

## EMERGENCY EXECUTIVE ORDER NO. 230

October 12, 2022

**WHEREAS**, over the past several months, thousands of asylum seekers have been arriving in New York City, from the Southern border, without having any immediate plans for shelter; and

**WHEREAS**, the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the DHS Shelter System; and

**WHEREAS**, if asylum seekers continue to enter the City at the current rate, the total population within the DHS Shelter System will exceed 100,000 individuals next year;

**WHEREAS**, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 224, dated October 7, 2022; and

**WHEREAS**, the state of emergency based on the arrival of thousands of individuals and families seeking asylum, declared in Emergency Executive Order No. 224, dated October 7, 2022, remains in effect;

**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. State of Emergency. I hereby order that sections 2 through 4 of Emergency Executive Order No. 224, dated October 7, 2022, are extended for five (5) days.

§ 2. I hereby suspend: (i) Sections 28-111.1.1 and 28-111.1.2 of the Administrative Code of the City of New York, but only to the extent such provisions limit temporary structures or uses to no more than 90 days; (ii) sections 28-118.3.1 and 28-118.3.2 of the Administrative Code of the City of New York, Chapter 2 of Article 2, Chapter 2 of Article 3, Chapter 2 of Article 4 and any other applicable district use regulations, including in Special Purpose Districts, of the Zoning Resolution of the City of New York and any other provisions of such code, resolution or rules, to the extent that they would prevent the alteration and/or use of buildings as temporary humanitarian relief centers (“Humanitarian Emergency Response and Relief Centers” or “HERRCs”) that will provide assistance for arriving asylum seekers, provided that such structures or buildings, regardless of length of stay, shall be occupied in a manner that will not endanger public safety, health, or welfare as certified by a registered design professional.

§ 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.

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Eric Adams  
Mayor