



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Nacmias Law Firm - Chia Han Lin
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 000737132X et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

ECOLAB

Hearing Date : 11/18/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 350.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000737132X	Sustained	08/16/2022	121 AVENUE A, 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, the New York City Department of Environmental Protection, charges Respondent, with a violation of Section 24-163 of the New York City Administrative Code for idling of a motor vehicle engine for longer than three minutes.

Both parties attended a telephonic hearing on Monday, November 18, 2024. Michael Grosso appeared for Petitioner. Chia-Han Lin appeared for Respondent and waived the presence of the Issuing Officer.

Mr. Lin reviewed Petitioner's evidence and denied the allegation without making a rebuttal argument.

Code § 24-163 prohibits idling a motor vehicle engine for longer than three minutes while parking, standing, or stopping unless the engine is used to operate a loading, unloading, or processing device.

I credit the summons details and Petitioner's evidence. Petitioner stated a prima facie case. In the absence of probative evidence to contest Petitioner's case, Respondent failed to refute the allegation or establish a defense.

Accordingly, the summons is sustained, and a statutory penalty of \$350 for the violation is imposed upon Respondent.



11/18/2024

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Geoffrey Luan, Hearing Officer

Date

