



State of New York

Executive Chamber

No. 37

EXECUTIVE ORDER

DECLARING A DISASTER IN THE COUNTIES OF ALBANY, ALLEGANY, BRONX, BROOME, CATTARAUGUS, CAYUGA, CHAUTAUQUA, CHEMUNG, CHENANGO, CLINTON, COLUMBIA, CORTLAND, DELAWARE, DUTCHESS, ERIE, ESSEX, FRANKLIN, FULTON, GENESEE, GREENE, HAMILTON, HERKIMER, JEFFERSON, KINGS, LEWIS, LIVINGSTON, MADISON, MONROE, MONTGOMERY, NASSAU, NEW YORK, NIAGARA, ONEIDA, ONONDAGA, ONTARIO, ORANGE, ORLEANS, OSWEGO, OTSEGO, PUTNAM, QUEENS, RENSSELAER, RICHMOND, ROCKLAND, ST LAWRENCE, SARATOGA, SCHENECTADY, SCHOHARIE, SCHUYLER, SENECA, STEUBEN, SUFFOLK, SULLIVAN, TIOGA, TOMPKINS, ULSTER, WARREN, WASHINGTON, WAYNE, WESTCHESTER, WYOMING, AND YATES

WHEREAS, beginning on July 10, and continuing thereafter, a series of severe storms combined with extreme heat have caused hazardous conditions posing an imminent danger to public transportation, utility service, public health, and public safety systems within the counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates;

WHEREAS, the storms have produced tornadic activity, damaging straight-line winds, heavy rainfall, and flash flooding, resulting in road closures, travel disruptions, widespread power outages, and damage to public and private property, which continue to pose a threat to the public health and safety;

WHEREAS, State assistance is needed for the immediate response and ongoing recovery efforts in the affected counties;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby find that a disaster has occurred for which the affected local governments are unable to respond and recover from adequately. Therefore, I hereby declare a State Disaster Emergency effective July 16, 2024, within the territorial boundaries of the counties of Albany, Allegany, Bronx, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, St Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, and Yates. This Executive Order shall be in effect through August 15, 2024; and

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I directed the implementation of the State Comprehensive Emergency Management Plan and authorize, effective July 10, 2024, State agencies as necessary, to take appropriate action to protect State property and to assist affected local governments and individuals in responding to and recovering from this disaster, and to provide such other assistance as necessary to protect the public health and safety.

IN ADDITION, this declaration satisfies the requirements of 49 CFR 390.23(b), which provides relief from 49 CFR sections 395.2 and 395.5. Such relief from the federal motor carrier hours of service rules is necessary to ensure that crews can clear vital roadways and hasten the movement of utility power restoration crews into New York State.

FURTHER, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through August 15, 2024, the following laws:

- Article 5-A of the General Municipal Law to the extent necessary to purchase supplies, services, including construction, and equipment without following the standard notice and procurement processes;
- Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services to assist affected local governments, individuals, and other non-State entities;
- Section 112 of the State Finance Law, to the extent consistent with Article V, Section I of the State Constitution, and to the extent necessary to add additional work, sites and time to State contracts including but not limited to contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; and

Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to purchase commodities, services, technology and materials without following the standard notice and procurement processes.



G I V E N under my hand and the Privy Seal of the State in
the City of Albany this sixteenth day of July in
the year two thousand and twenty-four.

Rathy Hochul

BY THE GOVERNOR

A handwritten signature in black ink, appearing to be "L. P. K.", written in a cursive style.

Secretary to the Governor