



Office of Administrative Trials and Hearings
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000836903Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PET FOOD EXPERTS INC Hearing Date: 03/13/2025 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
000836903Z	Sustained	01/31/2024	ON WEST 16TH STREET BETWEEN 5TH Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner, NYC Environmental Protection, appeared by Senior Insp John McLaughlin.

Respondent appeared by LANCE CHEBIN - NACMIAS LAW FIRM.

This hearing was conducted *via* telephone on March 13, 2025.

Respondent is charged with Code § 24-163, in that there was a citizen-complainant that observed Respondent's vehicle, idling for longer than three minutes.

Charged as a 3rd Offense.

The respondent did not challenge the prior violations.

Respondent acknowledged that the video was viewed.

The summons is *prima facie* evidence of the violation.

Respondent denied the violation but offered no rebuttal evidence.

Code § 24-163(a) provides in pertinent part:

(a) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes . . . while parking as defined in section one hundred twenty-nine of the vehicle and traffic law

[VTL], *standing* as defined in section one hundred forty-five of the [VTL], or stopping as defined in section one hundred forty-seven of the [VTL], unless *the engine is used to operate a loading, unloading or processing device* . [Emphasis added.]

Respondent asserted it had received and reviewed petitioner's evidence, and would deny, but not rebut, the allegations in the summons. I credit the summons. The summons is for violating Code § 24-163 is sustained and the standard civil penalty is imposed for the 3rd offense.

Rebecca Kramer

03/13/2025

03/13/2025

Rebecca Kramer, Hearing Officer

Date