



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000734369K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CITYWIDE CONTAINER SERVICE CORP Hearing Date: 12/10/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$600.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000734369K	Sustained	09/19/2022	Intersection of Myrtle Ave and Flatbush Ave Extension Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	\$600.00

Findings of Fact & Conclusions of Law

The hearing was conducted on December 10, 2024, by Court Call. Petitioner appeared through Inspector Leah Smith. Respondent, Citywide Container Service Corp, appeared through their registered representative, Lance Chebin of Nacmias Law.

The summons charges a violation of 24-163 of the Administrative Code in that Respondent caused or permitted the idling of a motor vehicle while parked, standing, or stopped for more than three minutes. The issuing officer states that, as per DEP records, a citizen observed a Truck with NY license plate no. 62195MC idling for longer than three minutes from 9/19/2022 2:05:40 PM to 9/19/2022 2:09:13 PM at the intersection of Myrtle Avenue and Flatbush Avenue Extension. This is cited as a

third offense with summons nos. 000425294X and 000702064N cited on the face of the summons as prior violations.

Petitioner rests on the summons.

Respondent denies, but does not rebut, the allegations set forth in the summons.

I credit the evidence submitted by the Petitioner. Petitioner has established a prima facie case through the evidence presented.

Accordingly, the Summons is sustained.



12/10/2024

12/10/2024

Antonio Cavallaro, Hearing Officer

Date