



NEW YORK STATE SENATOR

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## Mayor Adams Signs "Small Business Forward" Executive Order to Reform Small Business Violations

ANDREW J. LANZA January 10, 2022



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*"I commend and thank Mayor Adams for his decision to begin a comprehensive reform of NYC business regulatory policies aimed at eliminating unnecessary and punitive regulations and fines," said **Senator Andrew Lanza**. "Mayor Adams action is a breath of fresh air and is sorely needed by our struggling small businesses."*

Mayor Eric Adams today signed the “Small Business Forward” Executive Order to reform existing business regulations, ensuring local businesses face fewer needless fines and penalties. The Executive Order builds upon Local Law 80 and calls on the Department of Buildings, Department of Environmental Protection, Department of Sanitation, Fire Department, Department of Consumer and Worker Protection, and the Department of Health and Mental Hygiene to review business regulations with the goal of reducing fine schedules and allowing for cure periods or warnings for first-time violations.

“Our small businesses have been through so much during the COVID-19 pandemic,” said **Mayor Eric Adams**. “The last thing they need to deal with are unnecessary fines. We’re cutting the red tape and bringing real relief to the entrepreneurs who have made their dreams a reality and keep our local economy strong.”

“New York City is open for business,” said **Deputy Mayor for Economic and Workforce Development Maria Torres-Springer**. “Under Mayor Adams’ leadership, we’re going to drive real change that cuts red tape and allows small businesses across the five boroughs to power our economic recovery. I look forward to working with my colleagues across government to deliver on this mayoral priority.”

“With this Executive Order, New York City is being decisive and focusing on what municipal government can do right now to help our small businesses,” said **incoming Commissioner of the Department of Small Business Services Kevin D. Kim**. “This EO makes it clear to every City agency that we, as a city, must work together to reduce unnecessary fines on small businesses for them to thrive. Ultimately this EO will save small businesses millions of dollars and countless hours of dealing with red tape and bureaucracy. By setting a goal of reforming fine schedules and working with businesses who are issued first-time violations, we are implementing smart policy that will help small businesses get back on their feet. Thank you to Mayor Adams for making small businesses a top priority from day one.”

“My in-laws have been small business owners in New York City for 50 years, surviving recessions, hurricanes, blackouts, 9/11, and now a pandemic,” said **Joanne Kwong, president and second-generation owner of Pearl River Mart, the longtime Asian American emporium**. “For those of us still standing, we’ve made it through the worst but still need support and partnership from government to recover. We are incredibly heartened by Mayor Adams’ commitment to small business and feel hopeful for a new year, new mayoralty, and reenergized New York City.”

The Executive Order will require:

- Within three months, each Agency will identify the 25 violations that are responsible for the greatest number of summonses and fines issued to small businesses and submit the following:
- Recommendations for which violations should be reformed via a) elimination, b) fine schedules scaled back, c) allowance of a First Time Warning, and/or d) allowance for a Cure Period for first-time violations.
- If no reform action is recommended for a violation, provide an explanation as to why the status quo should be maintained (e.g. serious health or safety risk)
- Identify the necessary actions for reform (e.g. rule-making, City legislation, State legislation, etc.)
- All enforcement agencies should immediately review and update their violation tracking systems, inspection procedures and trainings, and the language on their summons tickets in order to ensure that they are prepared to introduce cure periods and first-time warnings for violations in compliance with this EO.
- The establishment of an Inter-Agency Working Group - which includes each enforcement agency and to be chaired by a Deputy Mayor for Economic and Workforce Development

and the SBS Commissioner - to review Agency submissions and oversee the ensuing business regulatory reform process.

“Small businesses are the cornerstone of what makes New York City unique, and they bore the brunt of the COVID-19 economic crisis,” said **Congresswoman Carolyn B. Maloney**. “I applaud Mayor Adams for swiftly moving forward with today’s action to ensure these businesses are not burdened with unnecessary fines. Small businesses are a core part of the cultural and economic fabric of our City, and we must do all we can to ensure these businesses survive and thrive coming out of the pandemic.”

“Small businesses are the lifeblood of our communities and our neighborhoods – and we must do what we can to help them succeed through difficult times,” said **New York City Comptroller Brad Lander**. “Reducing barriers to their thriving businesses is critical for our city’s economy and the pocketbooks of New Yorkers.”

“Throughout the pandemic, small businesses have suffered despite larger businesses bringing in record profits,” said **Public Advocate Jumaane D. Williams**. “I’m grateful that Mayor Adams is taking steps to reduce burdensome fines, bureaucracy, and hurdles that our local small businesses face. Local business is the backbone of so many neighborhoods across the city, and I’m glad that city government will work together to support them.”

“The COVID-19 pandemic has devastated our small businesses and we must do all that we can to support them as these unprecedented hardships continue," said **Bronx Borough President Vanessa L Gibson**. "Our Bronx small businesses and entrepreneurs, who have been forced to adapt due to the extremely changing landscape created by the COVID-19 pandemic, are an essential component of our borough's recovery and make up the vibrant culture of The Bronx. I have been a long-time champion for small businesses. During my tenure in the City Council, I was a prime sponsor of Intro. 2233, which provided small businesses relief

from violations including certain sanitation, health transportation, consumer affairs, noise control and building violations. Protecting vulnerable local job-creators, while preserving employment opportunities for our hard working residents and providing them with the necessary resources to recover, is more important than ever. I applaud Mayor Adams for putting this new Executive Order into action that will give our business owners clarity, and allow them to operate with less fear and look forward to working with this administration in my new role to continue fighting for our businesses.”

“Small businesses are the lifeblood of New York City’s economy, and they have been pushed to the breaking point during the pandemic,” said **Manhattan Borough President Mark Levine**.

“We need to do everything we can to develop more robust ways to support their recovery, open their businesses, and remove unnecessary red tape. Mayor Adams is making the right decision relieving the unnecessary burden these needless fines pose to our small businesses and is sending a clear message that our city is going to do what we can to help them stay open and successful.”

"Many of our city's small businesses have struggled to make ends meet during the pandemic. I applaud Mayor Adams for addressing this in his first week with a practical approach that will help ensure that government isn't unnecessarily adding to their hardship. Small businesses make our city unique and we need to do our best to help them at all times, but especially now," said **Brooklyn Borough President, Antonio Reynoso**.

“I applaud Mayor Eric Adams taking the initiative and using his executive powers to help our small businesses. I believe that it is our small businesses that keep our city running, and by working with city departments and agencies on how to best reform the existing business regulations regarding violations, we can give these business owners time to fix the issues before slapping them with a fine. I am hopeful this measure by Mayor Adams relieves some of the burden placed on the small businesses in my district, such as those in Rockaway, on

Cross Bay and Woodhaven Boulevards, Myrtle and Metropolitan Avenues, where the COVID-19 pandemic has hurt our local businesses for a sustained period of time,” said **Senator Joseph Addabbo**.

"Small businesses throughout Southeast Queens and across our city are still struggling while trying to recover from the pandemic," said **Senator Leroy Comrie**. "When small businesses suffer, so does 50% of the workforce which they employ. Entrepreneurs are in desperate need of relief. I commend Mayor Adams for his executive order to curtail the fine schedule and allow for warnings for first-time violations, allowing businesses an opportunity to course correct before facing punitive and costly sanctions."

“As any New Yorker can tell from the skyrocketing number of storefront vacancies, small businesses have been hit hard by the ongoing pandemic. Every week, I’m contacted by business owners worried they won’t survive the next COVID-19 wave. As one of his first moves in office, I greatly appreciate Mayor Adams taking action to reform how the City issues fines to help right-size the regulations for small businesses,” said **Senator Brad Hoylman**.

“From restaurants, bodegas to salons and from clothing retailers to bookstores, small businesses in our communities have suffered profoundly during this COVID-19 pandemic. When visiting the small businesses in my district, I’m told how the unnecessary fines have only added to the burden, further crippling our local economy. I welcome the Mayor’s Executive Order to reform existing business regulations, by reducing some of the financial difficulties they face already. These cornerstones of our community deserve the chance to succeed,” said **Senator Robert Jackson**.

“I applaud Mayor Eric Adams for ordering this comprehensive review of regulations, fines, and penalties that affect small businesses. Small businesses continue to suffer the adverse

effects of the COVID-19 pandemic, with many employing only a skeleton staff and benefiting from limited foot traffic as they seek to recover. This review serves as a welcome sign that the City intends to avoid placing undue burdens on small businesses at this critical time. I look forward to working with the Mayor and my colleagues in state and city government to do everything we can to help our small business community to thrive," said **Senator Brian Kavanaugh.**

"Mayor Adams' Executive Order offers encouraging news for small businesses that are the backbone of our great city," said **Senator Roxanne J. Persaud.** "Businesses receiving first-time violations as a result of unknowingly or unintentionally breaking certain laws should be able to correct errors in consultation with enforcing city agencies. New York's historically tough business climate for merchants and local small businesses has only grown more difficult since the COVID-19 pandemic began."

"The reforms offered to small business owners in the Mayor's executive order are welcome news to small businesses across the city, who faced a devastating end to 2021. A fine without a cure period could be the straw that breaks the camel's back for many beloved neighborhood institutions - particularly those in Queens who were not able to adjust to e-commerce to generate extra revenue streams. These reforms recognize that the ultimate goal of small business regulations should not be to generate revenue for the city, but rather to ensure that all businesses in our cities are operating to our city's standards," said **Senator Jessica Ramos.**

"I support Mayor Adams' proposal to help small businesses by reducing the red tape and fines that make entrepreneurship so difficult in this city. I believe these initiatives will help revive many industries that were hard hit by the COVID-19 pandemic," said **Senator James Sanders, Jr.**

"During this incredibly difficult period, our City needs a Mayor who understands that our businesses need help and guidance. The way out of this crisis is working together to achieve the goals of maximum vaccinations and booster so we can get our economy going on all cylinders, not fining folks out of business," said **Senator Diane Savino**.

"Since the beginning of the pandemic, my office has worked tirelessly with many small businesses in the Bronx to help mitigate the economic impact that COVID-19 has had on them. I applaud Mayor Adams for putting in place measures that benefit our small businesses by working with government agencies to offer the relief they need and the support they deserve. I look forward to working hand in hand with Mayor Adams to continue identifying solutions to aid small businesses, which essentially would create much-needed jobs, generate revenue, and create overall great contributions to our neighborhoods," said **Senator Luis Sepulveda**.

"Our Queens community, especially in Flushing, was built on the backs of its many small businesses, all of which were impacted by the pandemic. This executive order will provide needed relief to help these business owners return to prosperity. These reforms ought to be explained clearly and made accessible in a number of languages to assist immigrant owned businesses. I thank Mayor Adams for signing this impactful order," said **Senator Toby Ann Stavisky**.

"For many years the City's income has been earned on the backs of small businesses through endless agency violations. New York City is renowned for the diversity and culture that these small businesses provide, and it's about time they are given a fighting chance to survive and thrive in our economy; to avoid being overwhelmed with menial violations, while still providing the safe and healthy standard necessary for our City. I'm hopeful that this brings some vital relief to the businesses in my District and throughout the City," said **Assembly Member Peter Abbate, Jr.**



"It is tremendously important that our city prioritize the recovery and revitalization of small businesses impacted by the COVID-19 pandemic, particularly those owned by Black and brown communities already disproportionately impacted by the pandemic, and the Executive Order that Mayor Adams has signed today signifies his dedication to this priority. I commend the Mayor's efforts to alleviate the concerns of entrepreneurs by working to reform violations and resulting fines that may hinder the recovery of their businesses," said **Assembly Member Khaleel Anderson**.

"Small businesses, especially those that are minority and women-owned operations, continue to face enormous obstacles to staying afloat during the pandemic. I applaud Mayor Adams quick efforts to eliminate undue bureaucratic hurdles, such as unnecessary fines, from the struggles they face. Small businesses are the lifeblood of our City, and I am grateful that they are being prioritized accordingly by our new administration," said **Assembly Member Rodneyse Bichotte-Hermeyln**.

"Making sure small businesses aren't nickel-and-dimed and burdened by unnecessary fines is key to helping revive our economy as we recover from the Covid-19 pandemic," said **Assembly Member Robert Carroll**. "I commend Mayor Adams for immediately addressing this issue. These small businesses reforms lend proof that Mayor Adams will be a common sense problem solver who cuts red tape and gets things done."

"Small businesses are especially suffering under covid. This proposal by Mayor Eric Adams offers real relief in making City Government a partner in promoting small business while fairly enforcing its regulations," said **Assembly Member William Colton**.

"Our small businesses need all the help they can get to survive and thrive during these challenging times," said **Assembly Member Steven Cymbrowitz**. "I commend Mayor Adams for signing this Executive Order, which establishes a common-sense protocol that veers away

from purely punitive action and instead gives businesses the opportunity to correct violations. This is empowering for small businesses and sends the important message that the city supports their hard work."

"As our small businesses navigate through another wave of variants associated with the COVID-19 pandemic, we need to do everything we can to make sure they can keep their doors open. I commend Mayor Adams for taking steps to cut through the red tape for small businesses that are doing their best to navigate the city's myriad of bureaucracy," said **Assembly Member Charles D. Fall**.

"As the Assemblymember of a district full of small businesses, including restaurants, I am encouraged by this announcement today. Small businesses and owners are the backbones of so many of our communities, and we need to do more to reduce the fines and burden they face, especially now as omicron cases surge across the city. I thank the Mayor and Small Business Services Commissioner for their intent with this and look forward to assessing the results of these actions on our people," said **Assembly Member Jessica González-Rojas**.

"Small businesses play a pivotal role in our community here in Assembly District 29 and South East Queens," said **Assemblywoman Alicia Hyndman**. "We saw first-hand the devastation the pandemic created, coupled with the harsh small business violation penalties and fines on our businesses, forcing the majority to close their doors all across our City. I applaud Mayor Adams for this directive which would hopefully give our small businesses another chance to stay up, running and serving our communities."

"As the chair of the State Assembly's Subcommittee on Micro Business, I support Mayor Adams' efforts to reform small business violations. Small business owners in NYC have suffered disproportionately during the pandemic and therefore should not be obstructed by unnecessary red-tape restrictions. For the sake of our city's economic well-being, I look

forward to the benefits the Mayor's Executive Order will bring," said **Assembly Member Chantel Jackson**.

"I applaud Mayor Adams' swift action to relieve the unnecessary burdens on our small businesses. Many small businesses were hit hard by the COVID-19 pandemic. Now is not the time to soak them with unnecessary fines. Every day I meet inspiring small business owners who embody the American Dream with their entrepreneurial spirit. By cutting through the bureaucratic red tape for these businesses, Mayor Adams once again shows that under his strong leadership, New York is back," said **Assembly Member Jennifer Rajkumar**.

"We know that our small businesses continue to struggle during the prolonged COVID-19 pandemic. Eliminating onerous bureaucracy and needless fines will provide a measure of relief to our local businesses and communities. I am grateful to Mayor Adams for prioritizing small business relief within his first week in office, and I look forward to working with his Administration to rebuild New York's economy," said **Assembly Member Linda B. Rosenthal**.

"As our small businesses have struggled to stay afloat through the economic crisis caused by the pandemic, excessive fines threaten their survival," said **Assembly Member Daniel Rosenthal**. "Working to ease the red tape while still protecting consumers is exactly the sort of leadership that we needed in City Hall. I commend Mayor Adams on this initiative."

"Small businesses are a cornerstone here in our New York economy. Unnecessary and excessive fines are a threat to our ongoing recovery efforts. Reforming violations will continue to bring the vibrancy back to the city, which will produce jobs and further stabilize our communities," said **Assembly Member Latrice Walker**.

"The past twenty-one months have been fraught with impediments and obstacles for most small businesses. Mayor Adams' initiative for reform regarding violations directly affecting our small businesses assuredly will help remove some of the prior stumbling blocks and help

pave a path for greater success. I laud the mayor's efforts," said **Assembly Member Jaime Williams**.

"Our city depends on small businesses, and we should never undermine their success with unnecessarily punitive fines. We have to give entrepreneurs the chance to learn if we want them to thrive. I commend Mayor Adams on his commitment to building up our small businesses and representing the interests of all the New Yorkers that small businesses employ and serve," said **Council Member Shaun Abreu**.

"I am always first in line to fight for the little guy and that includes the many small business owners who keep our neighborhoods vibrant, unique and strong. Now more than ever we need to be helping businesses not arbitrarily fining them into oblivion. Unless a business is making people sick, putting their customers or workers in danger, ripping people off or treating people unfairly, why are we fining them at all? I want to thank Mayor Adams for taking this important step in helping our small businesses as our city recovers from the pandemic," said **Council Member Justin Brannan**.

"Small businesses are the backbone of our city; of the 200,000 businesses, 98% have fewer than 100 employees and 89% have less than 20 employees. Many are storefronters, a group I have advocated for over decades. Government agencies need to coordinate inspections, to educate before giving a summons, and work with the Council and the Legislature to pass laws that are practical. In addition, we need a Public Realm Czar to support these businesses in their outdoor spaces. Congratulations to the Adams Administration for focusing on these important issues!," said **Council Member Gale Brewer**.

"Small businesses are the foundation of a vibrant community. Running a small business in the best of times is already a challenge, and the pandemic required so many of our businesses to make impossible choices and sacrifices. The last thing we should do as a city is

make it harder for entrepreneurs to thrive. Mayor Adams' executive order will ensure that our small business will face less confusion and can spend more of their time and money on customers and employees, not on city agencies and bureaucracy," said **Council Member Eric Dinowitz**.

"I commend Mayor Adams on taking immediate action to help small businesses. Many of our shops and restaurants here in Lower Manhattan are immigrant-run, inter-generational, and sometimes operated by non-English speakers, who can unknowingly be out of compliance with our complicated permitting systems either due to language barriers or inaccessible information. I fully support warnings for first time violations, and more proactive instead of punitive outreach to small businesses. This is a great step to supporting the shops that make our City run," said **Council Member Chris Marte**.

"The COVID-19 pandemic has been ever evolving, which has required New Yorkers and mom-and-pop shops to adjust in unprecedented ways. Local businesses are the backbone of our city and our economy, reforming the existing regulations will ensure that we are protecting and not hurting their recovery," said **Council Member Francisco Moya**.

"Small businesses are the backbone of New York City, and have persevered through incredibly challenging times for nearly two years now. This reform will make it easier for businesses to operate, remove unnecessary fines and fees, and drive money into our economy. I commend Mayor Adams for this important step as small businesses fight to get back on their feet," said **Council Member Keith Powers**.

"Owning a small business is a key part of the American dream," said **Council Member Kevin C. Riley**. "Unnecessary fines placed by enforcement agencies makes it harder for business owners to achieve that dream, strengthening burdens on their businesses to excel while recovering from the global pandemic. In order to bring our economy back stronger, it is

important that we introduce reforms that aid in supporting these local small businesses, which have long been the backbone of our communities before the COVID-19 pandemic. I commend Mayor Adams for taking this step to address the needs of our small businesses."

"This Executive Order signed by Mayor Eric Adams is part of the desperately needed relief for our small business owners that continue to face the brunt of this storm known as the COVID-19 pandemic," said **Assembly Member Nathalia Fernandez**. "Red tape and bureaucratic nitpicking have hindered many of our current and future small business owners. This has been especially true for business owners of color, women, and LGBTQIA+ communities. I look forward to seeing our city deliver on the promise of opportunity that allows our entrepreneurs to thrive."

"Small businesses are the backbone of our local economy. Reducing and eliminating unnecessary fines will go a long way to help them recover from the devastating impacts of this pandemic," said **Council Member Adrienne Adams**. "I thank Mayor Adams for taking this important step to support our small businesses."

"Queens lost far too many of our cherished small businesses, and the countless jobs they create, to COVID-19. As our city continues its comeback, no small business owner, especially one who has successfully navigated the pandemic thus far, should be fearful of receiving fines from the City that could push them even closer to the financial brink," said **Queens Borough President Donovan Richards Jr.** "Queens thanks the Adams Administration for taking this proactive approach to lessening the burden on our local entrepreneurs, the true engines of our communities, which is needed now more than ever as we battle yet another wave of rising COVID-19 cases."

"Mayor Adams understands that excessive fines are undermining our economic recovery and crushing the optimism of small business owners who have already been through so much,"

said **Jessica Walker, President and CEO of the Manhattan Chamber of Commerce.** "By signing this Week One he is sending a strong message that New York City has their back once again."