



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 000895961R et al. (2 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

CITYWIDE CONTAINER SERVICES

Hearing Date : 11/14/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 700.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000895961R	Sustained	06/14/2024	111 EAST 54 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	350.00

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000896162P	Sustained	09/10/2024	245 PARK AVENUE, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	350.00

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

Petitioner, NYC Department of Environmental Protection, issued 2 separate summonses to Respondent, Citywide Container Services, for violating NYC Administrative Code Section 24-163, Idling of motor vehicle engine for more than 3 minutes – 1st offense.

Summons number 000895961R was issued for a Truck with NY Plate # 41397PF observed idling on June 14, 2024, from 7:46 p.m. to 7:50 p.m., at 111 East 54th Street, in New York, New York.

Summons number 000896162P was issued for a Truck with NY Plate # 41397PF observed idling on September 10, 2024, from 6:52 p.m. to 6:56 p.m., at 245 Park Avenue, in New York, New York.

Section 24-163 states that "No person shall or permit the engine of a motor vehicle...to idle for longer than three minutes..." Section 24-163 (f) provides for exceptions when the engine is used to operate a processing device, for mechanical work, or to maintain appropriate temperature for passenger comfort.

At the hearing, Inspector Leah Smith appeared for Petitioner, Department of Environmental Protection. Ilma Babu from the Law Office of Michael Nacmias appeared on behalf of Respondent, Citywide Container Services, as its authorized representative.

At the of the hearing, Ms. Babu stated that Respondent denies both of these violations and offered no rebuttal evidence or defense.

Accordingly, summons numbers 000895961R and 000896162P are Sustained.

 11/14/2025	11/14/2025		
<table style="width: 100%;"> <tr> <td style="width: 70%;">Eva Marie Russo-Lane, Judicial Hearing Officer</td> <td style="width: 30%; text-align: center;">Date</td> </tr> </table>		Eva Marie Russo-Lane, Judicial Hearing Officer	Date
Eva Marie Russo-Lane, Judicial Hearing Officer	Date		