is regulated by the New York State Department of Agriculture and Markets offering food for on-premises indoor

consumption. The requirements of this Order shall not apply to any establishment offering food or drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing only charitable food services, such as soup kitchens;

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

d. “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

e. “Nonresident” means any individual who is not a resident of New York City.

f. “Patron” means any individual 12 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

g. “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

h. “Proof of vaccination” means proof of receipt of at least one dose of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization. Such proof may be established by:

(i) A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

(ii) A New York City COVID Safe Pass (available to download on Apple and Android smartphone devices); or

(iii) A New York State Excelsior Pass.

7. I hereby direct that each instance that a covered entity fails to check an individual’s vaccination status shall constitute a separate violation of this section.

8. I hereby direct the City's Commission on Human Rights to develop guidance to assist covered entities in complying with this section in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

9. I hereby direct, in accordance with section 25 of the Executive Law, that staff from any agency as may hereafter be designated by the Commissioner of Health and Mental Hygiene shall enforce the directives set forth in this section.

10. Notwithstanding any contrary provision of any subsequent emergency executive order continuing this section:

a. I hereby direct that any person or entity who is determined to have violated this section shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this section within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This section may be enforced pursuant to sections 3.05, 3.07, or 3.11 of the Health Code and sections 558 and 562 of the Charter.

b. I hereby suspend: (i) Appendix 7-A of Chapter 7 of Title 24 of the Rules of the City of New York to the extent it would limit a violation of this section to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000; and (ii) section 7-08 of such Chapter 7 and section 3.11 of the Health Code, to the extent such provisions would limit the default penalty amount that may be imposed for a violation of this section to \$2,000.

11. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this section and increase the number of vaccinated individuals in the City.

§ 3. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in section 1 of this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in section 1 of this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 4. This Emergency Executive Order shall take effect immediately, except that paragraph 10 of section 2 of this Order shall take effect on September 13, 2021.



Bill de Blasio,
MAYOR



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

EMERGENCY EXECUTIVE ORDER NO. 227
DECLARATION OF LOCAL STATE OF EMERGENCY
August 21, 2021
HURRICANE EMERGENCY DECLARATION

WHEREAS, the public safety is imperiled by Hurricane Henri, a dangerous storm with sustained winds expected to exceed 73 miles per hour at landfall on Sunday, August 22, 2021;

WHEREAS, Hurricane Henri will bring strong winds and heavy rain onshore, with the likelihood of localized flooding;

WHEREAS, the public safety is imperiled by Henri, which may cause interruptions to the flow of traffic, restrictions on the operation of emergency vehicles and impediments to the delivery of essential goods and services; and

NOW THEREFORE, by the power vested in me as Mayor of the City of New York pursuant to law, including Executive Law § 24, I hereby proclaim a state of local emergency in the City of New York and order:

Section 1. The Open Restaurants Program shall be suspended from 12:00 a.m. on Sunday, August 22, 2021 until 6:00 a.m. on Monday, August 23, 2021, to the extent that it permits establishments to serve diners on the street and/or sidewalk.

§ 2. The Open Streets program shall be suspended from 12:00 a.m. on Sunday, August 22, 2021 until 6:00 a.m. on Monday, August 23, 2021.

§ 3. Due to the potential for high winds, all builders, contractors, crane operators and property owners are directed to secure their construction sites, buildings, and equipment effective immediately.

§ 4. All permitted outdoor construction, including street and sidewalk work, and any permitted construction work taking place on a property that is not fully enclosed shall be suspended from 12:00 a.m. on Sunday, August 22, 2021 until 6:00 a.m. on Monday, August 23, 2021.

§ 5. The Emergency Management, Fire, Police, Sanitation, Fire, Environmental Protection, Buildings, and Transportation Commissioners shall take all appropriate and necessary

steps to preserve public safety and to render all required and available assistance to protect the security, well-being, and health of the residents of the City.

§ 6. In accordance with Executive Law §24, any person who knowingly violates the provisions of this order shall be guilty of a class B misdemeanor.

§ 7. This order shall take effect immediately and shall remain in effect for three days unless extended or sooner revoked.

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

Bill de Blasio
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 228
August 25, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 220, 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;

WHEREAS, the U.S. Centers for Disease Control ("CDC") reports that new variants of COVID-19, classified as "variants of concern," are present in the United States;

WHEREAS, some of these new variants currently account for the majority of COVID-19 cases sequenced in New York City and are much more transmissible than earlier variants;

WHEREAS, the CDC has stated that vaccination is the most effective tool to mitigate the spread of COVID-19 and protect against severe illness;

WHEREAS, the CDC has also stated that vaccination benefits both vaccine recipients and those with whom they come into contact, including individuals who are ineligible for the vaccine due to age, health or other conditions;

WHEREAS, the recent appearance in the City of the highly transmissible Delta variant of COVID-19 has substantially increased the risk of infection;

WHEREAS, indoor entertainment, recreation, dining and fitness settings generally involve groups of unassociated people interacting for a substantial period of time and requiring vaccination for all individuals in these areas, including workers, will protect the public health, promote public safety, and save the lives of not just those vaccinated individuals but the public at large;

WHEREAS, 57% of City residents are fully vaccinated and 64% of residents have received at least one dose, and mandating vaccinations at the types of establishments that residents frequent will incentivize vaccinations, increasing the City's vaccination rates and saving lives; and

WHEREAS, a study by Yale University demonstrated that the City's vaccination campaign was estimated to have prevented about 250,000 COVID-19 cases, 44,000 hospitalizations and 8,300 deaths from COVID-19 infection since the start of vaccination through July 1, 2021, and the City believes the number of prevented cases, hospitalizations and death has risen since then; and that between January 1, 2021, and June 15, 2021, over 98% of hospitalizations and deaths from COVID-19 infection involved those who were not fully vaccinated;

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. 226, dated August 20, 2021, is extended for five (5) days.

§ 3. I hereby direct that section 2 of Emergency Executive Order No. 226, dated August 20, 2021, shall be superseded in its entirety by the provisions of section 4 of this Order.

§ 4. a. The program established by this section shall be known as the Key to NYC program.

b. I hereby order that, except as provided in subdivision c of this section, a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination.

c. I hereby order that the following individuals are exempted from this section, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times when they are unable to maintain six (6) feet of distance from other individuals inside the covered premises:

(1) Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);

(2) A nonresident performing artist not regularly employed by the covered entity, or a nonresident individual accompanying such a performing artist, while the performing artist or individual is in a covered premises for the purposes of such artist's performance; and

(3) A nonresident professional athlete/sports team that is not based in New York City (i.e., not a New York City “home team”), or a nonresident individual accompanying such professional athlete/sports team, who enters a covered premises as part of their regular employment for purposes of the professional athlete/sports team competition.

d. I hereby direct each covered entity to develop and keep a written record describing the covered entity’s protocol for implementing and enforcing the requirements of this section. Such written record shall be available for inspection upon a request of a City official as allowed by law.

e. I hereby direct each covered entity to post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this section and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene (“DOHMH”) shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at nyc.gov/keytoNYC, or use its own sign, provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

f. For the purposes of this Order:

(1) “Contractor” means the owner or employee of any business that a covered entity has hired to perform work within a covered premise.

(2) “Covered entity” means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, houses of worship, child care programs, senior centers, community centers, or as otherwise indicated by this Order.

(3) “Covered premises” means any of the following locations, except as provided in paragraph iv of this subsection:

(i) **Indoor Entertainment and Recreational Settings**, including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of an establishment that is regulated by the New York

State Department of Agriculture and Markets offering food for on-premises indoor consumption. The requirements of this Order shall not apply to any establishment offering food or drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing only charitable food services, such as soup kitchens;

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

(iv) “Covered premises” do not include houses of worship or locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.

(4) “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

(5) “Nonresident” means any individual who is not a resident of New York City.

(6) “Patron” means any individual 12 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

(7) “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

(8) “Proof of vaccination” means proof of receipt of at least one dose of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization. Such proof may be established by:

(i) A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

(ii) A New York City COVID Safe Pass (available to download on Apple and Android smartphone devices); or

(iii) A New York State Excelsior Pass.

g. I hereby direct that each instance that a covered entity fails to check an individual's vaccination status shall constitute a separate violation of this section.

h. I hereby direct the City's Commission on Human Rights to develop guidance to assist covered entities in complying with this section in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

i. I hereby direct, in accordance with section 25 of the Executive Law, that staff from any agency as may hereafter be designated by the Commissioner of Health and Mental Hygiene shall enforce the directives set forth in this section.

j. Notwithstanding any contrary provision of any subsequent emergency executive order continuing this section:

(1) I hereby direct that any person or entity who is determined to have violated the requirements of the Key to NYC Program shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this section within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This section may be enforced pursuant to sections 3.05, 3.07, or 3.11 of the Health Code and sections 558 and 562 of the Charter.

(2) I hereby suspend: (i) Appendix 7-A of Chapter 7 of Title 24 of the Rules of the City of New York to the extent it would limit a violation of this section to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000; and (ii) section 7-08 of such Chapter 7 and section 3.11 of the Health Code, to the extent such provisions would limit the default penalty amount that may be imposed for a violation of this section to \$2,000.

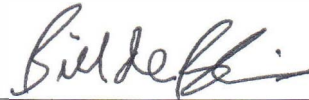
k. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this section and increase the number of vaccinated individuals in the City.

l. Section 20-1271 of the Administrative Code of the City of New York is modified by adding the following provision to the definition of "just cause:" Notwithstanding any provision of this chapter, a fast food employer shall be deemed to have just cause when a fast food employee has failed to provide proof of vaccination required by an emergency executive order issued in response to the COVID-19 pandemic and shall not be required to follow progressive discipline procedures prior to terminating the employee, provided that the employee shall have 30 days from the date when the employer notified the employee of the requirement to submit such proof and the employee shall be placed on leave following such notification until such proof is provided. This provision shall not excuse

the employer from the responsibility to provide a reasonable accommodation where required by law.

§ 5. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in section 2 of this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in section 1 of this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 6. This Emergency Executive Order shall take effect immediately, except that section 4(j) of this Order shall take effect on September 13, 2021. 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.

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 239
September 14, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 228, remains in effect; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 228;

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 section 4 of Emergency Executive Order No. 228, dated August 25, 2021 and last extended by section 1 of Emergency Executive Order No. 237 shall be superseded in its entirety by the provisions of section 2 of this Order.

§ 2. a. The program set forth within this section shall be known as the “Key to NYC” program.

b. I hereby order that, except as provided in subdivision c of this section, a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination.

c. I hereby order that the following individuals are exempted from this section, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times when they are unable to maintain six (6) feet of distance from other individuals inside the covered premises:

(1) Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);

(2) A nonresident performing artist not regularly employed by the covered entity, or a nonresident individual accompanying such a performing artist, while the performing artist or individual is in a covered premises for the purposes of such artist's performance; and

(3) A nonresident professional athlete/sports team that is not based in New York City (i.e., not a New York City "home team"), or a nonresident individual accompanying such professional athlete/sports team, who enters a covered premises as part of their regular employment for purposes of the professional athlete/sports team competition.

(4) An individual 12 years of age or older who enters a covered premises to participate in a school or after-school program offered by any pre-kindergarten through grade twelve public or non-public school, the Department of Youth & Community Development, or another City agency.

d. I hereby direct each covered entity to develop and keep a written record describing the covered entity's protocol for implementing and enforcing the requirements of this section. Such written record shall be available for inspection upon a request of a City official as allowed by law.

e. I hereby direct each covered entity to post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this section and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene ("DOHMH") shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at nyc.gov/keytoNYC, or use its own sign, provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

f. For the purposes of this Order:

(1) "Contractor" means the owner or employee of any business that a covered entity has hired to perform work within a covered premise.

(2) "Covered entity" means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, houses of worship, child care programs, senior centers, community centers, or as otherwise indicated by this Order.

(3) "Covered premises" means any of the following locations, except as provided in subparagraph (iv) of this paragraph:

(i) **Indoor Entertainment and Recreational Settings**, including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, hotel meetings and event spaces, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of an establishment that is regulated by the New York State Department of Agriculture and Markets offering food for on-premises indoor consumption. The requirements of this Order shall not apply to any establishment offering food or drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing only charitable food services, such as soup kitchens;

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

(iv) “Covered premises” do not include houses of worship or locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.

(4) “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

(5) “Nonresident” means any individual who is not a resident of New York City.

(6) “Patron” means any individual 12 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

(7) “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

(8) “Proof of vaccination” means proof of receipt of at least one dose of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization. Such proof may be established by:

(i) A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

(ii) A New York City COVID Safe Pass (available to download on Apple and Android smartphone devices); or

(iii) A New York State Excelsior Pass.

g. I hereby direct that each instance that a covered entity fails to check an individual’s vaccination status shall constitute a separate violation of this section.

h. I hereby direct the City’s Commission on Human Rights to publish guidance to assist covered entities in complying with this section in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

i. I hereby direct, in accordance with section 25 of the Executive Law, that staff from any agency as may hereafter be designated by the Commissioner of Health and Mental Hygiene shall enforce the directives set forth in this section.

j. (1) I hereby direct that any person or entity who is determined to have violated the requirements of the Key to NYC program shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this section within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This section may be enforced pursuant to sections 3.05, 3.07, or 3.11 of the Health Code and sections 558 and 562 of the Charter.

(2) I hereby suspend: (i) Appendix 7-A of Chapter 7 of Title 24 of the Rules of the City of New York to the extent it would limit a violation of this section to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000; and (ii) section 7-08 of such Chapter 7 and section 3.11 of the Health Code, to the extent such provisions would limit the default penalty amount that may be imposed for a violation of this section to \$2,000.

k. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this section and increase the number of vaccinated individuals in the City.

1. Section 20-1271 of the Administrative Code of the City of New York is modified by adding the following provision to the definition of "just cause:" Notwithstanding any provision of this chapter, a fast food employer shall be deemed to have just cause when a fast food employee has failed to provide proof of vaccination required by an emergency executive order issued in response to the COVID-19 pandemic and shall not be required to follow progressive discipline procedures prior to terminating the employee, provided that the employee shall have 30 days from the date when the employer notified the employee of the requirement to submit such proof and the employee shall be placed on leave following such notification until such proof is provided. This provision shall not excuse the employer from the responsibility to provide a reasonable accommodation where required by law.

§ 3. This Emergency Executive Order shall take effect immediately.

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 250

September 24, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 247, remains in effect; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 228;

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 Emergency Executive Order No. 239, dated September 14, 2021 and last extended by Emergency Executive Order No. 244 shall be superseded in its entirety by the provisions of section 2 of this Order.

§ 2. a. The program set forth in this section shall be known as the "Key to NYC" program.

b. I hereby order that, except as provided in subdivision c of this section, a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination.

c. I hereby order that the following individuals are exempted from this section, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times when they are unable to maintain six (6) feet of distance from other individuals inside the covered premises:

(1) Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);

(2) A nonresident performing artist not regularly employed by the covered entity, or a nonresident individual accompanying such a performing artist, while the performing artist or individual is in a covered premises for the purposes of such artist's performance, except that a performing artist is not required to wear a face mask while performing;

(3) A nonresident professional athlete/sports team that is not based in New York City (i.e., not a New York City "home team"), or a nonresident individual accompanying such professional athlete/sports team, who enters a covered premises as part of their regular employment for purposes of the professional athlete/sports team competition, except that such a professional athlete is not required to wear a face mask while playing in a competition;

(4) An individual 12 years of age or older who enters a covered premises to participate in a school or after-school program offered by any pre-kindergarten through grade twelve public or non-public school, the Department of Youth & Community Development, or another City agency; and

(5) An individual who enters for the purposes of voting or, pursuant to law, assisting or accompanying a voter or observing the election.

d. I hereby direct each covered entity to develop and keep a written record describing the covered entity's protocol for implementing and enforcing the requirements of this section. Such written record shall be available for inspection upon a request of a City official as allowed by law.

e. I hereby direct each covered entity to post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this section and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene ("DOHMH") shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at nyc.gov/keytoNYC, or use its own sign, provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

f. For the purposes of this Order:

(1) "Contractor" means the owner or employee of any business that a covered entity has hired to perform work within a covered premise.

(2) "Covered entity" means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, houses of worship, childcare programs, senior centers, community centers, or as otherwise indicated by this Order.

(3) “Covered premises” means any of the following locations, except as provided in subparagraph (iv) of this paragraph:

(i) **Indoor Entertainment and Recreational Settings, and Certain Event and Meeting Spaces** including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, hotel meeting and event spaces, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of an establishment that is regulated by the New York State Department of Agriculture and Markets offering food for on-premises indoor consumption. The requirements of this Order shall not apply to any establishment offering food or drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing only charitable food services, such as soup kitchens;

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

(iv) “Covered premises” do not include houses of worship or locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.

(4) “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

(5) “Nonresident” means any individual who is not a resident of New York City.

(6) “Patron” means any individual 12 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

(7) “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

(8) “Proof of vaccination” means proof of receipt of at least one dose of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization. Such proof may be established by:

(i) A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

(ii) A New York City COVID Safe Pass (available to download on Apple and Android smartphone devices);

(iii) A New York State Excelsior Pass;

(iv) CLEAR’s digital vaccine card; or

(v) any other method specified by the Commissioner of Health and Mental Hygiene as sufficient to demonstrate proof of vaccination.

g. I hereby direct that each instance that a covered entity fails to check an individual’s vaccination status shall constitute a separate violation of this section.

h. I hereby direct the City’s Commission on Human Rights to publish guidance to assist covered entities in complying with this section in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

i. I hereby direct, in accordance with section 25 of the Executive Law, that staff from any agency designated by the Commissioner of Health and Mental Hygiene shall enforce the directives set forth in this section.

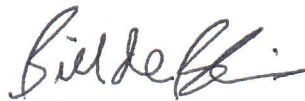
j. (1) I hereby direct that any person or entity who is determined to have violated the requirements of the Key to NYC program shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this section within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This section may be enforced pursuant to sections 3.05, 3.07, or 3.11 of the Health Code and sections 558 and 562 of the Charter.

(2) I hereby suspend: (i) Appendix 7-A of Chapter 7 of Title 24 of the Rules of the City of New York to the extent it would limit a violation of this section to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000; and (ii) section 7-08 of such Chapter 7 and section 3.11 of the Health Code, to the extent such provisions would limit the default penalty amount that may be imposed for a violation of this section to \$2,000.

k. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this section and increase the number of vaccinated individuals in the City.

l. Section 20-1271 of the Administrative Code of the City of New York is modified by adding the following provision to the definition of “just cause:” Notwithstanding any provision of this chapter, a fast food employer shall be deemed to have just cause when a fast food employee has failed to provide proof of vaccination required by an emergency executive order issued in response to the COVID-19 pandemic and shall not be required to follow progressive discipline procedures prior to terminating the employee, provided that the employee shall have 30 days from the date when the employer notified the employee of the requirement to submit such proof and the employee shall be placed on leave following such notification until such proof is provided. This provision shall not excuse the employer from the responsibility to provide a reasonable accommodation where required by law.

§ 3. This Emergency Executive Order shall take effect immediately.



Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 267
October 19, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 247, 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;

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 section 1 of Emergency Executive Order No. 263, dated October 14, 2021 is extended for five (5) days.

§ 2. I hereby revoke section 7 of Emergency Executive Order No. 157, dated October 28, 2020, as amended by section 1(c) of Emergency Executive Order No. 171, section 6 of Emergency Executive Order No. 172, and section 2 of Emergency Executive Order No. 183, relating to concessions for the use of pedestrian plazas for outdoor commercial activities.

§ 3. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and 28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 4. This Emergency Executive Order shall take effect immediately.

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 316
December 13, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 296, remains in effect; and

WHEREAS, on October 29, 2021, U.S. Food and Drug Administration authorized the emergency use of the Pfizer-BioNTech COVID-19 Vaccine for the prevention of COVID-19 to include children 5 through 11 years of age; and

WHEREAS, on November 26, 2021, New York State Governor Kathy Hochul issued Executive Order No. 11 to address new emerging threats across the State posed by COVID-19, finding that New York is experiencing COVID-19 transmission at rates the State has not seen since April 2020 and that the rate of new COVID-19 hospital admissions has been increasing over the past month to over 300 new admissions a day; and

WHEREAS, the recent appearance in the City of the highly transmissible Omicron variant of COVID-19 suggests an increased risk of reinfection; and

WHEREAS, 70% of City residents are fully vaccinated and mandating vaccinations at the types of establishments that residents frequent will incentivize vaccinations, increasing the City's vaccination rates and saving lives; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 228;

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 Emergency Executive Order No. 250, dated September 24, 2021 and last extended by Emergency Executive Order No. 312, shall be superseded in its entirety by the provisions of section 2 of this Order.

§ 2. a. The program set forth in this section shall be known as the “Key to NYC” program.

b. I hereby order that, except as provided in subdivision c of this section, a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination. However, for a child under the age of 18 only proof of vaccination, and not additional identification, is required to be displayed.

c. I hereby order that the following individuals are exempted from this section, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times except when they are consuming food or beverages:

(1) Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);

(2) A nonresident performing artist not regularly employed by the covered entity, or a nonresident individual accompanying such a performing artist, while the performing artist or individual is in a covered premises for the purposes of such artist’s performance, except that a performing artist is not required to wear a face mask while performing;

(3) A nonresident professional or college athlete/sports team that is not based in New York City (i.e., not a New York City “home team”), or a nonresident individual accompanying such professional or college athlete/sports team, who enters a covered premises as part of their regular employment for purposes of the professional or college athlete/sports team competition, except that such athlete is not required to wear a face mask while playing in a competition;

(4) An individual 5 years of age or older who enters a covered premises to participate in a school or after-school program offered by any pre-kindergarten through grade twelve public or non-public school, the Department of Youth & Community Development (DYCD), or another City agency, except that Department of Education (DOE) and charter school students participating in high risk extracurricular activities must comply with the vaccination requirements for high risk extracurricular activities as described in the relevant Order of the Commissioner of Health and Mental Hygiene Order issued on December 10, 2021;

(5) An individual who enters for the purposes of voting or, pursuant to law, assisting or accompanying a voter or observing the election; and

(6) An individual who was younger than five years of age on December 13, 2021, until 45 days after such individual's fifth birthday.

d. I hereby direct each covered entity to develop and keep a written record describing the covered entity's protocol for implementing and enforcing the requirements of this section. Such written record shall be available for inspection upon a request of a City official as allowed by law.

e. I hereby direct each covered entity to:

(1) Maintain a copy of workers' proof of vaccination or, if applicable, a record of reasonable accommodation(s) as described in paragraph (2)(iv) of this subdivision; or

(2) Maintain a record of such proof of vaccination, provided that such record shall include:

(i) the worker's name; and

(ii) whether the person is fully vaccinated; and

(iii) for a worker who submits proof of the first dose of a two-dose vaccine, the date by which proof of the second dose must be provided, which must be no later than 45 days after the proof of first dose was submitted; and

(iv) for a worker who does not submit proof of COVID-19 vaccination because of a reasonable accommodation, the record must indicate that such accommodation was provided, and the covered entity must separately maintain records stating the basis for such accommodation and any supporting documentation provided by such worker; or

(3) Check the proof of vaccination before allowing a worker to enter the workplace and maintain a record of the verification.

For a non-employee worker, such as a contractor, a covered entity may request that the worker's employer confirm the proof of vaccination in lieu of maintaining the above records. A covered entity shall maintain a record of such request and confirmation.

Records created or maintained pursuant to this section shall be treated as confidential.

A covered entity shall, upon request by a City agency, make available for inspection records required to be maintained by this section, consistent with applicable law.

f. I hereby direct each covered entity to:

(1) Post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this section and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene (“DOHMH”) shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at nyc.gov/keytoNYC, or use its own sign, provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

(2) No later than December 27, 2021, affirm on a form provided by DOHMH compliance with the requirements of subdivision e of this section, and post the affirmation in a conspicuous location.

g. For the purposes of this Order:

(1) “Contractor” means the owner or employee of any business that a covered entity has hired to perform work within a covered premise.

(2) “Covered entity” means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, houses of worship, childcare programs, senior centers, community centers, or as otherwise indicated by this Order.

(3) “Covered premises” means any of the following locations, except as provided in subparagraph (iv) of this paragraph:

(i) **Indoor Entertainment and Recreational Settings, and Certain Event and Meeting Spaces** including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, hotel meeting and event spaces, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of an establishment that is regulated by the New York State Department of Agriculture and Markets offering food for on-premises indoor consumption. The requirements of this Order shall not apply to any establishment offering food or drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing only charitable food services, such as soup kitchens; and

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

(iv) “Covered premises” do not include houses of worship or locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.

(4) “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

(5) “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

(6) “Nonresident” means any individual who is not a resident of New York City.

(7) “Patron” means any individual 5 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

(8) “Proof of vaccination” means proof of receipt of a full regimen of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization, not including any additional recommended booster doses, except that for children who are 5 years of age or older as of December 13, 2021, but younger than 12 years of age, “proof of vaccination” means proof of receipt of at least one dose of such a vaccine until January 28, 2022, after which time it shall mean proof of receipt of a full regimen of such vaccine. Such proof may be established by:

(i) A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

(ii) A New York City COVID Safe App (available to download on Apple and Android smartphone devices);

(iii) A New York State Excelsior Pass;

(iv) CLEAR's digital vaccine card; or

(v) any other method specified by the Commissioner of Health and Mental Hygiene as sufficient to demonstrate proof of vaccination.

(9) "Worker" means an individual who works in-person in New York City at a workplace in New York City. Worker includes a full- or part-time staff member, employer, employee, intern, volunteer or contractor of a covered entity, as well as a self-employed individual or a sole practitioner.

Worker does not include an individual who works from their own home and whose employment does not involve interacting in-person with co-workers or members of the public. Worker also does not include an individual who enters the workplace for a quick and limited purpose.

(10) "Workplace" means any location, including a vehicle, where work is performed in the presence of another worker or member of the public.

h. I hereby direct that each instance that a covered entity fails to check an individual's vaccination status shall constitute a separate violation of this section.

i. I hereby direct the City's Commission on Human Rights to publish guidance to assist covered entities in complying with this section in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

j. I hereby direct, in accordance with section 25 of the Executive Law, that staff from any agency designated by the Commissioner of Health and Mental Hygiene shall enforce the directives set forth in this section.

k. (1) I hereby direct that any person or entity who is determined to have violated the requirements of the Key to NYC program shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this section within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This section may be enforced pursuant to sections 3.05, 3.07, or 3.11 of the Health Code and sections 558 and 562 of the Charter.

(2) I hereby suspend: (i) Appendix 7-A of Chapter 7 of Title 24 of the Rules of the City of New York to the extent it would limit a violation of this section to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000; and (ii) section 7-08 of such Chapter 7 and section 3.11 of the Health Code, to the extent such provisions would limit the default penalty amount that may be imposed for a violation of this section to \$2,000.

(3) Notwithstanding the foregoing, this subdivision shall not apply until December 27, 2021 with respect to proof of receipt of a second dose of a two-dose vaccine.

l. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this section and increase the number of vaccinated individuals in the City.

m. I hereby order that section 20-1271 of the Administrative Code of the City of New York is modified by adding the following provision to the definition of "just cause:" Notwithstanding any provision of this chapter, a fast food employer shall be deemed to have just cause when a fast food employee has failed to provide proof of vaccination required by an emergency executive order issued in response to the COVID-19 pandemic and shall not be required to follow progressive discipline procedures prior to terminating the employee, provided that the employee shall have 30 days from the date when the employer notified the employee of the requirement to submit such proof and the employee shall be placed on leave following such notification until such proof is provided. This provision shall not excuse the employer from the responsibility to provide a reasonable accommodation where required by law.

§ 3. This Emergency Executive Order shall take effect immediately.

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 317
December 15, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 296, remains in effect; and

WHEREAS, on October 29, 2021, U.S. Food and Drug Administration authorized the emergency use of the Pfizer-BioNTech COVID-19 Vaccine for the prevention of COVID-19 to include children 5 through 11 years of age; and

WHEREAS, on November 26, 2021, New York State Governor Kathy Hochul issued Executive Order No. 11 to address new emerging threats across the State posed by COVID-19, finding that New York is experiencing COVID-19 transmission at rates the State has not seen since April 2020 and that the rate of new COVID-19 hospital admissions has been increasing over the past month to over 300 new admissions a day; and

WHEREAS, the recent appearance in the City of the highly transmissible Omicron variant of COVID-19 suggests an increased risk of reinfection; and

WHEREAS, 70% of City residents are fully vaccinated and mandating vaccinations at the types of establishments that residents frequent will incentivize vaccinations, increasing the City's vaccination rates and saving lives; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 316;

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 Emergency Executive Order No. 316, dated December 13, 2021, shall be superseded in its entirety by the provisions of section 2 of this Order.

§ 2. a. The program set forth in this section shall be known as the “Key to NYC” program.

b. I hereby order that, except as provided in subdivision c of this section, a covered entity shall not permit a patron, full- or part-time employee, intern, volunteer, or contractor to enter a covered premises without displaying proof of vaccination and identification bearing the same identifying information as the proof of vaccination. However, for a child under the age of 18 only proof of vaccination, and not additional identification, is required to be displayed.

c. I hereby order that the following individuals are exempted from this section, and therefore may enter a covered premises without displaying proof of vaccination, provided that such individuals wear a face mask at all times except when they are consuming food or beverages:

(1) Individuals entering for a quick and limited purpose (for example, using the restroom, placing or picking up an order or service, changing clothes in a locker room, or performing necessary repairs);

(2) A nonresident performing artist not regularly employed by the covered entity, or a nonresident individual accompanying such a performing artist, while the performing artist or individual is in a covered premises for the purposes of such artist’s performance, except that a performing artist is not required to wear a face mask while performing;

(3) A nonresident professional or college athlete/sports team that is not based in New York City (i.e., not a New York City “home team”), or a nonresident individual accompanying such professional or college athlete/sports team, who enters a covered premises as part of their regular employment for purposes of the professional or college athlete/sports team competition, except that such athlete is not required to wear a face mask while playing in a competition;

(4) An individual 5 years of age or older who enters a covered premises to participate in a school or after-school program offered by any pre-kindergarten through grade twelve public or non-public school, the Department of Youth & Community Development (DYCD), or another City agency, except that Department of Education (DOE) and charter school students participating in high risk extracurricular activities must comply with the vaccination requirements for high risk extracurricular activities as described in the relevant Order of the Commissioner of Health and Mental Hygiene Order issued on December 10, 2021;

(5) An individual who enters for the purposes of voting or, pursuant to law, assisting or accompanying a voter or observing the election; and

(6) An individual who was younger than five years of age on December 13, 2021, until 45 days after such individual’s fifth birthday.

d. I hereby direct each covered entity to develop and keep a written record describing the covered entity's protocol for implementing and enforcing the requirements of this section. Such written record shall be available for inspection upon a request of a City official as allowed by law.

e. I hereby direct each covered entity to:

(1) Maintain a copy of workers' proof of vaccination or, if applicable, a record of reasonable accommodation(s) as described in paragraph (2)(iv) of this subdivision; or

(2) Maintain a record of such proof of vaccination, provided that such record shall include:

(i) the worker's name; and

(ii) whether the person is fully vaccinated; and

(iii) for a worker who submits proof of the first dose of a two-dose vaccine, the date by which proof of the second dose must be provided, which must be no later than 45 days after the proof of first dose was submitted; and

(iv) for a worker who does not submit proof of COVID-19 vaccination because of a reasonable accommodation, the record must indicate that such accommodation was provided, and the covered entity must separately maintain records stating the basis for such accommodation and any supporting documentation provided by such worker; or

(3) Check the proof of vaccination before allowing a worker to enter the workplace and maintain a record of the verification.

For a non-employee worker, such as a contractor, a covered entity may request that the worker's employer confirm the proof of vaccination in lieu of maintaining the above records. A covered entity shall maintain a record of such request and confirmation.

Records created or maintained pursuant to this section shall be treated as confidential.

A covered entity shall, upon request by a City agency, make available for inspection records required to be maintained by this section, consistent with applicable law.

f. I hereby direct each covered entity to post a sign in a conspicuous place that is viewable by prospective patrons prior to entering the establishment. The sign must alert patrons to the vaccination requirement in this section and inform them that employees and patrons are required to be vaccinated. The Department for Health and Mental Hygiene ("DOHMH") shall determine the text of such sign and provide a template on its website that a covered entity may use. A covered entity may use the sign available online at

nyc.gov/keytoNYC, or use its own sign, provided its sign must be no smaller than 8.5 inches by 11 inches, with text provided by DOHMH in at least 14-point font.

g. For the purposes of this Order:

(1) “Contractor” means the owner or employee of any business that a covered entity has hired to perform work within a covered premise.

(2) “Covered entity” means any entity that operates one or more covered premises, except that it shall not include pre-kindergarten through grade twelve (12) public and non-public schools and programs, houses of worship, childcare programs, senior centers, community centers, or as otherwise indicated by this Order.

(3) “Covered premises” means any of the following locations, except as provided in subparagraph (iv) of this paragraph:

(i) **Indoor Entertainment and Recreational Settings, and Certain Event and Meeting Spaces** including indoor portions of the following locations, regardless of the activity at such locations: movie theaters, music or concert venues, adult entertainment, casinos, botanical gardens, commercial event and party venues, museums, aquariums, zoos, professional sports arenas and indoor stadiums, convention centers and exhibition halls, hotel meeting and event spaces, performing arts theaters, bowling alleys, arcades, indoor play areas, pool and billiard halls, and other recreational game centers;

(ii) **Indoor Food Services**, including indoor portions of food service establishments offering food and drink, including all indoor dining areas of food service establishments that receive letter grades as described in section 81.51 of the Health Code; businesses operating indoor seating areas of food courts; catering food service establishments that provide food indoors on its premises; and any indoor portions of an establishment that is regulated by the New York State Department of Agriculture and Markets offering food for on-premises indoor consumption. The requirements of this Order shall not apply to any establishment offering food or drink exclusively for off-premises or outdoor consumption, or to a food service establishment providing only charitable food services, such as soup kitchens; and

(iii) **Indoor Gyms and Fitness Settings**, including indoor portions of standalone and hotel gyms and fitness centers, gyms and fitness centers in higher education institutions, yoga/Pilates/barre/dance studios, boxing/kickboxing gyms, fitness boot camps, indoor pools, CrossFit or other plyometric boxes, and other facilities used for conducting group fitness classes.

(iv) “Covered premises” do not include houses of worship or locations in a residential or office building the use of which is limited to residents, owners, or tenants of that building.

(4) “Identification” means an official document bearing the name of the individual and a photo or date of birth. Examples of acceptable identification include but are not limited to: driver’s license, non-driver government ID card, IDNYC, passport, and school ID card.

(5) “Indoor portion” means any part of a covered premises with a roof or overhang that is enclosed by at least three walls, except that the following will not be considered an indoor portion: (1) a structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk; and (2) an outdoor dining structure for individual parties, such as a plastic dome, if it has adequate ventilation to allow for air circulation.

(6) “Nonresident” means any individual who is not a resident of New York City.

(7) “Patron” means any individual 5 years of age or older who patronizes, enters, attends an event, or purchases goods or services within a covered premise.

(8) “Proof of vaccination” means proof of receipt of a full regimen of a COVID-19 vaccine authorized for emergency use or licensed for use by the U.S. Food and Drug Administration or authorized for emergency use by the World Health Organization, not including any additional recommended booster doses, except that for children who are 5 years of age or older as of December 13, 2021, but younger than 12 years of age, “proof of vaccination” means proof of receipt of at least one dose of such a vaccine until January 28, 2022, after which time it shall mean proof of receipt of a full regimen of such vaccine. Such proof may be established by:

- (i) A CDC COVID-19 Vaccination Record Card or an official immunization record from the jurisdiction, state, or country where the vaccine was administered or a digital or physical photo of such a card or record, reflecting the person’s name, vaccine brand, and date administered; or

- (ii) A New York City COVID Safe App (available to download on Apple and Android smartphone devices);

- (iii) A New York State Excelsior Pass;

- (iv) CLEAR’s digital vaccine card; or

- (v) any other method specified by the Commissioner of Health and Mental Hygiene as sufficient to demonstrate proof of vaccination.

(9) “Worker” means an individual who works in-person in New York City at a workplace in New York City. Worker includes a full- or part-time staff member, employer, employee, intern, volunteer or contractor of a covered entity, as well as a self-employed individual or a sole practitioner.

Worker does not include an individual who works from their own home and whose employment does not involve interacting in-person with co-workers or members of the public. Worker also does not include an individual who enters the workplace for a quick and limited purpose.

(10) “Workplace” means any location, including a vehicle, where work is performed in the presence of another worker or member of the public.

h. I hereby direct that each instance that a covered entity fails to check an individual’s vaccination status shall constitute a separate violation of this section.

i. I hereby direct the City’s Commission on Human Rights to publish guidance to assist covered entities in complying with this section in an equitable manner consistent with applicable provisions of the New York City Human Rights Law.

j. I hereby direct, in accordance with section 25 of the Executive Law, that staff from any agency designated by the Commissioner of Health and Mental Hygiene shall enforce the directives set forth in this section.

k. (1) I hereby direct that any person or entity who is determined to have violated the requirements of the Key to NYC program shall be subject to a fine, penalty and forfeiture of not less than \$1,000. If the person or entity is determined to have committed a subsequent violation of this section within twelve months of the initial violation for which a penalty was assessed, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$2,000. For every violation thereafter, such person or entity shall be subject to a fine, penalty and forfeiture of not less than \$5,000 if the person or entity committed the violation within twelve months of the violation for which the second penalty was assessed. This section may be enforced pursuant to sections 3.05, 3.07, or 3.11 of the Health Code and sections 558 and 562 of the Charter.

(2) I hereby suspend: (i) Appendix 7-A of Chapter 7 of Title 24 of the Rules of the City of New York to the extent it would limit a violation of this section to be punished with a standard penalty of \$1,000 or a default penalty of \$2,000; and (ii) section 7-08 of such Chapter 7 and section 3.11 of the Health Code, to the extent such provisions would limit the default penalty amount that may be imposed for a violation of this section to \$2,000.

(3) Notwithstanding the foregoing, this subdivision shall not apply until December 27, 2021 with respect to proof of receipt of a second dose of a two-dose vaccine.

l. Covered entities shall comply with further guidelines issued by DOHMH to further the intent of this section and increase the number of vaccinated individuals in the City.

m. I hereby order that section 20-1271 of the Administrative Code of the City of New York is modified by adding the following provision to the definition of “just cause:” Notwithstanding any provision of this chapter, a fast food employer shall be deemed to

have just cause when a fast food employee has failed to provide proof of vaccination required by an emergency executive order issued in response to the COVID-19 pandemic and shall not be required to follow progressive discipline procedures prior to terminating the employee, provided that the employee shall have 30 days from the date when the employer notified the employee of the requirement to submit such proof and the employee shall be placed on leave following such notification until such proof is provided. This provision shall not excuse the employer from the responsibility to provide a reasonable accommodation where required by law.

§ 3. This Emergency Executive Order shall take effect immediately.

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

Bill de Blasio,
MAYOR



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

EMERGENCY EXECUTIVE ORDER NO. 322
December 20, 2021

WHEREAS, the COVID-19 pandemic has severely impacted New York City and its economy, and is addressed effectively only by joint action of the City, State, and Federal governments; and

WHEREAS, the state of emergency to address the threat and impacts of COVID-19 in the City of New York first declared in Emergency Executive Order No. 98, and extended most recently by Emergency Executive Order No. 296, 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;

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 section 1 of Emergency Executive Order No. 318, dated December 18, 2021, is extended for five (5) days.

§ 2. During the State of Emergency, and to the extent such laws and rules may be suspended consistent with State law, the following laws and regulations related to procurement are suspended with respect to any procurement of goods, services or construction when an agency head determines in writing that the procurement is necessary to respond to the emergency: Chapter 13 of the New York City Charter; Title 9 of the Rules of the City of New York (Procurement Policy Board Rules); and Sections 6-101 through 6-107.1, 6-108.1 through 6-121, and 6-124 through 6-129 of the New York City Administrative Code. Nothing herein shall preclude an agency from complying with any portions of such laws or rules to the extent that the agency head determines that compliance will not interfere with the agency's emergency response.

§ 3. I hereby direct the Fire and Police Departments, the Department of Buildings, the Sheriff, and other agencies as needed, to enforce the directives set forth in this Order in accordance with their lawful authorities, including Administrative Code sections 15-227(a), 28-105.10.1, and

28-201.1, and section 107.6 of the Fire Code. Violations of the directives set forth in this Order may be issued as if they were violations under the Health Code sections 3.07 and 3.11, and enforced by the Department of Health and Mental Hygiene or any other agency.

§ 4. 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 written over a horizontal line.

Bill de Blasio,
MAYOR