



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000791404H et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ZAMORA PHILLIP J Hearing Date: 02/11/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$800.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000791404H	Sustained	07/17/2024	210 East 36th Street Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BNZ6	24-236 (E)	Sustained	\$800.00

Findings of Fact & Conclusions of Law

For the reasons stated below, the summons is sustained.

Authorized representative Ilma Babu appears for the Respondent and Senior Inspector Antwan Gibbs appears for the Petitioner NYC Department of Environmental Protection (DEP).

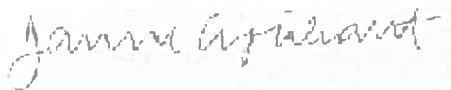
The summons alleges a violation of Administrative Code 24-236(e) for causing/permitting sound from a motor vehicle on a public road and specifically states that Respondent caused or permitted the total sound from a motor vehicle with a maximum gross weight of 10,000 pounds or less operating on a public right of way to exceed sound levels in excess of the VTL limit [76

Decibels]. Vehicle 2024 Gray Suzuki Hayabusa, Petitioner submits as evidence photos identifying the vehicle, plus documentation showing three separate camera readings, including ones for 87.7, 90, and 87.1 decibels. Petitioner further adds that the limit for vehicles 10,000 pounds or less is 76 decibels.

Respondent's representative does not deny these charges, but asks for mitigation. She adds that her client is in the process of getting the vehicle fixed to reduce the sound.

Administrative Code 24-236(e) states that **No person shall cause or permit the total sound** from a motor vehicle operating on any public right-of-way to exceed the sound level set forth in section 386 of the [VTL] and the rules adopted pursuant to such section. VTL lists three different tables and states the maximum decibel levels associated with various vehicles.

I find that Respondent has violated this rule. Petitioner has set forth a prima facie for this violation through its credible documentary evidence. Respondent does not set forth any defense except to say that the vehicle is being fixed (post summons) so that the noise levels are under the statutory limit. There is no mitigation for this provision of the Administrative Code. As such, the summons is sustained.



02/11/2026

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Janine Azriliant, Judicial Hearing Officer

Date