



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000839247N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- HUGH OKANE ELECTRIC CO INC Hearing Date: 03/26/2025 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
000839247N	Sustained	03/06/2024	ON 5TH AVENUE BTWN EAST 51ST AND EAST 52 STREET 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 Department of Environmental Protection (DEP) appeared and was represented by Monica Dorson. Respondent, HUGH OKANE appeared and was represented by Lance Chebin.

The summons alleges a violation of Administrative Code section 24-163 for IDLING OF MOTOR VEHICLE ENGINE MORE THAN THREE MINUTES 3RD AND SUBSEQUENT

Ms. Dorson submitted an evidence packet including a video. In response, Mr. Chebin reviewed the evidence and said Respondent denies the allegations with no evidence in rebuttal.

Pursuant to Administrative Code section 24-163, "no person shall cause or permit" the engine of a motor vehicle to idle for more longer than three minutes, unless the engine is used to operate a loading, unloading or processing device.

I find Petitioner established a prima facie case. I credit the summons and Petitioner's evidence and find it establishes a third violation. I find Respondent did not establish a defense.

Accordingly, the summons is sustained.

	
03/26/2025	03/26/2025
Rachel Berger, Hearing Officer	Date