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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. The hearing will take place on Wednesday, November 14, 2018, commencing at 2:00 P.M. (please note afternoon start time). It will be held, in the office of the

Borough President, 851 Grand Concourse, Room 206, The Bronx, NY 10451. The following matter will be heard:

CD#1 ULURP APPLICATION NO: C 190143 ZMX-BETANCES VI:

IN THE MATTER OF an application submitted by the New York City Housing Authority, pursuant to Sections 19-c and 201 of the New York City Charter, for an amendment to the Zoning Map, Section No. 6a:

1. Eliminating from within an existing R6 District a C1-4 District bounded by Willis Avenue, East 147th Street, a line 100 feet southeasterly of Willis Avenue, and East 146th Street;
2. Changing from an R6 District to an R7X District property bounded by Willis Avenue, East 147th Street, a line 175 feet southeasterly of Willis Avenue, a line midway between East 147th Street and East 146th Street, a line 100 feet southeasterly of Willis Avenue, and East 146th Street; and
3. Establishing within the proposed R7X District a C2-4 District bounded by Willis Avenue, east 147th Street, a line 100 feet southeasterly of Willis Avenue, and East 146th Street;

Borough of The Bronx, Community District #1, as shown on a diagram (for illustrative purposes only), dated October 15, 2018.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE, (718) 590-6124.

Accessibility questions: Sam Goodman (718) 590 6124, by: Wednesday, November 14, 2018, 10:00 A.M.



n5-13

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. The hearing will be held on Tuesday, November 13, 2018, commencing at 2:00 P.M. (please note afternoon time), in the office of the Borough President, 851 Grand Concourse, Room 206, The Bronx, NY 10451. The following matter will be held:

CD #11: ULURP APPLICATION NO: C 180261 ZMX-Williamsbridge Road Rezoning:

IN THE MATTER OF an application, submitted by 2712 Radcliff Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 4a:

1. Changing from an C8-1 District to an R7A District property bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road, distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, a line midway between Colden Avenue and Williamsbridge Road, a line perpendicular to the westerly street line of Colden Avenue, distant 275 feet northerly (as measured along the street line) from the point of intersections of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, Colden Avenue, and Williamsbridge Road; and
2. Establishing within the proposed R7A District a C2-3 District bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road, distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, and a line 80 feet northeasterly of Williamsbridge Road, Colden Avenue, and Williamsbridge Road;

Borough of The Bronx, Community District 11, as shown on a diagram (for illustrative purposes only), dated September 4, 2018, and subject to the conditions of CEQR Declaration E-498.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE, (718) 590-6124.

Accessibility questions: Sam Goodman (718) 590-6124, by: Tuesday, November 13, 2018, 11:00 A.M.



n5-13

BOROUGH PRESIDENT - QUEENS**■ PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held by the Borough President of Queens, Melinda Katz, on Thursday, November 15, 2018, at 10:30 A.M., in the Borough President's Conference Room, located at 120-55 Queens Boulevard, Kew Gardens, NY 11424, on the following items:

CD Q01 – BSA #285-52 BZ

IN THE MATTER OF an application submitted by Sheldon Lobel PC on behalf of Astoria 34 LLC, pursuant to Section 11-411 of the NYC Zoning Resolution, for an amendment of the approved plans, an extension of term for a previously granted variance and a waiver of the Rules of Procedure for allowing a gasoline service station in an R5 District, located at 30-14 34th Avenue, Block 607, Lot 29, Zoning Map 9b, Astoria, Borough of Queens.

CD Q13 – BSA #115-53 BZ

IN THE MATTER OF an application submitted by Eric Palatnik on behalf of Spartan Petroleum Corp., pursuant to Section 11-411 of the NYC Zoning Resolution, for an extension of the term of the previously approved variance for a period of 10 years and to obtain a new certificate of occupancy for the continued operation a gasoline service station with accessory uses in an R3-2/C2-2 district, located at 252-02 Union Turnpike, Block 8565, Lot 1, Zoning Map 11d, New Hyde Park, Borough of Queens.

CD Q01 – BSA #2018-59 BZ

IN THE MATTER OF an application submitted by Akerman LLP on behalf of 3030 Equities, LLC, pursuant to Section 73-36 of the NYC Zoning Resolution, for a Special Permit to legalize an existing physical culture establishment in an M1-5 District, located at 30-30 Northern Boulevard, Block 239, Lot 60, Zoning Map 9b, Long Island City, Borough of Queens.

CD Q13 – BSA #218-58 BZ

IN THE MATTER OF an application submitted by Nasir J. Khanzada on behalf of Norman Dawson, pursuant to Sections 11-411 and 11-412 of the NYC Zoning Resolution, for an amendment to legalize and an extension of the term of the previously approved variance for a period of 10 years and to obtain a new certificate of occupancy for the continued operation a gasoline service station in an R2A/C1-2 district, located at 77-40 Hewlett Street, Block 8555, Lot 60, Zoning Map 11d, New Hyde Park, Borough of Queens.

CD03 – BSA #410-68 BZ

IN THE MATTER OF an application submitted by Vassalotti Associates Architects, LLP on behalf of GNB AUTO REPAIR, INC., pursuant to Section 11-411 of the New York City Zoning Resolution, for an extension of term for a period 10 years for an existing motor fuel service station in an C1-3/R3-2 district, located at 85-05 Astoria Boulevard, Block 1097, Lot 01, Zoning Map 9c, East Elmhurst, Borough of Queens.

CD Q11 – BSA #49-12 BZ

IN THE MATTER OF an application filed by Powerhouse Gym "FLB" Inc, pursuant to Section 11-411 of the NYC Zoning Resolution, for an extension of term of the special permit for a term of 10 years and a waiver of the Rules of Practice and Procedure in a C2-2/R5B district, located at 34-09 Francis Lewis Boulevard, Block 6077, Lot 1, Zoning Map 10c, Flushing, Borough of Queens.

CD Q10 – BSA #2018-140 BZ

IN THE MATTER OF an application submitted by Eric Palatnik, P.C. on behalf of Cohancy Realty LLC, pursuant to Section 73-03 & 73-211 of the NYC Zoning Resolution, for a Special Permit to allow a Use Group 16 automotive service station in an R3X/C2-2 District, located at 100-03 North Conduit Avenue, Block 11562, Lots 106, 111, 113 & 119, Zoning Map 18b, Howard Beach, Borough of Queens.

CD Q06 – BSA #2018-141 BZ

IN THE MATTER OF an application filed by Eric Palatnik, PC on behalf of Sergey Davidov, pursuant to Sections 73-621 of the NYC Zoning Resolution, for a special permit to allow the enlargement of a two-family home the relief from floor area ratio, lot coverage and open space requirements in an R1-2A district, located at 110-50 68th Drive, Block 2227, Lot 48, Zoning Map 14a, Forest Hills, Borough of Queens.

CD 11 – ULURP #C060432 ZMQ

IN THE MATTER OF an application submitted by Akerman, LLP on behalf of 241-15 Northern LLC and North Shore Realty Group Corp., pursuant to Sections 197-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section 11a:

1. Changing from an R1-2 district to an R6A district property bounded by a southeasterly boundary lines of a park and its northeasterly prolongation, Douglaston Parkway, Northern Boulevard, a northeasterly boundary line of a park and its southeasterly prolongation, a line 95 feet northwesterly of Northern Boulevard, and a line 170 feet southwesterly of Douglaston Parkway; and
2. Establishing within a proposed R6A district a C1-2 district bounded by a line 95 feet northwesterly of Northern Boulevard, Douglaston Parkway, Northern Boulevard and a northeasterly boundary line of a park and its southeasterly prolongation;

Borough of Queens, Community district 11, as shown on a diagram (for illustrative purposes only), dated August 20, 2018, and subject to the conditions of CEQR Declaration E-494.

CD 11 – ULURP #N 180281 ZRQ

IN THE MATTER OF an application submitted by Akerman, LLP on behalf of 241-15 Northern LLC and North Shore Realty Group Corp., pursuant to Sections 197-c and 201 of the NYC Charter for a zoning text amendment to Appendix F of the Zoning Resolution to designate the Project Area a Mandatory Inclusionary Housing Designated Area (MIH), Borough of Queens, Community district 11, as shown on a diagram (for illustrative purposes only), dated August 20, 2018, and subject to the conditions of CEQR Declaration E-494.

CD 13 – ULURP #190004 MMQ

IN THE MATTER OF an application submitted by NYC Department of Transportation, pursuant to Sections 197-c and 201 of the NYC and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- The elimination, discontinuance and closing of a southerly portion of North Conduit Avenue from Francis Lewis Boulevard to a point 374.67 feet westerly of Hook Creek Boulevard;
- The adjustment of grades and block dimensions necessitated thereby;

Including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map no. 5031, dated August 20, 2018 and signed by the Borough President.

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, or email planning@queensbp.org no later than FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.



n9-15

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises, will hold a public hearing in the Committee Room, City Hall, New York, NY 10007, commencing at 9:30 A.M. on November 15, 2018:

931 MANHATTAN CAFÉ LLC, CITROEN

BROOKLYN CB - 1 20195056 TCK

Application, pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 931 Manhattan Café LLC d/b/a Citroen, for a new revocable consent, to maintain and operate an unenclosed sidewalk café, located at 931 Manhattan Avenue.

THREE DECKER RESTAURANT LTD, THREE DECKER RESTAURANT

MANHATTAN CB-8 20195169 TCM

Application, pursuant to Section 20-225 of the Administrative Code of the City of New York, concerning the petition of Three Decker Restaurant Ltd d/b/a Three Decker Restaurant, for a renewal of a revocable consent to maintain and operate an enclosed sidewalk café, located at 1746 2nd Avenue.

BY THE GLASS INC, UVA

MANHATTAN CB-8 20195059 TCM

Application, pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of By the Glass d/b/a Uva, for a renewal of a revocable consent, to maintain and operate an unenclosed sidewalk café, located at 1486 2nd Avenue.

27 EAST RESTAURANT HOLDINGS LLC, FLEMING BY LE BILBOQUET

MANHATTAN CB-8 20195103 TCM

Application, pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 27 East Restaurant Holdings LLC d/b/a Fleming, by Le Bilboquet, for a new revocable consent, to maintain and operate an unenclosed sidewalk café, located at 27 East 62nd Street.

SPECIAL GARMENT CENTER TEXT AMENDMENT

MANHATTAN CB - 4 and 5 N 180373 ZRM

Application submitted by New York City Department of City Planning and New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII, Chapter 1 (Special Garment Center District) and related Sections. Matter underlined is new, to be added; Matter ~~struck out~~ is to be deleted; Matter within # # is defined in Section 12-10; * * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE IX SPECIAL PURPOSE DISTRICTS

Chapter 3 Special Hudson Yards District

* * *

93-01 Definitions

* * *

Hudson Yards Redevelopment Area

The "Hudson Yards Redevelopment Area" shall be the areas within the #Special Hudson Yards District#, Area P-2 Subdistrict A-2 of the #Special Garment Center District#, the 42nd Street Perimeter Area of the #Special Clinton District#, and the area, bounded by the center line of Eleventh Avenue, the northern #street line# of West 43rd Street, the westerly prolongation of the northern #street line# of West 43rd Street, to the U.S. Pierhead Line, the U.S. Pierhead Line, the westerly prolongation of the southern #street line# of West 29th Street, to the U.S. Pierhead Line, and the southern #street line# of West 29th Street. However, the area, bounded by the westerly side of Eleventh Avenue, the southerly side of West 43rd Street, the westerly side of Twelfth Avenue, and the northerly side of West 33rd Street shall not be included in the #Hudson Yards Redevelopment Area#, except for any portion of such #blocks# containing a transit easement for subway-related use. Furthermore, the #Hudson Yards Redevelopment Area# shall not include any underground connections from a subway station to any #use# located on such excluded #blocks# or between any such #uses#.

* * *

93-23

Modifications of Inclusionary Housing Program

Subdistrict C (34th Street Corridor) and Subareas D1 and D2 of Subdistrict D (Hell's Kitchen) of the #Special Hudson Yards District# and Area P-2 Subdistrict A-2 of the #Special Garment Center District#, shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS) for the purpose of making the Inclusionary Housing Program regulations of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special Districts. The underlying provisions of Sections 23-154 and 23-90 shall only be applicable in Subdistrict F as modified by Section 93-233 (Floor area increase for affordable housing in Subdistrict F).

* * *

93-232 Floor area increase in Subdistricts B, C, D and E, and Preservation Area P-2 Special Garment Center District Subdistrict A-2

Within Subdistricts B, C, D and E, and Preservation Area P-2 Subdistrict A-2 of the #Special Garment Center District#, the provisions of Section 23-154 (Inclusionary Housing) shall not apply. In lieu thereof, the #floor area# compensation provisions of this Section shall apply. In accordance with the provisions set forth in Section 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F) or 121-31 (Maximum Permitted Floor Area), the maximum permitted #residential floor area ratio# on a #zoning lot# with #developments# or #enlargements# that provide #affordable housing#, pursuant to the Inclusionary Housing Program may be increased, as follows:

* * *

93-31

District Improvement Fund Bonus

In Area P-2 Subdistrict A-2 of the #Special Garment Center District# and in the #Special Hudson Yards District#, except in Subdistrict F, the Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio# to be increased up to the maximum amount specified in Sections 93-21, 93-22 or 121-31, as applicable, provided that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #Hudson Yards District Improvement Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area# for such #development# or #enlargement#.

93-80

OFF-STREET PARKING REGULATIONS

* * *

93-81 Definitions

Hudson Yards parking regulations applicability area

The "Hudson Yards parking regulations applicability area" is comprised of Subdistricts A, B, C, D and E of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District# and Area P-2 Subdistrict A-2 of the #Special Garment Center District#.

* * *

93-90

HARASSMENT

(a) Definitions

(1) Anti-harassment area

"Anti-harassment area" shall mean the #Special Hudson Yards District# and Area P-2 Subdistrict A-2 of the #Special Garment Center District#.

* * *

93-91 Demolition

The Department of Buildings shall not issue a permit for the demolition of a #multiple dwelling#, as defined in Section 93-90 (HARASSMENT), Paragraph (a)(14), located within Subareas D4 or D5 in the Hell's Kitchen Subdistrict D or within Preservation Area P-2 Subdistrict A-2 of the #Special Garment Center District#, or an alteration permit for the partial demolition of a #multiple dwelling# located within Subareas D4 and D5 or within Preservation Area P-2 Subdistrict A-2 of the #Special Garment Center District#, where such partial demolition would decrease the amount of #residential floor area# in such #multiple dwelling# by 20 percent or more, unless:

* * *

ARTICLE XII SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Garment Center District

121-00

GENERAL PURPOSES

The "Special Garment Center District" established in this Resolution is designed to promote and protect public health, safety, and general

welfare. These general goals include, among others, the following specific purposes, to:

- (a) retain adequate wage and job-producing industries within the Garment Center;
- (b) to preserve provide an opportunity for apparel production and showroom space in designated areas of the Garment Center;
- (c) to limit conversion of manufacturing space to office use in designated areas of the Garment Center;

to preserve a variety of types of space for a diversity of businesses that service the Garment Center and the City;

- (d) to recognize the unique character of the western edge of the Special District as integral to the adjacent Special Hudson Yards District;
- (e) to establish an appropriate urban scale and visual character for wide streets within the Garment Center; and
- (f) to promote the most desirable use of land within the district, to conserve the value of land and buildings, and thereby protect the City's tax revenues.

121-01 General Provisions

In harmony with the general purposes of the #Special Garment Center District# the signage requirements of this Chapter shall apply to any #development#, #enlargement#, alteration, #extension#, #conversion# or change of #use#. The #use# regulations of this Chapter shall apply to any #conversion#, change of #use# and #extension#. Special #bulk# regulations apply within Preservation Area P-2. Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect.

The provisions of this Chapter shall apply within the #Special Garment Center District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

121-02 District Plan (Appendix A)

The District Plan (Appendix A) for the #Special Garment Center District# shows Preservation Areas, indicated by "P-1" and "P-2." Appendix A is hereby incorporated as an integral part of the provisions of this Chapter.

The regulations of this Chapter are designed to implement the #Special Garment Center District# Plan. The District Plan includes the following map:

Special Garment Center District and Subdistricts

The map is located in Appendix A of this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

121-03 Subdistricts

In order to carry out the purposes and provisions of this Chapter, two Subdistricts are established within the #Special Garment Center District#: Subdistrict A-1 and Subdistrict A-2. The location of the Subdistricts are shown on the map (Special Garment Center District and Subdistricts) in Appendix A of this Chapter.

121-10

PRESERVATION AREA SPECIAL USE REGULATIONS

The #use# regulations of the applicable underlying district shall apply except as set forth in this Section.

121-11

Special Use Regulations Transient hotels

- (a) In Preservation Area P-1, permitted uses are listed in Use Groups A and B, as set forth in Sections 121-111 and 121-112. In addition, a change of #use# to a Use Group 6B #use# is permitted, subject to the #floor area# preservation requirements of Section 121-113 (Floor area preservation).
- (b) In Preservation Area P-2, for #buildings# with less than 70,000 square feet of #floor area# on January 19, 2005, the underlying #use# regulations shall apply, except that the provisions of Sections 15-20 through 15-215, inclusive, shall not apply. In lieu thereof, the provisions of Section 15-10 through 15-13, inclusive, shall apply to the #conversion# to #dwelling units# of #non-residential buildings#.
- (c) In Preservation Area P-2, for #buildings# with 70,000 square feet or more of #floor area# existing on January 19, 2005, permitted #uses# are listed in Use Groups A and B, as set forth in Sections 121-111 and 121-112. In addition, a change to any #use# permitted by the underlying #use# regulations is permitted

subject to the #floor area# preservation requirements of Section 121-113. For portions of such #buildings converted# to #dwelling units#, the provisions of Sections 15-20 through 15-215, inclusive, shall not apply. In lieu thereof, the provisions of Section 15-10 through 15-13, inclusive, shall apply to such #conversions#. Such #floor area# preservation requirements may be waived by authorization of the City Planning Commission, pursuant to Section 121-13.

- (d) In Preservation Area P-2, any #development# or #enlargement# that includes Use Group 6B offices #developed# or #enlarged# after January 19, 2005, shall be permitted only, pursuant to Section 93-13 (Special Office Use Regulations).

In the #Special Garment Center District#, #transient hotels#, as listed in Section 32-14 (Use Group 5), and #motels#, #tourist cabins# or #boatels#, as listed in Section 32-16 (Use Group 7A), shall be permitted only by special permit of the City Planning Commission, pursuant to Section 121-70 (Special Permit for Transient Hotels).

However, a special permit shall not be required for a #transient hotel# operated for a public purpose by the City or State of New York, or operated by a non-governmental entity, pursuant to an active contract or other written agreement with an agency of the City or State specifying a public purpose.

Any #transient hotel# existing prior to [date of adoption] within the #Special Garment Center#, shall be considered a conforming #use#. Any #enlargement# or #extension# of such existing conforming #use# shall not require a special permit. In the event a casualty damages or destroys a #building# within the #Special Garment Center District# that was used as a #transient hotel# as of [date of adoption], such #building# may be reconstructed and continue as a #transient hotel# without obtaining a special permit, provided the #floor area# of such reconstructed #building# does not exceed the #floor area# permitted, pursuant to the provisions of Section 121-31 (Maximum Permitted Floor Area Within Subdistrict A-1) or Section 121-41 (Maximum Permitted Floor Area Within Subdistrict A-2), as applicable.

121-111 Use Group A

Changes of #use# to Use Group A #uses# are exempt from the #floor area# preservation requirements of Section 121-113. In Preservation Area P-1, in the case of a change of #use# of #floor area# to a Use Group 6B #use#, Use Group A #uses# may not be used to satisfy the preservation requirement. In Preservation Area P-2, in the case of a change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations, Use Group A #uses# may not be used to satisfy the preservation requirement.

In Use Group 6A:

All #uses#

In Use Group 6C:

All #uses# except loan offices, telegraph offices and travel bureaus

In Use Group 6D:

All #uses#

In Use Group 9A:

Blueprinting or photostating establishments

Musical instrument repair shops

Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production

Typewriter or other small business machine sales, rentals or repairs

In Use Group 12B:

All #uses# Additional #uses#:

#Accessory uses#

Automobile rental establishments

#Public parking lots# and #public parking garages#, pursuant to the provisions of Article I, Chapter 3 (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core)

Wholesale establishments, with a minimum of 15 percent of #accessory# storage

Wholesale showrooms

121-112 Use Group B

Changes of #use# to Use Group B #uses# are exempt from the #floor area# preservation requirements of Section 121-113. In Preservation Area P-1, in the case of a change of #use# of #floor area# to a Use Group 6B #use#, only Use Group B #uses# may be used to satisfy the #floor area# preservation requirements. In Preservation Area P-2, in the case of a change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations, only Use Group B #uses#, and #uses# in Use Group 6A and 6C may be used to satisfy the preservation requirement.

In Use Group 11A:

Art needlework, hand weaving or tapestries

Books, hand binding or tooling

Ceramic products, custom manufacturing

Clothing, custom manufacturing or altering for retail

Hair products, custom manufacturing

Jewelry manufacturing from precious metals

In Use Group 16A:

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air-conditioning units

Tool, die, or pattern-making establishments or similar small machine shops

In Use Group 16D:

Packing or crating establishments

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment

Warehouses In Use Group 17B:

All #uses#

Additional #Uses#:

#Accessory uses#

121-113 Floor area preservation

In Preservation Area P-1, the change of #use# of #floor area# to Use Group 6B #use# after March 26, 1987, and, in Preservation Area P-2, for #buildings# with 70,000 square feet or more of #floor area# existing on January 19, 2005, the change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations is permitted only by certification of the Chairperson of the City Planning Commission that #floor area# has been preserved subject to the provisions of Section 121-115 (Certification and other requirements of preservation and conversion) for #uses# specified in Section 121-112 (Use Group B).

The amount of #floor area# to be preserved shall be equal to the amount of #floor area# changed to a Use Group 6B #use# or any #use# permitted by the underlying #use# regulations, as applicable. Such #floor area# may be preserved in the same #building# or in any other comparable #building# in Preservation Areas P-1 or P-2, subject to the provisions of Section 121-114 (Comparability).

#Floor area# may not be preserved on portions of floors. If the #floor area# to be preserved includes a fraction of a floor, the next highest number of full floors must be preserved for a permitted #use# in Use Group B. At the time of such change of #use#, #floor area# to be preserved must either be vacant or occupied by a #use# in Use Group B.

121-114 Comparability

Where the #floor area# to be preserved is not located within the same #building# where the #use# will be changed, such #floor area# must be comparable to #floor area# in the #building# where the #use# will be changed. Comparability, shown by an affidavit from a professional engineer or a registered architect, licensed under the laws of the State of New York, shall exist where the #floor area# to be preserved meets the following criteria:

(a) Elevators: Load and number

(1) Load

Each elevator shall have a minimum load of 2,000 pounds. The total load of all elevators servicing the #floor area# to be preserved shall be in accordance with the following ratio:

Total load	is greater than or equal to 90% of	Total load
Gross #floor area# of #building# to be preserved	#use#	Gross #floor area# of #building# that will be occupied by the change of

(2) Number

There shall be a minimum of two elevators. The number of elevators servicing the #floor area# to be preserved shall be in accordance with the following ratio:

Number of elevators	is greater than or equal to 90% of	Number of elevators
Gross #floor area# of		Gross #floor area# of #building# that will be

#building# to be preserved	#use#	occupied by the change of
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Notwithstanding the above, where there is only one elevator servicing the #floor area# to be occupied by the change of #use#, there may be one elevator servicing the #floor area# to be preserved if the following exist:

- (i) the #floor area# to be serviced by the elevator in the #building# to be preserved does not exceed the #floor area# serviced by the elevator in the #building# to be occupied by the change of #use# by more than 10 percent; and
- (ii) the ratio of the volume of the elevator servicing the #floor area# to be preserved to the #floor area# to be preserved is at least 90 percent of the ratio of the volume of the elevator servicing the #floor area# to be occupied by the change of #use# to the #floor area# to be occupied by the change of #use#. If the number of elevators required, pursuant to the above ratio includes a fraction of an elevator, this fraction shall be rounded to the nearest whole number.

(b) Floor load

The floors shall have a minimum live load capacity of 100 pounds per square foot (100 psf).

(c) Size of floors

The #floor area# shall be located on floors of not less than 3,000 square feet or 50 percent of the size of the floors in the #building# to be occupied by the change of #use#, whichever is greater. #Floor area# may not be preserved on portions of floors.

(d) Loading facilities

The loading facilities shall be at least equal in number to those in the #building# to be occupied by the change of #use#. In addition, if such #building# has an off-street loading dock, the #building# containing the #floor area# to be preserved must have such off-street loading facilities.

(e) Column spacing

There shall be a minimum distance between columns of 16 feet, measured on center. In addition, the average distance between columns shall not be less than 90 percent of the average distance between columns in the #building# to be occupied by the change of #use#.

(f) Height of #stories#

The #stories# shall have an average minimum height of ten feet.

121-115 Certification and other requirements of preservation and conversion

(a) Prior to the issuance of an alteration permit for the change of #use# of #floor area# to Use Group 6B #use# in Preservation Area P-1, or the change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations in Preservation Area P-2, the Chairperson of the City Planning Commission shall certify compliance with the requirements of Section 121-113 (Floor area preservation), upon proof of a legal commitment to preserve and maintain the required #floor area# for a permitted #use# in Use Group B. Such legal commitment shall be executed by all parties having any interest in the #floor area# to be preserved as shown by a certificate issued by a title insurance company licensed to do business in the State of New York showing all such parties in interest.

A "party in interest" in the tract of land shall include only (W) the fee owner thereof, (X) the holder of any enforceable recorded interest superior to that of the fee owner and which could result in such holder obtaining possession of all or substantially all of such tract of land, (Y) the holder of any enforceable recorded interest in all or substantially all of such tract of land which would be adversely affected by the preservation as required herein, and (Z) the holder of any unrecorded interest in all or substantially all of such tract of land which would be superior to and adversely affected by the preservation required herein and which would be disclosed by a physical inspection of the tract of land.

A copy of the legal commitment required herein shall be recorded in the Conveyances Section of the Office of the City Register of New York County upon certification.

(b) The amount of #floor area# required to be preserved in any #building#, pursuant to Section 121-113 shall not be reduced by the existence of a previously issued legal commitment for preservation on a portion of the #floor area# in the #building#.

(c) If any #floor area# to be preserved for a #use# in Use Group B, pursuant to Section 121-113 is damaged, destroyed or becomes unusable, it shall be repaired or reconstructed only in accordance with the conditions and restrictions set forth in the certification granted by the City Planning Commission and the legal commitment constituting part of such certification. Failure

to comply with any other conditions and restrictions or failure to rebuild such preserved #floor area# set forth above shall constitute a violation of the certification and may constitute a basis for denial or revocation of the building permit or certificate of occupancy issued for the #building# containing preserved #floor area#.

121-12

Conditions for Application of Preservation Area Regulations to Entire Zoning Lot C6-4M Districts in Subdistrict A-2

For the purposes of this Chapter, the provisions of Article VII, Chapter 7 (Special Provisions for Zoning Lots Divided by District Boundaries) are hereby made inapplicable. In lieu thereof, #zoning lots# existing on March 26, 1987, divided by the boundary of the Preservation Area as shown in Appendix A shall be subject to the #use# regulations applicable to the district in which more than 50 percent of the #lot area# is located. However, #zoning lots# fronting on a #wide street# shall not be subject to the preservation requirements of this Chapter.

In the C6-4M District located within Subdistrict A-2, for #buildings# existing on January 19, 2005, the #use# regulations of the underlying district shall be modified as follows:

- (a) for #buildings# with less than 70,000 square feet of #floor area#, the provisions of Section 15-20 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN C6-2M, C6-4M, M1-5M AND M1-6M DISTRICTS), inclusive, shall not apply to the #conversion# of non-#residential floor area# to #residences#. In lieu thereof, Section 15-10 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN RESIDENCE AND COMMERCIAL DISTRICTS, EXCEPT C6-2M AND C6-4M DISTRICTS), inclusive, shall apply; and
- (b) for #buildings# with 70,000 square feet or more of #floor area#, the #conversion# of non-#residential floor area# to #residences#, or to college or school student dormitories and fraternity or sorority student houses shall not be permitted.
- (c) the following #uses# and #uses accessory# to such #uses# shall be allowed:
 - (1) From Use Group 16A:

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers or air conditioning units

Tool, die or pattern making establishments or similar small machine shops
 - (2) From Use Group 16D:

Packing or crating establishments

Trucking terminals or motor freight stations, limited to 20,000 square feet of #lot area# per establishment

Warehouses

Wholesale establishments, with no limitation on #accessory# storage
 - (3) From Use Group 17B:

All #uses#

121-13

Authorization for Waiver of Floor Area Preservation Requirements M1-6 District in Subdistrict A-1

In Preservation Area P-2, for #buildings# with 70,000 square feet or more of #floor area# existing on January 19, 2005, the City Planning Commission may authorize the #conversion# or change of #use# of #floor area# to any #use# permitted by the underlying #use# regulations without complying with the #floor area# preservation requirements set forth in Section 121-113, provided the Commission finds that:

- (a) the #floor area# to be occupied by the change of #use# has not been occupied by any #manufacturing#, wholesale or showroom #use# for a period of at least three years prior to the date that a complete application has been filed with the Department of City Planning;
- (b) the #conversion# or change of #use# will not harm the commercial and manufacturing sectors of the City's economy;
- (c) the #conversion# or change of #use# will not harm the commercial and manufacturing character of the surrounding area;
- (d) the process of #conversion# or a change of #use# will not unduly burden #commercial# and #manufacturing uses# in the #building#; and
- (e) the neighborhood in which the #conversion# or change of #use# is taking place will not be excessively burdened by increased #residential# activity.

In the M1-6 District located within Subdistrict A-1, #uses# listed in Use Group 18 shall not be permitted.

121-20

SIGN REGULATIONS

The following provisions apply on #wide streets# within the #Special Garment Center District#:

- (a) no #sign# shall project across the #street line# of a #wide street# more than 18 inches for double or multifaceted #signs# or 12 inches for other #signs#;
- (b) no canopies, marquees, or awnings shall be permitted on the exterior of any #building# with the exception of theaters or hotels;
- (c) where a permit is issued by the Department of Highways for the temporary display of banners/pennants across a #street# (or sidewalk) such banners/pennants shall be removed after 30 days of the issuance of the permit; and
- (d) no banners or pennants shall be permanently displayed from the exterior of any #building# unless the design of such banners or pennants has been approved by the Mayor's Fashion Industry Advisory Council.

For the purpose of this Section, any #signs# including canopies, marquees, awnings, banners or pennants which do not conform to the above regulations may be continued for one year after March 26, 1987, provided that after expiration of that period such #non-conforming signs#, including canopies, marquees, awnings, banners or pennants shall terminate.

In the #Special Garment Center District#, all #signs# shall be subject to the regulations applicable in C6-4 Districts, as set forth in Section 32-60 (SIGN REGULATIONS). However, in Subdistrict A-2, #flashing signs# shall not be permitted.

121-30

SPECIAL BULK REGULATIONS WITHIN PRESERVATION AREA P-2 WITHIN SUBDISTRICT A-1

The following special #bulk# regulations shall apply within Preservation Area P-2 Subdistrict A1, as shown on the map in Appendix A of this Chapter.

121-31 Maximum Permitted Floor Area Within Subdistrict A-1

The basic maximum #floor area ratio# of a #zoning lot# containing #non-residential buildings# shall be 10.0 and may be increased to a maximum #floor area ratio# of 12.0 only, pursuant to Section 93-31 (District Improvement Fund Bonus). Such #zoning lot# may also contain #residences# within #buildings# existing on January 19, 2005, provided that such #buildings# are not #enlarged# after such date. For #zoning lots# containing #residences# within a #building# that is #developed# or #enlarged# on or after January 19, 2005, the basic maximum #floor area ratio# shall be 6.5. The #floor area ratio# of any such #zoning lot# may be increased from 6.5, pursuant to Section 93-31, and, pursuant to Section 23-90 (INCLUSIONARY HOUSING), as modified by Section 93-23, provided that for every five square feet of #floor area# increase, pursuant to Section 93-31, there is a #floor area# increase of six square feet, pursuant to Section 23-90, as modified by Section 93-23, inclusive. The maximum #residential floor area ratio# shall be 12.0.

For the #conversion# to #dwelling units# of #non-residential buildings#, or portions thereof, where the total #floor area# on the #zoning lot# to be #converted# to #residential use# exceeds a #floor area ratio# of 12.0, such excess #floor area# shall be permitted only, pursuant to Section 93-31.

The basic maximum #floor area ratio# of a #zoning lot# shall be as specified for the underlying district in Section 43-12 (Maximum Floor Area Ratio) and may be increased only, pursuant to Section 43-13 (Floor Area Bonus for Public Plazas). No #public plaza#, or any part thereof, shall be permitted on or within 100 feet of a #wide street#. The provisions of Section 43-14 (Floor Area Bonus for Arcades) shall not apply.

121-32 Height of Street Walls and Maximum Building Height Within Subdistrict A-1

In Subdistrict A-1, the underlying height and setback regulations set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks) and 43-44 (Alternate Front Setbacks) shall not apply. In lieu thereof, the following provisions shall apply:

- (a) Height of #street walls# #Street wall# location

The #street wall# of any #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street wall# shall rise without setback to a minimum base height of 80 feet and a maximum base height of 90 feet. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet.

For #zoning lots#, or portions thereof, with #street# frontage of 25 feet or less and existing on June 29, 2010, a minimum base height lower than 80 feet shall be permitted along such #street# frontage in accordance with the following provisions:

- (1) where the height of an adjacent #street wall# fronting on the same #street line# is at least 60 feet and less than 80 feet, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#; or
- (2) where the height of an adjacent #street wall# fronting on the same #street line# is less than 60 feet, the #street wall# of the new or #enlarged building# may rise without setback to a minimum #street wall# height of 60 feet.

The #street wall# of any #building# may rise to a height less than the minimum base height required, pursuant to this paragraph, (a), provided that no #building# on the #zoning lot# exceeds such height, except where such #building# is located on a #zoning lot# with multiple #buildings#, one or more of which is #developed#, #enlarged# or altered after February 2, 2011, to a height exceeding the minimum base height required, pursuant to this paragraph, (a).

The #street wall# of any #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the maximum base height specified in paragraph (b) of this Section. On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#. In addition, the #street wall# location provision of this paragraph shall not apply along such #street line# occupied by a #public plaza# as set forth in Section 37-70 (PUBLIC PLAZAS).

(b) Maximum #building# height Base height

Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, no portion of a #building or other structure# shall penetrate a #sky exposure plane# that begins at a height of 90 feet above the #street line#, or the height of the adjacent #street wall# if higher than 90 feet, and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance to a maximum height limit of 250 feet, except as provided below:

- (1) any portion of the #building or other structure developed# or #enlarged#, pursuant to the tower regulations of Sections 33-45 (Tower Regulations) or 35-64 (Special Tower Regulations for Mixed Buildings), as applicable, may penetrate the #sky exposure plane#, provided no portion of such #building or other structure# exceeds the height limit of 250 feet; and
- (2) permitted obstructions, as listed in Section 33-42, may penetrate the #sky exposure plane# and the height limit of 250 feet. In addition, a dormer, as listed in paragraph (c)(1) of Section 23-621, may penetrate the #sky exposure plane#.

On a #zoning lot# with frontage of at least 200 feet along at least one #street#, up to 20 percent of the #aggregate width of the street wall# facing such #street#, for a maximum width of 50 feet, may be recessed to a maximum depth of 15 feet from the #street line#, provided the recessed area is located a minimum of 20 feet from an adjacent #building# and that a minimum of 60 percent of such area is planted with any combination of grass, ground cover, shrubs, trees or other living plant material in the ground or in planters permanently affixed to the ground.

(1) Along #wide streets#

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and may rise to a maximum base height of 155 feet.

However, where the height of an existing adjacent #street wall# fronting on the same #street line# rises to a height exceeding 155 feet before setback, the maximum base height may be increased to the height of such existing adjacent #street wall# but shall not exceed a base height of 205 feet. In addition, where existing adjacent #street walls# on both sides of the #building# rise to a height exceeding 155 feet before setback, the maximum base height of such #building# may be increased to the higher of the two existing adjacent #street walls#, except in no instance shall the base height of such #building# exceed 205 feet.

(2) Along #narrow streets#

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 85 feet and may rise to a maximum base height of 135 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may be applied along a #narrow street# beyond 50 feet of a #wide street#, up to a maximum of 100 feet from such #wide street#.

(c) Required setbacks

(1) Along #wide streets#

For #buildings#, or portions thereof, located on #wide streets# and on #narrow streets# within 100 feet of a #wide street#, the portion of such #building# above the applicable maximum base height set forth in paragraph (b)(1) of this Section, shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. Above such required setback, any portion of a #building# on the #zoning lot# shall be considered a "tower."

(2) Along #narrow streets#

For #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet of a #wide street#, the portion of such #building# above the applicable maximum base height set forth in paragraph (b)(2) of this Section shall be set back from the #street wall# of the #building# at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. Above such required setback, any portion of a #building# on the #zoning lot# shall be considered a "tower."

(d) Tower Regulations

Each #story# of a tower above the required setback shall not exceed a maximum #lot coverage# of 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percent set forth in Section 43-451 (Towers on small lots).

(e) Maximum #building# height

No height limit shall apply to towers.

121-40

SPECIAL BULK REGULATIONS WITHIN SUBDISTRICT A-2

The following special #bulk# regulations shall apply within Subdistrict A-2, as shown on the map in Appendix A of this Chapter.

121-31-121-41

Maximum Permitted Floor Area Within Subdistrict A-2

The basic maximum #floor area ratio# of a #zoning lot# containing #non-residential buildings# shall be 10.0 and may be increased to a maximum #floor area ratio# of 12.0 only, pursuant to Section 93-31 (District Improvement Fund Bonus). Such #zoning lot# may also contain #residences# within #buildings# existing on January 19, 2005, provided that such #buildings# are not #enlarged# after such date. For #zoning lots# containing #residences# within a #building# that is #developed# or #enlarged# on or after January 19, 2005, the basic maximum #floor area ratio# shall be 6.5. The #floor area ratio# of any such #zoning lot# may be increased from 6.5, pursuant to Section 93-31, and, pursuant to Section 23-90 (INCLUSIONARY HOUSING), as modified by Section 93-23 (Modifications of Inclusionary Housing Program), provided that for every five square feet of #floor area# increase, pursuant to Section 93-31, there is a #floor area# increase of six square feet, pursuant to Section 23-90, as modified by Section 93-23, inclusive. The maximum #residential floor area ratio# shall be 12.0.

For the #conversion# to #dwelling units# of #non-residential buildings#, or portions thereof, where the total #floor area# on the #zoning lot# to be #converted# to #residential use# exceeds a #floor area ratio# of 12.0, such excess #floor area# shall be permitted only, pursuant to Section 93-31.

121-32-121-42

Height of Street Walls and Maximum Building Height Within Subdistrict A-2

(a) Height of #street walls#

The #street wall# of any #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street wall# shall rise without setback to a minimum base height of 80 feet and a maximum base height of 90 feet before setback. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet.

For #zoning lots#, or portions thereof, with #street# frontage of 25 feet or less and existing on June 29, 2010, a minimum base height lower than 80 feet shall be permitted along such #street# frontage in accordance with the following provisions:

- (1) where the height of an adjacent #street wall# fronting on the same #street line# is at least 60 feet and less than 80 feet, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#; or

- (2) where the height of an adjacent #street wall# fronting on the same #street line# is less than 60 feet, the #street wall# of the new or #enlarged building# may rise without setback to a minimum #street wall# height of 60 feet.

The #street wall# of any #building# may rise to a height less than the minimum base height required, pursuant to this paragraph (a), provided that no #building# on the #zoning lot# exceeds such height, except where such #building# is located on a #zoning lot# with multiple #buildings#, one or more of which is #developed#, #enlarged# or altered after February 2, 2011, to a height exceeding the minimum base height required, pursuant to this paragraph (a).

(b) Maximum #building# height

Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, no portion of a #building or other structure# shall penetrate a #sky exposure plane# that begins at a height of 90 feet above the #street line#, or the height of the adjacent #street wall# if higher than 90 feet, and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance to a maximum height limit of 250 feet, except as provided below:

- (1) any portion of the #building or other structure developed# or #enlarged#, pursuant to the tower regulations of Sections 33-45 (Tower Regulations) or 35-64 (Special Tower Regulations for Mixed Buildings), as applicable, may penetrate the #sky exposure plane#, provided no portion of such #building or other structure# exceeds the height limit of 250 feet; and
- (2) permitted obstructions, as listed in Section 33-42, may penetrate the #sky exposure plane# and the height limit of 250 feet. In addition, a dormer, as listed in paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts), may penetrate the #sky exposure plane#.

On a #zoning lot# with frontage of at least 200 feet along at least one #street#, up to 20 percent of the #aggregate width of the street wall# facing such #street#, for a maximum width of 50 feet, may be recessed to a maximum depth of 15 feet from the #street line#, provided the recessed area is located a minimum of 20 feet from an adjacent #building# and that a minimum of 60 percent of such area is planted with any combination of grass, ground cover, shrubs, trees or other living plant material in the ground or in planters permanently affixed to the ground.

**121-40-121-50
PARKING PROVISIONS FOR PRESERVATION AREA P-2
SUBDISTRICT A-2**

Within Preservation Area P-2 Subdistrict A-2, as shown on the map in Appendix A of this Chapter, the underlying parking provisions shall not apply. In lieu thereof, the parking regulations of the #Special Hudson Yards District#, as set forth in Section 93-80 (OFF-STREET PARKING REGULATIONS) shall apply.

**121-50-121-60 SUPPLEMENTAL REGULATIONS IN
PRESERVATION AREA P-2 ANTI-HARASSMENT AND
DEMOLITION REGULATIONS IN SUBDISTRICT A-2**

In Preservation Area P-2 Subdistrict A-2, the provisions of Section 93-90 (HARASSMENT) and Section 93-91 (Demolition), inclusive, shall apply.

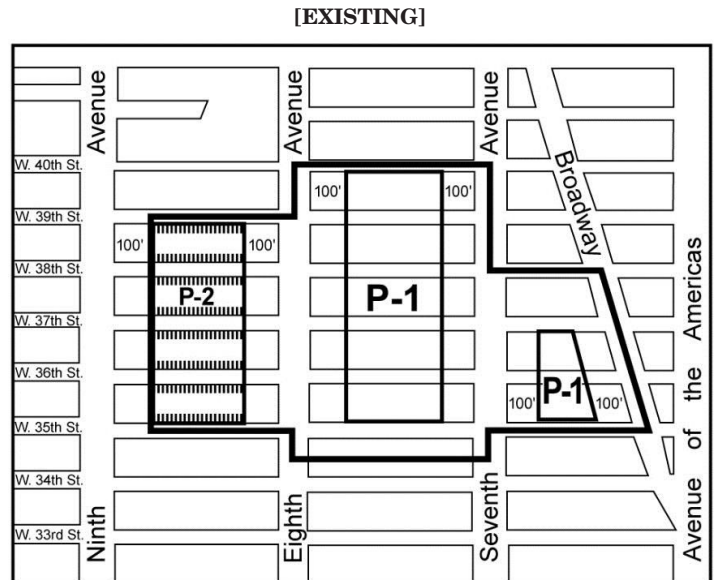
**121-70
SPECIAL PERMIT FOR TRANSIENT HOTELS**

In the #Special Garment Center District#, the City Planning Commission may permit a #transient hotel# as listed in Use Group 5, including #motels#, #tourist cabins# or #boatsels# as listed in Use Group 7, that is not otherwise permitted, pursuant to Section 121-10 (SPECIAL USE REGULATIONS), provided that the Commission finds that:

- (a) the location of such proposed #transient hotel# within the Special District will not impair the achievement of a diverse and harmonious mix of #commercial#, #manufacturing# and #community facility uses# within Subdistrict A-1 and of #residential#, #commercial#, #manufacturing# and #community facility uses# in Subdistrict A-2, consistent with the applicable district regulations;
- (b) such #transient hotel use# is consistent with the planning objectives of the Special District; and
- (c) the design of such #transient hotel# is appropriate to its program and will not impair the character of the area.

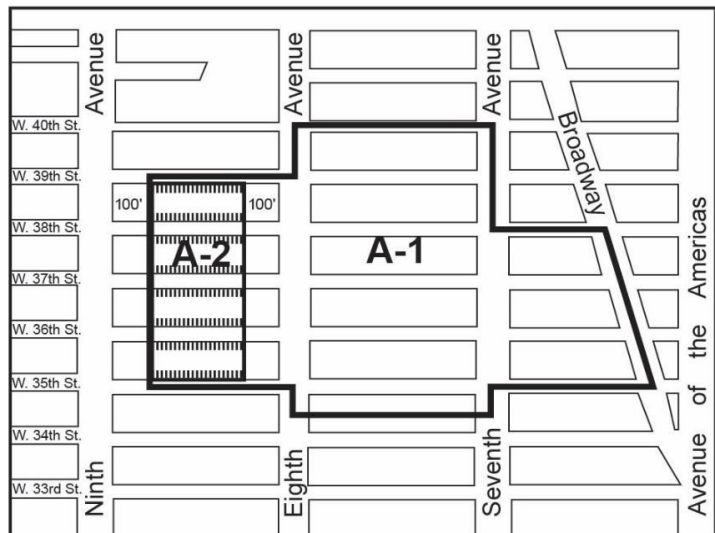
The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

**Appendix A
Special Garment Center District Plan**



- Special Garment Center District
- Preservation Area
- ▨ Street Wall required pursuant to 121-32(a)

**[PROPOSED]
Special Garment Center District and Subdistricts**



- #Special Garment Center District#
- A-1 Garment Center Subdistrict A-1
- A-2 Garment Center Subdistrict A-2
- ▨ #Street Wall# required pursuant to 121-42 (a)

* * *

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

C 180485 HAK

Application submitted by the Department of Housing Preservation and Development (HPD)

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of properties, located at 763 Thomas S. Boyland Street (Block 3587, Lot 27) and Chester Street (Block 3588, Lots 32, 33, 34, 35 and 36) as an Urban Development Action Area; and
 - an Urban Development Action Area Project for such area; and

- 2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate seven eight- and nine-story mixed-use buildings with approximately 724 affordable housing units, community facility and commercial space.

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16 C 180486 PCK

Application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property, located on Bristol Street between Blake Avenue and Dumont Avenue (Block 3559, p/o Lot 1) for use as a community garden.

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16 N 180487 ZRK

Application submitted by Brownsville Livonia Associates LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
 Matter ~~struck out~~ is to be deleted;
 Matter within # # is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution.

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

BROOKLYN

Brooklyn Community District 16

Map 4 – [date of adoption]



█ Mandatory Inclusionary Housing Area see Section 23-154(d)(3)

Area 5 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 16, Brooklyn

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16 C 180488 ZSK

Application submitted by Brownsville Livonia Associates LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits, pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of lot coverage without regard for zoning lot lines; and
2. Section 74-743(a)(2) - to allow for the location of buildings without regard for distance between buildings regulations of Section 23-711 (Standard minimum distance between buildings), and the height and setback regulations of Sections 23-66 (Height and Setback Requirements for Quality Housing Buildings) and 35-65 (Height and Setback Requirements for Quality Housing Buildings);

in connection with a proposed mixed-use development, within a Large-Scale General Development, on property generally, bounded by Blake Avenue, Rockaway Avenue, Newport Street, and Thomas S. Boyland Street (Block 3559, Lot 1; Block 3560, Lot 1; Block 3573, Lot 1; Block 3574, Lot 1; Block 3575, Lot 11; Block 3587, Lots 1, 27; Block 3588, Lots 1, 27, 32-36; Block 3589, Lot 21; Block 3601, Lot 26; and Block 3602, Lot 12), in R6, R7-2*, and R7-2/C2-4* Districts.

*Note: The site is proposed to be rezoned by changing an R6 District to R7-2 and R7-2/C2-4 Districts under a concurrent related application for a Zoning Map change (C 180489 ZMK).

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16 C 180489 ZMK

Application submitted by Brownsville Livonia Associates LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17d:

1. changing from an R6 District to an R7-2 District at property, bounded by:
 - a. Chester Street, a line 250 feet northwesterly of Dumont Avenue, a line midway between Chester Street and Rockaway Avenue, and Dumont Avenue;
 - b. Thomas S. Boyland Street, a line 75 feet northwesterly of Livonia Avenue, Bristol Street, a line 105 feet northwesterly of Livonia Avenue, Chester Street, Livonia Avenue, a line midway between Chester Street and Rockaway Avenue, a line 220 feet southeasterly of Livonia Avenue, Chester Street, a line 75 feet southeasterly of Livonia Avenue, a line midway between Bristol Street and Thomas S. Boyland Street, and a line 100 feet southeasterly of Livonia Avenue;
 - c. Chester Street, Riverdale Avenue, a line midway between Chester Street and Rockaway Avenue, and a line 375 feet southeasterly of Riverdale Avenue; and
2. establishing within a proposed R7-2 District a C2-4 District, bounded by Thomas S. Boyland Street, a line 75 feet northwesterly of Livonia Avenue, Bristol Street, a line 105 feet northwesterly of Livonia Avenue, Chester Street, Livonia Avenue, a line midway between Chester Street and Rockaway Avenue, a line 100 feet southeasterly of Livonia Avenue, Chester Street, a line 75 feet southeasterly of Livonia Avenue, a line midway between Bristol Street and Thomas S. Boyland Street, and a line 100 feet southeasterly of Livonia Avenue;

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16 C 180490 ZSK

Application submitted by Brownsville Livonia Associates LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-532 to waive the number of required accessory residential off-street parking spaces required by Section 25-23, in connection with a proposed mixed-use development within a Large Scale General Development, on property generally, bounded by Blake Avenue, Rockaway Avenue, Newport Street, and Thomas S. Boyland Street (Block 3559, Lot 1; Block 3560, Lot 1; Block 3573, Lot 1; Block 3574, Lot 1; Block 3575, Lot 11; Block 3587, Lots 1, 27; Block 3588, Lots 1, 27, 3236; Block 3589, Lot 21; Block 3601, Lot 26; and Block 3602, Lot 12) in R6, R7-2*, and R7-2/C2-4* Districts.

*Note: The site is proposed to be rezoned by changing from an R6 District to R7-2 and R7-2/C2-4 Districts under a concurrent related application for a Zoning Map change (C 180489 ZMK).

1451 FRANKLIN AVENUE "SEACREST" REZONING

BROOKLYN CB - 9

C 180347 ZMK

Application submitted by Cornell Realty Management LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

- 1. eliminating from within an existing R6A District a C1-3 District, bounded by a line midway between President Street and Carroll Street, Franklin Avenue, Carroll Street, and a line 100 feet westerly of Franklin Avenue;
2. changing from an R6A District to an R8X District property, bounded by:
a. a line midway between President Street and Carroll Street, Franklin Avenue, Carroll Street, and a line 300 feet westerly of Franklin Avenue; and
b. Crown Street, Franklin Avenue, Montgomery Street, and a line 300 feet westerly of Franklin Avenue;
3. changing from an R8A District to an R8X District property, bounded by Carroll Street, Franklin Avenue, Crown Street, and a line 300 feet westerly of Franklin Avenue; and
4. establishing within the proposed R8X District a C2-4 District, bounded by:
a. a line midway between President Street and Carroll Street, Franklin Avenue, Carroll Street, and a line 100 feet westerly of Franklin Avenue; and
b. Crown Street, Franklin Avenue, Montgomery Street, and a line 100 feet westerly of Franklin Avenue;

as shown on a diagram (for illustrative purposes only) dated June 11, 2018, and subject to the conditions of CEQR Declaration E-405.

1451 FRANKLIN AVENUE "SEACREST" REZONING

BROOKLYN CB - 9

N 180348 ZRK

Application submitted by Cornell Realty Management LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter struck out is to be deleted;
Matter within # # is defined in Section 12-10;
*** indicates where unchanged text appears in the Zoning Resolution.

APPENDIX F

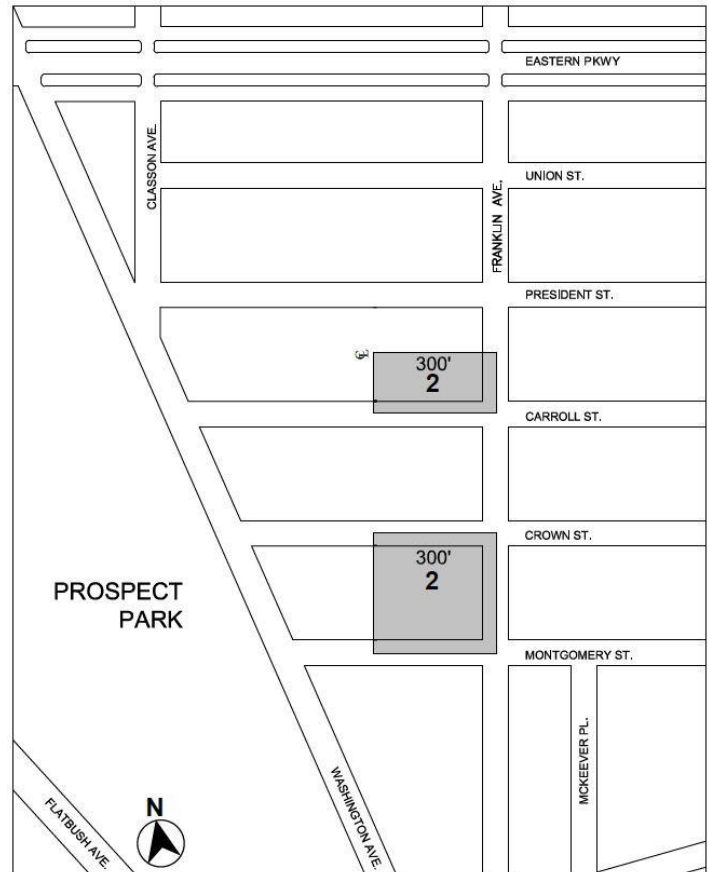
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

BROOKLYN

Brooklyn Community District 9

Map 2 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program area see Section 23-154(d)(3)

Area 2 [date of adoption] - MIH Program Option 1
Portion of Community District 9, Brooklyn

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York, NY 10007, commencing at 12:00 P.M. on November 15, 2018 :

HAN S CHRISTIAN MEMORIAL KINDERGARTEN

BROOKLYN CB - 6

20195088 HIK (N 190129 HIK)

The proposed designation by the Landmark Preservation Commission [DL-510/LP-2611], pursuant to Section 3020 of the New York City Charter of Hans S Christian Memorial Kindergarten, located at 236 President Street (Tax Map Block 351, Lot 10), as a historic landmark.

DOT BROOKLYN FLEET SERVICES

BROOKLYN CB - 6

C 180418 PCK

Application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property, located at 25 14th Street (Block 1031, Lots 1, 62, 67, and 71) for a fleet vehicle maintenance and repair facility.

238 PRESIDENT STREET HOUSE

BROOKLYN CB - 6

20195089 HIK (N 190130 HIK)

The proposed designation by the Landmark Preservation Commission [DL-510/LP-2612], pursuant to Section 3020 of the 238 President Street House, located at 238 President Street (Tax Map Block 351, Lot 12), as a historic landmark.

Accessibility questions: Land Use Division (212) 482-5154, by: Tuesday, November 13, 2018, 3:00 P.M.



CITY PLANNING

■ NOTICE

PUBLIC NOTICE OF A SCOPING MEETING DRAFT ENVIRONMENTAL IMPACT STATEMENT (CEQR No. 19DCP083Y)

NOTICE IS HEREBY GIVEN that, pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has determined that a Draft Environmental Impact Statement is to be prepared for the proposed actions related to the **Staten Island & Bronx Special Districts Update**, CEQR Number **19DCP083Y**. The SEQRA classification for this proposal is Type I.

A public scoping meeting will be held on Monday, December 10, 2018, at Wagner College, Spiro Hall, Room 2, 1 Campus Road, Staten Island, NY 10301. The meeting will begin at 4:00 P.M.

Written comments will be accepted by the lead agency until the close of business on Monday, January 14, 2019.

The New York City Department of City Planning (DCP), the Applicant, is proposing zoning text and zoning map amendments (the "Proposed Action") to the Special Natural Area District, Special South Richmond Development District and Special Hillside Preservation District to provide a clear and consistent framework for natural resource preservation that balances development and ecological goals within these Special Districts. In Staten Island, the Proposed Action also includes targeted zoning text changes to the Lower Density Growth Management Areas (LDGMA) and to areas with applicable cross access requirements to further the original purposes of protecting neighborhood character and making the regulations easier to apply.

The Proposed Action includes zoning text and related zoning map changes that would affect the Special Natural Area District (Article X, Chapter 5), Special South Richmond Development District (Article X, Chapter 7), and Special Hillside Preservation District (Article XI, Chapter 9) of the Zoning Resolution (ZR). The Proposed Action would affect Staten Island's Special Hillside Preservation District (SHPD) in Community District 1; Staten Island's Special Natural Area Districts (NA-1 and NA-3) in Community Districts 1 and 2; Staten Island's Special South Richmond Development District (SSRDD) in Community District 3; and the Bronx's Special Natural Area District (NA-2) district in Riverdale and Fieldston, Community District 8. The proposed zoning text amendment to Lower Density Growth Management Area (LDGMA) will affect all three Community Districts in Staten Island; modification of requirements for cross access between non-residential parking lots would affect C4-1, C8, M1, M2 and M3 districts in Staten Island. The Special Natural Area District in Queens (NA-4) would not be affected by the proposed changes.

The Special Districts that are the subject of the Proposed Action were established in the 1970's and 1980's to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic and topographic features, that have ecological and conservation values. Collectively, these regulations introduced valuable resource protection and oversight mechanisms. However, current regulations lack a broader approach to the ecological context, since they focus on the preservation of natural features on a site-by-site basis. Without considering the relationship of the natural features on a site to the wider ecological context, the current regulations lack clear and consistent parameters to guide the City Planning Commission's (CPC) review when a property owner requests permission to remove or modify natural features, resulting in unpredictable and inconsistent outcomes. Additionally, the current one-size fits all approach for properties of all sizes, land uses and types of natural feature subject to CPC review imposes burdensome costs and time delays for homeowners seeking to make modest changes to their properties, while allowing some larger developments in sensitive areas to be developed without any public oversight.

Moreover, the City's understanding of the natural environment has evolved, revealing a better understanding of the importance of larger natural areas, such as Forever Wild parklands, which are referred to as "designated natural resources" in the Proposed Action. These larger natural areas are now understood to be key "anchor habitats" that have a high level of biodiversity with more species of plants and animals and form an integral part of the larger ecosystem. Technology has also improved in the last 40 years, allowing these areas to be mapped more accurately. These "designated natural resources" that are already on publicly protected lands, combined with other larger habitats on private properties, are the assets that the Proposed Action intends to protect, preserve and enhance.

The Proposed Action seeks to update and refine current regulations to strengthen and rationalize natural resource preservation, to codify

best practices learned over the past 40 years and to create a more homeowner-friendly environment with robust as-of-right rules with clearer outcomes for development on smaller lots (defined for the purposes of the Proposed Action as sites of less than one acre in size). As-of-right regulations that protect significant natural features and ensure cohesion within neighborhoods with distinct character would allow small lots (less than one acre) to be developed as-of-right, provided compliance with the Proposed Action without requiring CPC review.

The Proposed Action would require special review by the CPC for development on large lots (defined as sites measuring one acre or more in size), as well as development with new private roads or new buildings or subdivisions of a lot in a historic district. In areas of steep slope or ecological sensitivity (abutting designated natural resources), developments including four or more new lots or buildings would also require CPC review. These types of developments have a greater potential to affect the surrounding ecology, neighborhood character and the public realm.

Because the current regulations require many small properties to go through CPC review, it is anticipated that the proposed framework will result in a reduction of over 66 percent in the number of applications requiring CPC review, based on data analysis of applications to the CPC in the three affected special districts from 2012 to 2017.

The Proposed Action would set clear parameters for large (one acre or more) and sensitive sites such that CPC review would result in predictable outcomes for natural feature preservation and development. Additionally, for sites with existing habitat, portions of their habitat would be required to be preserved in perpetuity to maintain ecological connectivity and neighborhood character. These sites, which will be pre-identified in the Zoning Resolution, will require ecological assessment of habitat before a development is designed so that the requirement can be met by preservation of the most valuable ecological areas that may also provide connectivity to the larger protected natural areas. There will be an option to cluster buildings on these sites in order to preserve natural habitat on a portion of the site while maintaining roughly the same development potential for the entire site. The proposal would encourage upfront long-term site planning to create a holistic development plan for the public and the property owner, considering natural resource preservation.

The proposal would also remove CPC review for Bluebelt properties managed by the NYC Department of Environmental Protection (DEP) and NYC Parks properties as required in the existing SNAD regulations. Due to NYC Parks and NYC DEP goals of preserving natural resources as well as their own public review process and the Public Design Commission (PDC) public review process for any publicly owned property, the goals of the Proposed Action would be maintained without CPC review.

To achieve these objectives, the proposal would combine the existing three Special Districts (Hillside, Natural Areas and South Richmond) into one Special District called the "Special Natural Resources District" to create consistent natural resource preservation rules. The Proposed Actions would establish a new Subdistrict to maintain the existing special bulk, parking and open space rules of the Special South Richmond Development District. Within the new Special District, three ecological areas (Escarpment, Resource Adjacent and Base Protection) would be established to create a hierarchy of natural resource preservation based on the proximity of a private property to "designated natural resources" or properties containing steep slopes, to protect, enhance and connect the most ecologically sensitive resources.

The Proposed Action would also update cross access regulations on Staten Island and LDGMA regulations that established residential development controls regarding parking, yard, open space, private roads and other regulations to preserve neighborhood character. The Proposed Action is not expected to cause a significant change in the overall amount, type, or location of development. On large sites (one acre or more) with existing habitat, where a portion of the site is required to be preserved, in certain cases, the development under the Proposed Action may be reduced to balance the goals of habitat preservation. This proposal is not expected to induce development where it would not have otherwise occurred absent the Proposed Action. The land use actions (certifications, authorizations and special permits) necessary to facilitate development on a site may be changed or eliminated by the Proposed Action. The proposed changes to LDGMA regulations in Staten Island are not expected to cause a significant change in the overall amount, type or location of development, though in some cases due to updates in minimum lot area rules along private roads, the amount of development under proposed regulations may be reduced. Updates to cross access regulation are mostly clarifications of rules and changes to review process and would not affect the type or amount of development.

The analysis year for the Proposed Action is 2029.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271, Olga Abinader, Acting

Director (212) 720-3493; or from the Mayor's Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, NY 10007, Hilary Semel, Director (212) 676-3273. The Draft Scope of Work and scoping protocol will also be made available for download at <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page>.

Public comments are requested with respect to issues to be addressed in the draft environmental impact statement.

☛ n9

**PUBLIC NOTICE OF A SCOPING MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 19DCP083Y)**

NOTICE IS HEREBY GIVEN that, pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has determined that a Draft Environmental Impact Statement is to be prepared for the proposed actions related to the **Staten Island & Bronx Special Districts Update**, CEQR Number **19DCP083Y**. The SEQRA classification for this proposal is Type I.

A public scoping meeting will be held on Thursday, December 13, 2018, at Ethical Culture Fieldston School, Student Commons Room, 3901 Fieldston Road, Bronx, NY 10471. The meeting will begin at 4:00 P.M.

Written comments will be accepted by the lead agency until the close of business on Monday, January 14, 2019.

The New York City Department of City Planning (DCP), the Applicant, is proposing zoning text and zoning map amendments (the "Proposed Action") to the Special Natural Area District, Special South Richmond Development District and Special Hillside Preservation District to provide a clear and consistent framework for natural resource preservation that balances development and ecological goals within these Special Districts. In Staten Island, the Proposed Action also includes targeted zoning text changes to the Lower Density Growth Management Areas (LDGMA) and to areas with applicable cross access requirements to further the original purposes of protecting neighborhood character and making the regulations easier to apply.

The Proposed Action includes zoning text and related zoning map changes that would affect the Special Natural Area District (Article X, Chapter 5), Special South Richmond Development District (Article X, Chapter 7), and Special Hillside Preservation District (Article XI, Chapter 9) of the Zoning Resolution (ZR). The Proposed Action would affect Staten Island's Special Hillside Preservation District (SHPD) in Community District 1; Staten Island's Special Natural Area Districts (NA-1 and NA-3) in Community Districts 1 and 2; Staten Island's Special South Richmond Development District (SSRDD) in Community District 3; and the Bronx's Special Natural Area District (NA-2) district in Riverdale and Fieldston, Community District 8. The proposed zoning text amendment to Lower Density Growth Management Area (LDGMA) will affect all three Community Districts in Staten Island; modification of requirements for cross access between non-residential parking lots would affect C4-1, C8, M1, M2 and M3 districts in Staten Island. The Special Natural Area District in Queens (NA-4) would not be affected by the proposed changes.

The Special Districts that are the subject of the Proposed Action were established in the 1970's and 1980's to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic and topographic features, that have ecological and conservation values. Collectively, these regulations introduced valuable resource protection and oversight mechanisms. However, current regulations lack a broader approach to the ecological context, since they focus on the preservation of natural features on a site-by-site basis. Without considering the relationship of the natural features on a site to the wider ecological context, the current regulations lack clear and consistent parameters to guide the City Planning Commission's (CPC) review when a property owner requests permission to remove or modify natural features, resulting in unpredictable and inconsistent outcomes. Additionally, the current one-size fits all approach for properties of all sizes, land uses and types of natural feature subject to CPC review imposes burdensome costs and time delays for homeowners seeking to make modest changes to their properties, while allowing some larger developments in sensitive areas to be developed without any public oversight.

Moreover, the City's understanding of the natural environment has evolved, revealing a better understanding of the importance of larger natural areas, such as Forever Wild parklands, which are referred to as "designated natural resources" in the Proposed Action. These larger natural areas are now understood to be key "anchor habitats" that have a high level of biodiversity with more species of plants and animals and form an integral part of the larger ecosystem. Technology has also improved in the last 40 years, allowing these areas to be mapped more accurately. These "designated natural resources" that are already

on publicly protected lands, combined with other larger habitats on private properties, are the assets that the Proposed Action intends to protect, preserve and enhance.

The Proposed Action seeks to update and refine current regulations to strengthen and rationalize natural resource preservation, to codify best practices learned over the past 40 years and to create a more homeowner-friendly environment with robust as-of-right rules with clearer outcomes for development on smaller lots (defined for the purposes of the Proposed Action as sites of less than one acre in size). As-of-right regulations that protect significant natural features and ensure cohesion within neighborhoods with distinct character would allow small lots (less than one acre) to be developed as-of-right, provided compliance with the Proposed Action without requiring CPC review.

The Proposed Action would require special review by the CPC for development on large lots (defined as sites measuring one acre or more in size), as well as development with new private roads or new buildings or subdivisions of a lot in a historic district. In areas of steep slope or ecological sensitivity (abutting designated natural resources), developments including four or more new lots or buildings would also require CPC review. These types of developments have a greater potential to affect the surrounding ecology, neighborhood character and the public realm.

Because the current regulations require many small properties to go through CPC review, it is anticipated that the proposed framework will result in a reduction of over 66 percent in the number of applications requiring CPC review, based on data analysis of applications to the CPC in the three affected special districts from 2012 to 2017.

The Proposed Action would set clear parameters for large (one acre or more) and sensitive sites such that CPC review would result in predictable outcomes for natural feature preservation and development. Additionally, for sites with existing habitat, portions of their habitat would be required to be preserved in perpetuity to maintain ecological connectivity and neighborhood character. These sites, which will be pre-identified in the Zoning Resolution, will require ecological assessment of habitat before a development is designed so that the requirement can be met by preservation of the most valuable ecological areas that may also provide connectivity to the larger protected natural areas. There will be an option to cluster buildings on these sites in order to preserve natural habitat on a portion of the site while maintaining roughly the same development potential for the entire site. The proposal would encourage upfront long-term site planning to create a holistic development plan for the public and the property owner, considering natural resource preservation.

The proposal would also remove CPC review for Bluebelt properties managed by the NYC Department of Environmental Protection (DEP) and NYC Parks properties as required in the existing SNAD regulations. Due to NYC Parks and NYC DEP goals of preserving natural resources as well as their own public review process and the Public Design Commission (PDC) public review process for any publicly owned property, the goals of the Proposed Action would be maintained without CPC review.

To achieve these objectives, the proposal would combine the existing three Special Districts (Hillside, Natural Areas and South Richmond) into one Special District called the "Special Natural Resources District" to create consistent natural resource preservation rules. The Proposed Actions would establish a new Subdistrict to maintain the existing special bulk, parking and open space rules of the Special South Richmond Development District. Within the new Special District, three ecological areas (Escarpment, Resource Adjacent and Base Protection) would be established to create a hierarchy of natural resource preservation based on the proximity of a private property to "designated natural resources" or properties containing steep slopes, to protect, enhance and connect the most ecologically sensitive resources.

The Proposed Action would also update cross access regulations on Staten Island and LDGMA regulations that established residential development controls regarding parking, yard, open space, private roads and other regulations to preserve neighborhood character. The Proposed Action is not expected to cause a significant change in the overall amount, type, or location of development. On large sites (one acre or more) with existing habitat, where a portion of the site is required to be preserved, in certain cases, the development under the Proposed Action may be reduced to balance the goals of habitat preservation. This proposal is not expected to induce development where it would not have otherwise occurred absent the Proposed Action. The land use actions (certifications, authorizations and special permits) necessary to facilitate development on a site may be changed or eliminated by the Proposed Action. The proposed changes to LDGMA regulations in Staten Island are not expected to cause a significant change in the overall amount, type or location of development, though in some cases due to updates in minimum lot area rules along private roads, the amount of development under proposed regulations may be reduced. Updates to cross access regulation are mostly clarifications of rules and changes to review process and would not affect the type or amount of development.

The analysis year for the Proposed Action is 2029.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271, Olga Abinader, Acting Director (212) 720-3493; or from the Mayor's Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, NY 10007, Hilary Semel, Director (212) 676-3273. The Draft Scope of Work and scoping protocol will also be made available for download at https://www1.nyc.gov/site/planning/applicants/scoping-documents.page.

Public comments are requested with respect to issues to be addressed in the draft environmental impact statement.

n9

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the following matters, to be held at NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY, on Wednesday, November 14, 2018, at 10:00 A.M.

BOROUGH OF THE BRONX
Nos. 1 & 2
EAST 241ST STREET REZONING
No. 1

CD 12 C 180083 ZMX
IN THE MATTER OF an application submitted by Enclave on 241st LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 2a:

- 1. changing from an M1-1 District to an R7D District property bounded by East 241st Street, Furman Avenue, East 240th Street and White Plains Road; and
2. establishing within the proposed R7D District a C2-4 District bounded by East 241st Street, Furman Avenue, East 240th Street and White Plains Road;

as shown on a diagram (for illustrative purposes only) dated August 20, 2018, and subject to the conditions of the CEQR Declaration E-484.

No. 2
N 180084 ZRX

IN THE MATTER OF an application submitted by Enclave on 241st, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Housing Inclusionary area, and to APPENDIX I to extend Transit Zone 1.

Matter underlined is new, to be added;
Matter struck out is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

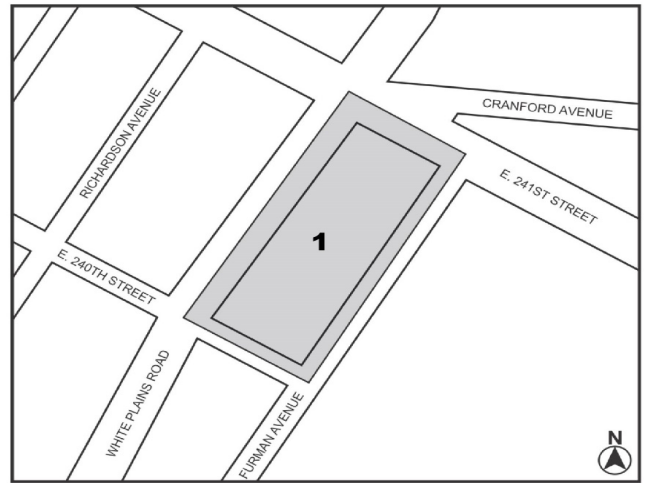
THE BRONX

* * *

Bronx Community District 12

Map 1 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area see Section 23-154 (d) (3)
Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 12, The Bronx

* * *

APPENDIX I

Transit Zone

* * *

[EXISTING MAP]



[PROPOSED MAP]



* * *

BOROUGH OF BROOKLYN

Nos. 3 & 4

895 BEDFORD AVENUE REZONING

No. 3

CD 3 C 180229 ZMK

IN THE MATTER OF an application submitted by 895 Bedford Avenue Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 17a:

1. changing from an M1-2 District to an R7A District property bounded by a line 80 feet northerly of Willoughby Avenue, Spencer Street, Willoughby Avenue and Bedford Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by a line 80 feet northerly of Willoughby Avenue, Spencer Street, Willoughby Avenue, and Bedford Avenue;

Borough of Brooklyn, Community District 3, as shown on a diagram (for illustrative purposes only) dated August 24, 2018, and subject to the conditions of CEQR Declaration E-491.

No. 4

CD 3 N 180230 ZRK

IN THE MATTER OF an application submitted by 895 Bedford Avenue Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

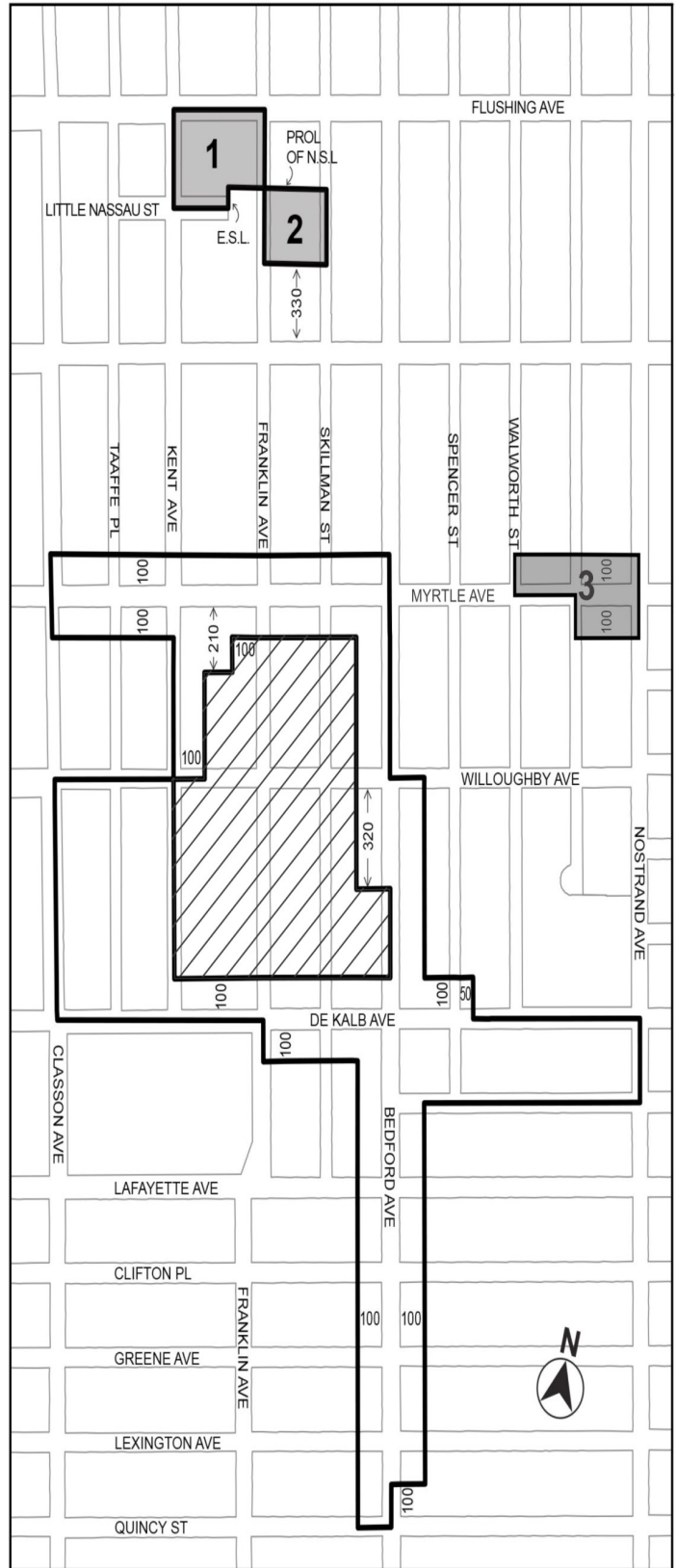
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Brooklyn Community District 3

* * *

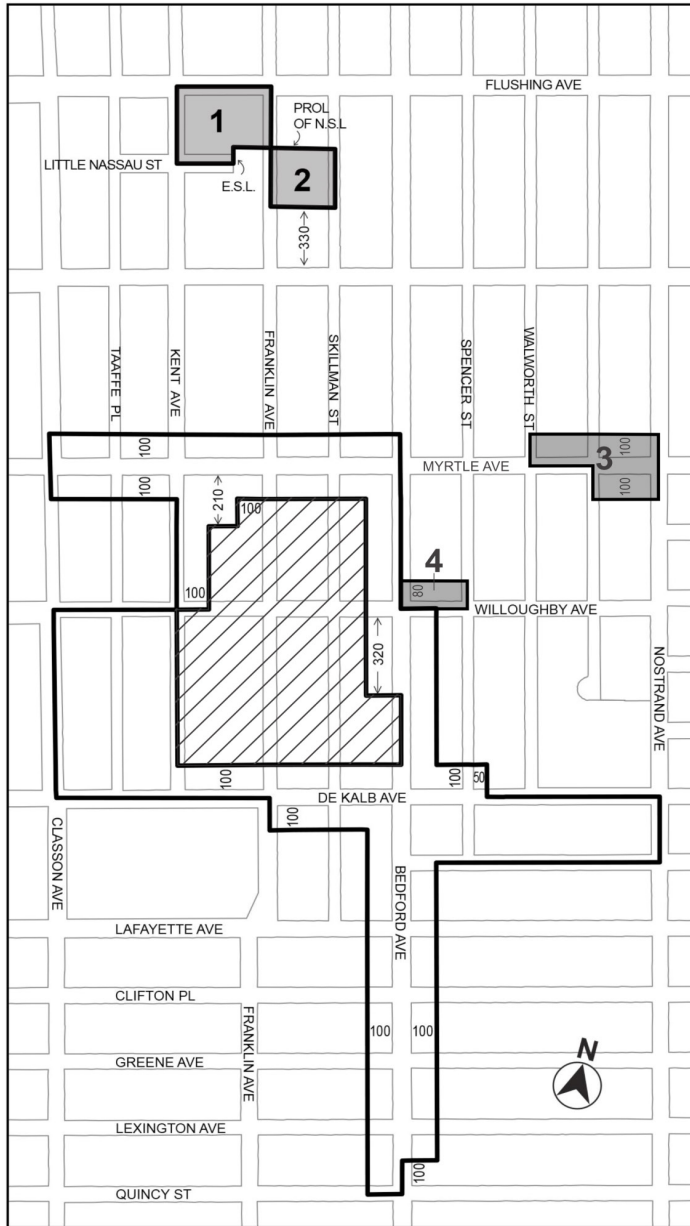
Map 3 - [date of adoption]

[EXISTING MAP]



- Inclusionary Housing Designated Area
- Mandatory Inclusionary Housing Area (MIHA) *see Section 23-154(d)(3)*
- 1** Area 1 -5/10/17 - MIH Program Option 1, Option 2 and Workforce Option
- 2** Area 2 -5/10/17 - MIH Program Option 1 and Option 2
- 3** Area 3 11/30/17 - MIH Program Option 1
- Excluded Area

[PROPOSED MAP]



- Inclusionary Housing Designated Area
- Mandatory Inclusionary Housing Area (MIHA) see Section 23-154(d)(3)
- 1** Area 1 -5/10/17 - MIH Program Option 1, Option 2 and Workforce Option
- 2** Area 2 -5/10/17 - MIH Program Option 1 and Option 2
- 3** Area 3 11/30/17 - MIH Program Option 1
- 4** Area 4 -[date of adoption] - MIH Program Option 1 and Option 2
- Excluded Area

Portion of Community District 3, Brooklyn

* * *

BOROUGH OF MANHATTAN
No. 5
51 WHITE STREET

CD 1 **C 180439 ZSM**

IN THE MATTER OF an application submitted by 51 White Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height and setback requirements of Section 23-662 (Maximum height of buildings and setback regulations) and Section 23-692 (Height limitations for narrow buildings or enlargements), the inner court requirements of Section 23-85 (Inner Court Regulations) and the minimum distance between legally required windows and walls or lot lines requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines), to facilitate the vertical enlargement of an existing 5-story

building, on property located at 51 White Street (Block 175, Lot 24), in a C6-2A District, within the Tribeca East Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271.

BOROUGH OF STATEN ISLAND
No. 6
DOT STATEN ISLAND VEHICLE MAINTENANCE & REPAIR FACILITY

CD 1 **C 180514 PQR**

IN THE MATTER OF an application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 1893 Richmond Terrace (Block 185, Lot 501) for a vehicle maintenance and repair facility.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3370



o29-n14

COMMUNITY BOARDS

■ **NOTICE**

NOTICE IS HEREBY GIVEN that the following matters have been scheduled for public hearing by Community Board.

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 04 - Tuesday, November 13, 2018, 7:00 P.M., VFW POST #150, 51-11 108 Street, Corona, NY.

FY2020 Capital and Expense priorities, for consideration and approval by the Board for FY2020 budget adoption process.

If you wish to testify, please call the Board office at (718) 760-3141. If you would like to send written testimony, please fax to (718) 760-5971.

Accessibility questions: Christian Cassagnol (718) 760-3141, cassagnol@cb.nyc.gov, by: Tuesday, November 13, 2018, 5:00 P.M.



n7-13

COMPTROLLER

■ **MEETING**

The City of New York Audit Committee Meeting, is scheduled for Tuesday, November 13, 2018, from 2:00 P.M. to 4:30 P.M., at 1 Centre Street, Room 1005 North. The meeting is open to the general public.

n5-13

BOARD OF CORRECTION

■ **MEETING**

Please take note that the next meeting of the Board of Correction, will be held on November 13th, 2018, at 9:00 A.M. The location of the meeting, will be 125 Worth Street, New York, NY 10013, in the Auditorium on the 2nd Floor.

At that time there will be a discussion of various issues concerning New York City's correctional system.

n5-13

DESIGN COMMISSION

■ **MEETING**

Agenda
Wednesday, November 14, 2018

The Committee Meeting is scheduled to begin at 10:00 A.M.

Public Meeting**10:40 A.M. Consent Items**

- 26840: Installation of an artwork by Mark Reigelman, Charleston Branch Library of the New York Public Library, Tyrellan Avenue and Bricktown Way, Staten Island. (Conceptual) (CC 51, CB 3) DCLA%/EDC/NYPL
- 26841: Installation of manholes, vent pipe, and safety signage at the comfort station, Canarsie Park, Seaview Avenue and East 88th Street, Brooklyn. (Preliminary and Final) (CC 46, CB 18) DDC/DPR
- 26842: Installation of manholes, vent pipe, and safety signage, Brooklyn War Memorial, Cadman Plaza, Tillary Street, Fulton Street, Prospect Street, and Washington Street, Brooklyn. (Preliminary and Final) (CC 33, CB 2) DDC/DPR
- 26843: Construction of the Far Rockaway Library, 16-37 Central Avenue, Queens. (Final) (CC 31, CB 14) DDC/QL
- 26844: Construction of a trailer, Benjamin Ward Visitor Center, 18-31 Hazen Street, Rikers Island, East Elmhurst, Queens. (Preliminary and Final) (CC 22, CB 1) DOC
- 26845: Reconstruction of a bridge bulkhead and parapet, FDR Drive between East 42nd Street and East 49th Street, Manhattan. (Preliminary) (CC 5, CB 6) DOT
- 26846: Construction of a comfort station, M. Fidler Wyckoff House Park, 5914 Clarendon Road, Brooklyn. (Preliminary) (CC 45, CB 17) DPR
- 26847: Construction of a portion of Bushwick Inlet Park as part of the Greenpoint and Williamsburg waterfront master plan, including a lawn area and adjacent site work, Kent Avenue between North 11th Street and North 12th Street, Brooklyn. (Preliminary) (CC 33, CB 1) DPR
- 26848: Construction of a prototypical comfort station, Police Officer Edward Byrne Park, 135th Avenue, 134th Street, North Conduit Avenue, and 130th Place, South Ozone Park, Queens. (Preliminary) (CC 28, CB 10) DPR
- 26849: Construction of an adult fitness area, St. John's Park, Troy Avenue, Prospect Place, Schenectady Avenue and Bergen Street, Brooklyn. (Preliminary) (CC 36, CB 8) DPR
- 26850: Construction of Bay Breeze Park, including a kayak shed, Beach Channel Drive between Old Beach 88th Street and Beach 89th Street, Far Rockaway, Queens. (Preliminary) (CC 32, CB 14) DPR
- 26851: Reconstruction of a memorial, Olde Towne of Flushing Burial Ground (formerly Martins Field), 46th Avenue between 164th Street and 165th Street, Flushing, Queens. (Preliminary) (CC 20, CB 7) DPR
- 26852: Reconstruction of a play area, Mellett Playground, Avenue V between East 13th Street and East 14th Street, Brooklyn. (Preliminary) (CC 48, CB 15) DPR
- 26853: Reconstruction of Bridge Playground, Undercliff Avenue, Boscobel Place, and University Avenue, Bronx. (Preliminary) (CC 16, CB 4) DPR
- 26854: Reconstruction of Challenge Playground, adjacent to P.S. 811, 251st Street between 61st Avenue and 63rd Avenue, Little Neck, Queens. (Preliminary) (CC 23, CB 11) DPR
- 26855: Reconstruction of the playground, Poor Richard's Playground, East 109th Street, Third Avenue, East 108th Street, and Second Avenue, Manhattan. (Preliminary) (CC 8, CB 11) DPR
- 26856: Rehabilitation of a comfort station, Bayside Playground, Seaside Avenue and Beach Channel Drive, Rockaway Park, Queens. (Preliminary) (CC 32, CB 14) DPR
- 26857: Temporary removal of *Samuel F.B. Morse* (1871) by Byron M. Pickett, Central Park, near the entrance at 72nd Street and Fifth Avenue, Manhattan. (Preliminary) (CC 9, CB 5, 7, 8, 10 & 11) DPR
- 26858: Construction of a prototypical comfort station as Phase II of the reconstruction of Fox Playground, Fox Street, 156th Street and Southern Boulevard, Bronx. (Final) (CC 8, CB 2) DPR
- 26859: Reconstruction of two entrances to the Riegelmann Boardwalk and adjacent site work (Ocean Dreams), West 35th Street and West 36th Street, Coney Island Beach, Brooklyn. (Preliminary) (CC 47, CB 13) DPR/DOT
- 26860: Installation of fences, LaGuardia Corner Garden, LaGuardia Place between Bleecker Street and Houston Street, Manhattan. (Preliminary and Final) (CC 1, CB 2) DPR/DOT
- 26861: Reconstruction of the Crossroads and Rail Track Walk, High Line Park (formerly elevated rail line), West 30th Street

between 10th Avenue and 11th Avenue, Manhattan. (Final) (CC 3, CB 4) DPR/FHL

- 26862: Construction of Building 1A and 1B as Phase I of the construction of four mixed-use residential towers, a light manufacturing facility, a central plaza open space, and adjacent site work (The Peninsula), Tiffany Street, Spofford Avenue, and Manida Street, and Manida Street, Bronx. (Final) (CC 17, CB 2) EDC
- 26863: Reconstruction of streetscapes and installation of amusement rides (Coney East), West 16th Street, West 15th Street, Stillwell Avenue, West 12th Street, Surf Avenue, and the Riegelmann Boardwalk, Brooklyn. (Preliminary) (CC 47, CB 13) EDC/DPR
- 26864: Installation of interim flood protection measures, Conner Street Yard, 3200 Conner Street, Bronx. (Preliminary and Final) (CC 12, CB 10) EM/DOT
- 26865: Installation of mechanical equipment and replacement of the roof, Engine Company 153, 74 Broad Street, Staten Island. (Preliminary and Final) (CC 49, CB 1) FDNY
- 26866: Reconstruction of a parking lot and installation of a water tank, FDNY Fire Training Academy, Randall's Island, Manhattan. (Final) (CC 8, CB 11) FDNY

Public Hearing**10:45 A.M.**

- 26867: Construction of a combined sewer overflow (CSO) facility and adjacent open space, Gowanus Canal, Butler Street, Nevins Street, and Degraw Street, Brooklyn. (Preliminary) (CC 33, CB 6) DEP/DPR/DOT

11:45 A.M.

- 26868: Construction of the East Midtown Greenway, including reconstruction of Sutton Place Park and construction of a pedestrian bridge at East 54th Street, East River between East 53rd Street and East 61st Street, Manhattan. (Preliminary) (CC 4 & 5, CB 6 & 8) EDC/DPR/DOT
- 26869: Installation of caissons and deck structure as part of the construction of the East Midtown Greenway, East River between East 53rd Street and East 61st Street, Manhattan. (Preliminary and Final) (CC 4 & 5, CB 6 & 8) EDC/DPR/DOT

Design Commission meetings are held in the Conference Room on the Third Floor of City Hall, unless otherwise indicated.

All attendees, including members of the public, are encouraged to arrive at least 45 minutes in advance of the estimated time; those who also plan to testify are encouraged to submit their testimony in writing in advance of the meeting date. Please note that all times are approximate and subject to change without notice.

Please note that items on the consent agenda are not presented. If members of the public wish to testify on a consent agenda item, they should contact the Design Commission immediately, so the project can be rescheduled for a formal presentation at the next appropriate public hearing, per standard procedure.

Do you need assistance to participate in the meeting? If you need a reasonable accommodation of a disability, such as a sign language interpreter, at the meeting, please inform the Public Design Commission three business days (72 hours) in advance of the meeting. The Public Design Commission conference room is wheelchair accessible.

Per Local Law Int 0132-2010, meetings are recorded on digital video and posted online.

Public Design Commission
City Hall, Third Floor
Phone: (212) 788-3071
Fax: (212) 788-3086
www.nyc.gov/designcommission
designcommission@cityhall.nyc.gov



• n9

HOUSING AUTHORITY**MEETING**

The next Board Meeting of the New York City Housing Authority, is scheduled for Wednesday, November 28, 2018, at 10:00 A.M., in the Board Room, on the 12th Floor, of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar are available on NYCHA's website or can be picked up at the Office of the Corporate Secretary, at

250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are also available on NYCHA's website or can be picked up at the Office of the Corporate Secretary no earlier than 3:00 P.M., on the Thursday after the Board Meeting.

Any changes to the schedule, will be posted here and on NYCHA's website at <http://www1.nyc.gov/site/nycha/about/board-calendar.page> to the extent practicable at a reasonable time before the meeting.

The meeting is open to the public. Pre-Registration at least 45 minutes before the scheduled Board Meeting, is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

For additional information, please visit NYCHA's website or contact (212) 306-6088.

Accessibility questions: Office of the Corporate Secretary (212) 306-6088, or by email at corporate.secretary@nychanyc.gov, by: Wednesday, November 14, 2018, 5:00 P.M.



n7-28

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, November 13, 2018, a public hearing will be held at, 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting, should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

83-09 35th Avenue - Jackson Heights Historic District

LPC-19-17803 - Block 1444 - Lot 32 - **Zoning:** R7-1

CERTIFICATE OF APPROPRIATENESS

A Neo-Romanesque style garden apartment building, designed by Andrew J. Thomas and built in 1924-25. Application is to modify alterations at the fence and gate, made without Landmarks Preservation Commission permit(s), to install lampposts, and to replace an existing perimeter fence.

240-01 42nd Avenue - Douglaston Hill Historic District

LPC-19-27672 - Block 8105 - Lot 1 - **Zoning:** R1-2

CERTIFICATE OF APPROPRIATENESS

A free-standing Neo-Colonial style house, with Arts and Crafts-style elements, designed by Henry A. Erdmann and built in 1921. Application is to construct a gazebo in the yard.

244 Adelphi Street - Fort Greene Historic District

LPC-19-30828 - Block 2090 - Lot 56 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse, built c. 1852. Application is to construct a rear addition and modify the roof.

7 Verona Place - Bedford Historic District

LPC-19-15398 - Block 1850 - Lot 10 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, designed by Thomas B. Jackson and built in 1881. Application is to alter the areaway paving and understoop gate, and to construct a roof terrace.

337 Hoyt Street - Carroll Gardens Historic District

LPC-19-30938 - Block 444 - Lot 5 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, designed by Owen Nolan and built in 1874. Application is to replace the sidewalk.

211 MacDonough Street - Stuyvesant Heights Historic District

LPC-19-2618 - Block 1669 - Lot 77 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

An apartment house, designed by J.G. Glover and built in 1886. Application is to legalize the installation of windows and a painted mural, without Landmarks Preservation Commission permit(s) and to install new storefront infill, signage, and a barrier-free access ramp.

39 and 41 Worth Street - Individual Landmark

LPC-19-25982 - Block 176 - Lot 11 & 10 - **Zoning:** C6-2A

CERTIFICATE OF APPROPRIATENESS

Two Italianate style store and loft buildings designed by Isaac F. Duckworth and built c. 1865-66. Application is to construct rooftop additions and extend the fire escape and install a roof ladder.

Peck Slip at Water and South Streets - South Street Seaport Historic District

LPC-19-31870 - Block 107 - Lot 60 - **Zoning:**

BINDING REPORT

A former wharf, filled in 1810. Application is to modify the street bed and construct a park.

80-82 White Street - Tribeca East Historic District

LPC-19-31086 - Block 195 - Lot 30 - **Zoning:** C6-2A

CERTIFICATE OF APPROPRIATENESS

An Italianate/Neo-Grec style store and loft building, designed by Henry Englebert and built in 1867-1868. Application is to install a flagpole and banner.

196 Spring Street - Sullivan-Thompson Historic District

LPC-19-25774 - Block 489 - Lot 18 - **Zoning:** R7-2, C1-5

CERTIFICATE OF APPROPRIATENESS

An Arts and Crafts style tenement building, designed by Dietrich & Smith and built in 1908. Application is to replace storefront infill.

484 Broome Street - SoHo-Cast Iron Historic District

LPC-18-7060 - Block 487 - Lot 1 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A Romanesque style warehouse, designed by Alfred Zucker and built in 1891. Application is to modify a storefront.

17 King Street - Charlton-King-Vandam Historic District

LPC-19-15901 - Block 520 - Lot 40 - **Zoning:** R7-2

CERTIFICATE OF APPROPRIATENESS

A Federal style rowhouse, designed by William Christie and built in 1826. Application is to construct a rear addition, modify the roof and rear dormer, excavate the rear yard, and remove a chimney.

114 Washington Place - Greenwich Village Historic District

LPC-19-30104 - Block 592 - Lot 12 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A Federal style rowhouse, built in 1833. Application is to alter and raise the roof at the rear, remove a dormer, construct a rooftop bulkhead, and excavate the rear yard.

130 Greene Street - SoHo-Cast Iron Historic District

LPC-19-31368 - Block 513 - Lot 7501 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style store and loft, building, designed by Richard Berger and built in 1888-89. Application is to establish a master plan governing the future installation of painted wall signs.

461 West 21st Street - Chelsea Historic District

LPC-19-30810 - Block 719 - Lot 7 - **Zoning:** R7B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse, built in 1854. Application is to construct a rooftop addition.

122 Fifth Avenue - Ladies' Mile Historic District

LPC-19-27725 - Block 819-Lot 39 - **Zoning:** C6-4M, C6-4A

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style store and loft building, designed by Robert Maynicke and built in 1899-1900. Application is to construct a rooftop addition.

1560 Broadway - Interior Landmark

LPC-19-31623 - Block 999 - Lot 3 - **Zoning:** C6-7T

CERTIFICATE OF APPROPRIATENESS

A French-inspired movie theater, designed by Thomas Lamb and the decorating firm Rambusch Studio, and built in 1925. Application is to modify the interior lobbies and theater space.

225 West 86th Street - Individual Landmark

LPC-19-30839 - Block 1234 - Lot 7503 - **Zoning:** R10A C4-6A

CERTIFICATE OF APPROPRIATENESS

An Italian Renaissance style apartment building, designed by Hiss and Weekes and built in 1908-1909. Application is to install a barrier-free access ramp.

66 West 77th Street, aka 351-357 Columbus Avenue - Upper West Side/Central Park West Historic District

LPC-19-26897 - Block 1129 - Lot 64 - **Zoning:** R10A

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style flats building, designed by Thom & Wilson and built in 1894-95. Application is to construct a barrier-free access ramp and replace storefront infill.

20 East 95th Street - Carnegie Hill Historic District

LPC-19-27867 - Block 1506 - Lot 61 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse, designed by Henry Andersen and built in 1899. Application is to alter window openings.

110 East 71st Street - Upper East Side Historic District

LPC-19-31391 - Block 1405 - Lot 7501 - **Zoning:** R8B R10

CERTIFICATE OF APPROPRIATENESS

A Neo-Federal style rowhouse, designed by Hill & Stout and built in 1916-17. Application is to replace a cornice.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, November 20, 2018, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

165 Columbia Heights - Brooklyn Heights Historic District

LPC-19-30140 - Block 234 - Lot 28 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A carriage house, built in the 1880s. Application is to modify a rooftop addition, replace windows, and install paving and railings.

29 Joralemon Street - Brooklyn Heights Historic District

LPC-19-25247 - Block 252 - Lot 61 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A Greek Revival style rowhouse, built in 1845. Application is to enlarge a rear yard addition and replace windows.

148 Willow Street - Brooklyn Heights Historic District

LPC-19-21037 - Block 234 - Lot 69 - **Zoning:** R-6

CERTIFICATE OF APPROPRIATENESS

A rowhouse, built in 1855 and altered prior to designation. Application is to replace a door surround.

122 Montague Street - Brooklyn Heights Historic District

LPC-19-29651 - Block 248 - Lot 35 - **Zoning:** R7-1

CERTIFICATE OF APPROPRIATENESS

A Greek Revival style house, built in the 1840s and altered for commercial use prior to designation. Application is to install door surrounds, awnings, a signband, and a garbage enclosure.

170 Amity Street - Cobble Hill Historic District

LPC-19-26559 - Block 297 - Lot 13 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A Greek Revival style rowhouse, built c. 1843. Application is to legalize the installation of a front door and entrance surround without Landmarks Preservation Commission permit(s) and to alter the areaway.

907 St. Marks Avenue - Crown Heights North III Historic District

LPC-19-27544 - Block 1223 - Lot 5 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style flats building, designed by Frank S. Lowe and built c. 1908. Application is to create an at-grade entrance.

326 College Road - Fieldston Historic District

LPC-19-30514 - Block 5816 - Lot 1914 - **Zoning:** R1-2

CERTIFICATE OF APPROPRIATENESS

A house, built in 1953. Application is to legalize the construction of a deck and alterations to the entrance without Landmarks Preservation Commission permit(s).

54 Morton Street - Greenwich Village Historic District

LPC-19-22595 - Block 583 - Lot 17 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A house, built in 1852-1853 with later alterations. Application is to remove paint, replace windows, construct a rooftop bulkhead, raise chimneys, install railings, and reconstruct the rear façade and addition.

38 East 19th Street - Ladies' Mile Historic District

LPC-19-09497 - Block 847 - Lot 27 - **Zoning:** M1-5M

CERTIFICATE OF APPROPRIATENESS

A Commercial Palace style warehouse, designed by William W. Smith and built in 1898. Application is to legalize and modify storefront alterations performed without Landmarks Preservation Commission permit(s), and to install signage and lighting.

424-434 Fifth Avenue, aka 1-11 West 38th Street,

2-14 West 39th Street - Individual Landmark

LPC-19-31988 - Block 840 - Lot 42 - **Zoning:** C5-3M1-6

CERTIFICATE OF APPROPRIATENESS

An Italian Renaissance Revival department store building. Application is to construct a rooftop addition, modify the roof, replace storefront infill, install marquees, signage, lighting, and create new window openings.

78 Irving Place - Gramercy Park Historic District

LPC-19-30111 - Block 874 - Lot 7505 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Classical American style apartment building, designed by Israels & Harden and built in 1899. Application is to construct a chimney.

220 East 42nd Street - Individual and Interior Landmark

LPC-19-30815 - Block 1315 - Lot 7501 - **Zoning:** C5-2

CERTIFICATE OF APPROPRIATENESS

An Art Deco style skyscraper, designed by Raymond Hood and built in 1929-30. Application is to install a barrier-free access ramp.

n5-20

NOTICE OF PUBLIC HEARING

November 20, 2018

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320), on Tuesday, November 20, 2018, at 9:30 A.M., a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

Proposed Park Terrace West-West 217th Street Historic District,
Borough of Manhattan

Boundary Description

The proposed Park Terrace West, West 217th Street Historic District consists of the property, bounded by a line beginning on the northwest corner of 91 Park Terrace West, Block 2243, Lot 385, extending northerly along the western property lines of 91 to 97 Park Terrace West, then extending northerly to the south curblineline of West 218th Street, extending easterly along West 218th Street, to the western curblineline of Park Terrace West, then extending southerly along the western curblineline of Park Terrace West, to 93 Park Terrace West, then easterly across Park Terrace West, along the northern property line of 96 Park Terrace West, and along the northern property lines of 539 to 527 West 217th Street, then extending southerly along the eastern property line of 527 West 217th Street, then to the northern curblineline of West 217th Street, then extending westerly along the northern curblineline of West 217th Street, then across Park Terrace West to the western curblineline of Park Terrace West, then southerly along the western curblineline of Park Terrace West, to the southern property line of 77 Park Terrace West, then westerly along the southern property line of 77 Park Terrace West, then northerly along the western property lines of 77 to 81 Park Terrace West, then easterly along the northern property line of 81 Park Terrace West then northerly along the western curblineline of Park Terrace West to the southern property line of 91 Park Terrace West, then westerly along the southern property line of 91 Park Terrace West, to the point of beginning.

Accessibility questions: Lorraine Roach Steele (212) 669-7815, lroach-steele@lpc.nyc.gov, by Friday, November 16, 2018, 5:00 P.M.



n2-19

MAYOR'S OFFICE OF CONTRACT SERVICES

■ MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

-NOTICE OF MEETING-

PUBLIC NOTICE IS HEREBY GIVEN that the Franchise and Concession Review Committee will hold a public meeting on Wednesday, November 14, 2018, at 2:30 P.M., at 22 Reade Street, Spector Hall, New York, NY 10007.

NOTE: This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email at DisabilityAffairs@mocs.nyc.gov, or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least three (3) business days in advance of the meeting to ensure availability.

n1-14

SANITATION

■ NOTICE

POSITIVE DECLARATION/NOTICE OF DETERMINATION and NOTICE OF INTENT TO PREPARE A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT and NOTICE OF SCOPING MEETING

Date Issued: November 5, 2018
CEQR Number: 19DOS003Y
Name: NYC Commercial Waste Zone Program
Location: Citywide
Lead Agency: New York City Department of Sanitation
 125 Worth Street, New York, NY 10013
SEQRA Classification: Unlisted

DESCRIPTION OF PROPOSED ACTION

The New York City Department of Sanitation (DSNY), has completed its review of an Environmental Assessment Statement for the proposed action referenced above and hereby issues this Positive Declaration/ Notice of Determination and Notice of Scoping Meeting.

The City of New York is proposing to establish and implement a commercial waste zone (CWZ) program across the five boroughs of the City consisting of 20 zones with 3 to 5 private carters operating per zone (the Proposed Action).

The Proposed Action would establish a CWZ program of geographic zones. A limited number of carters would be authorized to operate in each zone through a contract award process to be overseen by DSNY. Each carter would have to adhere to certain parameters intended to improve contractual transparency, worker and public safety, and customer service. The CWZ program would advance the City's efforts to increase commercial recycling, reduce truck traffic and associated air, noise and GHG emissions, and improve carting industry safety and operational standards.

DISCRETIONARY ACTIONS SUBJECT TO SEQRA AND CEQR

The Proposed Action would involve legislation by the City Council and Mayor, and rulemaking, implementation and enforcement by the Business Integrity Commission (BIC) and DSNY. The lead agency for the environmental review of the Proposed Action is DSNY, and the City Council, Mayor, and BIC will be involved agencies.

STATEMENT OF SIGNIFICANT EFFECT:

In accordance with New York City Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), DSNY, as lead agency for the referenced project, has determined that the Proposed Action may result in one or more significant adverse impacts on the quality of the human environment. Accordingly, a Draft Generic Environmental Impact Statement (DGEIS) is required to evaluate and disclose the extent to which impacts may occur.

Statement in Support of Determination:

DSNY has determined that the Proposed Action may result in the potential for a significant adverse impact with respect to the following technical areas, which warrant more detailed study in a DGEIS.

1. The Proposed Action involves a regulatory change that may affect existing and planned public policies and initiatives. Therefore, a more detailed assessment of the effect of the Proposed Action on public policy is warranted and will be provided.
2. The Proposed Action involves a regulatory change to economic conditions of the City's commercial waste hauling industry. Therefore, a more detailed study of the effect of the Proposed Action on socioeconomic conditions is warranted and will be provided.
3. The Proposed Action involves a regulatory change to the City's private waste collection system. Therefore, a more detailed assessment of the effect of the Proposed Action on the City's solid waste management system is warranted and will be provided.
4. The Proposed Action involves a regulatory change that is expected to affect waste carter truck traffic throughout the City on a regional scale. Therefore, a more detailed assessment of the effect of the Proposed Action on transportation is warranted and will be provided.
5. The Proposed Action involves a regulatory change that is expected to affect local and regional emissions from mobile sources, namely waste collection vehicles. Therefore, a more detailed assessment of the Proposed Action's effect on air quality is warranted and will be provided.
6. The Proposed Action is expected to affect waste carter truck traffic, and its associated greenhouse gas emissions. Therefore,

a more detailed assessment of the effect of the Proposed Action's consistency with the City's established greenhouse gas reduction goals is warranted and will be provided.

7. The Proposed Action is expected to affect waste carter truck traffic, and its associated mobile-source noise. Therefore, a more detailed assessment of the effect of the Proposed Action on noise is warranted and will be provided.

The Proposed Action involves a regulatory change that is expected to reduce truck traffic through the City. As such, it is expected that the Proposed Action will result in a net benefit to transportation, air quality, greenhouse gas emissions and noise. A screening level analyses for these technical areas will be provided in the DGEIS.

Finally, if warranted based on an evaluation of the Proposed Action's potential effects on socioeconomic conditions, transportation, air and noise, an assessment of neighborhood character will be provided. Further, if unmitigated significant adverse impacts are identified in any one of these technical areas (e.g., air quality, noise), a public health screening level analysis may be warranted and will be provided, as necessary.

Accordingly, DSNY directs that a DGEIS be prepared in accordance with Title 6 of the New York Code, Rules and Regulations (NYCRR) §617.9 and Sections 6-08 and 6-09 of Executive Order 91 of 1977, as amended.

Public Scoping:

Public scoping is a process whereby the public is invited to provide comments on the planned scope of work for a DGEIS. A Draft Scope of Work (Draft Scope) outlining proposed analysis methodologies proposed for the DGEIS has been prepared and is available for public review and comment. A public forum to receive comments on the Draft Scope will be held on **December 11, 2018 from 5:30 to 8:30 P.M., at 125 Worth Street, Second Floor Auditorium, New York, NY 10013.**

To request either ASL interpreter services or language interpretation services at the public scoping meeting, please contact the DSNY project contact person, listed below, by close of business on November 27, 2018, to submit that request. Comments may be given verbally or in writing at the meeting. Written comments on the Draft Scope can also be submitted by email to cwzcomments@dsny.nyc.gov; by FAX, at (212) 442-9090; or by mail or hand-delivery to Abas Braimah, New York City Department of Sanitation, Bureau of Legal Affairs, 125 Worth Street, Room 708, New York, NY 10013. All comments will be reviewed and considered if received before close of business on December 21, 2018.

Copies of the Positive Declaration, the Environmental Assessment Statement (EAS), and the Draft Scope may be downloaded from DSNY's website, at <http://www.nyc.gov/commercialwaste> and <https://www1.nyc.gov/assets/dsny/site/resources/laws/environmental-review>. Hard copies can be accessed at repositories, located at the Department of Sanitation, Bureau of Legal Affairs, 125 Worth Street, Room 708, New York, NY 10013; and the Mayor's Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, NY 10007.

Contact Person for additional information: Abas Braimah, New York City Department of Sanitation, Bureau of Legal Affairs, 125 Worth Street, Room 708, New York, NY 10013. Tel: (646) 885-4993; email at, cwzcomments@dsny.nyc.gov; FAX: (212) 442-9090.

This Notice has been prepared, pursuant to Article 8 of the New York State Environmental Conservation Law (SEQRA).

Accessibility questions: Abas Braimah, cwzcomments@dsny.nyc.gov, by: Friday, November 30, 2018, 5:00 P.M.



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COURT NOTICES**SUPREME COURT****KINGS COUNTY**

■ NOTICE

**KINGS COUNTY
 I.A.S. PART 29
 NOTICE OF ACQUISITION
 INDEX NUMBER 511264/2018
 CONDEMNATION PROCEEDING**

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Kings, IA Part 89 (Hon. Wayne Saitta,

J.S.C.), duly entered in the office of the Clerk of the County of Kings on October 4, 2018, the application of the CITY OF NEW YORK ("CITY") to acquire title to an estate for a term of eight years in certain real property for use as a staging area for the construction and installation of a facility, which will reduce the discharge of combined sewer overflows into the Gowanus Canal was granted, and the CITY was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the CITY, was filed with the City Register on October 31, 2018. Title to the real property vested in the CITY on October 31, 2018.

PLEASE TAKE FURTHER NOTICE, that the CITY has acquired title to an estate for a term of eight years in the following parcel of real property:

Damage Parcel	Block	Lot
1	425	1

PLEASE TAKE FURTHER NOTICE, that, pursuant to said Order, and to §§ 503 and 504 of the Eminent Domain Procedure Law ("EDPL") of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof, shall have a period of two calendar years from the date of service of the Notice of Acquisition for this proceeding, to file a written claim with the Clerk of the Court of Kings County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007, Attn: Adam C. Dembrow.

Pursuant to EDPL § 504, the claim shall include:

- A. the name and post office address of the condemnee;
- B. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- C. a general statement of the nature and type of damages claimed, including a schedule of fixture items, which comprise part or all of the damages claimed; and,
- D. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

New York, NY
Dated: November 1, 2018
ZACHARY CARTER
By: Adam Dembrow
Corporation Counsel of the City of New York
Attorney for the Petitioner
100 Church Street
New York, NY 10007
Tel. (212) 356-2112

☛ n9-26

**KINGS COUNTY
I.A.S. PART 29
NOTICE OF ACQUISITION
INDEX NUMBER 511266/2018
CONDEMNATION PROCEEDING**

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Kings, IA Part 89 (Hon. Wayne Saitta, J.S.C.), duly entered in the office of the Clerk of the County of Kings on October 4, 2018, the application of the CITY OF NEW YORK ("CITY") to acquire title in fee simple absolute to certain real property interests for the design, construction, and installation of a facility, which will reduce the discharge of combined sewer overflows into the Gowanus Canal was granted, and the CITY was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the CITY, was filed with the City Register on October 31, 2018. Title to the real property vested in the CITY on October 31, 2018.

PLEASE TAKE FURTHER NOTICE, that the CITY has acquired title to the following parcels of real property:

Damage Parcel	Block	Lot
2	418	1
3	411	24

PLEASE TAKE FURTHER NOTICE, that, pursuant to said Order, and to §§ 503 and 504 of the Eminent Domain Procedure Law ("EDPL") of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof, shall have a period of two calendar years from the date of service of the Notice of Acquisition for this proceeding, to file a written claim with the Clerk of the Court of Kings County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007, Attn: Adam C. Dembrow.

Pursuant to EDPL § 504, the claim shall include:

- A. the name and post office address of the condemnee;
- B. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- C. a general statement of the nature and type of damages claimed, including a schedule of fixture items, which comprise part or all of the damages claimed; and,
- D. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

New York, NY
Dated: November 1, 2018
ZACHARY CARTER
By: Adam Dembrow
Corporation Counsel of the City of New York
Attorney for the Petitioner
100 Church Street
New York, NY 10007
Tel. (212) 356-2112

☛ n9-26

**KINGS COUNTY
I.A.S. PART 89
NOTICE OF PETITION
INDEX NUMBER 521398/2018
CONDEMNATION PROCEEDING**

IN THE MATTER OF the Application of the CITY OF NEW YORK, relative to acquiring title in fee simple absolute to certain real property known as Kings County Tax Block 5030, Lot 72, needed for

MAPLE STREET PASSIVE RECREATION SPACE AND COMMUNITY GARDEN,

Located in the area generally bounded by Lincoln Road on the north; Rogers Avenue on the east; Maple Street on the south; and Nostrand Avenue on the west, in the Borough of Brooklyn, City and State of New York.

PLEASE TAKE NOTICE that the City of New York (the "City") intends to make an application to the Supreme Court of the State of New York, Kings County, IA Part 89, for certain relief. The application will be made at the following time and place: at the Kings County Courthouse, located at 360 Adams Street, in the Borough of Brooklyn, City and State of New York, on Thursday, November 29, 2018 at 2:30 P.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- a. authorizing the City to file an acquisition map in the City Register's Office;
- b. directing that, upon the filing of the order granting the relief sought in this petition and the filing of the acquisition map in the City Register's Office, title to the property sought to be acquired and described below shall vest in the City in fee simple absolute;
- c. providing that the compensation which should be made to the owners of the property sought to be acquired and described below be ascertained and determined by the Court without a jury;
- d. directing that within thirty days of the entry of the order granting the petition vesting title, the City shall cause a notice of acquisition to be published in at least ten successive issues of The City Record, an official newspaper published in the City of New York, and shall serve a copy of such notice by first class mail on each condemnee or his, her, or its attorney of record;
- e. directing that each condemnee shall have a period of two calendar years from the vesting date for this proceeding, in which to file a written claim, demand or notice of appearance with the Clerk of this Court and to serve a copy of the same

upon the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the continued use as a passive recreation space and community garden for the Prospect Lefferts neighborhood in Community District 9, Borough of Brooklyn, City and State of New York.

The real property which is to be acquired in fee simple absolute in this proceeding is described as follows:

ALL that certain plot, piece or parcel of land, with the building and improvements thereof erected, situate, lying and being in the borough of Brooklyn, Kings County City and State of New York, being bounded and described as follows:

BEGINNING at a point on the northerly line of the said Maple Street, said point being distant 145.00 feet easterly from the corner formed by the intersection of the northerly line of the said Maple Street with the easterly line of the said Rogers Avenue;

RUNNING THENCE eastwardly along the northerly line of the said Maple Street, a distance of 60.00 feet to a point;

THENCE northwardly, along a line forming an interior angle of 90 degrees 00 minutes 00 seconds with the previous course and parallel with Rogers Avenue, a distance of 100.00 feet to a point;

THENCE westwardly, along a line forming an interior angle of 90 degrees 00 minutes 00 seconds with the previous course and parallel with Maple Street, a distance of 60.00 feet to a point;

THENCE southwardly, along a line forming an interior angle of 90 degrees 00 minutes 00 seconds with the previous course and parallel with the Rogers Avenue, a distance of 100.00 feet to the point or place of **BEGINNING**.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

PLEASE TAKE FURTHER NOTICE, that, pursuant to Eminent Domain Procedure Law § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR § 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: New York, NY
October 23, 2018
ZAHARY W. CARTER
Corporation Counsel of the
City of New York
Attorney for the Condemnor,
100 Church Street
New York, NY 10007
(212) 356-2667

SEE MAP(S) IN BACK OF PAPER

← n9-26

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person by appointment at: Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214. Phone: (718) 802-0022

m30-s11

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property, appear in the Public Hearing Section.

jy6-j7

POLICE

■ NOTICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT

The following list of properties is in the custody of the Property Clerk Division without claimants:

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES (All Boroughs):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31

PROCUREMENT

“Compete To Win” More Contracts!

Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- Win More Contracts at nyc.gov/competetowin

“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator.

ADMINISTRATION FOR CHILDREN’S SERVICES

■ INTENT TO AWARD

Human Services/Client Services

FAMILY FOSTER CARE SERVICES - Negotiated Acquisition - Available only from a single source - PIN#06819N0009 - Due 11-23-18 at 4:00 P.M.

The New York City Administration for Children’s Services Office of Procurement, in accordance with Section 3-04(b)(2)(i)(D), of the Procurement Policy Board Rules, intends to enter into a negotiated acquisition with Cumberland Hospital, for the provision of Extraordinary Needs foster care services. The term of the contract is projected to be from August 28, 2018 to June 30, 2021, with one three-year renewal option from July 1, 2021 to June 30, 2024. This notice is for information purposes only. Organizations interested in future solicitation for these services are invited to do so by submitting a simple, electronic prequalification application using the City’s new Health and Human Services (HHS) Accelerator System. To prequalify or for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038. Rafael Asusta (212) 341-3511; Fax: (212) 551-7113; rafael.asusta@acs.nyc.gov

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CHIEF MEDICAL EXAMINER

PROCUREMENT

■ INTENT TO AWARD

Services (other than human services)

SOFTWARE UPDATES AND LICENSE UPGRADES - Sole Source - Available only from a single source - PIN# 81619ME025 - Due 11-15-18 at 3:00 P.M.

NYC Office of Chief Medical Examiner, intends to enter into a sole source contract with SoftGenetics, to provide software updates and license upgrades for its Forensic Laboratories.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Chief Medical Examiner, 421 East 26th Street, 10th Floor, New York, NY 10016. Vilma Johnson (212) 323-1729; Fax: (646) 500-5542; vjohnson@ocme.nyc.gov

n7-14

CITYWIDE ADMINISTRATIVE SERVICES

■ AWARD

Goods

SCIENTIFIC EQUIPMENT FOR LABORATORY-NYPD - Intergovernmental Purchase - Other - PIN#8571950008 - AMT: \$275,835.27 - TO: Agilent Technologies, Inc., 2850 Centerville Road; Wilmington, DE 19808.

OGS Contr PC67240

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242, or by phone: (518) 474-6717.

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■ SOLICITATION

Goods

TRAUMA RESPONSE BAGS - FDNY - Competitive Sealed Bids - PIN#8571900076 - Due 11-27-18 at 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online site at www.nyc.gov/cityrecord. Enrollment is free. Vendor may also request

the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone (212) 386-0044 or by fax at (212) 669-7585.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Citywide Administrative Services, 1 Centre Street, 18th Floor South, New York, NY 10007. Ebony Roberson (212) 386-0466; Fax: (646) 500-6105; eroberson@dcas.nyc.gov

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OFFICE OF CITYWIDE PROCUREMENT

■ SOLICITATION

Goods

PAPER, MULTI-SPACE METER RECEIPT - Competitive Sealed Bids - PIN#8571900046 - Due 12-12-18 at 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online at www.nyc.gov/cityrecord. Enrollment is free. Vendor may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 386-0044.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Citywide Administrative Services, One Centre Street, 18th Floor, New York, NY 10007. Endrhis Santana (212) 386-6370; esantana4@dcas.nyc.gov

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■ AWARD

Goods

SCIENTIFIC EQUIPMENT- NYPD - Intergovernmental Purchase - Other - PIN#8571950009 - AMT: \$261,376.86 - TO: Agilent Technologies, Inc., 2850 Centerville Road, Wilmington, DE 19808.

OGS PC67240

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: (518) 474-6717.

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CORRECTION

■ INTENT TO AWARD

Goods and Services

SCANNER SOFTWARE IMPLEMENTATION - Sole Source - Available only from a single source - PIN#2-1602-0352-2019 - Due 11-23-18 at 11:00 A.M.

The Smiths Detection B-SCAN SIM (Scan and Image Management) is a proprietary software written and produced by Smiths Detection for the management of the B-SCAN data. The software allows users of the Smiths Detection full body scanners to administer information collected by the scanning process. The software is exclusive to Smiths Detection and is not available for modification from any other company. All distribution, software updates and modifications are solely available from Smiths Detection.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Correction, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370. Steven Stein (718) 546-0675; Fax: (718) 278-6205; steven.stein@doc.nyc.gov

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ENVIRONMENTAL PROTECTION

CONTRACT MANAGEMENT OFFICE

■ SOLICITATION

Services (other than human services)

BEPA-PIGI: PRIVATE PROPERTY GREEN INFRASTRUCTURE RETROFIT INCENTIVE PROGRAM - Request for Proposals - PIN#82618GIPIGI - Due 12-19-18 at 4:00 P.M.

The New York City Department of Environmental Protection is seeking a Consultant, to provide services of a Program Administrator to implement the Private Property Green Infrastructure Retrofit Incentive Program.

Minimum Qualification Requirements: None

Pre-Proposal Conference: November 19, 2018, 2:00 P.M., NYCDEP, 59-17 Junction Boulevard, 3rd Floor Training Room C, Flushing, NY 11373. Attendance by Proposers is optional, but strongly recommended. A maximum of one person from each Proposer may attend, due to room constraints.

A M/WBE goal has been established.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Jeanne Schreiber (718) 595-3456; Fax: (718) 595-3278; jschreiber@dep.nyc.gov



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FIRE DEPARTMENT

■ AWARD

Goods and Services

MANHOLE CLEANOUT SERVICES - Intergovernmental Purchase - Other - PIN#057190000501 - AMT: \$100,000.00 - TO: NYCO Environmental and Dewatering Corp., 200 Blydenburg Road, Suite 19, Islandia, NY 11749-5012.

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HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

MENTAL HEALTH SERVICES, FORENSIC - Required/Authorized Source - Other - PIN#19AZ011001R0X00 - AMT: \$2,376,000.00 - TO: Project Renewal Inc, 200 Varick Street, New York, NY 10014.

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HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Construction Related Services

SMD INSTALLATION OF ELEVATOR DOOR LOCK MONITORING AND BRAKE MONITORING SYSTEMS ON MOTION CONTROL ENGINEERING (MCE) CONTROLLERS - VARIOUS DEVELOPMENTS CITYWIDE - Competitive Sealed Bids - PIN#67682 - Due 12-6-18 at 10:00 A.M.

Provide, install, and test/accept new Elevator Door Lock Monitoring System and Brake Monitoring Systems, complete with controllers, wiring, enclosure, power, conduits, drawings, filing prepared by registered design professional, and training.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the "Doing Business with NYCHA", using the link: <http://www.nyc.gov/nychabusiness>. Once on that page, please scroll down to mid page, on the left hand column, select "Selling to NYCHA", click into "Getting Started: Register or Log-in" link. If you have supplied goods or services

to NYCHA in the past and you have your log-in credentials, click "Returning iSupplier Users" and "Log-In Here." If you do not have your log-in credentials, select "Request a Log-In ID." Upon access, select "Sourcing Supplier" then "Sourcing Homepage", reference applicable RFQ number per solicitation.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. La-Shondra Arnold (212) 306-4603; Fax: (212) 306-5109; la-shondra.arnold@nycha.nyc.gov

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Goods

MACHINE - ROLL-OFF COMPACTOR AND DUMPER CART - Competitive Sealed Bids - PIN#67799 - Due 11-29-18 at 12:00 P.M.

The awarded bidder/vendor, agrees to provide Machine, Roll-Off Compactors and Dumper Carts within 45 days.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Once on that page, make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, Cubicle 6-754, New York, NY 10007. Ornette Proctor (212) 306-4529; Fax: (212) 306-5108; ornette.proctor@nycha.nyc.gov



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Goods and Services

SMD INSTALLATION OF NEW SUMP PUMPS - ASTORIA HOUSES, QUEENS - Competitive Sealed Bids - PIN#67679 - Due 11-20-18 at 10:00 A.M.

The project Scope of Work, (hereinafter referred to, as SOW), is to install three (3) trenches, with three (3) new sump pumps in the three locations: (1) Gas Meter room that needs to be trenched, and the pit needs to be deeper and sump pump needs to be installed, (2) Pump room needs to be trenched with deeper pit, and sump pump installed, and (3) Electrical room needs to be trenched, and the pit and sump pump need to be installed.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents

requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Miriam Rodgers (212) 306-4718; Fax: (212) 306-5109; miriam.rodgers@nycha.nyc.gov

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PURCHASING

SOLICITATION

Goods

ELECTRIC HOT PLATE - Competitive Sealed Bids - PIN#67785 - Due 12-6-18 at 10:30 A.M.

This is a RFQ for 3-year blanket order agreement. The awarded bidder/ vendor, agrees to have Electric Hot Plates readily available for delivery within 15 days after receipt of order on an "as needed basis" during the duration of the contract period. The quantities provided are estimates based on current usage and the New York City Housing Authority may order less or more depending on our needs. All price adjustable RFQ'S are fixed for one-year after award date. One price adjustment per year will be allowed with mfg. supporting documentation only. Please note: NYCHA reserves the right to make award by class as indicated. Samples may be required to be provided within 10 days of request. Failure to do so will result in bid being considered non-responsive.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Once on that page, make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Atul Shah (212) 306-4553; atul.shah@nycha.nyc.gov



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SUPPLY MANAGEMENT

SOLICITATION

Goods

INVERTERS AND RESISTORS (ELEVATOR PARTS) - Competitive Sealed Bids - PIN#67805 - Due 11-29-18 at 12:00 P.M.

This is a RFQ for 3-year blanket order agreement. The awarded bidder/ vendor agrees to have INVERTERS AND RESISTORS (ELEVATOR PARTS) readily available for delivery within 15 days after receipt of order on an "as needed basis" during the duration of the contract period. The quantities provided are estimates based on current usage, and the New York City Housing Authority may order less or more depending on our needs. All price adjustable RFQ'S are fixed for one year after award date. One price adjustment per year will be allowed with mfg. supporting documentation only. Please note: NYCHA reserves the right to make award by class as indicated. Samples may be required to be provided within 10 days of request. Failure to do so will result in bid being considered non-responsive.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Once on that page, make a selection from the first

three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, Cubical 6-758, New York, NY 10008. Aleksandr Karmanskiy (212) 306-4718; Fax: (212) 306-5108; alexsandr.karmanskiy@nycha.nyc.gov



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LAW DEPARTMENT

■ INTENT TO AWARD

Services (other than human services)

NOTICE OF INTENT FOR COURT RELATED INFORMATION AND NOTIFICATION SERVICES - Sole Source - Available only from a single source - PIN#02517X100007 - Due 11-30-18 at 5:00 P.M.

IT IS THE INTENT of the New York City Law Department ("Department"), to enter into negotiations for a five-year contract with CourtAlert.com, Inc. ("CourtAlert"), pursuant to PPB Rules Section 3-05(a) for the provision of Court Related Information and Notification services for the CourtAlert.com system, which is proprietary to CourtAlert.

Based upon information obtained from CourtAlert, the Department's Agency Chief Contracting Officer ("ACCO"), has determined that there is only one source for the required service.

Firms that believe they are qualified to provide these services and wish to be considered for future procurements for the same or similar services, should send an expression of interest to the Department's Agency Chief Contracting Officer, at the following address: Esther S. Tak, Senior Counsel, New York City Law Department, 100 Church Street, Room 5-208, New York, NY 10007; Phone (212) 356-1122; Fax (212) 356-1148; email etak@law.nyc.gov.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Law Department, 100 Church Street, New York, NY 10007. Esther Tak (212) 356-1122; Fax: (212) 356-4066; etak@law.nyc.gov

n9-16

PARKS AND RECREATION

■ VENDOR LIST

Construction Related Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR") AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex

general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap.>; or <http://www.nycgovparks.org/opportunities/business>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

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POLICE

CONTRACT ADMINISTRATION

■ SOLICITATION

Construction / Construction Services

CORRECTION: MECHANICAL CONTRACTORS - PQL - Request for Qualifications - PIN#0561600001065 - Due 12-31-19 at 5:00 P.M.

CORRECTION: The New York City Police Department ("NYPD"), is establishing a list of Prequalified Mechanical Contractors (a "PQL"), to provide labor, equipment, and materials for the Removal and Replacement of Existing Boiler/Heating Systems and Installation/Upgrades of Air Conditioning Systems. NYPD will solicit bids for these projects from mechanical contractors on the PQL. To be included on the PQL, mechanical contractors must possess the qualifications described in the Request for Qualifications ("RFQ") and meet one of the following qualifying criteria:

1. The submitting entity is a Minority and Women-Owned Business Enterprise (M/WBE) certified by the New York City Department of Small Business Services ("New York City-Certified M/WBE").
2. The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, 50 percent owned, operated, and controlled by a New York City-Certified M/WBE.
3. The submitting entity will sub-contract no less than 50 percent of any awarded job, to a New York City-Certified M/WBE for each and every project awarded.

The RFQ will be available online, at www.nyc.gov/cityrecord, on February 22, 2016 through December 31, 2019.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Police Department, 90 Church Street, Room #1206, New York, NY 10007. Claudia Castro (646) 610-4786; Fax: (646) 610-5224; claudia.castro@nypd.org

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PUBLIC LIBRARY - QUEENS

■ SOLICITATION

Construction Related Services

ELECTRICIAN A REQUIREMENTS SYSTEM WIDE SERVICES
- Competitive Sealed Bids - PIN#1018-3 - Due 12-10-18 at 2:00 P.M.

To be Awarded to Multiple Firms.

Each bidder must submit a hard copy and a copy on CD or a flash drive or similar device in either Microsoft Word or PDF format of a written response to the Bid # 1018-3.

To facilitate communication between the Library and Bidders, and to ensure that all Bidders have access to the same information, all information concerning this bid including mandatory pre-bidders meeting, will be posted on the Library's website at: <http://www.queenslibrary.org/about-us/proposals-and-bids>. All questions regarding this bid must be submitted as set forth in the bid. The Library will post questions and responses on the website.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Queens Borough Public Library, Procurement Department, 89-11 Merrick Boulevard, Jamaica, NY 11432. William Funk (718) 990-0782; bidcontact@queenslibrary.org

Accessibility questions: William Funk, Director of Procurement Management, Bidcontact@queenslibrary.org, by: Wednesday, November 28, 2018, 11:00 A.M.



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SCHOOL CONSTRUCTION AUTHORITY

■ SOLICITATION

Construction/Construction Services

SCHOOL YARD RENOVATION - Competitive Sealed Bids - PIN#SCA19-16709D-2 - Due 11-26-18 at 10:00 A.M.

IS 51 (Staten Island)
Project Range: \$1,000,000 to \$4,000,000.
Pre-Bid Meeting Date: November 13, 2018, at 11:00 A.M., at 20 Houston Street, Staten Island, NY 10302.
Meet at the Custodian's office. Bidders are urged to attend. Bidders Must be Pre-Qualified by the SCA at the time of Bid Opening.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Edison Aguilar (718) 472-8641; Fax: (718) 472-8290; eaguilar@nycsca.org

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TRANSPORTATION

CITYSCAPE AND FRANCHISES

■ SOLICITATION

Services (other than human services)

FOOD AND BEVERAGE SUBCONCESSION OPPORTUNITY
- **ASTOR PLACE PLAZA** - Request for Proposals - PIN#ASTOR102018 - Due 11-21-18 at 5:00 P.M.

The Village Alliance District Management Association, Inc., which operates the Village Alliance Business Improvement District (a New York not-for-profit 501(c) 3 corporation), is seeking proposals from qualified businesses by this RFP, to manage and operate a food and beverage Subconcession. The location of the Subconcession is at Astor Place, North Plaza, in the vicinity of Lafayette Street and 4th Avenue between 8th and 9th Streets in Manhattan. The Subconcessionaire will operate in the existing kiosk structure between approximately December 2018 – April 2019, and in future years, pursuant to the terms stated in the RFP.

A site visit will be held on Tuesday, November 13th, 2018. Time and location will be available to those who RSVP. To reserve a spot for the site visit, contact Daniella LaRocco via email or phone no later than 5:00 P.M. on Monday, November 12th, 2018.

A copy of the RFP is available on the Village Alliance website, at <http://bit.ly/AstorPlaceNorthPlazaRFP>. For more information or to request a copy of the RFP by mail, please contact the Village Alliance, at (212) 777-2173.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Transportation, 8 East 8th Street, New York, NY 10003. Daniella LaRocco (212) 777-2173; Fax: (000) 000-0000; daniella@greenwichvillage.nyc

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■ INTENT TO AWARD

Services (other than human services)

PEDESTRIAN PLAZA CONCESSION - Other - PIN#NOT APPLICABLE - Due 11-12-18 at 2:30 P.M.

INTENT TO AWARD as a concession, a Sole Source License Agreement ("Agreement"), to the Flatiron/23rd Street Partnership District Management Association, Inc. ("Flatiron BID"), whose address is 27 West 24th Street, Suite 800B, New York, NY 10010, to provide for the operation, management, and maintenance of a pedestrian plaza, located at 5th Avenue and Broadway, between East 21st and West 26th Streets, in the borough of Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: Prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts), that promotes the neighborhood or Flatiron BID, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by Flatiron BID in the basic form of a Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award. Flatiron BID will be required to invest any revenue generated by this concession into the maintenance and/or repair, including reasonable administrative costs, of the Licensed Plaza.

● **PEDESTRIAN PLAZA CONCESSION** - Other - PIN#NOT APPLICABLE 2 - Due 11-12-18 at 5:00 P.M.

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT"), intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza, located at 9th Avenue, between Gansevoort Street and West 15th Street, in the borough of Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: Prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza. Organizations may express interest in the proposed concession by contacting Emily Weidenhof, Director of Public Space, by email at plazas@dot.nyc.gov, or in writing, at 55 Water Street, 6th Floor, New York, NY 10041, by November 12, 2018. Ms. Weidenhof may also be contacted with any questions relating to the proposed concession by email or by telephone, at (212) 839-4325.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Transportation, 55 Water Street, 9th Floor, New York, NY 10041. Brandon Budelman (212) 839-9625; Fax: (212) 839-9895; bbudelman@dot.nyc.gov

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PEDESTRIAN PLAZA CONCESSION - Other - PIN#20181019 - Due 11-12-18 at 2:30 P.M.

INTENT TO AWARD as a concession, a Sole Source License Agreement ("Agreement"), to the Fashion Center District Management Association, Inc., doing business as the Garment District Alliance ("GDA"), whose address is 209 West 38th Street, 2nd Floor, New York, NY 10018, to provide for the operation, management, and maintenance of a pedestrian plaza, located at Broadway between West 36th Street and West 41st Street, in the borough of Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or GDA, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by GDA in the basic form of a Request for Proposals or Request for Bids, subject to DOT's prior written approval of both

solicitation and award. GDA will be required to invest any revenue generated by this concession into the maintenance and/or repair, including reasonable administrative costs, of the Licensed Plaza.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Transportation, 55 Water Street, 9th Floor, New York, NY 10041.

Brandon Budelman (212) 839-9625; Fax: (212) 839-9895; bbudelman@dot.nyc.gov

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CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



ADMINISTRATION FOR CHILDREN'S SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held at the Administration for Children's Services, 150 William Street, 9th Floor - Conference Room 9C-1, Borough of Manhattan, on November 20, 2018, commencing at 10:00 A.M. on the following:

IN THE MATTER OF one (1) proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the provision of Extraordinary Needs Foster Care services. The term of the contract will be from approximately July 2, 2018 to June 30, 2021, and will contain one three-year option to renew from July 1, 2021 to June 30, 2024.

<u>Contractor/Address</u>	<u>EPIN</u>	<u>Amount</u>
KidsPeace National Centers, Inc. 4085 Independence Drive Schnecksville, PA 18078	06819N0005001	\$1,742,352.74

The proposed contractor has been selected by means of a Negotiated Acquisition Process, pursuant to Section 3-04 (b)(2)(i)(D) of the Procurement Policy Board Rules.

The draft contract is available for inspection at the New York City Administration for Children's Services, Office of Child Welfare Services, 150 William Street, 9th Floor, Borough of Manhattan, on business days from November 9, 2018 through November 20, 2018, exclusive of holidays, between the hours of 10:00 A.M. and 4:00 P.M. Please contact Mani Jadunauth of the Office of Child Welfare Services Contracts, at (212) 676-7522, to arrange a visitation.



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NOTICE IS HEREBY GIVEN that a Public Hearing, will be held on Tuesday, November 20, 2018, at Administration for Children's Services, 150 William Street, 9th Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF the proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the provision of Supportive Alternatives to Violence Encounters (SAVE) Services. The term of the contract will be from approximately July 1, 2018 to June 30, 2019.

<u>Contractor/Address</u>	<u>E-PIN</u>	<u>Amount</u>
Connect, Inc. 127 West 127th Street New York, NY 10027	06819L0009001	\$600,000.00

The proposed contractors have been selected by means of City Council Discretionary Funding Process, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A copy of the draft contracts are available for public inspection, at the New York City Administration for Children's Services, Office of Procurement, Child Welfare Services, 150 William Street, 9th Floor, Borough of Manhattan, on business days from November 9, 2018 through November 20, 2018, exclusive of holidays, between the hours of 10:00 A.M. and 4:00 P.M. Please contact Dale Oliver of the Office of Child Welfare Services Contracts, at (212) 341-3502, to arrange a visitation.



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ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held at the Department of Environmental Protection Offices, at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, NY, on November 27, 2018, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase between the Department of Environmental Protection and Pina M. Inc, 16 West Main Street, 2nd Floor, Freehold, NJ 07728, for Peerless Pumps. The Contract term shall be 8 months from the date of the written notice to proceed. The Contract amount shall be \$147,212.95 — Location: Citywide: Pin 9030408.

IN THE MATTER OF a proposed Purchase between the Department of Environmental Protection and Bomark Instruments, Inc., 45 Carey Avenue, Suite 102, Butler, NJ 07405, for Inspection of air monitoring equipment. The Contract term shall be 2-years from the date of the written notice to proceed. The Contract amount shall be \$111,174.00 — Location: Citywide: Pin 9030319

Contract was selected by Innovative Procurement, pursuant to Section 3-12 of the PPB Rules.

A copy of the Purchase may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373, on the 17th Floor, Bid Room, on business days from November 9, 2018 to November 27, 2018, between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by November 19, 2018, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Mr. Noah Shieh, NYCDEP, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, or via email, to noahs@dep.nyc.gov.

Note: Individuals requesting Sign Language Interpreters should contact Mr. Noah Shieh, Office of the Agency Chief Contracting Officer, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, (718) 595-3241, no later than five (5) business days prior to the public hearing.



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THIS PUBLIC HEARING HAS BEEN CANCELED

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held at the Department of Environmental Protection Offices, at 59-17 Junction Boulevard, 17th Floor, Conference Room, Flushing, NY, on November 9, 2018, commencing at 11:00 A.M. on the Following:

IN THE MATTER OF a proposed Purchase between the Department of Environmental Protection and Compulink Technologies, 260 West 39th Street, Room 302, New York, NY 10018-4434, for Lenovo ThinkPads. The Contract term shall be 13 months from the date of the written notice to proceed. The Contract amount shall be \$145,000.00. Location: Citywide Pin 9300074.

Contract was selected by Innovative Procurement, pursuant to Section 3-12 of the PPB Rules.

A copy of the Purchase may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373, on the 17th Floor, Bid Room, on business days from October 31, 2018 to November 16, 2018, between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by October 15, 2018, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Jessica Reyes, NYCDEP, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, or via email, to jreyes@dep.nyc.gov.

Note: Individuals requesting Wheel Chair Accessibility should contact Mrs. Jessica Reyes, Office of the Agency Chief Contracting Officer, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, (718) 595-3292, no later than five (5) business days prior to the public hearing.

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HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

CORRECTED NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held on Wednesday, November 21, 2018, at 42-09 28th Street, 17th Floor Conference Room, Long Island City, NY 11101, commencing at 11:00 A.M. on the following:

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Primary Care Development Corporation, located at 45 Broadway, Suite 530, New York, NY 10007. The proposed contract will support effectively assisting constituents seeking primary care, identify district service gaps and provide information regarding primary care access in CM districts. The contract amount shall be \$156,250.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0051001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and The Mount Sinai Hospital, located at One Gustave L. Levy Place New York, NY 10029. The proposed contract is to provide at-risk adolescents and young adults mental health services by a team of professionals including psychiatrists, psychologists and social workers. The contract amount shall be \$156,250.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0099001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and BOOMHEALTH, located at 540 East Fordham Road, Bronx, NY 10458. The proposed contract is to conduct outreach and education efforts regarding healthcare access and coverage, including issues pertaining to Medicare, Medicaid, and Pregnant Women/Prenatal Care Assistance Program (PCAP). The contract amount shall be \$252,168.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0143001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Urban Health Plan, located at 1065 Southern Boulevard, Bronx, NY 10459. The proposed contract is to provide outreach and education efforts regarding healthcare access and coverage, including issues pertaining to Medicare, Medicaid, and Pregnant Women/Prenatal Care Assistance Program (PCAP). The contract amount shall be \$182,331.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0144001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Community Service Society of New York, located at 633 3rd Avenue, 10th Floor, New York, NY 10017. The proposed contract will provide health coverage navigation assistance including, but not limited to: (1) helping consumers understand their coverage and access coverage benefits such as prescription drugs, medical equipment, and other medical services; (2) attempting to resolve billing disputes and negotiate medical debt; (3) helping uninsured clients identify and access sources of free or low-cost care; and (4) assisting consumers with high level coverage problems such as Medicaid Fair Hearings and Commercial Coverage Appeals. The contract amount shall be \$214,062.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0140001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Sunset Park Health Council, Inc., located at 150 55th Street, Brooklyn, NY 11220. The proposed contract is to conduct outreach and education regarding healthcare access and coverage, including issues pertaining to Medicare, Medicaid and the Pregnant Women/Prenatal Care Assistance Program (PCAP). The contract amount shall be \$104,206.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0142001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and God's Love We Deliver, Inc., located at 166 Avenue of the Americas, New York, NY 10013. The proposed contract will support the provision of home-delivered meals and MNT to seriously ill people, their children (to age 18) and their senior caregivers Citywide. The contract amount shall be \$132,000.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0137001.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Voces Latinas Corp., located at 3763 83rd Street, Suite 1B, Jackson Heights, NY 11372. The proposed contract will conduct outreach and education efforts regarding healthcare access and coverage, including issues pertaining to

Medicare, Medicaid, and pregnant Women/Prenatal Care Assistance Program (PCAP). The contract amount shall be \$104,206.00. The contract term shall be from July 1, 2018 to June 30, 2019. The EPIN is 81619L0132001.

The above proposed Contractors have been selected by Procurements Funded by Line Item Appropriations or Discretionary Funds, pursuant to Section 1-02(e) of the Procurement Policy Board Rules.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Westchester County, located at 148 Martin Avenue, White Plains, NY 10601. The proposed contract is for analyzing water samples that are collected by DOHMH's Office of Public Health Engineering. The contract amount shall be \$148,545.00. The contract term shall be from March 1, 2019 to February 29, 2024. The EPIN is 81619T0001001.

The proposed Contractor was selected by means of a Government to Government Purchase, pursuant to Section 3-13 of the Procurement Policy Board Rules.

IN THE MATTER OF the proposed contract between the Department of Health and Mental Hygiene and Community Service Society of New York, located at 633 3rd Avenue, New York, NY 10017. The proposed contract will provide enrollment and post-enrollment health insurance assistance to individuals residing in NYCHA housing in East and Central Harlem. The contract amount shall be \$554,459.38. The contract term shall be from September 1, 2018 to August 31, 2019. The EPIN is 81614D0002001N001.

The proposed Contractor is being funded by Negotiated Acquisition Extension, pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules.

Draft copies of the above proposed contracts are available for public inspection at the New York City Department of Health and Mental Hygiene, Office of Contracts, 42-09 28th Street, 17th Floor, Long Island City, NY 11101, from November 9, 2018 to November 21, 2018, excluding weekends and holidays, between the hours of 10:00 A.M. and 4:00 P.M. (EST).

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AGENCY RULES

ADMINISTRATIVE TRIALS AND HEARINGS

■ NOTICE

Office of Administrative Trials and Hearings Environmental Control Board

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN, PURSUANT TO THE AUTHORITY VESTED in the Office of Administrative Trials and Hearings' Environmental Control Board (OATH ECB) in accordance with Sections 1049-a and 1043 of the New York City Charter. OATH ECB repeals its Food Vendor Penalty Schedule, Health Code and Miscellaneous Food Vendor Violations Penalty Schedule, Health Code Lead Abatement Penalty Schedule, and Public Health Law Penalty Schedule rules, found in Sections 3-107, 3-110, 3-112, and 3-117 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York (RCNY). The proposed rule repeal was published in *The City Record* on July 6, 2018, and a public hearing was held on August 7, 2018.

No one attended or testified at the public hearing concerning this rule repeal and OATH did not receive any written comments.

Statement of Basis and Purpose of Rule

The Office of Administrative Trials and Hearings' Environmental Control Board (OATH ECB) repeals its Food Vendor Penalty Schedule, Health Code and Miscellaneous Food Vendor Violations Penalty Schedule, Health Code Lead Abatement Penalty Schedule, and Public Health Law Penalty Schedule rules. These schedules are found in §§ 3-107, 3-110, 3-112, and 3-117 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York (RCNY), and it contains penalties for violations of provisions in Title 17 of the Administrative Code of the City of New York, New York State Public Health Law, the New York City Health Code and Chapter 6 of Title 24 of the RCNY. At the same time, the Department of Health and Mental Hygiene

(DOHMH) adopts rules, adding similar penalty schedules to Chapters 6 and 7 of Title 24 of the Rules of the City of New York.

The context for this repeal is that OATH ECB is in the process of repealing all penalty schedules in its rules codified at Subchapter G of Chapter 3 of Title 48 of the RCNY so that they can be incorporated into the rules of the agencies having rulemaking and policymaking jurisdiction over the laws underlying the violations.

Although OATH ECB is empowered to impose penalties under the New York City Charter and has until now promulgated penalty schedules, the regulatory and enforcement agencies have the necessary expertise to determine appropriate penalties for violation of the rules and of the laws within their jurisdiction based on the severity of each violation and its effect on City residents. Moving the penalty schedule will also make it easier for the public to find the penalties, which will be located within the same chapter as the rules supporting the violations alleged in the summonses. Finally, the rule repeal will speed up the rulemaking process by eliminating the need for OATH ECB approval of proposed or amended penalties for agency rules that have already been established by the legislature and/or that have already undergone the City Administrative Procedure Act (CAPA) process by the enforcement agency. The public will still have the opportunity to comment on proposed penalties during that process.

Working with the City's rulemaking agencies, the Law Department, the Mayor's Office of Management and Budget, and the Mayor's Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those rules that could be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. This rule repeal was identified as meeting the criteria for this initiative.

Section 1. The Food Vendor Penalty Schedule rule, found in Section 3-107 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is REPEALED.

Section 2. The Health Code and Miscellaneous Food Vendor Violations Penalty Schedule rule, found in Section 3-110 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is REPEALED.

Section 3. The Health Code Lead Abatement Penalty Schedule rule, found in Section 3-112 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is REPEALED.

Section 4. The Public Health Law Penalty Schedule rule, found in Section 3-117 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is REPEALED.



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ENVIRONMENTAL PROTECTION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Environmental Protection (DEP) is promulgating rules that would update the Facility Inventory Form, which is filed with DEP under the Community Right-to-Know Law.

When and where is the hearing? DEP will hold a public hearing on the proposed rule. The public hearing will take place at 11 a.m. on December 10, 2018. The hearing will be in DEP's 1st floor hazmat conference room at 59-17 Junction Boulevard, Flushing NY 11373.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to DEP through the NYC rules website, at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to nycrules@dep.nyc.gov.
- **Mail.** You can mail comments to DEP at Department of Environmental Protection, Bureau of Legal Affairs, Attn: Rulemaking Attorney, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax comments to DEP's Bureau of Legal Affairs, at (718) 595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (718) 595-6531. You can also sign up in the hearing

room before the hearing begins on December 10, 2018. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit written comments by December 10, 2018.

What if I need assistance to participate in the hearing?

You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (718) 595-6531. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by December 3, 2018.

This location has the following accessibility option(s) available: Wheelchair accessibility.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at a few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Bureau of Legal Affairs, 59-17 Junction Boulevard, Flushing, NY 11373.

What authorizes DEP to make this rule? Sections 1043 of the City Charter and Section 24-705 of the Administrative Code authorize DEP to make this proposed rule. This proposed rule was not included in DEP's regulatory agenda for this Fiscal Year.

Where can I find the DEP's rules? The DEP's rules are in Title 15 of the Rules of the City of New York.

What laws govern the rulemaking process? DEP must meet the requirements of Section 1043(c) of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Section 24-705 of the New York City Administrative Code (Ad Code) provides that DEP "by regulation shall develop a facility inventory form" (FIF), which is to be filed annually with DEP by facilities in accordance with Ad Code Section 24-706 in order to report the presence of certain hazardous substances in facilities.

DEP complied with Section 24-705 by promulgating an FIF as Appendix A to the Community Right-to-Know Rules, which are found at Title 15, Chapter 41 of the Rules of the City of New York. However, the FIF, which currently appears in Appendix A has not been revised since 1990.

The current FIF needs to be updated for two reasons: First, the United States Environmental Protection Agency (EPA) has amended its hazardous chemical reporting regulations (40 CFR Part 370) to implement the Emergency Planning and Community Right-to-Know Act (EPCRA), as a result of changes to the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS). Following EPCRA, to incorporate the adoption of the OSHA HCS in 40 CFR Part 370, the U.S. EPA is replacing the existing five federal hazard categories for list reporting (Section 311) and annual inventory reporting (Section 312) with 24 new physical and health hazard categories. Since the FIF must reflect EPA's reporting requirements, it must be changed to accommodate these new categories.

Second, Local Law Number 143 for the year 2013 amended Title 24 of the Ad Code by requiring the department to promulgate rules amending the FIF to include (1) any applicable special flood hazard area zone, as established by the Building Code, and Office of Emergency Management coastal storm and hurricane evacuation zone; (2) a certification that hazardous substance storage is in compliance with department rules and all other applicable federal, state, and local laws, rules and regulations; and (3) a description of how such storage takes into account potential flooding and other extreme weather events.

This proposed rule also would make technical corrections to 15 RCNY §§ 41-03 (definitions), 41-05(a) and 41-12(b)(1).

DEP's authority for these rules is found in sections of the New York City Charter Section 1043 and Section 24-705 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

The text of the Rule follows.

Section 1. The definitions of HAZARDOUS SUBSTANCE LIST and ONE TENTH OF ONE PERCENT SUBSTANCES LIST contained in Section 41-03 of Chapter 41 of Title 15 of the Rules of the City of New York are amended to read as follows:

Hazardous substance list. "Hazardous substance list" shall mean a list of hazardous substances established, pursuant to 15 RCNY § [41-02] 41-04.

One tenth of one percent substances list. "One tenth of one percent substances list" shall mean a list of hazardous substances compiled, pursuant to § 24-703 of the New York City Administrative Code [set forth in Appendix B to these Regulations].

§ 2. The opening paragraph of subdivision (a) of Section 41-05 of Chapter 41 of Title 15 of the Rules of the City of New York is amended to read as follows:

A responsible party of a facility shall file a Facility Inventory Form (FIF) for such facility, pursuant to § 24-705 of the New York City Administrative Code and Appendix A of this chapter, which shall include:

§ 3. The opening paragraph of paragraph (1) of subdivision (b) of Section 41-12 of Chapter 41 of Title 15 of the Rules of the City of New York is amended to read as follows:

A general site plan, which shall consist of a general site map layout. A general site map example and list of map symbols is set forth in Appendix [A] B of this [Rule] chapter. If it becomes necessary to use any other symbol on such map, the preparer shall include a reference of the symbol. Colors shall not be used on the site map. For sites with more than one building, a general layout on one page and separate map pages for floor or area shall be used. An 8-1/2" by 11" size map on grid paper shall be used only. The following elements shall be included as part of the general site map layout:

§ 4. Appendix A of Chapter 41 of Title 15 of the Rules of the City of New York is REPEALED and new appendix A is added to read as follows:

APPENDIX A
NEW YORK CITY RIGHT-TO-KNOW FACILITY INVENTORY FORM, TIER TWO

Form titled 'NEW YORK CITY Right-to-Know FACILITY INVENTORY FORM, TIER TWO' with fields for Name, Address, Telephone, and various hazard identification checkboxes.

Form titled 'NEW YORK CITY Right-to-Know FACILITY INVENTORY FORM, TIER TWO' with fields for Name, Address, Telephone, and various hazard identification checkboxes.

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
(212) 788-1400

CERTIFICATION/ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of rules to update the Facility Inventory Form filed with the Department of Environmental Protection DEP under the Community Right-to-Know Law.

REFERENCE NUMBER: DEP-48

RULEMAKING AGENCY: Department of Environmental Protection

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
(ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
(iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

October 29, 2018
Date

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
(212) 356-4028

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Amendment of rules to update the Facility Inventory Form filed with the Department of Environmental Protection DEP under the Community Right-to-Know Law.

REFERENCE NUMBER: 2018 RG 047

RULEMAKING AGENCY: Department of Environmental Protection

I certify that this office has reviewed the above-referenced proposed rule as required by Section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
(ii) is not in conflict with other applicable rules;
(iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
(iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: 10/29/2018



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HEALTH AND MENTAL HYGIENE

NOTICE

Notice of Adoption of Amendments to
Chapter 7 of Title 24 of the Rules of the City of New York

In accordance with §1043(b) of the New York City Charter and, pursuant to the authority granted to the Department of Health and Mental Hygiene by §556 of the Charter, a notice of intention to amend Chapter 7 of Title 24 of the Rules of the City of New York was published in the City Record on July 6, 2018, and a public hearing was held on August 6, 2018. No one testified at the hearing and one written comment was received, objecting to the removal of discretion from hearing officers. No changes have been made to the original proposal.

Statement of Basis and Purpose

Statutory Authority

The repeal and restatement of Chapter 7 of Title 24 of the Rules of the City of New York and repeal of Title 25 of the Rules of the City of New York is authorized by §§555(b)(2), 556, 558(b) and (e), and 1043 of the New York City Charter (the "Charter") and §3.11 of the New York City Health Code.

- Section 556 of the Charter authorizes the Department of Health and Mental Hygiene (the "Department") to regulate all matters affecting health in the City of New York.
- Section 555(b)(2) of the Charter authorizes the Commissioner of Health and Mental Hygiene to assess penalties for health-related regulations.
- Section 558 of the Charter authorizes the Board of Health to set civil penalties for the enforcement of the Health Code.
- Section 1043 of the Charter gives the Department rulemaking powers.

Background

1. Repeal and restate Chapter 7 of Title 24 of the Rules of the City of New York

Historically, civil violations of the Health Code were adjudicated at a tribunal established by the Board of Health, pursuant to §558(e) of the New York City Charter. On November 2, 2010, however, New York City voters approved an amendment to the Charter authorizing the Mayor to consolidate certain administrative tribunals into the Office of Administrative Trials and Hearings (OATH) by Executive Order.

On July 3, 2011, the Department's Administrative Tribunal established by the Board of Health was transferred to OATH by Executive Order No. 148 (June 8, 2011) (the "Executive Order") and renamed the Health Tribunal at OATH. Subsequently, in 2015, the Tribunal became part of the OATH Hearings Division, which now hears and adjudicates violations issued by other City agencies as well as the Department.

After the Department's Administrative Tribunal was transferred into OATH, on December 13, 2011 the Board of Health repealed Article 7 ("Administrative Tribunal") of the Health Code, which contained provisions for conduct of the Administrative Tribunal. OATH has its own rules of procedure for the Health Tribunal at OATH, which are found in Chapter 6 of Title 48 of the Rules of the City of New York. Subdivision (b) of Health Code §3.12 ("Administrative Tribunal and Environmental Control Board proceedings") now confers jurisdiction on the Health Tribunal at OATH and the Environmental Control Board ("ECB") to hear all violations of the Health Code or any other State or local law or regulation that the Department enforces by seeking fines and monetary penalties. The same subdivision also provides that any such proceeding will be adjudicated in accordance with applicable procedures of the Health Tribunal at OATH or ECB.

Chapter 7 of the Department's rules pre-dates the transfer of the Administrative Tribunal to OATH and the Board of Health's repeal of Article 7 of the Health Code. Accordingly, Chapter 7 referred to the Department's former Administrative Tribunal and required amendment to accurately reflect that OATH's Hearings Division now adjudicates all cases where the Department is seeking monetary penalties for violations of the Health Code.

Chapter 7 also authorizes the Commissioner to delegate authority to OATH to hear cases and make findings of fact and recommendations in due process or "show cause" hearings. These adjudications request reports and recommendations to the Commissioner of Health regarding such matters as permit and license revocations and employee misconduct and discipline and will continue to be held at the OATH Trials Division, and thus this authorization will remain in the restated Chapter 7.

Because the changes to Chapter 7 are so extensive, the Chapter was repealed and restated.

2. Codify violation penalties

Section 6-02 of OATH's rules requires that it impose fines and other penalties in accordance with applicable law. Penalties for the violations adjudicated in ECB have been established in ECB's (and now OATH's) rules for many years.

The Health Code establishes penalty ranges for violations adjudicated in the OATH Hearings Division. OATH hearing officers continue to exercise discretion in deciding penalty amounts to be imposed for violations they sustain, provided the amounts are within the range prescribed by the Health Code.

OATH, however, is requesting that all City agencies establish by rule fixed penalties for the violations they are adjudicating in its Hearings Division. OATH has also indicated that it will be repealing the penalty schedules in its rules for ECB cases and that agencies should also adopt by rule penalties for violations being adjudicated in that tribunal.

In 2014, the Department amended Chapter 23 of Title 24 to establish penalties for violations issued to food service establishments. The

Department has amended Chapter 7 to set penalties for other violations of the Health Code, Department rules and other applicable law enforced by various Department programs. The new fixed penalties include those for violations currently adjudicated at the OATH Hearings Division. Food service establishment penalties will remain in Chapter 23. Mobile food vending penalties are not included in this Chapter, but the Department expects to incorporate them in a new appendix to Chapter 6 of these rules.

To further promote compliance and prompt correction of hazardous conditions, the Department's penalties are heightened for some repeat offenses, considered continuous for others and, in the case of standing water violations, reflect the magnitude of the violation. These terms are defined in the rules and specified in the violation descriptions. Sustained repeat violations citing rats, rat signs, rat harborage and conditions conducive to rats carry minimum, maximum and accelerated penalties in accordance with §17-133.1 of the Administrative Code of the City of New York.

Penalties for violations of repealed Health Code and other provisions of law contained in current ECB rules have been excluded from the penalty table, including those for violations of Article 153 and §§139.05, 139.07 and 181.03. Also excluded are penalties for violations that are already specified in a provision of the Health Code or Administrative Code, or in a particular Department rule or other applicable law.

3. Repeal Title 25 of the Rules of the City of New York

In the November 2001 general election, New York City voters approved an amendment of the Charter to establish a "Department of Public Health" (later changed to the "Department of Health and Mental Hygiene") combining the former Departments of Health (DOH) and Mental Health, Mental Retardation, and Alcoholism Services (DMHMRAS). All employees of both agencies became employees of the combined DOHMH. The only existing provision in Title 25 of the Rules of the City of New York of the former DMHMRAS is §1-01 (Conduct of Adjudicatory Hearings) of Chapter 1 (Adjudications), relating to employee fitness and disciplinary hearings. Title 25 is no longer necessary because of the merger of the two agencies, and the Department has now repealed it.

The amended rule is as follows.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Title 25 (Department of Mental Health and Retardation) of the Rules of the City of New York, is repealed.

Section 2. Chapter 7 (Adjudicatory Hearings) of Title 24 of the Rules of the City of New York is repealed and restated to read as follows:

Chapter 7

Adjudicatory Hearings and Violation Fines and Penalties

§7-01 Definitions.

§7-02 Adjudications seeking civil fines.

§7-03 Mandatory fines and penalties.

§7-04 Fines for unspecified violations of Health Code Articles 43 and 47.

§7-05 Escalation of fines for rodent violations.

§7-06 Standing water violations.

§7-07 Fines for other repeat violations.

§7-08 Defaults.

§7-09 Other adjudications.

Appendix 7-A Penalty Schedule

§7-01 Definitions. When used in this Chapter, the following terms have the following meanings:

- Administrative Code or Admin. Code refers to the Administrative Code of the City of New York.
- Charter means the New York City Charter.
- Environmental Control Board is the board that exists in the OATH Hearings Division, pursuant to Charter §1049-a.
- NYCHC or Health Code refers to the New York City Health Code, found in Title 24 of the Rules of the City of New York.
- NYSPHL refers to the New York State Public Health Law.
- OATH Trials Division is the tribunal of the Office of Administrative Trials and Hearings (OATH), established by Charter §1048(1) to conduct adjudicatory hearings for all agencies of the City of New York.

- (g) OATH Hearings Division includes the tribunal established by the Board of Health, pursuant to Charter §558 and transferred to OATH by Mayoral Executive Order 148 (2011).
- (h) Premises refer to real property consisting of a building and land on which it is situated. "Same premises" refers to (i) a specific building, or (ii) a group of buildings co-located in a development owned by the same entity.
- (i) RCNY refers to the Rules of the City of New York.

§7-02 Adjudications seeking civil fines.

In accordance with Charter §§1041 and 1046, adjudicatory hearings commenced by service of a civil summons or notice of violation seeking a civil fine or monetary penalty for violations of State and local law enforced by the Department shall be conducted by the OATH Hearings Division.

§7-03 Mandatory fines and penalties.

- (a) Fixed penalties. When a monetary fine or penalty for a violation enforced by the Department is specified in the Health Code, a rule of the Department, including in Appendix 7-A of this Chapter, or in any other applicable law, a hearing officer must impose that fine or penalty if the hearing officer sustains the violation.
- (b) Other Health Code violations. Fines imposed for Health Code violations that are not specified in Appendix 7-A of this Chapter or in another law or rule must be within the range provided in Health Code §3.11 or a successor provision.

§7-04 Fines for unspecified violations of Health Code Articles 43 and 47.

The penalty for a violation of any provision of Health Code Article 47 (Child Care Programs) or Article 43 (School-Based Programs for Children Ages Three Through Five) that is not listed in Appendix 7-A of this Chapter shall be \$200. The penalty must be doubled to \$400 if the hearing officer finds the respondent in default.

§7-05 Escalation of fines for rodent violations.

Pursuant to Administrative Code §17-133.1, the standard fine for a violation of §151.02 of the Health Code that pertains to the eradication or elimination of rodents, rodent harborages or other rodent related nuisances must be \$300. The fine for each subsequent violation at the same premises and under the same ownership or control within a two-year period must be double the amount of the penalty for the previous violation but may not exceed the maximum fine for any Health Code violation.

§7-06 Standing water violations. The penalty for a violation of Health Code §151.03 shall vary depending on whether the accumulation of standing water that is the basis of the violation is determined to be minor, moderate or extensive.

- (a) Minor violations consist of small amounts of standing water and decomposing matter in one or more outdoor containers with a diameter of three to 24 inches and a capacity of five or fewer gallons of water. Examples of types of containers include trash cans, buckets, birdbaths, fountains, roof gutters and roof puddles and in accumulations of one to four tires.
- (b) Moderate violations consist of larger amounts of standing water and decomposing matter than the amounts stated for minor violations. These include ponded water accumulations of less than 10 square feet. Examples of where this amount of water and decomposing matter may be found include ditches, swimming pool

covers, ponds, outdoor containers without lids holding five or more gallons of water and in accumulations of five to 20 tires.

- (c) Extensive violations consist of standing water and decomposing matter accumulations covering 10 or more square feet. Examples of where this amount of water and decomposing matter may be found include open foundation construction sites, swimming pools with stagnant untreated or improperly treated water and in accumulations of more than 20 tires.

§7-07 Fines for other repeat violations.

- (a) Summons issued to the owner or other person in control of premises. For summonses alleging that the owner or person in control of a premises or regulated business has committed a "repeat violation" other than one provided for in §7-05 of this Chapter, the hearing officer must impose the fine listed in Appendix 7-A of this Chapter for a repeat violation if, within the previous 12 months, the respondent was found to have violated the same provision of law at the same premises.
- (b) Summons issued to certain contractors. For any summons alleging that a contractor committed a repeat violation of Health Code §173.14 by disturbing lead based paint or paint of unknown lead content while performing work in a premises, the hearing officer must impose the fine specified in Appendix 7-A of this Chapter for a repeat violation if the hearing officer determines that the contractor violated the same provision of law in any premises during the previous 12 months.
- (c) Unproved repeat violation to be considered an initial violation. If a hearing officer finds that a respondent committed the violation alleged in the summons, but that the violation is not a repeat violation because the same provision of law was not violated within the previous 12 months, the hearing officer must impose the fine listed in Appendix 7-A of this Chapter for an initial violation of that provision.

§7-08 Defaults. If a respondent fails to appear to answer a summons and is found in default, the penalty imposed for a violation of the Health Code must be twice the amount set forth in Appendix 7-A of this Chapter or \$2,000, whichever is lower. Fines imposed when a respondent is found in default for violations of other provisions of law may not exceed the amount stated in Appendix 7-A of this Chapter.

§7-09 Other adjudications. Pursuant to Charter §1048, the Commissioner delegates to the OATH Trials Division authority to conduct hearings of matters pertaining to the enforcement of State and local law within the jurisdiction of the Department where an OATH administrative law judge shall make and submit recommended findings of fact, decisions, determinations and orders to the Commissioner who shall make final findings, determinations and orders in accordance with Article 5 of the Health Code or other applicable law. Such hearings include but are not limited to matters where a respondent must be provided with a hearing or an opportunity to be heard and show cause why the Commissioner should not issue an order or take other action (i) to suspend or revoke a license, permit or registration of a business or activity whose operation or conduct is deemed detrimental to the public health; (ii) to abate nuisances or other detrimental health conditions, including closing, padlocking and sealing premises deemed a public nuisance; (iii) to require an entity to cease and desist from specific acts that endanger public health; or (iv) with respect to Department employee matters, pursuant to New York Civil Service Law.

APPENDIX 7-A PENALTY SCHEDULE			
Section of Law	Violation Description	Standard Penalty	Default Penalty
NYCHC 3.05	Failing to comply with Department, Board of Health or Commissioner's order	\$1,000	\$2,000
NYCHC 3.07	Failing to take reasonable precautions to protect health and safety	1,000	2,000
NYCHC 3.09	Failing to abate or remediate nuisance	1,000	2,000
NYCHC 3.11(b)	Operating a business or conducting an activity without a currently valid permit	1,000	2,000
NYCHC 3.15	Interfering with or obstructing Department staff in performing duties, or offering a bribe to Department staff	1,000	2,000
NYCHC 3.17	Notice or order of Department, Board of Health or Commissioner mutilated, obstructed or removed	1,000	2,000
NYCHC 3.19	Offering or making false, misleading statements or documents	1,000	2,000
NYCHC 11.29	Owning or harboring a dog, cat or horse not immunized against rabies	500	1,000
NYCHC 43.05	Failure to file required notice	1,000	2,000
NYCHC 43.09(a)	Line of sight supervision not maintained	300	600
NYCHC 43.09(b)	Minimum staff to child ratios not maintained	300	600
NYCHC 43.11(a)	Ill staff not excluded	300	600
NYCHC 43.13(c)	No staff fingerprint, criminal record review	300	600
NYCHC 43.13(e)	Prohibited staff hired, retained or allowed on premises	300	600
NYCHC 43.13(g)(1)	Failure to take required action in response to criminal record of an employee	300	600
NYCHC 43.13(g)(3)	Prohibited staff allowed to have unsupervised contact with children	300	600
NYCHC 43.15(a)	No corrective action plan when required	300	600
NYCHC 43.15(b)	Corrective action plan inadequate	300	600
NYCHC 43.15(c)	Corrective action plan not available for inspection	300	600
NYCHC 43.19(f)	Failure to exclude child who is carrier of communicable disease in accordance with Article 11	300	600
NYCHC 43.21(b)	Failure to provide emergency medical care to injured/ill child	300	600
NYCHC 43.23(b)(1)	Peeling lead based paint or paint of unknown lead content on a surface	400	800
NYCHC 43.23(b)(2)	Peeling lead based paint or paint of unknown lead content not abated	400	800
NYCHC 43.23(b)(3)	Children present in area undergoing abatement or other work that disturbs paint	600	1,200
NYCHC 47.03(a)	Operating a child care program without a currently valid permit	1,000	2,000
NYCHC 47.05(b)	Number of children exceeds authorized capacity	300	600
NYCHC 47.19(c)	No staff fingerprint or criminal record review, and/or inquiry of the State Central Register of Child Abuse and Maltreatment (SCR)	300	600
NYCHC 47.19(g)	Failure to notify Department of indicated SCR report or death, injury, or lack of supervision of child attending a program	300	600
NYCHC 47.19(h)	Prohibited staff hired, retained or allowed to be on premises	300	600
NYCHC 47.21(a)	Corrective action plan not submitted within five business days	300	600
NYCHC 47.21(b)	Corrective action plan inadequate	300	600
NYCHC 47.23(a)	Constant and competent supervision of children not maintained at all times	300	600
NYCHC 47.27(f)	Ill child not excluded	300	600
NYCHC 47.29(b)	Failure to obtain emergency medical care for injured/ill child	300	600
NYCHC 47.33(a)	Ill staff not excluded	300	600
NYCHC 47.41(a)	Two means of egress not available	300	600
NYCHC 47.41(f)	Corridors, doorways, stairs or exits obstructed	300	600
NYCHC 47.57(b)	Safety, health hazards not eliminated in areas accessible to children	300	600
NYCHC 47.57(d)	Indoor air temperatures not maintained between 68° F and 72° F when outdoor temperature below 55° F	300	600

NYCHC 47.57(e)	Failure to take appropriate actions during a heat advisory or other severe weather incidents	300	600
NYCHC 47.57(f)	Areas used or occupied by children in the child care service not previously approved by DOHMH, FDNY and DOB	300	600
NYCHC 47.57(g)	Co-location in premises associated with environmental hazards	300	600
NYCHC 47.57(i)(2)	Inadequate supervision during aquatic activities	300	600
NYCHC 47.59	Failure to comply with fire safety rules	300	600
NYCHC 47.61(b)	Children provided unwholesome food or drinks	300	600
NYCHC 47.63(a)(1)	Peeling lead paint or paint of unknown lead content on a surface	300	600
NYCHC 47.63(a)(2)	Peeling lead paint or paint of unknown lead content not abated or remediated	400	800
NYCHC 47.63(a)(7)	Children present or have access to a room undergoing abatement or remediation of lead paint or paint of unknown lead content	600	1,200
NYCHC 47.65(c)	Children not secured in age-appropriate safety seats or by safety belts	300	600
NYCHC 131.07(c)(2)	Commercial premises: insufficient heat; initial	300	600
NYCHC 131.07(c)(2)	Commercial premises: insufficient heat; repeat (#2 or more)	600	1,200
NYCHC 131.09	Commercial premises not properly maintained; initial	300	600
NYCHC 131.09	Commercial premises not properly maintained; repeat	600	1,200
NYCHC 131.09(a)	Commercial premises: failure to provide, maintain adequate lighting; initial	200	400
NYCHC 131.09(a)	Commercial premises: failure to provide, maintain adequate lighting; repeat	500	1,000
NYCHC 131.09(b)	Commercial premises: failure to provide, maintain adequate ventilation; initial	200	400
NYCHC 131.09(b)	Commercial premises: failure to provide, maintain adequate ventilation; repeat	500	1,000
NYCHC 131.09(c)	Commercial premises: failure to maintain plumbing; initial	200	400
NYCHC 131.09(c)	Commercial premises: failure to maintain plumbing; repeat	400	800
NYCHC 131.09(d)(1)	Commercial premises: insufficient potable water; initial	250	500
NYCHC 131.09(d)(1)	Commercial premises: insufficient potable water; repeat	500	1,000
NYCHC 131.09(d)(2)	Commercial premises: insufficient hand wash sinks, liquid soap, drying devices; initial	200	400
NYCHC 131.09(d)(2)	Commercial premises: insufficient hand wash sinks, liquid soap, drying devices; repeat	500	1,000
NYCHC 131.09(d)(3)	Commercial premises: insufficient, inadequate utility sinks; initial	200	400
NYCHC 131.09(d)(3)	Commercial premises: insufficient, inadequate utility sinks; repeat	400	800
NYCHC 131.09(d)(4)	Commercial premises: insufficient, not maintained employee toilets; initial	200	400
NYCHC 131.09(d)(4)	Commercial premises: insufficient, not maintained employee toilets; repeat	500	1,000
NYCHC 131.09(e)	Commercial premises: floors not in good repair, not clean; initial	200	400
NYCHC 131.09(e)	Commercial premises: floors not in good repair, not clean; repeat	400	800
NYCHC 131.09(f)	Commercial premises: walls and ceilings not in good repair, not clean; initial	200	400
NYCHC 131.09(f)	Commercial premises: walls and ceilings not in good repair, not clean; repeat	400	800
NYCHC 131.09(g)	Commercial premises: premises not in good repair, not clean; initial	200	400
NYCHC 131.09(g)	Commercial premises: premises not in good repair, not clean; repeat	400	800
NYCHC 131.13(a)	Failure to control unsafe conditions – contaminants; initial	300	600
NYCHC 131.13(a)	Failure to control unsafe conditions – contaminants; repeat	600	1,200
NYCHC 131.13(b)	Failure to control unsafe conditions – ventilation; initial	300	600
NYCHC 131.13(b)	Failure to control unsafe conditions – ventilation; repeat	600	1,200
NYCHC 131.13(c)	Failure to control unsafe conditions – discarding refrigerators; initial	300	600
NYCHC 131.13(c)	Failure to control unsafe conditions – discarding refrigerators; repeat	600	1,200
NYCHC 131.17	Dry cleaning facilities: improper emissions levels; initial	500	1,000
NYCHC 131.17	Dry cleaning facilities: improper emissions levels; repeat	1,000	2,000
NYCHC 151.02(a)	Pests (other than rodents)	200	400
NYCHC 151.02(a)	Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: first citation	300	600

NYCHC 151.02(a)	<u>Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: repeat (#2 in 24 month period)</u>	600	1,200
NYCHC 151.02(a)	<u>Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: repeat (#3 in 24 month period)</u>	1,200	2,000
NYCHC 151.02(a)	<u>Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: repeat (#4 or more in 24 month period)</u>	2,000	2,000
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; initial</u>	300	600
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; repeat (#2 in 24 month period)</u>	600	1,200
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; repeat (#3 in 24 month period)</u>	1,200	2,000
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; repeat (#4 or more in 24 month period)</u>	2,000	2,000
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; initial</u>	300	600
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; repeat (#2 in 24 month period)</u>	600	1,200
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; repeat (#3 in 24 month period)</u>	1,200	2,000
NYCHC 151.02(a)	<u>Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; repeat (#4 or more in 24 month period)</u>	2,000	2,000
NYCHC 151.02(a)	<u>Failure to properly and thoroughly eliminate conditions conducive to pests and to the presence of pests other than rodents or mosquitoes</u>	300	600
NYCHC 151.02(b)	<u>Failure to eliminate conditions conducive to pests, e.g., uncovered garbage cans or containers, garbage spillage, uncontained garbage</u>	300	600
NYCHC 151.02(c)	<u>Failure to comply with Department or Commissioner's order; pest management plan not complied with; no inspections and/or exterminator visits documented</u>	1,000	2,000
NYCHC 151.02(c)	<u>Failure to comply with Department or Commissioner's order; pest management plan not complied with; no notice to tenants posted or provided</u>	1,000	2,000
NYCHC 151.02(d)	<u>Failure to comply with Department or Commissioner's order; pest management plan not complied with; pests and/or conditions conducive to pests, access and harborage not eliminated</u>	2,000	2,000
NYCHC 151.02(e)	<u>Using pesticides alone in the management of pest infestations</u>	300	600
NYCHC 151.03(a)	<u>Failure to eliminate standing water with decomposing matter and other conditions conducive to breeding and harborage of mosquitoes: minor violations</u>	300	600
NYCHC 151.03(a)	<u>Failure to eliminate standing water with decomposing matter and other conditions conducive to breeding and harborage of mosquitoes: moderate violations</u>	600	1,200
NYCHC 151.03(a)	<u>Failure to eliminate standing water with decomposing matter and other conditions conducive to breeding and harborage of mosquitoes: extensive violations</u>	1,200	2,000
NYCHC 161.01	<u>Unlawfully keeping/selling/giving a wild or prohibited animal</u>	500	1,000
NYCHC 161.01(a)(2)	<u>Displaying/exhibiting wild or prohibited animal without valid permit</u>	1,000	2,000
NYCHC 161.01(a)(2)	<u>Failure to comply with animal exhibition conditions imposed by Commissioner</u>	1,000	2,000
NYCHC 161.03	<u>Failure to control dogs, other animals to prevent animal nuisance</u>	200	400
NYCHC 161.04(b)	<u>Permitting dog to be in public place without collar with currently valid license tag</u>	200	400
NYCHC 161.05	<u>Permitting dog to be in public place without leash or other restraint</u>	200	400
NYCHC 161.09(a)	<u>Operating a grooming parlor, boarding kennel, training establishment, or pet shop selling animals other than dogs or cats without a currently valid permit</u>	1,000	2,000
NYCHC 161.09(b)	<u>Constructing or operating an animal shelter without a currently valid permit</u>	1,000	2,000
NYCHC 161.09(d)	<u>Operating a commercial stable for horses without a currently valid permit</u>	1,000	2,000
NYCHC 161.09(e)	<u>Selling animals whose possession is prohibited by NYCHC 161.01</u>	1,000	2,000
NYCHC 161.09(f)	<u>No certificate of completion of small animal care and handling course</u>	500	1,000
NYCHC 161.09(g)	<u>Guard dog not registered with Department</u>	1,000	2,000
NYCHC 161.09(g)(1)	<u>Guard dog not microchipped</u>	200	400
NYCHC 161.09(g)(2)	<u>Guard dog warning sign not posted</u>	500	1,000

NYCHC 161.13	Self-inspection reports not maintained or provided to the Department	200	400
NYCHC 161.15(a)	Animal handling/care activity in residential/dwelling unit	200	400
NYCHC 161.15(b)	Failure to comply with license requirements before transferring dog ownership	500	1,000
NYCHC 161.15(c)	Failure to maintain or submit required records	500	1,000
NYCHC 161.15(e)	Failure to maintain vaccination records	250	500
NYCHC 161.15(f)	Using cage, box or other dryer with heating element that is not hand-held	200	400
NYCHC 161.17	Dogs, cats over 3 months not kept in individual cages	200	400
NYCHC 161.21(b)	Exposed stable surfaces not kept clean	200	400
NYCHC 161.21(f)	Manure, other stable refuse not maintained in sanitary manner	200	400
NYCHC 161.21(h)	Stable yard not kept clean, not graded to prevent accumulation of liquid wastes	200	400
NYCHC 161.21(i)	Own, board, use, bring into NYC a horse not vaccinated against rabies	500	1,000
Admin. Code 17-197	Improper restraining animal out of doors	250	250
NYCHC 173.13(a)(1)	Leaded paint, other leaded surface coatings, possessed, sold for consumer use; initial	250	500
NYCHC 173.13(a)(1)	Leaded paint, other leaded surface coatings, possessed, sold for consumer use; repeat	500	1,000
NYCHS 173.14(c)(1)(A)	Commencement notice not filed, not filed timely; initial	200	400
NYCHC 173.14(c)(1)(A)	Commencement notice not filed, not filed timely; repeat	400	800
NYCHC 173.14(c)(1)(B)	Commencement notice incomplete; initial	200	400
NYCHC 173.14(c)(1)(B)	Commencement notice incomplete; repeat	400	800
NYCHC 173.14(c)(2)(A)	EPA certified firms, workers not used for abatement work; initial	400	800
NYCHC 173.14(c)(2)(A)	EPA certified firms, workers not used for abatement work; repeat	800	1,600
NYCHC 173.14(c)(2)(B)(i)(aa)	EPA certified firms not used for non-abatement work; initial	350	700
NYCHC 173.14(c)(2)(B)(i)(aa)	EPA certified firms not used for non-abatement work; repeat	700	1,400
NYCHC 173.14(c)(2)(B)(i)(bb)	Trained workers not used for non-abatement work; initial	400	800
NYCHC 173.14(c)(2)(B)(i)(bb)	Trained workers not used for non-abatement work; repeat	800	1,600
NYCHC 173.14(c)(2)(B)(i)(cc)	Clearance dust wipe personnel not trained for non-abatement work; initial	300	600
NYCHC 173.14(c)(2)(B)(i)(cc)	Clearance dust wipe personnel not trained for non-abatement work; repeat	600	1,200
NYCHC 173.14(c)(2)(B)(ii)(aa)	Trained workers not used for non-abatement work (2-100ft ²); initial	400	800
NYCHC 173.14(c)(2)(B)(ii)(aa)	Trained workers not used for non-abatement work (2-100ft ²); repeat	800	1,600
NYCHC 173.14(c)(2)(B)(ii)(bb)	Trained clearance dust wipe personnel not used for non-abatement work (2-100ft ²); initial	300	600
NYCHC 173.14(c)(2)(B)(ii)(bb)	Trained clearance dust wipe personnel not used for non-abatement work (2-100ft ²); repeat	600	1,200
NYCHC 173.14(c)(2)(B)(iii)	Trained clearance dust wipe personnel not used for turnover work; initial	1,000	2,000
NYCHC 173.14(c)(2)(B)(iii)	Trained clearance dust wipe personnel not used for turnover work; repeat	2,000	2,000
NYCHC 173.14(c)(3)(A)	Lead paint remediation records not maintained; initial	500	1,000
NYCHC 173.14(c)(3)(A)	Lead paint remediation records not maintained; repeat	1,000	2,000
NYCHC 173.14(d)(1)(A)	Failure to control leaded dust dispersal; initial	650	1,300
NYCHC 173.14(d)(1)(A)	Failure to control leaded dust dispersal; repeat	1,300	2,000
NYCHC 173.14(d)(1)(B)	No clean changing area; area not segregated from work area; initial	200	400
NYCHC 173.14(d)(1)(B)	No clean changing area; area not segregated from work area; repeat	400	800
NYCHC 173.14(d)(2)(A)	Prohibited method used: open flame burning/torching; initial	950	1,900
NYCHC 173.14(d)(2)(A)	Prohibited method used: open flame burning/torching; repeat	1,900	2,000
NYCHC 173.14(d)(2)(B)	Prohibited method used: machine sanding/grinding without HEPA attachment; initial	950	1,900
NYCHC 173.14(d)(2)(B)	Prohibited method used: machine sanding/grinding without HEPA attachment; repeat	1,900	2,000
NYCHC 173.14(d)(2)(C)	Prohibited method used: abrasive blasting without HEPA attachment; initial	950	1,900
NYCHC 173.14(d)(2)(C)	Prohibited method used: abrasive blasting without HEPA attachment; repeat	1,900	2,000
NYCHC 173.14(d)(2)(D)	Prohibited method used: heat gun over 1100°F or paint charring; initial	950	1,900
NYCHC 173.14(d)(2)(D)	Prohibited method used: heat gun over 1100°F or paint charring; repeat	1,900	2,000
NYCHC 173.14(d)(2)(E)	Prohibited method used: dry sanding; initial	950	1,900

NYCHC 173.14(d)(2)(E)	Prohibited method used: dry sanding; repeat	1,900	2,000
NYCHC 173.14(d)(2)(F)	Prohibited method used: improper use of paint stripper; initial	950	1,900
NYCHC 173.14(d)(2)(F)	Prohibited method used: improper use of paint stripper; repeat	1,900	2,000
NYCHC 173.14(d)(3)(A)	Improper use of tools or materials; initial	350	750
NYCHC 173.14(d)(3)(A)	Improper use of tools or materials; repeat	700	1,400
NYCHC 173.14(d)(3)(B)	Surfaces not sealed, repainted after work; initial	300	600
NYCHC 173.14(d)(3)(B)	Surfaces not sealed, repainted after work; repeat	600	1,200
NYCHC 173.14(d)(3)(C)	Underlying conditions not repaired; initial	350	700
NYCHC 173.14(d)(3)(C)	Underlying conditions not repaired; repeat	700	1,400
NYCHC 173.14(d)(3)(D)	Painted doors, windows not adjusted; initial	200	400
NYCHC 173.14(d)(3)(D)	Painted doors, windows not adjusted; repeat	400	800
NYCHC 173.14(d)(3)(E)	Required work area prep not completed prior to commencement of remediation; initial	200	400
NYCHC 173.14(d)(3)(E)	Required work area prep not completed prior to commencement of remediation; repeat	400	800
NYCHC 173.14(d)(4)	Failure to offer relocation to tenant; initial	200	400
NYCHC 173.14(d)(4)	Failure to offer relocation to tenant; repeat	400	800
NYCHC 173.14(e)(1)(A)(i)	Notice of work commencement not posted at dwelling, unit entrances; initial	500	1,000
NYCHC 173.14(e)(1)(A)(i)	Notice of work commencement not posted at dwelling, unit entrances; repeat	1,000	2,000
NYCHC 173.14(e)(1)(A)(ii)	Warning signs not posted; initial	1,000	2,000
NYCHC 173.14(e)(1)(A)(ii)	Warning signs not posted; repeat	2,000	2,000
NYCHC 173.14(e)(1)(B)	Occupant belongings not removed, protected before commencing work; initial	200	400
NYCHC 173.14(e)(1)(B)	Occupant belongings not removed, protected before commencing work; repeat	400	800
NYCHC 173.14(e)(1)(C)	Forced air vents not sealed; initial	400	800
NYCHC 173.14(e)(1)(C)	Forced air vents not sealed; repeat	800	1,600
NYCHC 173.14(e)(1)(D)	Work area entrance not, inadequately sealed off; initial	400	800
NYCHC 173.14(e)(1)(D)	Work area entrance not, inadequately sealed off; repeat	800	1,600
NYCHC 173.14(e)(1)(E)	Floors not covered; initial	400	800
NYCHC 173.14(e)(1)(E)	Floors not covered; repeat	800	1,600
NYCHC 173.14(e)(1)(F)	Windows, other openings not required for ventilation, not sealed; initial	400	800
NYCHC 173.14(e)(1)(F)	Windows, other openings not required for ventilation, not sealed; repeat	800	1,600
NYCHC 173.14(e)(1)(G)	Occupants not instructed to avoid work area; initial	200	400
NYCHC 173.14(e)(1)(G)	Occupants not instructed to avoid work area; repeat	400	800
NYCHC 173.14(e)(1)(H)	Hazardous materials not labeled; material safety data sheets not available; initial	350	700
NYCHC 173.14(e)(1)(H)	Hazardous materials not labeled; material safety data sheets not available; repeat	700	1,400
NYCHC 173.14(e)(1)(I)	Clean up and lead dust clearance testing not conducted as required; initial	900	1,800
NYCHC 173.14(e)(1)(I)	Clean up and lead dust clearance testing not conducted as required; repeat	1,800	2,000
NYCHC 173.14(e)(1)(I)(i)	Daily clean up not performed; initial	700	1,400
NYCHC 173.14(e)(1)(I)(i)	Daily clean up not performed; repeat	1,400	2,000
NYCHC 173.14(e)(1)(I)(i)(aa)	Daily clean up: large debris improperly disposed of; initial	700	1,400
NYCHC 173.14(e)(1)(I)(i)(aa)	Daily clean up: large debris improperly disposed of; repeat	1,400	2,000
NYCHC 173.14(e)(1)(I)(i)(bb)	Daily clean up: small debris improperly disposed of; initial	650	1,300
NYCHC 173.14(e)(1)(I)(i)(bb)	Daily clean up: small debris improperly disposed of; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(i)(cc)	Daily clean up: adjacent areas to work areas not, improperly cleaned; initial	650	1,300
NYCHC 173.14(e)(1)(I)(i)(cc)	Daily clean up: adjacent areas to work areas not, improperly cleaned; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(i)(dd)	Hazardous materials, contaminated supplies improperly stored; initial	650	1,300
NYCHC 173.14(e)(1)(I)(i)(dd)	Hazardous materials, contaminated supplies improperly stored; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(ii)	Final clean up not performed; initial	900	1,800
NYCHC 173.14(e)(1)(I)(ii)	Final clean up not performed; repeat	1,800	2,000
NYCHC 173.14(e)(1)(I)(ii)(aa)	Final clean up inadequate: failure to wait one hour after work completed; initial	300	600

NYCHC 173.14(e)(1)(I)(ii)(aa)	Final clean up inadequate: failure to wait one hour after work completed; repeat	600	1,200
NYCHC 173.14(e)(1)(I)(ii)(bb)	Final clean up inadequate: no misting, sweeping, removal or sheeting; initial	600	1,200
NYCHC 173.14(e)(1)(I)(ii)(bb)	Final clean up inadequate: no misting, sweeping, removal or sheeting; repeat	1,200	2,000
NYCHC 173.14(e)(1)(I)(ii)(cc)	Final cleanup inadequate: no, improper first HEPA vacuuming; initial	650	1,300
NYCHC 173.14(e)(1)(I)(ii)(cc)	Final cleanup inadequate: no, improper first HEPA vacuuming; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(ii)(dd)	Final cleanup inadequate: surfaces not, improperly washed; initial	650	1,300
NYCHC 173.14(e)(1)(I)(ii)(dd)	Final cleanup inadequate: surfaces not, improperly washed; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(ii)(ee)	Final cleanup inadequate: no or improper second HEPA vacuuming; initial	650	1,300
NYCHC 173.14(e)(1)(I)(ii)(ee)	Final cleanup inadequate: no or improper second HEPA vacuuming; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(ii)(ff)	Final cleanup inadequate: surfaces not inspected, re-cleaned if necessary; initial	650	1,300
NYCHC 173.14(e)(1)(I)(ii)(ff)	Final cleanup inadequate: surfaces not inspected, re-cleaned if necessary; repeat	1,300	2,000
NYCHC 173.14(e)(1)(I)(iii)	No third party final inspection; initial	350	700
NYCHC 173.14(e)(1)(I)(iii)	No third party final inspection; repeat	700	1,400
NYCHC 173.14(e)(1)(I)(iv)	Dust wipe clearance test results not submitted to occupants, Department; initial	400	800
NYCHC 173.14(e)(1)(I)(iv)	Dust wipe clearance test results not submitted to occupants, Department; repeat	800	1,600
NYCHC 173.14(e)(1)(J)	Inadequate protection for occupants having access to work areas; initial	600	1,200
NYCHC 173.14(e)(1)(J)	Inadequate protection for occupants having access to work areas; repeat	1,200	2,000
NYCHC 173.14(e)(2)(A)	Warning signs not posted (2-100ft ²); initial	1,000	2,000
NYCHC 173.14(e)(2)(A)	Warning signs not posted (2-100ft ²); repeat	2,000	2,000
NYCHC 173.14(e)(2)(B)	Occupant belongings not removed, protected before commencing work (2-100ft ²); initial	500	1,000
NYCHC 173.14(e)(2)(B)	Occupant belongings not removed, protected before commencing work (2-100ft ²); repeat	1,000	2,000
NYCHC 173.14(e)(2)(C)	Floors not covered (2-100ft ²); initial	700	1,400
NYCHC 173.14(e)(2)(C)	Floors not covered (2-100ft ²); repeat	1,400	2,000
NYCHC 173.14(e)(2)(D)	Windows, other openings not required for ventilation not sealed (2-100ft ²); initial	700	1,400
NYCHC 173.14(e)(2)(D)	Windows, other openings not required for ventilation not sealed (2-100ft ²); repeat	1,400	2,000
NYCHC 173.14(e)(2)(F)	Hazardous materials not labeled; material safety data sheets not available (2-100ft ²); initial	350	700
NYCHC 173.14(e)(2)(F)	Hazardous materials not labeled; material safety data sheets not available (2-100ft ²); repeat	700	1,400
NYCHC 173.14(e)(2)(G)	Failure to adequately clean up, collect dust wipes (2-100ft ²); initial	400	800
NYCHC 173.14(e)(2)(G)	Failure to adequately clean up, collect dust wipes (2-100ft ²); repeat	800	1,600
NYCHC 173.14(e)(2)(H)	Improper temporary access protection (2-100ft ²); initial	600	1,200
NYCHC 173.14(e)(2)(H)	Improper temporary access protection (2-100ft ²); repeat	1,200	2,000
NYCHC 173.14(e)(3)(A)	Failure to properly prepare work area, work safely (turnover); initial	350	750
NYCHC 173.14(e)(3)(A)	Failure to properly prepare work area, work safely (turnover); repeat	700	1,400
NYCHC 173.14(e)(3)(B)	Failure to perform adequate clean up (turnover); initial	400	800
NYCHC 173.14(e)(3)(B)	Failure to perform adequate clean up (turnover); repeat	800	1,600
NYCHC 173.14(e)(3)(C)	Failure to perform adequate clearance dust wipes (turnover); initial	400	800
NYCHC 173.14(e)(3)(C)	Failure to perform adequate clearance dust wipes (turnover); repeat	800	1,600
Admin Code 17-1402	Non-compliant carpet or carpet cushion sold, offered for sale or installed; initial	250	500
Admin Code 17-1402	Non-compliant carpet or carpet cushion sold, offered for sale or installed; repeat	500	500
Admin Code 17-1403	Non-compliant carpet adhesive installed in building	250	500
Admin Code 17-1405	Required documentation not maintained and available for inspection	250	250
Admin Code 17-1407	Required carpet notice not posted in a conspicuous location, or not provided in written or electronic form	250	250
24 RCNY 30-03(c)	Required carpet documentation not provided within three (3) business days of request	250	250
24 RCNY 30-03(d)	Carpet receipt not provided to consumer	150	250
24 RCNY 30-04(a)	Posted carpet sign does not meet required specifications (8 ½" x 14" or larger; font size at least ½ inch high)	150	250

24 RCNY 30-04(b)	Carpet notice text does not conform to wording requirement	150	250
NYS PHL 1310	Failure to remove canine waste	100	200

NOTICE OF ADOPTION OF AMENDMENTS TO CHAPTER 6 OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK

In accordance with §1043(b) of the New York City Charter (the “Charter”) and, pursuant to the authority granted to the Department of Health and Mental Hygiene (the “Department”) by §556 of the Charter, a notice of intention to amend Title 24 of the Rules of the City of New York was published in the City Record on June 4, 2018, and a public hearing was held on July 9, 2018. After consideration of the testimony and written comments received, and to carry out the directives of Section 17-325.3 of the New York City Administrative Code, the Department now adopts the following amendments.

Statement of Basis and Purpose

Statutory Authority

Section 17-325.3 of the Administrative Code, as added by Local Law 108 of 2017, requires the Department to “establish and implement a system for grading and classifying inspection results for each vending vehicle or pushcart using letters to identify and represent a vending vehicle or pushcart’s degree of compliance with laws and rules that require such vending vehicle and pushcart to operate in a sanitary matter to protect public health.” That section also requires that the system be consistent with the letter grading system established for restaurants in Section 81.51 of the New York City Health Code where practicable. Moreover, Section 17-324 of the Administrative Code provides authority for the Department to promulgate any rules deemed necessary for the proper implementation and enforcement, pursuant to Subchapter 2 of Chapter 2 of Title 17 of the Administrative Code (Food Vendors).

Background

Since July 2010, pursuant to the mandate of Section 81.51 of the New York City Health Code, the Department has been grading restaurants to provide information about how well the restaurants follow food safety requirements, as reflected by a grade of “A,” “B,” or “C” depending on the results of sanitary inspections. Inspections are conducted in prescribed cycles with a process in place for when a grade is to be posted based on the outcome of the inspection. This rule implements a substantially similar grading program for mobile food vendors, with certain exceptions as described below.

Mobile Food Vending Unit Grading Program Amendments

Amendments made to the mobile food vending grading program by this rule comprise of additional and revised definitions in Section 6-02, new Sections 6-16 to 6-21, and new appendices, which are described below.

§6-02 Definitions.

This section is amended to add or revise definitions of certain terms to be consistent with those used in the restaurant grading program (Chapter 23 of the Department’s rules) and the Health Code.

§6-16 Scoring mobile food vending unit inspections.

This section is new. It requires the Department to grade mobile food vending units to indicate their degree of compliance with the New York City Health Code, New York State Sanitary Code, and these rules. It also provides for assessment of points for certain violations for the purposes of grading.

§6-17 Letter grading.

This section is new. It provides for a system of assigning letter grades of either “A,” “B” or “C” to mobile food vending units. This system is the same as is used for restaurants: a score of less than 14 points earns an “A” grade, a score between 14-27 points earns a “B,” and a score of more than 27 earns a grade of “C.”

§6-18 Intervals between inspection cycles.

This section is new. It describes the time intervals in various phases in an inspection cycle applicable to mobile food vending units. Notably:

- Initial inspection commencing a new cycle will be conducted after about a year from the previous initial inspection if in that previous initial inspection the unit earned 0-13 points.
- Initial inspection commencing a new cycle will be conducted 150-210 days from the reinspection in the previous cycle if at any inspection during that previous cycle the unit earned between 14 and 27 points, and did not earn more than 27 points at any inspection in the same cycle.
- Initial inspection commencing a new cycle will be conducted 90-150 days from the final inspection in the previous cycle if

at any inspection during the previous inspection cycle the unit earned a score of more than 27 points.

This section also describes the inspection cycles under certain other circumstances, such as after closure of a unit or where the operation of the unit poses an increased risk to public health.

§6-19 Posting letter grades.

This section is new and prescribes a system for posting letter grades. Notably:

- If a unit receives an “A” at the initial inspection (0-13 points), the Department will post the A grade on the unit at the inspection.
- If a unit scores 14 or more points and thus does not earn an “A” at the initial inspection, no grade will be posted and the Department will reinspect the unit seven or more days later.
- If, at the reinspection, a unit receives an “A” (0-13 points), the Department will post the “A” on the unit at the reinspection.
- If a unit scores 14 or more points at the reinspection, the Department will post a “grade pending” card on the unit until the summons is adjudicated at OATH. Alternatively, the unit’s operator may choose to bring the unit to the Department and have the grade of “B” or “C” earned at the reinspection posted on the unit instead of a “grade pending” card.¹ A unit with a “grade pending” will be required to post its final grade after a final decision by OATH.

§6-20 Position of grade cards on mobile food vending units; tampering prohibited.

This section is new. It requires the Department to post letter grades or “grade pending” cards on top of the permit decal and prohibits the removal, obstruction, or defacing of a decal or letter grade once it has been posted on the unit.

§6-21 Location sharing.

This section is new. It authorizes the Department to install a location sharing device on each mobile food vending unit for the purposes of inspection and grading.

The Department took special care in its design of the location sharing component of the grading program to protect the privacy of individuals who work as mobile food vendors. The rule includes protective features and mandates to protect location information against unwarranted use or disclosure. Specifically, Section 6-21 prohibits the Department from continuously tracking a unit’s location and limits the use of the location tracking device to enforcement of directly related laws and rules; requires that all location data be deleted within 24 hours and be protected during transmission and storage; ensures that the location sharing device identification number be different from the associated unit’s permit, decal or license number; and specifies limits on the data’s use and disclosure. With these protections, the Department believes that location sharing will not risk the privacy of mobile food vendors.

Appendices 6-A, 6-B, 6-C, 6-C-2 and 6-C-3.

These appendices are new. Appendices 6-A and 6-B implement scoring of inspection results. Appendices 6-C, 6-C-2 and 6-C-3 are set out penalties for civil violation summonses for mobile food vending violations that are adjudicated and sustained at OATH, using a schedule similar to that of Chapter 23 Appendix C (Food Service Establishment and Non Retail Food Service Establishment Penalty Schedule) in the Department’s rules.

These new appendices replace the current penalty schedules for the same violations currently in OATH’s rules.

Other Amendments to Chapter 6

§6-03 Mobile food vending unit classifications.

1 Unlike at a restaurant inspection, the Department will require operators that choose to post a “B” or “C” grade following a reinspection to bring the unit to the Department to post the grade because the vendor staffing a unit at the time of the reinspection may not be the permit-holder with authority to make the decision. The Department’s experience grading restaurants demonstrates that the preference is typically for the Department to post the “grade pending” card following a reinspection that does not result in an “A” grade rather than the B or C card. Accordingly, posting the grade pending card will be the default for mobile food vending grading and permit-holders who would prefer a letter grade will be able to arrange for it to be posted on the unit by the Department.

This section is amended to re-letter and re-number the paragraphs with no substantive changes to the text.

§6-04 Mobile food vending units: pre-permit construction and equipment requirements for all classes of mobile food vending units.

This section is amended to delete "pre-permit" from the title and to add "and grade card" to the title of paragraph (3).

Paragraph (3) of subdivision (b) is also amended to require all mobile food vending units to have a permit decal space that is a flat, smooth metal surface, which is the best material for the permit decal adhesive.

Subdivision (f) is amended to clarify and extend the deadline for water tank upgrades, and include a new requirement for a mechanical or electronic device to allow vendors to monitor water levels.

§6-05 Mobile food vending units: supplies and equipment required for different classes of mobile food vending units.

The section is amended to add a reference to the location sharing device that must be installed on each unit.

§6-06 Size and placement of mobile food vending units.

Paragraphs (1) and (2) of subdivision (a) of this section are amended to remove expired provisions related to the allowable sizes of units other than trucks.

§6-07 Green carts.

Paragraph (a) is amended to remove the requirement that decals be placed on two sides of a green cart and carves out an exception to the ban on decal removal to authorize the Department to remove them from mobile food vending units. Paragraph (b) is also amended to eliminate the requirement of a green cart umbrella.

§6-11 Inspections: permit issuance and renewal.

Subdivisions (d) and (h) are amended to delete the references to reinspection.

Subdivision (l) is also amended to allow for revocation or denial of a permit for failing to have or tampering with grade cards or location sharing devices.

The amendments are as follows:

Note: Deleted material appears in [brackets]. New material is underlined. The terms "shall" and "must" appear interchangeably and are mandatory.

Section 1. Section 6-02 of Chapter 6 of Title 24 of the Rules of the City of New York is amended to read as follows:

§6-02 Definitions.

Words and terms used in this Chapter have the following meanings: **Acceptable to the Department** means acceptable under conditions of use and being used in conformance with applicable regulatory, industrial or other safety standards.

Compliance inspection means an inspection conducted within an inspection cycle that is not conducted for the purpose of grading.

Condition level means the value (I, II, III, IV or V) based on the number, magnitude or pervasiveness of occurrences, or the seriousness of risk presented by a violation.

Contaminated has the meaning set forth in Article 81 of the Health Code.

Critical violations means the violations of the Health Code or other applicable law listed under the classification "critical violation" in Appendices 6-A and 6-B to this Chapter.

Decal has the same meaning as in Article 89 of the Health Code.

Detergent sanitizer means a solution used to wash and/or sanitize utensils and equipment.

Food has the meaning set forth in Article 71 of the Health Code.

Food grade material means material certified as meeting the standards of the National Sanitation Foundation (NSF) or other organization utilizing a process approved by the American National Standards Institute (ANSI), or that is otherwise acceptable to the Department in compliance with §81.17 of the Health Code or successor provision. During use with food products such material shall not react with such food products or food contact surfaces; and shall not contaminate or impart any odor, color or taste to such food products. [No food additive, food equipment, lubricant or other similar substance used in food processing, preparation, storage or service shall expose food to physical debris, toxic chemicals, harmful substances or other contaminants.]

General violations means violations listed under classification "general violations" in the Appendices A and B to this Chapter.

Grade card or card means the document or sticker issued by the Department to a mobile food vending unit indicating the letter grade associated with the score for an inspection of that unit.

Green cart has the meaning set forth in §17-306(s) of the Administrative Code or successor provision.

Grade pending card means the document or sticker issued by the Department to a mobile food vending unit indicating the unit's grade for the current inspection cycle is in the process of being determined.

Initial inspection means the first sanitary inspection within an inspection cycle.

Inspection cycle means a series of inspections of a mobile food vending unit that are conducted, pursuant to §§6-17 and 6-18 of this Chapter that begins with each initial inspection.

Location sharing device means an electronic device installed to a mobile food vending unit that transmits the geographic location of the unit with sufficient accuracy to locate such unit on a street or other location.

Mobile food commissary or other facility approved by the Department means either

(i) A facility that complies with the requirements of Articles 81 and §89.27 of the Health Code, or

(ii) A facility that does not have a commissary permit and provides storage and/or cleaning of no more than four Class D or Class E mobile food vending units, nor more than one food truck, in accordance with §6-08 of this Chapter.

Mobile food vending unit [means a food service establishment as defined in Article 81 of the Health Code located in a pushcart or truck, self or otherwise propelled, used to store, prepare, display, serve or sell food, or distribute food free of charge to the public, for consumption in a place other than in or on the unit. Any such pushcart or food truck is deemed a mobile food vending unit whether operated indoors or outdoors, on public, private or restricted space. A mobile food vending unit does not mean a stand or a booth] (**MFVU**) or **unit** has the same meaning as in Article 89 of the Health Code.

Operate or operation of a mobile food vending unit shall have the same meaning as in Article 89 of the Health Code.

Potable water means drinking water that meets the drinking water requirements of subpart 5-1 of the State Sanitary Code and is thereby suitable for human consumption or use directly or indirectly in connection with the preparation of food for human consumption, including ice making and cleaning of utensils and equipment.

Potentially hazardous food has the same meaning [set forth] as "potentially hazardous food or time and temperature controlled for safety (TCS) food" means in Article 81 of the Health Code.

Pre-permit inspection by the Department means the inspection of a mobile food vending unit in which the Department determines that the unit has been constructed and equipped in accordance with this Chapter. A pre-permit inspection by the Department is required:

(i) Before the issuance of a new or renewed mobile food vending permit and decal;

(ii) When a permittee seeks to replace a mobile food vending unit with another unit;

(iii) When a permittee seeks to amend a permit classification from non-processing to processing or processing to non-processing;

(iv) When a mobile food vending unit has sustained a material alteration, as defined in §89.03(e) of the Health Code; or

(v) When any permit decal has been removed.

Processing means transforming food into the form in which it is to be served to the mobile food vending unit patron, including, but not limited to, by means of slicing, dicing, grating, portioning, blending, mixing, combining, cooking and reheating, or otherwise treating food in such a way as to create a risk that it may become adulterated if improperly handled. Portioning by butchering is not allowed; food may be processed on a mobile food vending unit only in accordance with Article 89 of the Health Code. A person who processes food on a mobile food vending unit is not a manufacturer, as that term is defined in Administrative Code §17-306 (p), or successor provision of law.

Public health hazards means critical violations that are known to contribute directly to food-borne illness or disease, identified with an asterisk (*) in Appendix A of this Chapter, and which include but are not limited to, imminent health hazards defined in Article 81 of the Health Code and Part 14 of the State Sanitary Code.

Reinspection means a sanitary inspection conducted for the purposes of grading following receipt of a score of 14 or more points on an initial inspection.

Sanitization means effective treatment by heat or chemical means that destroys pathogens on surfaces treated and is acceptable to the Department, as defined in §81.03(ii) of the Health Code, or successor provision.

Summons means a civil notice of violation or other document issued by the Department or other City agency to a mobile food vending permit-holder or vendor that charges a violation of the Health Code, or any other law or rule, for which a monetary penalty is sought, and which is adjudicated at the Office of Administrative Trial and Hearings.

Ware washing or multi-compartment sink means a sink, other than a hand wash, dedicated to washing cookware, kitchenware and utensils.

§ 2. Section 6-03 of Chapter 6 of Title 24 of the Rules of the City of New York is amended to read as follows:

§6-03 Mobile food vending unit classifications.

(a) Mobile food vending units shall be classified based on the foods, processing and packaging of foods served. Class A and Class B units are processing units and Class C, Class D and Class E units are non-processing units for the purpose of payment of the permit fees set forth in §17-308 (c) of the Administrative Code, or successor provision, and Article 5 of the Health Code.

[(a)] (1) Class A mobile food vending unit means a processing unit on which raw, pre-cooked and/or manufactured potentially hazardous foods requiring temperature control as specified in Health Code §81.09 are stored, prepared and provided for individual service. Such foods include, but are not limited to, grilled or fried meats, sausages, poultry, shish kebab, hamburgers, eggs and gyros.

[(b)] (2) Class B mobile food vending unit means a processing unit in or on which pre-cooked and/or manufactured potentially hazardous foods requiring temperature control as specified in §81.09 of the Health Code are stored, prepared and provided for individual service. Such foods include, but are not limited to, sandwiches prepared on the unit, raw fruits, vegetables and salads, breads, bagels and rolls buttered or topped with cream cheese on the unit, smoothies and soft serve ice cream.

[(c)] (3) Class C mobile food vending unit means a non-processing unit in or on which only intact, prepackaged potentially hazardous foods requiring temperature control as specified in Health Code §81.09 are provided for individual service. Such foods include, but are not limited to, prepackaged frozen desserts, prepackaged sandwiches, and prepackaged and presliced fruits and vegetables.

[(d)] (4) Class D mobile food vending unit means a non-processing unit in or on which non-potentially hazardous packaged or unpackaged foods not requiring temperature control for safety are provided or served. Such foods include, but are not limited to, brewed coffee and tea, donuts, pastries, rolls and bagels buttered or topped with cream cheese at a commissary, popcorn, cotton candy, nuts, candied nuts, soft pretzels, and chestnuts, regardless of whether such foods are heated for aesthetic purposes. However, mobile food vending units that prepare and serve any potentially hazardous foods, including but not limited to, dairy products, pre-cooked or manufactured knishes, boiled frankfurters and sausages are Class D mobile food units that require equipment or other means of holding potentially hazardous foods at the temperatures required by Articles 81 and 89 of the Health Code.

[(e)] (5) Class E mobile food vending unit means a green cart or other non-processing mobile food vending unit in or on which only non-potentially hazardous uncut fruits and vegetables are sold or held for sale or service.

[(f)] (b) Only food to be served or sold. A permit to distribute or sell food from a mobile food vending unit does not authorize the sale of any other product or merchandise from such unit.

[(g)] (c) If a vendor serves or prepares foods included in more than one Class of operation, the unit must be equipped in accordance with the classification that reflects the greater degree of food protection.

§ 3. The title of Section 6-04 of Chapter 6 of Title 24 of the Rules of the City of New York, and paragraph (3) of subdivision (b) of such Section 6-04, are amended to read as follows:

§6-04 Mobile food vending units: [pre-permit] construction and equipment requirements for all classes of mobile food vending units.

(3) Permit decal and grade card to be visible and unobstructed. [No ornamentation, advertisement, menu, price list, other display, sign or printed matter may cover or obscure the permit decal. A six (6) inch space shall be left clear on all sides of the decal. The decal may be covered by a hinged, hard, transparent plastic or glass cover no thicker than one-sixteenth of an inch. The cover shall not be secured by a lock, but installed so that the decal may be directly accessible for examination and inspection at all times.] The permittee shall provide a space on the unit that is a permanent part of the mobile food vending unit for the placement of a permit decal and the posting of a grade card in accordance with this chapter. Such space shall:

(A) not be readily or easily removable and shall consist of a flat, smooth metal surface;

(B) be no less than 14 inches in height and 14 inches in width;

(C) be located on the exterior of the unit directly to the left or right of the primary customer service window or service area;

(D) be adjacent to the primary customer service window or be located as close to the top of the unit as possible as to be readily visible to the public;

(E) not be located near any heat-producing equipment or any side of the unit that abuts the curb; and

(F) not be covered by any material or protective covering that blocks or obscures the permit-decal or grade card, or impedes direct access for physical examination, inspection, and removal by government officials.

§ 4. Paragraph (1) of subdivision (f) of Section 6-04 of Chapter 6 of Title 24 of the Rules of the City of New York is amended to read as follows:

(1) Tank capacity. When a potable water supply is required by Table 1 of §6-05 of this Chapter, a food truck shall be equipped with a tank or tanks with a total capacity of no less than 40 gallons; other mobile food vending units shall be equipped with a tank or tanks with a total capacity of no less than 10 gallons. All tanks shall be filled to capacity prior to beginning operation or operating[, as defined in Health Code §89.03 (j)]. On and after January 1, [2018] 2020, all potable water tanks shall be equipped with a [water level indicator visible from outside the tanks] mechanical or electronic device indicating the amount of water remaining in the tank. Water levels must be marked

on each tank in gallon (or metric equivalent) increments, from zero to the tank's maximum capacity, that are readily observable and easily readable by the vendor from outside the tank.

§ 5. Subdivision (a) of Section 6-05 of Chapter 6 of Title 24 of the Rules of the City of New York is amended to read as follows:

(a) In addition to the general requirements for construction and design of mobile food vending units and their equipment in §6-04 of this Chapter, and the location sharing device required by §6-21 of this Chapter, each class of vending units shall be supplied and equipped in accordance with Table 1 of this section. The minimum equipment required is determined by the class of the unit and the foods that are processed and/or sold on the unit.

§ 6. Subdivision (a) of Section 6-06 of Chapter 6 of Title 24 of the Rules of the City of New York is amended to read as follows:

(a) Non-truck units. No permit shall be issued [after October 31, 2013] for any mobile food vending unit pushcart that exceeds ten (10) feet in length and five (5) feet in width, including wheels, axles and other appurtenances to such wheels. When vending on a sidewalk, the operator must place the unit so that the longer side is parallel and next to the curb that borders the sidewalk.

[(1) Current permits for units that exceed the size restrictions, and that expire on or before October 31, 2013, shall be renewed only once. Subsequent renewal permits shall be approved only for units that comply with these size restrictions.

(2) Current permits that expire on or after November 1, 2013 shall be approved for renewal only for units that comply with these size restrictions.]

§ 7. Section 6-07 of Chapter 6 of Title 24 of the Rules of the City of New York is amended to read as follows:

§6-07 Green carts.

(a) The Department will permanently affix on [two sides of] each green cart[, as that term is defined in §17-306 (s) of the Administrative Code, either identical permit plates or identical permit decals that are] a decal that is easily identifiable and distinguishable from [all] any other [plates or decals] decal on the green cart. Such [plates or decals] decal shall contain the fresh fruits and vegetables permit number issued to the owner of each such green cart and the borough and police precincts in which the green cart is authorized to operate. [Permit decals] A decal may not be removed or transferred to any other mobile food vending unit, except by the Department.

(b) [At the time an initial green cart permit is issued, the Department will provide a distinctive and readily recognizable "green cart" umbrella to each green cart permittee. The umbrella must be safely secured to the green cart and maintained in good condition and repair at all times by the permit holder, and must be displayed in an open position above the green cart whenever the green cart is being used to vend. For any replacement umbrella, the green cart permittee must pay a fee of fifty dollars (\$50.00) reimbursing the Department for the cost of the umbrella.] In addition to the above requirements specific to green carts, green carts must comply with all other applicable requirements pertaining to Class E mobile food vending units.

(c) Exemption of police precincts where green carts may vend. Notwithstanding any provision in §17-307(b)(4)(b) of the Administrative Code, no fresh fruits and vegetables permit may be designated for use within either the 45th or 72nd police precincts of the City of New York.

§ 8. The undesignated opening paragraph and subdivisions (d), (h), and (l) of Section 6-11 of Chapter 6 of Title 24 of the Rules of the City of New York are amended to read as follows:

No unit shall be approved for use and no permit shall be issued unless such unit has passed a pre-permit inspection by the Department and found to be constructed and equipped in compliance with this Chapter and Article 81 and Article 89 of the Health Code; and the permit-holder or permit applicant has submitted proof acceptable to the Department that the unit is serviced and stored by a commissary or other approved facility.

(d) Pre-permit inspections [and re-inspections]. Permit applicants or permittees must bring the mobile food vending unit in for inspection, at a place designated by the Department, and present (i) a currently valid mobile food vendor's license, and (ii) another government issued photo identification acceptable to the Department in the following circumstances:

(1) Before the issuance of a new or renewed mobile food vending permit and decal;

(2) When a permittee seeks to replace a mobile food vending unit with another unit;

(3) When a permittee seeks to amend a permit classification from non-processing to processing or processing to non-processing;

(4) When a mobile food vending unit has sustained a material alteration, as defined in §89.03 (e) of the Health Code; or

(5) When any permit decal has been removed.

(h) [Reinspection] Inspection of damaged, repaired or materially altered mobile food vending units. [Any mobile food vending unit that has been damaged and repaired, or materially altered so as to change or result in a change in the size of the unit, or has undergone

replacement of any part of the body structure or equipment of the unit shall be brought to the Department for reinspection prior to reuse or continued use of the unit. Repair or replacement of a tire or an axle, and straightening a dent in a panel are not considered material alterations.] A pre-permit inspection is required when a mobile food vending unit is materially altered as defined by Article 89 of the Health Code.

- (1) Enforcement. [A new or renewal decal and permit may be denied] The commissioner may refuse to issue a new or renewal permit for:
- (1) Failing to allow photographs of the permittee or the unit.
 - (2) Failing to appear in person for pre-permit inspections of a mobile food vending unit.
 - (3) Failing to provide information about the operators of the units or foods sold on the unit.
 - (4) Failing to maintain and submit an agreement with a commissary.
 - (5) Failing to bring the mobile food vending unit to a place designated by the Department to post a letter grade or to install, replace or maintain a location sharing device to the unit.
 - (6) Removing, disposing, tampering with, or modifying the letter grade posted to a mobile food vending unit or a location sharing device installed to the unit.

§9. Chapter 6 of Title 24 of the Rules of the City of New York is amended by adding six new Sections 6-16, 6-17, 6-18, 6-19, 6-20, and 6-21, to read as follows:

§6-16 Scoring mobile food vending unit inspections.

The Department shall, when conducting a sanitary inspection, assess points only for those violations, violation conditions and condition levels listed in Appendix 6-A (Self-Inspection Worksheet for Mobile Food Vending Units (MFVU)) and Appendix 6-B (Mobile Food Vending Unit (MFVU) Inspection Scoring Parameters: A Guide to Conditions) to this Chapter. Terms used in these appendices and not otherwise defined in this Chapter shall have the same meaning as defined in Articles 81 and 89 of the Health Code.

§6-17 Letter grading.

- (a) The Department, whenever practicable, shall conduct an inspection at least annually of each mobile food vending unit for the purpose of issuing such unit a letter grade. Based on the results of either the initial inspection or reinspection within an inspection cycle, a mobile food vending unit shall be graded as either "A," "B," or "C" for that inspection cycle, except that a unit shall not receive any grade if the Department orders that it be closed.
- (b) The Department shall issue a letter grade of "A" to any unit that receives fewer than 14 points on either the initial inspection or reinspection within an inspection cycle.
- (c) The Department shall not issue a letter grade to any mobile food vending unit receiving 14 or more points on an initial inspection but shall schedule a reinspection to occur no sooner than seven days after the initial inspection. The Department shall on the reinspection issue a grade of "B" to any unit receiving 14-27 points and a letter grade of "C" to any unit receiving 28 or more points.
- (d) In addition to conducting an initial and any reinspection for the purpose of issuing a unit a letter grade, the Department may, in any inspection cycle, also conduct a compliance inspection after any inspection that results in a score of 28 points or more. The score received on any compliance inspection shall not change a unit's letter grade for that inspection cycle.

§6-18 Intervals between inspection cycles.

- (a) The time between a completed cycle and the initial inspection in the next inspection cycle for a unit that receives 14 or more points on its initial inspection shall be determined by the higher score from either its initial inspection or its reinspection.
 - (1) An initial inspection commencing a new cycle shall be conducted approximately one year after issuance of an "A" grade to a unit that received less than 14 points on its initial inspection in the previous cycle.
 - (2) An initial inspection commencing a new inspection cycle shall be conducted 150-210 days after the reinspection of any unit that receives a score of 14-27 points on an initial inspection or reinspection and does not score 28 or more points on either of these inspections.
 - (3) An initial inspection commencing a new inspection cycle shall be conducted 90 to 150 days after the final inspection of the cycle of a unit that receives a score of 28 or more points on its initial inspection or reinspection.
 - (4) An initial inspection commencing a new inspection cycle shall be conducted within 60 to 120 days of reopening for a unit that is authorized by the Department to reopen following a Department closure that occurs on an initial or reinspection of that unit.
- (b) When there is an increased risk to public health as determined by the Department, nothing in these rules shall prevent the Department from inspecting a unit and treating that inspection as the initial inspection in a new inspection cycle. Such circumstances include, but are not limited to, a unit having a history of Department closure(s), being the subject of complaints of unsanitary conditions, or being compromised following an environmental emergency.
- (c) Notwithstanding the provisions of this section, a new inspection cycle shall commence whenever:
 - (1) A mobile food vending unit changes from a pushcart to a vehicle or from a vehicle to a pushcart, as such terms are defined in Article 89 of the Health Code.

- (2) A new decal is issued because there has been a change in the permit classification as described in Section 6-03.

§6-19 Posting letter grades.

A mobile food vending unit must have a letter grade posted at all times, as required by these rules.

- (a) The Department shall at the time of inspection issue and post a letter grade "A" on a unit that receives a score of less than 14 points on an initial or reinspection.
- (b) If a mobile food vending unit receives a score of 14 or more points on an initial inspection, and is not closed by the Department, it shall continue to post its grade from the prior inspection cycle until its reinspection. If the unit has been issued no prior grade card, it shall have no posting until its reinspection.
- (c) If a mobile food vending unit receives a score of 14 or more points on the reinspection, and is not closed by the Department, the Department shall post on the unit a "grade pending" card. If the permit-holder elects to have the grade of "B" or "C" earned at the reinspection posted to the unit instead of a "grade pending" card, the permit-holder may contact the Department to arrange for the unit to be brought to a place designated by the Department so the Department may post the preliminary grade.
- (d) Grading after adjudication of summonses. Where a unit scores 14 or more points on a reinspection and was issued one or more summonses for findings made at that inspection, the following shall apply:
 - (1) Except as described in paragraph (2) of this subdivision, within 42 days of the reinspection date that generated the summonses, the permit-holder shall contact the Department to arrange for the posting of the final letter grade for that inspection cycle.
 - (2) If the permit-holder adjudicates all summonses associated with the reinspection on or before the hearing date listed on those summonses but has not received hearing decisions within 42 days from the time of reinspection, the permit-holder may continue to post a "grade pending" card until hearing decisions are issued. In this instance, the permit-holder shall have five (5) days from the date of decision to contact the Department to arrange for posting of the final letter grade for that inspection cycle.
 - (3) It shall be the duty of the permit-holder to check the status of summons and comply with the timeframes of this section for the posting of letter grades.

§6-20 Position of grade cards on mobile food vending units; tampering prohibited.

- (a) The Department shall post a letter grade or "grade pending" card on the mobile food vending unit on top of the decal or any other place determined by the Department.
- (b) A mobile food vending unit shall not dispose of, remove, tamper with, obscure or modify the letter grade card.

§6-21 Location sharing.

- (a) The Department will provide and install a location sharing device on each mobile food vending unit that is required to be permitted by the Department to vend food. The Department may alter the mobile food vending unit to the extent necessary to install such device on the unit.
- (b) A location sharing device shall remain the property of the Department. After the Department installs the device, the mobile food vending unit shall operate with the device installed on the unit at all times.
- (c) The Department shall install the initial location sharing device at a pre-permit inspection. No person other than the Department shall attempt to or actually remove, dispose of, obstruct, tamper with, or modify a location sharing device. Removing, disposing of, or tampering with, or in any way interfering with the operation of the location sharing device shall be grounds to revoke a mobile food vending permit or license or both.
- (d) In the event the Department determines that the location sharing device on a mobile food vending unit is not functioning, it may issue a written order to the permit holder to bring the unit to a location designated by the Department. Upon receiving such an order, a permit holder must bring the unit to the designated location within five (5) days unless otherwise instructed by the Department.
- (e) The Department shall use the data obtained from a location sharing device only to locate a unit for the purposes of enforcing the provisions of this Chapter, the State Sanitary Code, the Health Code, the Administrative Code, Public Health Law, other Rule of the City of New York, or as otherwise required by a lawful order of a court with proper jurisdiction.
- (f) The device may not continuously track the location of the unit on which it is installed and may only be used to locate a unit at a specific moment in time.
- (g) Each location sharing device that is installed on a mobile food vending unit shall have a unique identifier that shall not be the same number as the mobile food vending unit permit, license or decal.
- (h) Only employees or agents of the Department who are authorized to enforce the laws and rules described in subdivision (e) of this section shall have access to the data gathered by a location sharing device, and the Department may not disclose such data to any other person, except as required by a lawful order of a court with proper jurisdiction.
- (i) Any data gathered by a location sharing device shall be maintained by the Department for no more than 24 hours and shall be transmitted and maintained as confidential information in a secure manner.

APPENDIX 6-A
SELF-INSPECTION WORKSHEET FOR MOBILE FOOD VENDING UNITS (MFVU)

Critical Violations	Conditions					Score																		
	I	II	III	IV	V																			
Time and Temperature Control for Safety (TCS) Food Temperature																								
2A* <u>Food not cooked to required minimum internal temperature:</u> <table border="1"> <thead> <tr> <th>Food</th> <th>Required Minimum Internal Temperature at or above:</th> </tr> </thead> <tbody> <tr> <td><u>Poultry, poultry parts, ground and comminuted poultry, all stuffing containing poultry, meats, fish or ratites</u></td> <td><u>165° F for 15 seconds with no interruption of the cooking process</u></td> </tr> <tr> <td><u>Ground meat, and food containing ground and comminuted meat</u></td> <td><u>158° F with no interruption of the cooking process, except per individual customer request</u></td> </tr> <tr> <td><u>Pork, any food containing pork</u></td> <td><u>150° F for 15 seconds</u></td> </tr> <tr> <td><u>Mechanically tenderized or injected meats</u></td> <td><u>155° F</u></td> </tr> <tr> <td><u>Whole meat roasts and beef steak</u></td> <td><u>required temperature and time listed in 81.09(c)(3), except per individual customer request</u></td> </tr> <tr> <td><u>Raw animal foods cooked in microwave</u></td> <td><u>165° F, covered, rotated or stirred for 2 minutes</u></td> </tr> <tr> <td><u>Shell eggs</u></td> <td><u>145° F for 15 seconds, except per individual customer request</u></td> </tr> <tr> <td><u>All other foods</u></td> <td><u>140° F for 15 seconds</u></td> </tr> </tbody> </table>	Food	Required Minimum Internal Temperature at or above:	<u>Poultry, poultry parts, ground and comminuted poultry, all stuffing containing poultry, meats, fish or ratites</u>	<u>165° F for 15 seconds with no interruption of the cooking process</u>	<u>Ground meat, and food containing ground and comminuted meat</u>	<u>158° F with no interruption of the cooking process, except per individual customer request</u>	<u>Pork, any food containing pork</u>	<u>150° F for 15 seconds</u>	<u>Mechanically tenderized or injected meats</u>	<u>155° F</u>	<u>Whole meat roasts and beef steak</u>	<u>required temperature and time listed in 81.09(c)(3), except per individual customer request</u>	<u>Raw animal foods cooked in microwave</u>	<u>165° F, covered, rotated or stirred for 2 minutes</u>	<u>Shell eggs</u>	<u>145° F for 15 seconds, except per individual customer request</u>	<u>All other foods</u>	<u>140° F for 15 seconds</u>	=	=	=	10	28	
Food	Required Minimum Internal Temperature at or above:																							
<u>Poultry, poultry parts, ground and comminuted poultry, all stuffing containing poultry, meats, fish or ratites</u>	<u>165° F for 15 seconds with no interruption of the cooking process</u>																							
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<u>All other foods</u>	<u>140° F for 15 seconds</u>																							
2B* <u>Hot TCS food item not held at or above 140° F.</u>	7	8	9	10	28																			
2C <u>Hot TCS food item that has been cooked and cooled is being held for service without first being reheated to 165° F or above for 15 seconds within 2 hours.</u>	5	6	7	8	=																			
2D <u>Precooked TCS food in hermetically sealed and intact packages from commercial food processing and non-retail processing establishments not heated to 140° F within 2 hours.</u>	5	6	7	8	=																			
2E <u>Whole frozen poultry or poultry breasts, other than a single portion cooked frozen or partially thawed.</u>	5	6	=	=	=																			
2F <u>Meat, fish, poultry or eggs served or offered raw or undercooked without written consumer advisory.</u>	5	=	=	=	=																			
2G* <u>Cold TCS food item held above 41° F, processed fish above 38° F or intact raw eggs above 45° F. Applies except during necessary preparation.</u>	7	8	9	10	28																			
2H* <u>After cooking or removal from hot holding, TCS food not cooled by an approved method whereby the internal temperature is reduced from 140° F to 70° F or less within 2 hours, and from 70° F to 41° F or less within 4 additional hours.</u>	7	8	9	10	28																			
2I <u>TCS food removed from cold holding or prepared from or combined with ingredients at room temperature not cooled by an approved method to 41° F or below within 4 hours.</u>	5	6	7	8	=																			
Food Source																								
3A* <u>Food from unapproved or unknown source or home canned or home prepared. Live animal slaughtered and/or raw meat processed into smaller cuts or pieces in the MFVU.</u>	=	=	=	10	28																			
3B* <u>Commercially manufactured, or processed shellfish not from approved source, or improperly tagged/labeled; tags not retained for 90 days on MFVU.</u>	=	=	=	10	28																			
3C* <u>Unclean or cracked whole eggs or unpasteurized liquid, frozen or powdered eggs kept or used.</u>	7	8	9	10	28																			
3D* <u>Food packages, canned food, hermetically sealed container not suitable for human consumption. Packages swollen, leaking or rusted, without "Do Not Use" label or not segregated from other consumable food items.</u>	7	8	9	10	28																			
3E* <u>No or inadequate potable water supply. Water or ice not potable or from unapproved source. Bottled water not NY state certified. Cross connection in potable water supply system.</u>	=	=	=	10	28																			
3F* <u>Unpasteurized milk or milk product (except certain aged cheese) served.</u>	=	=	=	10	28																			
3G <u>Raw fruit or vegetables not properly washed prior to cutting or serving.</u>	5	6	7	8	=																			
3H* <u>Raw meat, fish, or shellfish stored, prepared, served or sold on MFVU.</u>	=	=	=	10	28																			
3I* <u>Unpasteurized juice packaged and sealed on MFVU or commissary not labeled or label incomplete; no warning statement.</u>	=	=	=	10	28																			

Food Protection						
4B*	<u>Food worker or vendor spits; prepares food or touches utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.</u>	=	=	=	10	28
4C*	<u>Food worker or vendor does not use utensil or other barrier to eliminate bare hand contact with food that will not receive adequate additional heat treatment.</u>	7	8	9	10	28
4D*	<u>Food worker or vendor does not wash hands thoroughly after using the toilet, coughing, sneezing, smoking, eating, or otherwise contaminating hands or does not change gloves when gloves are contaminated.</u>	=	=	=	10	28
4E*	<u>Toxic chemicals or pesticides improperly labeled, stored or used such that food contamination may occur.</u>	7	8	9	10	28
4F*	<u>Food, food preparation area, food storage area, or other area used by food worker or food vendor contaminated by sewage or liquid waste.</u>	=	=	=	10	28
4G*	<u>Unprotected TCS food re-served.</u>	=	=	=	10	28
4H*	<u>Raw, cooked or prepared food is adulterated, contaminated or cross-contaminated. Food exposed to contamination when containers stored in cooking water.</u>	7	8	9	10	28
4I	<u>Unprotected non-TCS food re-served.</u>	5	6	7	8	=
4J	<u>Properly calibrated thermometer or thermocouple not provided or not readily accessible in food preparation and hot/cold holding areas to measure temperatures of TCS foods during cooking, cooling, reheating and holding.</u>	5	=	=	=	=
4K	<u>Evidence of rats or live rats in MFVU's food and/or non-food areas.</u>	5	6	7	8	28
4L	<u>Evidence of mice or live mice in MFVU's food and/or non-food areas.</u>	5	6	7	8	28
4M	<u>Live roaches in MFVU's food and/or non-food areas.</u>	5	6	7	8	28
4N	<u>Filth flies or food/refuse/sewage associated (FRSA) flies or other nuisance pests in MFVU's food and/or non-food areas. FRSA flies include house flies, blow flies, bottle flies, flesh flies, drain flied, Phorid flies and fruit flies.</u>	5	6	7	8	28
4O	<u>Live animal other than fish in tank or service animal present in MFVU food and/or non-food area.</u>	5	6	7	8	=
Facility Design and Construction						
5A*	<u>Sewage disposal system is not provided, improper, inadequate or unapproved. Waste tank not provided with a readily accessible vented check valve.</u>	=	=	=	10	28
5B*	<u>Harmful, noxious gas or vapor detected. Carbon Monoxide (CO) level at or exceeding nine (9) ppm.</u>	=	=	=	10	28
5C+	<u>Food contact surface or equipment improperly constructed, placed or maintained. Unacceptable material used. Culinary sink or other acceptable method not provided for washing food. Potable water tank and plumbing improperly constructed or designed.</u>	7	8	9	10	28
5D+	<u>No hand wash facility or hand wash facility not accessible, obstructed or used for non-hand washing purposes. No hot and cold running water or water at inadequate pressure. No soap or acceptable hand-drying device.</u>	=	=	=	10	28
5F+	<u>Inadequate or no refrigerated or hot holding equipment to maintain Time/Temperature Control for Safety (TCS) foods at required temperatures.</u>	=	=	=	10	28
5H+	<u>No facilities available to wash, rinse, and sanitize utensils or equipment and/or refillable returnable containers.</u>	=	=	=	10	28
5I	<u>Signed original service contract or agreement with commissary or other approved facility not provided at pre-permit inspection; documents not kept on MFVU and made available for inspection.</u>	=	=	=	10	28
5J+	<u>Construction and design inadequate. Overhead structure not provided or constructed. Food truck not provided with partition or self-closing door between the driver's seat and the food operations. Ice cream truck not equipped with operational warning beeper and signage arm. Tamper proof locks or other food security mechanism not provided. Potable water tank or hand wash sink tank capacity inadequate.</u>	=	=	=	10	28
Food Worker Hygiene and Other Food Protection						
6A	<u>Personal cleanliness inadequate. Outer garment soiled with possible contaminate or not properly dressed; sleeveless garment or bare midriff worn. Effective hair restraint not worn when required. Jewelry worn on hands or arms, fingernail polish worn; or fingernails not kept clean and trimmed.</u>	5	6	7	8	=
6B	<u>Tobacco or e-cigarette use, eating, or drinking from open container in food preparation or other area where food, equipment or utensils may be exposed to contamination.</u>	5	6	7	8	=
6C	<u>Food, supplies or equipment not protected from potential sources of contamination during storage, preparation, transportation, display or service. Condiments not in single-service containers or dispensed directly by the vendor.</u>	5	6	7	8	=

6D	Food contact surface not properly washed, rinsed and sanitized after any activity where contamination may have occurred.	5	6	7	8	=		
6E	Sanitized equipment or utensil, including in-use food dispensing utensil, improperly used or stored.	5	6	7	8	=		
6F	Wiping cloths soiled or not stored in sanitizing solution; inadequately sanitized.	5	6	7	=	=		
6J	No approved written standard operating procedure for avoiding contamination by refillable returnable containers	=	=	=	8	28		
6K*	MFVU left unattended longer than one-half hour.	=	=	=	=	28		
6L	Ice not stored until dispensed in the manufacturer's bag. Ice not obtained in chipped, crushed, or cubed form and in single-use food grade plastic or wet-strength paper bag sealed at the point of manufacture.	=	=	7	=	=		
Other Criticals								
7A	Duties of an officer of the Department interfered with or obstructed.	=	=	=	=	28		
Critical Violations Total:								
General Violations		Conditions						
		I	II	III	IV	V		
Garbage, Waste Disposal and Pest Management								
8A	Harborage or conditions conducive to attracting pests to the MFVU.	=	=	4	5	=		
8B	Garbage receptacles not pest or water resistant, or covered with tight-fitting lids, except while in active use. Garbage receptacles and covers not cleaned after emptying and prior to reuse. Garbage, refuse and other solid and liquid waste not collected, stored, removed and properly discarded.	2	=	=	=	=		
8C	Pesticide use not in accordance with label or applicable laws. Pesticides are unauthorized for use. Unprotected, unlocked bait station used. Toxic chemical or pesticide prohibited on MFVU.	2	3	4	5	28		
Food Protection								
9A	Cans of food with dented body damage not segregated from other cans for return to distributor.	2	3	4	5	=		
9B	Thawing procedures improper.	2	3	4	5	=		
9C	Food contact surface chipped, crack, worn or in a condition where it cannot be properly maintained or cleaned.	2	3	4	5	=		
9D	MFVU used as a dwelling, sleeping or for residential purposes.	=	=	=	=	28		
9E	"Wash hands" sign not posted at hand wash facility.	2	=	=	=	=		
Facility Maintenance								
10B	Back-siphonage or back-flow prevention device not provided where required; equipment or floor not properly drained; sewage disposal system in disrepair or not functioning properly. Condensation or liquid waste improperly disposed of.	2	3	4	5	28		
10C	Lighting inadequate; permanent lighting not provided in food preparation areas, ware washing areas, and storage areas. No shatterproof bulbs or shield to prevent broken glass from falling into food or onto surfaces.	2	3	4	5	=		
10D	Mechanical or natural ventilation system not provided, improperly installed, in disrepair and/or fails to prevent excessive build-up of grease, heat, steam condensation vapors, odors, smoke, and fumes.	2	3	4	5	=		
10E	Accurate thermometer not provided or properly located in cold or hot holding equipment.	2	3	4	5	=		
10F	Non-food contact surface or equipment made of unacceptable material, not kept clean, and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides above and underneath equipment or other structures.	2	3	4	5	=		
10G	Proper sanitization not used or provided for ware washing operation. No test kit.	=	=	=	5	=		
10H	Single service items not provided. Single service items reused, not protected from contamination when transported, stored or dispensed. Drinking straws not completely enclosed in wrapper or dispensed from a sanitary device.	2	3	4	5	=		
10I	Failure to clean unit at commissary or approved facility at least daily	=	=	=	=	28		
General Violations Total:								
Critical and General Combined Total:								

APPENDIX B - MOBILE FOOD VENDING UNIT (MFVU) INSPECTION SCORING PARAMETERS: A GUIDE TO CONDITIONS

	<u>Violation</u>	<u>Condition I</u>	<u>Condition II</u>	<u>Condition III</u>	<u>Condition IV</u>	<u>Condition V</u>
Critical Violations						
2A*	<u>Time and temperature control for safety (TCS) food not cooked to required minimum internal temperature.</u>				<u>Failure to properly cook one or more meats, comminuted meats, and other TCS foods, unless a consumer specifically asks for a serving of food ordered to be cooked below the minimum temperature.</u>	<u>Failure to correct any condition of a public health hazard (PHH) at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
2B*	<u>Hot TCS food item not held at or above 140° F.</u>	<u>One hot food item out of temperature in one area. Example: one tray of fried chicken wings held at 115° F.</u>	<u>Two hot food items out of temperature or the same type of food out of temperature in two different areas. Example: one tray of fried chicken wings and a pot of rice held at 115° F; or one tray of fried chicken wings on the steam table and one tray of fried chicken wings in the food preparation area.</u>	<u>Three hot food items out of temperature or the same type of food out of temperature in three different areas. Example: one tray of fried chicken wings, a pot of rice and platter of roast beef held at 115° F; or one tray of fried chicken wings on the steam table, one tray of fried chicken wings in the food preparation area and one basket of fried chicken near the deep fryer.</u>	<u>Four or more hot food items out of temperature or the same type of food out of temperature in four or more different areas. Example: one tray of fried chicken wings, a pot of rice, platter of roast beef and tureen of beef stew held at 115° F; or one tray of fried chicken wings on the steam table, one tray of fried chicken wings in the food preparation area, one basket of fried chicken near the deep fryer and a rotisserie broiler with eleven chickens held at 115° F.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
2C	<u>Hot TCS food item that has been cooked and cooled is being held for service without first being reheated to 165° F or above for 15 seconds within 2 hours.</u>	<u>One cooked and cooled hot food item not reheated to 165° F before service. Example: chicken soup.</u>	<u>Two cooked and cooled hot food items not reheated to 165° F before service. Example: chicken soup and baked ham.</u>	<u>Three cooked and cooled hot food items not reheated to 165° F before service. Example: chicken soup, baked ham and sliced turkey.</u>	<u>Four or more cooked and cooled hot food items not reheated to 165° F before service. Example: baked ham, sliced turkey, meatloaf and lobster bisque.</u>	
2D	<u>Precooked TCS food in hermetically sealed and intact packages from commercial food processing and non-retail food processing establishments not heated to 140° F within 2 hours.</u>	<u>One precooked food item not heated to 140° F. Example: tray of beef patties.</u>	<u>Two pre-cooked food items not heated to 140° F. Example: one tray of beef patties and hotdogs.</u>	<u>Three pre-cooked food items not heated to 140° F. Example: two trays of beef patties, hotdogs, and vegetarian chorizo.</u>	<u>Four or more pre-cooked food items not heated to 140° F. Example: two trays of beef patties, hotdogs, vegetarian chorizo, and tofu.</u>	
2E	<u>Whole frozen poultry or poultry breasts, other than a single portion, cooked frozen or partially thawed.</u>	<u>One whole chicken or poultry breast cooked from a frozen state. Example: whole chicken.</u>	<u>Two or more whole poultry or poultry breasts cooked from a frozen state. Example: chicken breast, whole chicken, turkey breast and duck.</u>	Note: For failure to properly cook poultry to the required minimum temperature, 2A cited.		
2F	<u>Meat, fish, poultry or eggs served or offered raw or undercooked without written consumer advisory.</u>	<u>Serving or offering raw or undercooked meat, fish, poultry or eggs without written consumer advisory.</u>				
2G*	<u>Cold TCS food item held above 41° F, processed fish above 38° F or intact raw eggs above 45° F. Applies except during necessary preparation.</u>	<u>One cold food item out of temperature in one area. Example: one slab of unsliced smoked salmon or packet or tray of smoked salmon slices above 38° F or one tray of cut leafy greens above 41° F in service display case.</u>	<u>Two cold food items out of temperature or the same food item out of temperature in two different areas. Example: one slab of smoked salmon above 38° F and one tray of sliced tomatoes above 41° F; or one bowl of potato salad in the service display case, and one bowl of potato salad in the food preparation area above 41° F.</u>	<u>Three cold food items out of temperature or the same food item out of temperature in three different areas. Example: one slab of smoked salmon above 38° F and tray of sliced tomatoes and platter of tuna salad above 41° F; or one bowl of potato salad in the service display case and one bowl of potato salad in the food preparation area and garlic in oil mixture above 41° F.</u>	<u>Four cold food items out of temperature or the same food item out of temperature in four different areas. Example: one slab of smoked salmon above 38° F and tray of sliced tomatoes, bowl of garlic in oil mixture, and bowl of cooked collard greens above 41° F; or one tray of potato salad in the service display case, one tray of potato salad in the reach-in refrigerator, and one tray of potato salad on the food preparation table above 41° F.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>

2H*	<p><u>After cooking or removal from hot holding, TCS food not cooled by an approved method whereby the internal temperature is reduced from 140° F to 70° F or less within 2 hours and from 70° F to 41° F or less within 4 additional hours.</u></p>	<p><u>One food item not cooled by approved method. Example: one whole fried turkey at 70 °F after being refrigerated for four hours.</u></p>	<p><u>Two food items not cooled by approved method. Example: one whole fried turkey at 70 °F after being refrigerated for four hours and a six-inch high container filled to within one inch of top with beef stew at 80 °F after two hours of refrigeration.</u></p>	<p><u>Three food items not cooled by approved method. Example: one whole fried turkey at 70 °F after being refrigerated for four hours and a six-inch high container filled to within one inch of top with beef stew at 80 °F after two hours of refrigeration and six pound cooked beef rib roast not cut into smaller pieces before being placed in refrigerator to cool.</u></p>	<p><u>Four or more food items not cooled by approved method. Example: one whole fried turkey at 70 °F after being refrigerated for four hours and a six-inch high container filled to within one inch of top with six inches of beef stew at 80 °F after two hours of refrigeration and six pound cooked beef rib roast not cut into smaller pieces before being placed in refrigerator to cool and 18 inch high pot filled to within one inch of top with turkey chili at 85 °F after three hours refrigeration.</u></p>	<p><u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u></p>
2I	<p><u>TCS food removed from cold holding or prepared from or combined with ingredients at room temperature not cooled by an approved method to 41° F or below within 4 hours.</u></p>	<p><u>One food item removed from cold holding and/ or prepared from ambient temperature ingredients not cooled to 41°F. Example: one container of tuna salad prepared with canned tuna.</u></p>	<p><u>Two food items foods removed from cold holding and/ or prepared from ambient temperature ingredients not cooled to 41°F. Example: a container of tuna salad and a container of salmon salad prepared with canned tuna and salmon.</u></p>	<p><u>Three food items removed from cold holding and/ or prepared from ambient temperature ingredients not cooled to 41°F. Example: tuna, chicken and salmon salads prepared with canned tuna, chicken and salmon.</u></p>	<p><u>Four or more food items removed from cold holding and/or prepared from ambient temperature ingredients not cooled to 41°F. Example: tuna, chicken, crab and salmon salads prepared with canned tuna, chicken, crab and salmon.</u></p>	
3A*	<p><u>Food from unapproved or unknown source or home canned or home prepared. Live animal slaughtered and/or raw meat processed into smaller cuts or pieces in the MFVU.</u></p>				<p><u>One or more food items from unapproved or unknown source or home canned or home prepared. Raw meat processed into smaller cuts or pieces in the MFVU. Live animal slaughtered. Example: wild mushrooms or home canned beets or home prepared meat balls, curry, rice or lasagna; or raw pork shoulder cut into smaller pieces on the MFVU.</u></p>	<p><u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u></p>
3B*	<p><u>Commercially manufactured, or processed shellfish not from approved source, or improperly tagged/labeled; tags not retained for 90 days on MFVU.</u></p>				<p><u>One or more containers or kind of cooked shellfish not from an approved source, not or improperly tagged/ labeled; tags not retained for 90 days. Example: clams not tagged, oyster tags not retained for 90 days, mussels improperly labeled and mussels not tagged.</u></p>	<p><u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u></p>
3C*	<p><u>Unclean or cracked whole eggs or unpasteurized liquid, frozen or powdered eggs kept or used.</u></p>	<p><u>1-6 unclean or cracked eggs or 1 container of liquid, frozen, or powdered eggs not pasteurized. Example: four cracked eggs; or one container of unpasteurized liquid eggs.</u></p>	<p><u>7-12 unclean or cracked eggs; or 2 containers of liquid, frozen, or powdered eggs not pasteurized. Example: nine cracked eggs; or two containers of unpasteurized liquid eggs.</u></p>	<p><u>13-24 unclean or cracked; or three containers of liquid, frozen, or powdered eggs not pasteurized. Example: 24 unclean and/or cracked eggs; or 14 dirty unclean and/or cracked eggs and two containers of unpasteurized liquid eggs.</u></p>	<p><u>25 or more unclean or cracked eggs; or four containers of unpasteurized liquid, frozen, or powdered eggs not pasteurized. Example: 25 or more unclean and/or cracked eggs; or four containers of unpasteurized liquid eggs.</u></p>	<p><u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u></p>

3D*	<u>Food packages, canned food, hermetically sealed container not suitable for human consumption. Packages swollen, leaking or rusted, without "Do Not Use" label or not segregated from other consumable food items.</u>	<u>1-6 cans of food swollen, leaking or rusted and not segregated from consumable food. Example: one can of tomato paste swollen and one can of salmon rusted and stored on food storage shelf.</u>	<u>7-12 cans of food swollen, leaking or rusted and not segregated from consumable food. Example: three cans of tomato paste swollen and two cans of salmon and two cans of mushrooms rusted and stored on food storage shelf.</u>	<u>13-18 cans of food swollen, leaking or rusted and not segregated from consumable food. Example: 10 cans of tomato paste swollen, two cans of salmon and two cans of mushrooms rusted and stored on food storage shelf.</u>	<u>19 or more cans of food swollen, leaking or rusted and not segregated from consumable food. Example: 10 cans of tomato paste swollen, two cans of salmon and two cans of mushrooms rusted, and 15 cans of baked beans leaking and stored on food storage shelf.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
3E*	<u>No or inadequate potable water supply. Water or ice not potable or from unapproved source. Bottled water not NY State certified. Cross connection in potable water supply system.</u>				<u>No potable water. Potable water supply inadequate. Water or ice not potable or from unapproved source. Cross connection in potable water supply system.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
3F*	<u>Unpasteurized milk or milk product (except certain aged cheese) served.</u>				<u>Unpasteurized milk or milk product served.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
3G	<u>Raw fruit or vegetables not properly washed prior to cutting or serving.</u>	<u>One raw fruit or vegetable not properly washed prior to cutting or serving. Example: an apple.</u>	<u>Two raw fruits or vegetables not properly washed prior to cutting or serving. Example: two heads of lettuce.</u>	<u>Three raw fruits or vegetables not properly washed prior to cutting or serving. Example: two heads of lettuce and one head of broccoli.</u>	<u>Four or more raw fruits or vegetables not properly washed prior to cutting or serving. Example: two heads of lettuce, one head of broccoli and one head of cabbage.</u>	
3H*	<u>Raw meat, fish, or shellfish stored, prepared, served or sold on MFVU.</u>				<u>Raw meat, fish, or shellfish stored, prepared, served or sold on MFVU. Example: Vending raw fish or preparing and serving steak tartare from MFVU.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
3I*	<u>Unpasteurized juice packaged and sealed on MFVU or commissary not labeled or label incomplete; no warning statement.</u>				<u>One or more packaged juice products not or improperly labeled. Example: orange and carrot juice produced and bottled with sealed cap by the MFVU without a label or only a partial label.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss embargoing product, closing or other enforcement measures.</u>
4B*	<u>Food worker or vendor spits; prepares food or touches utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.</u>				<u>Food worker or vendor spits; prepares food or handles utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
4C*	<u>Food worker or vendor does not use utensil or other barrier to eliminate bare hand contact with food that will not receive adequate additional heat treatment.</u>	<u>One vendor preparing ready-to-eat food with bare hands. Example: one vendor at front food preparation area preparing a sandwich.</u>	<u>Two vendors preparing ready-to-eat foods with bare hands. Example: one vendor at front food preparation area preparing a sandwich and one vendor preparing Caesar salad.</u>	<u>Three vendors preparing ready-to-eat foods with bare hands. Example: one vendor at food preparation area preparing a sandwich, one vendor preparing Caesar salad and one vendor preparing shrimp cocktail.</u>	<u>Four or more vendors preparing ready-to-eat foods with bare hands. Example: two vendor at front food preparation area preparing sandwiches, one vendor preparing Caesar salad and one vendor preparing shrimp cocktail.</u>	<u>Failure to correct any condition of a PHH at the time of Inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
4D*	<u>Food worker or vendor does not wash hands thoroughly after using the toilet, coughing, sneezing, smoking, eating, or otherwise contaminating hands or does not change gloves when gloves are contaminated.</u>				<u>Vendor does not wash hands after using the toilet, coughing, sneezing, smoking, preparing raw foods or otherwise contaminating hands or does not change gloves when gloves are contaminated.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>

4E*	<u>Toxic chemicals or pesticides improperly labeled, stored or used such that contamination of food may occur.</u>	<u>One toxic chemical or pesticide improperly labeled, stored or used such that contamination of food may occur.</u> Example: roach spray stored on shelf with hot dog rolls.	<u>Two toxic chemicals or pesticides improperly labeled, stored or used such that contamination of food may occur.</u> Example: roach spray and bleach stored on shelf with hot dog rolls.	<u>Three toxic chemicals or pesticides improperly labeled, stored or used such that contamination of food may occur.</u> Example: roach spray, bleach and stainless steel cleaner stored on shelf with hot dog rolls.	<u>Four or more toxic chemicals or pesticides improperly labeled, stored, or used such that contamination of food may occur.</u> Example: roach spray, bleach, stainless steel cleaner and rat poison stored on shelf with hot dog rolls.	<u>Failure to correct any condition of a PHH at the time of inspection.</u> Inspector must call office to discuss closing or other enforcement measures.
4F*	<u>Food, food preparation area, food storage area, or other area used by food worker or food vendor contaminated by sewage or liquid waste.</u>				<u>Food, or food preparation or food storage area, or any area used by employees or patrons, contaminated by sewage or liquid waste.</u>	<u>Failure to correct any condition of a PHH at the time of inspection.</u> Inspector must call office to discuss closing or other enforcement measures.
4G*	<u>Unprotected TCS food re-served.</u>				<u>Unprotected TCS food re-served. Example: bowl of cooked rice re-served to other patron.</u>	<u>Failure to correct any condition of a PHH at the time of inspection.</u> Inspector must call office to discuss closing or other enforcement measures.
4H*	<u>Raw, cooked or prepared food is adulterated, contaminated or cross-contaminated. Food exposed to contamination when containers stored in cooking water.</u>	<u>One food item is spoiled, adulterated, contaminated or cross-contaminated.</u> Example: lettuce contaminated by raw chicken or custard cream contaminated by mice droppings.	<u>Two food items or two containers of the same food located in two areas noted spoiled, adulterated, contaminated or cross-contaminated.</u> Example: lettuce and cooked chicken contaminated by raw chicken; or adulterated sausage and fish.	<u>Three food items or three containers of the same food type located in three areas noted spoiled, adulterated, contaminated or cross-contaminated.</u> Example: lettuce, cooked chicken and raw eggs contaminated by raw chicken; or lettuce, tomatoes and figs contaminated by non-potable water; or a tray of chicken contaminated with mice droppings in low boy refrigerator, a basket of chicken under the deep fat fryer contaminated with dust and debris, and a pan of chicken on the service counter cross-contaminated with raw beef drippings.	<u>Four or more food items or four or more containers of the same food type in different areas noted spoiled, adulterated, contaminated or cross-contaminated.</u> Example: lettuce, cooked chicken, raw eggs and cooked rice contaminated by raw chicken; or a tray of chicken contaminated with mice droppings in low boy refrigerator, a basket of chicken under the deep fat fryer contaminated with dust and debris, a pan of chicken on the service counter cross-contaminated with raw beef drippings and chicken contaminated by mice droppings, pigeon eating croutons from salad on MFVU.	<u>Failure to correct any condition of a PHH at the time of inspection.</u> Inspector must call office to discuss closing or other enforcement measures.
4I	<u>Unprotected non-TCS food re-served.</u>	<u>One unprotected food item re-served.</u> Example: unwrapped crackers.	<u>Two unprotected foods items re-served</u> Example: unwrapped crackers and bread.	<u>Three unprotected food items re-served.</u> Example: unwrapped crackers, bread and pickles.	<u>Four or more unprotected food items re-served.</u> Example: unwrapped crackers, bread, pickles and breadsticks.	
4J	<u>Properly calibrated thermometer or thermocouple not provided or not readily accessible in food preparation, hot/cold holding areas, to measure temperatures of TCS foods during cooking, cooling, reheating and holding.</u>	<u>Properly calibrated thermometer or thermocouple not provided, or readily accessible to measure temperature of TCS foods.</u>				
4K	<u>Evidence of rats or live rats in establishment's food and/or non-food areas.</u>	<u>Rats or evidence of rats in the MFVU's food or non-food areas.</u> Example: 1-10 fresh rat dropping in the MFVU.	<u>Rats or evidence of rats in the unit's food or non-food areas, demonstrated by 11-30 fresh rat droppings in the MFVU.</u>	<u>Rats or evidence of rats in the MFVU's food or non-food areas, demonstrated by 31-70 rat droppings in the MFVU.</u>	<u>Rats or evidence of rats in the MFVU's food or non-food areas, demonstrated by 1-2 live rats and/or 71-100 rat droppings in the MFVU.</u>	<u>Three or more live rats and/or more than 100 rat droppings; and/or other conditions conducive to infestation of rats, e.g., holes/openings, water, food, unused equipment/material.</u> Inspector must call office to discuss closing or other enforcement measures.

4L	<u>Evidence of mice or live mice in MFVU's food and/or non-food areas.</u>	<u>Mice or evidence of mice in the MFVU's food or non-food areas; 1-10 fresh mice droppings. Example: 8 fresh mice droppings in the MFVU.</u>	<u>Mice or evidence of mice in the MFVU's food or non-food areas. 11-30 fresh mice droppings. Example: 25 fresh mice droppings in the MFVU.</u>	<u>Mice or evidence of mice in the MFVU's food or non-food areas. 31-70 mice droppings. Example: 55 mice droppings in the MFVU.</u>	<u>Mice or evidence of mice in the MFVU's food or non-food areas; 1-2 live mice and/or 71-100 mice droppings. Example: 80 mice droppings in the MFVU.</u>	<u>Two or more live mice and/or more than 100 mice droppings and/or other conditions exist conducive to infestation of mice, e.g., holes/openings, water, food, unused equipment/material. Inspector must call office to discuss closing or other enforcement measures.</u>
4M	<u>Live roaches in MFVU's food and/or non-food areas.</u>	<u>1-5 roaches in the MFVU's food and non-food areas. Example: 2 live roaches in the dry food area.</u>	<u>Roaches in the MFVU's food and and/or non-food areas. 6-10 roaches. Example: seven live roaches in the MFVU.</u>	<u>Roaches in the MFVU's food and/or non-food areas; 11-15 roaches. Example: 12 live roaches in the MFVU.</u>	<u>Roaches in the MFVU's food and non-food areas; 16-20 roaches. Example: 17 live roaches in the MFVU.</u>	<u>More than 20 live roaches and/or other conditions exist conducive to infestation of roaches. Example: 45 live roaches and condition conducive to infestation such as holes/openings, water, food, unused equipment/material. Inspector must call office to discuss closing or other enforcement measures.</u>
4N	<u>Filth flies or food/refuse/sewage associated (FRSA) flies or other nuisance pests in MFVU's food and/or non-food areas. FRSA flies include house flies, blow flies, bottle flies, flesh flies, drain flies, Phorid flies and fruit flies.</u>	<u>1-5 filth flies or FRSA flies in the MFVU during November 1 through March 1. Example: two flies in the MFVU in January.</u>	<u>6-10 filth flies or FRSA flies in the MFVU area. Example: seven live flies in the MFVU.</u>	<u>11-15 filth flies or FRSA flies in the MFVU. Example: 12 live flies in the MFVU.</u>	<u>16-20 filth flies or FRSA flies in the MFVU. Example: 17 filth flies in the MFVU.</u>	<u>More than 30 filth flies, FRSA flies and/or other conditions exist conducive to infestation of filth flies. Example: 40 flies in the MFVU; and other conditions exist conducive to filth fly infestation, e.g., openings to the outer air, water, food, decaying matter and/or sewage. Inspector must call office to discuss closing or other enforcement measures.</u>
4O	<u>Live animal other than fish in tank or service animal present in MFVU food and/or non-food area.</u>	<u>One live animal in the MFVU. Example: Live cat within the food truck.</u>	<u>Two live animals in the MFVU. Example: Two live birds in the food truck.</u>	<u>Three live animals in the MFVU. Example: Three cockatoos in a cage in the food truck.</u>	<u>Four or more live animals in the MFVU. Example: Two caged cockatoos and two live cats in the food truck.</u>	
5A*	<u>Sewage disposal system is not provided, improper, inadequate or unapproved. Waste tank not provided with a readily accessible vented check valve.</u>				<u>No sewage disposal system. Sewage or liquid waste is not disposed of in an approved or sanitary manner; or readily accessible check vented check valve not installed or inoperable.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
5B*	<u>Harmful, noxious gas or vapor detected. Carbon Monoxide (CO) level at or exceeding nine (9) ppm.</u>				<u>Harmful, noxious gas or vapor detected. CO level at or exceeding nine (9) ppm.</u>	<u>Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.</u>
5C+	<u>Food contact surface or equipment improperly constructed, placed or maintained. Unacceptable material used. Culinary sink or other acceptable method not provided for washing food. Potable water tank and plumbing improperly constructed or designed.</u>	<u>One food contact surface or piece of equipment improperly constructed, maintained, placed and/or unacceptable material used. Example: painted shelves in a low boy refrigerator unit.</u>	<u>Two food contact surfaces or pieces of equipment improperly constructed, placed, maintained, and/or unacceptable material used. Example: painted shelves in allow boy refrigerator unit and cutting board made from untreated wood.</u>	<u>Three food contact surfaces or pieces of equipment improperly constructed, placed, maintained and/or unacceptable material used. Example: painted shelves of a low boy unit, cutting board made from untreated wood and acidic foods placed in pewter bowl.</u>	<u>Four or more food contact surfaces or pieces of equipment improperly constructed, placed, maintained, and/or unacceptable material used. Example: painted shelves of a low boy refrigerator unit, cutting board made from untreated wood, acidic foods placed in pewter bowl and solder and flux used to repair food contact equipment or no culinary sink or other acceptable method provided for washing food.</u>	<u>Failure to correct as pre-permit serious (PPS) violation or on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.</u>

5D+	<p>No hand wash facility or hand wash facility not accessible, obstructed or used for non-hand washing purposes. No hot and cold running water or water at inadequate pressure. No soap or acceptable hand-drying device.</p>				<p>Fully equipped hand wash sinks, to include soap and hand drying device or disposable single use towels, not provided or hand wash sink not accessible or obstructed. No potable water or water inadequate pressure at hand wash sink.</p>	<p>Failure to correct as pre-permit serious (PPS) violation or on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.</p>
5F+	<p>Inadequate or no refrigerated or hot holding equipment to maintain Time/Temperature Control for Safety (TCS) foods at required temperatures.</p>				<p>Refrigerated or hot holding equipment for TCS food inadequate or not provided.</p>	<p>Failure to correct as pre-permit serious (PPS) violation or on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.</p>
5H+	<p>No facilities available to wash, rinse, and sanitize utensils or equipment and/or refillable returnable containers.</p>				<p>No facilities available to wash rinse and sanitize utensils or equipment and/or refillable returnable containers.</p>	<p>Failure to correct as pre-permit serious (PPS) violation or on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.</p>
5I	<p>Signed original service contract or agreement with commissary or other approved facility not provided at pre-permit inspection; documents not kept on MFVU and available for inspection.</p>				<p>Signed original service contract or agreement with commissary or other approved facility not provided at pre-permit inspection; documents not kept on MFVU and available for inspection.</p>	<p>Failure to correct as pre-permit serious (PPS) violation on an initial inspection, re-inspection, or compliance on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.</p>
5J+	<p>Construction and design inadequate. Overhead structure not provided or constructed. Food truck not provided with partition or self-closing door between the driver's seat and the food operations. Ice cream truck not equipped with operational warning beeper and signage arm. Tamper proof locks or other food security mechanism not provided. MFVU exceeds size requirements. Potable water tank or hand wash sink tank capacity inadequate.</p>				<p>Construction and design inadequate. Overhead structure not provided or constructed. Food truck not provided with partition or self-closing door between the driver's seat and the food operations. Ice cream truck not equipped with operational warning beeper and signage arm. Tamper proof locks or other food security mechanism not provided. Hand wash water tank improperly constructed or designed to be drained by gravity.</p>	<p>Failure to correct as pre-permit serious (PPS) violation on an initial inspection, re-inspection, or compliance on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.</p>
6A	<p>Personal cleanliness inadequate. Outer garment soiled with possible contaminate or not properly dressed; sleeveless garment or bare midriff worn. Effective hair restraint not worn when required. Jewelry worn on hands or arms, fingernail polish worn; or fingernails not kept clean and trimmed.</p>	<p>One vendor without clean outer garment or hair restraint or wearing prohibited clothing, jewelry or fingernail polish, or fingernails not kept clean and trimmed.</p>	<p>Two vendors without clean outer garment or hair restraint or wearing prohibited clothing, jewelry or fingernail polish, or fingernails not kept clean and trimmed.</p>	<p>Three vendors without clean outer garment or hair restraint or wearing prohibited clothing, jewelry or fingernail polish, or fingernails not kept clean and trimmed.</p>	<p>Four or more vendors without clean outer garment or hair restraint or wearing prohibited clothing, jewelry or fingernail polish, or fingernails not kept clean and trimmed.</p>	

6B	<u>Tobacco or e-cigarette use, eating, or drinking from open container in food preparation or other area where food, equipment or utensils may be exposed to contamination.</u>	<u>One vendor eating, smoking and/or drinking from open container in food preparation or ware washing areas or other area where food equipment or utensils may be exposed to contamination. Example: Vendor eating in the food preparation area.</u>	<u>Two vendors eating, smoking and/or drinking from open container in food preparation or ware washing areas or other area where food equipment or utensils may be exposed to contamination. Example: One vendor eating in the food preparation area and one vendor smoking by the coffee machine.</u>	<u>Three vendors eating, smoking and/or drinking from open container in food preparation or ware washing areas or other area where food equipment or utensils may be exposed to contamination. Example: One vendor eating in the food preparation area, one vendor smoking by the coffee machine, and one vendor drinking from an open container.</u>	<u>Four vendors eating, smoking and/or drinking from open container in food preparation or ware washing areas or other area where food equipment or utensils may be exposed to contamination. Example: One vendor eating in the food preparation area, one vendor smoking by the coffee machine, one vendor drinking from an open container, and one vendor smoking an e-cigarette while serving food.</u>
6C	<u>Food, supplies or equipment not protected from potential source of contamination during storage, preparation, transportation, display or service. Condiments not in single-service containers or dispensed directly by the vendor.</u>	<u>One food item not protected during storage, preparation, transportation, display or service. Example: one tray of uncovered assorted pastries or supply of wax paper used to wrap bagels stored under the waste water tank.</u>	<u>Two food items not protected during storage, preparation, transportation, display or service. Example: one tray of uncovered pastries and one cooked steak on prep table under fly strip.</u>	<u>Three food items not protected during storage, preparation, transportation, display or service. Example: one tray of uncovered pastries; one cooked steak on prep table under fly strip and fresh cut fruit in the service window.</u>	<u>Four or more food items not protected during storage, preparation, transportation, display or service. Example: one tray of uncovered pastries; wax paper used to wrap bagels stored under the waste water tank; one cooked steak on kitchen prep table under fly strip, and fresh cut fruit in the service window.</u>
6D	<u>Food contact surface not properly washed, rinsed and sanitized after any activity where contamination may have occurred.</u>	<u>One food contact surface not washed, rinsed or sanitized after any activity where contamination may have occurred. Example: Meat slicer blade encrusted with old food debris.</u>	<u>Two food contact surfaces not washed, rinsed or sanitized after any activity where contamination may have occurred. Example: Meat slicer blade encrusted with old food debris and cutting board encrusted with old food debris.</u>	<u>Three food contact surfaces not properly washed, rinsed or sanitized after any activity where contamination may have occurred. Example: Meat slicer blade, wooden cutting board, and can opener encrusted with old food debris.</u>	<u>Four or more food contact surfaces not properly washed, rinsed or sanitized after any activity where contamination may have occurred; not free of accumulated contaminants. Example: Meat slicer blade, wooden cutting board, can opener, and food preparation table encrusted with old food debris, and the interior of the ice bin contaminated with mold.</u>
6E	<u>Sanitized equipment or utensil, including in-use food dispensing utensil, improperly used or stored.</u>	<u>One sanitized piece of equipment or utensil improperly used or stored. Example: in-use ice scoop on top of ice storage container.</u>	<u>Two sanitized pieces of equipment or utensils improperly used or stored. Example: in-use ice scoop on top of ice storage container and knives stored between food preparation table and wall.</u>	<u>Three sanitized pieces of equipment or utensils improperly used or stored. Example: in-use ice scoop on top of ice storage container; clean sanitized knives stored between food preparation table and wall; and in-use food utensils in container of water not heated to 135° F.</u>	<u>Four or more sanitized pieces of equipment or utensils improperly used or stored. Example: in-use ice scoop on top of ice storage container; clean sanitized knives stored between food preparation table and wall, in-use food utensils in container of water not heated to 135° F; and clean and sanitized food tags stored in cash register.</u>
6F	<u>Wiping cloths soiled or not stored in sanitizing solution; inadequately sanitized.</u>	<u>Wiping cloth soiled or not stored in sanitizing solution; or inadequately sanitized. Example: one wiping cloth used to clean food contact surfaces not stored in sanitizing solution; or test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths not provided; or sanitizer solution not at appropriate level to effectively remove contaminants from wiping cloths.</u>	<u>Any two of: Wiping cloths soiled or not stored in sanitizing solution; or inadequately sanitized. Example: one or more wiping cloths used to clean food contact surfaces not stored in sanitizing solution and the test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths not provided.</u>	<u>Wiping cloths soiled and not stored in sanitizing solution; and inadequately sanitized. Example: one or more wiping cloths used to clean food contact surfaces are not stored in sanitizing solutions, the test kit to measure sanitizing solution to ensure proper sanitization of wiping cloths not provided and sanitizer solution not at appropriate level to effectively remove contaminants from wiping cloths.</u>	

6J	No approved written standard operating procedure for avoiding contamination by refillable returnable containers.		No approved written standard operating procedure for avoiding contamination by refillable returnable containers.	Failure to correct on any inspection results in a follow up inspection, and/or closure. Inspector must call office to discuss closing or other enforcement measures.
6K*	MFVU left unattended longer than one-half hour.			MFVU left unattended longer than one-half hour. Failure to correct any condition of a PHH at the time of inspection. Inspector must call office to discuss closing or other enforcement measures.
6L	Ice not stored until dispensed in the manufacturer's bag. Ice not obtained in chipped, crushed, or cubed form and in single-use food grade plastic or wet-strength paper bag sealed at the point of manufacture.	Ice not stored until dispensed in the manufacturer's bag. Ice not obtained in chipped, crushed, or cubed form and in single-use food grade plastic or wet-strength paper bag sealed at the point of manufacture. Example: crushed ice stored in bin outside of manufacturer's bag; Ice not obtained in a food grade plastic bag.		
7A	Duties of an officer of the department interfered with or obstructed.			Duties of an officer of the department interfered with or obstructed. Inspector must call office to discuss closing or other enforcement measures.

General Violations

8A	Harborage or conditions conducive to attracting pests to the MFVU.		Doors and door thresholds not adequately pest proofed, and/or one or two openings in the MFVU's structure (walls, floors, ceilings) and/or other condition conducive to pest entry or breeding when pests or signs of pests are present.	Doors and door thresholds not adequately pest proofed, with quality materials, and/or three or more openings in the MFVU structure (walls, floors, ceilings) or other condition conducive to pest entry or breeding when pests or signs of pest are present.		
8B	Garbage receptacles not pest or water resistant, or covered with tight-fitting lids, except while in active use. Garbage receptacles and covers not cleaned after emptying and prior to reuse. Garbage, refuse and other solid and liquid waste not collected, stored, removed and properly discarded.	Garbage equipment and facilities not maintained or provided. Example: Garbage and liquid waste not disposed of at commissary; covers not cleaned after emptying and before reuse; garbage and consumer litter discarded on public streets and public trash cans.				
8C	Pesticide use not in accordance with label or applicable laws. Pesticides are unauthorized for use. Unprotected, unlocked bait station used. Toxic chemical or pesticide prohibited on MFVU.	One prohibited pesticide, chemical or bait station on MFVU or not used in accordance with label or applicable laws.	Two types of prohibited pesticides, chemicals or bait stations on MFVU or not used in accordance with label or applicable laws.	Three types of prohibited pesticides, chemicals or bait stations on MFVU or not used in accordance with label or applicable laws.	Four or more types of prohibited pesticides, chemicals or bait stations on MFVU or not used in accordance with label or applicable laws.	Failure to correct. Inspector must call office to discuss enforcement measures.
9A	Cans of food with dented body damage not segregated from other cans for return to distributor.	1-6 cans dented. Example: one dented can of tomato paste stored on food storage shelf not segregated.	7-12 cans dented. Example: seven dented cans of tomato paste stored on food storage shelf not segregated.	13-24 cans dented. Example: seven dented cans of tomato paste and six dented cans of soy sauce stored on food storage shelf not segregated.	25 or more cans dented. Example: seven dented cans of tomato paste, ten dented cans of soy sauce, and five dented cans of tuna fish stored on food storage shelf not segregated.	

9B	<u>Thawing procedures improper.</u>	<u>One frozen food item improperly thawed. Example: whole chicken or beefsteak improperly thawed.</u>	<u>Two frozen food items improperly thawed or the same type of food improperly thawed in two different areas. Example: two chickens and beefsteak improperly thawed or chicken breast improperly thawed in sink and chicken legs thawed on food preparation counter.</u>	<u>Three frozen food items improperly thawed or the same type of food improperly thawed in three different areas. Example: three chickens, beefsteak, and pork shoulder improperly thawed; or chicken breast improperly thawed in sink, chicken legs improperly thawed on food preparation counter, and chicken breast improperly thawed in bowl in food preparation area.</u>	<u>Four or more frozen food item improperly thawed or the same type of food improperly thawed in four different areas. Example: four chickens, chicken breast, beefsteak, and shrimp improperly thawed; or chicken breast improperly thawed in sink, chicken legs improperly thawed on kitchen counter, chicken breast improperly thawed in bowl in food preparation area, and chicken wings improperly thawed near the deep fat fryer.</u>	
9C	<u>Food contact surface chipped, crack, worn or in a condition where it cannot be properly maintained or cleaned.</u>	<u>One food contact surface not properly maintained. Example: one cutting board discolored.</u>	<u>Two food contact surfaces not properly maintained. Example: one cutting board discolored and one plastic cutting board pitted and scratched.</u>	<u>Three food contact surfaces not properly maintained. Example: three cutting boards pitted and scratched.</u>	<u>Four or more contact surfaces not properly maintained. Example: three cutting board pitted and scratched and four cutting boards at the food preparation area discolored.</u>	
9D	<u>MFVU used as a dwelling, sleeping or for residential purposes.</u>					<u>MFVU used as a dwelling, sleeping or for residential purposes.</u>
9E	<u>"Wash hands" sign not posted at hand wash facility.</u>	<u>"Wash hands" sign not posted at hand wash facility.</u>				
10B	<u>Back-siphonage or back-flow prevention device not provided where required; equipment or floor not properly drained; sewage disposal system in disrepair or not functioning properly. Condensation or liquid waste improperly disposed of.</u>	<u>One back-flow prevention device not installed, or equipment or floor not properly drained. Example: vacuum breaker not installed on potable water line connected to the coffee machine or waste water tank draining into a bucket.</u>	<u>Two back-flow prevention devices not installed, or equipment or floor not properly drained. Example: vacuum breaker not installed on potable water line connected to the coffee machine waste water tank drained into a bucket and steam table draining onto sidewalk.</u>	<u>Three back-flow prevention devices not installed, or equipment or floor not properly drained. Example: waste water tank draining into bucket, steam table draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet.</u>	<u>Four or more back-flow prevention devices not installed or equipment or floor not properly drained. Example: waste water tank draining into bucket, hot holding unit draining onto sidewalk and no vacuum breaker provided on the hose connected to faucet or ice machine or vacuum breaker not installed on potable water line connected to the coffee machine.</u>	<u>Five or more back-flow prevention devices not installed or equipment or floor not properly drained. Example: waste water tank draining into bucket, hot holding unit draining onto sidewalk, no vacuum breaker provided on the hose connected to faucet, vacuum breaker not installed on potable water line connected to the coffee machine; and no vented check valve on the main water supply pipe.</u>
10C	<u>Lighting inadequate; permanent lighting not provided in food preparation areas, ware washing areas, and storage areas. No shatterproof bulbs or shield to prevent broken glass from falling into food or onto surfaces.</u>	<u>One instance of inadequate lighting. Example: lighting at work surface of food preparation table is 323 lux.</u>	<u>Two instances of inadequate lighting. Example: lighting at food prep table work surface table is 323 lux, and 108 lux at surface of food service counter.</u>	<u>Three instances of inadequate lighting. Example: illumination of food prep table work surface table is 323 lux, 108 lux at surface of food service counter and 54 lux in refrigeration unit</u>	<u>Four or more instances of inadequate lighting. Example: illumination of food prep table work surface table is 323 lux, 108 lux at surface of food service counter buffet, 54 lux in refrigeration unit and 70 lux in storage area.</u>	
10D	<u>Mechanical or natural ventilation system not provided, improperly installed, in disrepair and/or fails to prevent excessive build-up of grease, heat, steam condensation vapors, odors, smoke, and fumes.</u>	<u>One mechanical ventilation system not provided or inadequate. Example: no mechanical ventilation provided to remove excess fumes</u>	<u>Two mechanical ventilation systems not provided or inadequate. Example: no ventilation provided or exhaust hood not sufficient to remove excess fumes in kitchen.</u>	<u>Three mechanical or natural ventilation systems not provided or inadequate. Example: no ventilation provided exhaust hood not sufficient to remove excess fumes in kitchen and grease collecting on walls.</u>	<u>Four mechanical or natural ventilation systems not provided or inadequate. Example: no ventilation provided, or exhaust hood not sufficient to remove excess fumes in kitchen, grease collecting on walls, and smoke from smokehouse drifting into adjacent building.</u>	

10E	<u>Accurate thermometer not provided or properly located in cold or hot holding equipment.</u>	<u>One cold or hot holding unit not provided with accurate thermometer to measure the temperature in the warmest part of the cold holding unit or coolest part of the hot storage unit.</u>	<u>Two cold or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the cold holding unit or coolest part of the hot storage unit.</u>	<u>Three cold or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the cold holding unit or coolest part of the hot storage unit.</u>	<u>Four cold or hot holding units not provided with accurate thermometers to measure the temperature in the warmest part of the cold holding unit or coolest part of the hot storage unit.</u>	
10F	<u>Non-food contact surface or equipment made of unacceptable material, not kept clean, and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides above and underneath equipment or other structures.</u>	<u>Non-food contact surface or equipment made of unacceptable material, not kept clean and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides, above and underneath equipment or other structures. Example: wall in food preparation area made of material not easily cleaned.</u>	<u>Non-food contact surfaces or equipment made of unacceptable material, not kept clean and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides, above and underneath equipment or other structures. Example: wall in food preparation area made of material not easily cleaned and build-up of grease on the wall adjacent to permanently installed convection oven which is not easily moveable or properly spaced to allow cleaning.</u>	<u>Non-food contact surfaces or equipment made of unacceptable material, not kept clean and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides, above and underneath equipment or other structures. Example: wall in food preparation area made of material not easily cleaned, build-up of grease on the wall adjacent to permanently installed convection oven which is not easily moveable or properly spaced to allow cleaning, and dried encrusted grease and old food debris under the refrigeration unit which is not properly sealed to the floor.</u>	<u>Non-food contact surfaces or equipment made of unacceptable material, not kept clean and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides, above and underneath equipment or other structures. Example: wall in food preparation area made of cork, a material not easily cleanable, build-up of grease on the wall adjacent to permanently installed convection oven which is not easily moveable or properly spaced to allow cleaning, dried encrusted grease and old food debris under the refrigeration unit which is not properly sealed to the floor, and a rug in the food storage area.</u>	
10G	<u>Proper sanitization not used or provided for ware washing operation. No test kit.</u>				<u>Sanitization inadequate for manual ware washing.</u>	
10H	<u>Single service items not provided. Single service items reused, not protected from contamination when transported, stored or dispensed. Drinking straws not completely enclosed in wrapper or dispensed from a sanitary device.</u>	<u>One type of single service item reused, not protected from contamination when transported, stored, dispensed or not used when required. Example: drinking straws not protected from contamination.</u>	<u>Two types of single service items reused, not protected from contamination when transported, stored, dispensed or not used when required. Example: drinking straws not properly dispensed and paper plates not protected from contamination.</u>	<u>Three types of single service items reused, not protected from contamination when transported, stored, dispensed, not used when required. Example: drinking straws not properly dispensed, paper plates not protected from contamination and forks not protected from contamination.</u>	<u>Four or more types of single service items reused, not protected from contamination when transported, stored, dispensed, not used when required. Example: drinking straws not properly dispensed, paper plates not protected from contamination, forks not protected from contamination, plastic forks reused, customer is served soda in a glass.</u>	
10I	<u>Failure to clean unit at commissary or approved facility at least daily</u>					<u>Failure to clean unit at commissary or approved facility at least daily</u>

Note: When examples are provided to illustrate the kinds of violations included in a condition level, the examples are not intended to cover all the possible violations of the applicable Health Code or other law cited. These examples are only intended to help establishment operators to determine the extent of their violations.

**APPENDIX 6-C MOBILE FOOD VENDING UNIT (MFVU) PENALTY SCHEDULE
SCORED VIOLATIONS**

VIOLATION CODE	CITATION	CATEGORY	VIOLATION DESCRIPTION	VIOLATION PENALTY CONDITION I*	VIOLATION PENALTY CONDITION II*	VIOLATION PENALTY CONDITION III*	VIOLATION PENALTY CONDITION IV*	VIOLATION PENALTY CONDITION V*
02A	NYCHC 81.09(c)	Public Health Hazard	<u>Other time and temperature control for safety ("TCS") hot food not heated to 140°F for 15 seconds</u>	-	-	-	\$400	\$600
02A	NYCHC 81.09(c)(1)	Public Health Hazard	<u>Poultry, poultry stuffing, parts and ground, comminuted poultry not heated to 165°F for 15 seconds</u>	-	-	-	\$400	\$600

02A	NYCHC 81.09(c)(2)	Public Health Hazard	Pork/food containing pork not heated to 150°F for 15 seconds	-	-	-	\$400	\$600
02A	NYCHC 81.09(c)(3)	Public Health Hazard	Whole meat roasts and beef steak, rare roast beef or beef steak not heated to minimum time/temperature	-	-	-	\$400	\$600
02A	NYCHC 81.09(c)(4)	Public Health Hazard	Ground, comminuted meat, foods containing ground, comminuted meat not heated to 158°F	-	-	-	\$400	\$600
02A	NYCHC 81.09(c)(5)	Public Health Hazard	Stuffed meats, fish, ratites and tenderized meats not heated to 165°F injected, mechanically tenderized meats not heated to 155°F	-	-	-	\$400	\$600
02A	NYCHC 81.09(c)(6)	Public Health Hazard	Shell eggs/food containing shell eggs not heated 145°F for 15 seconds	-	-	-	\$400	\$600
02A	NYCHC 81.09(c)(7)	Public Health Hazard	Raw animal food cooked in microwave not heated to 165°F, not covered, rotated or stirred, not held for 2 minutes	-	-	-	\$400	\$600
02B	NYCHC 81.09(a)	Public Health Hazard	Hot TCS food not held at 140°F or above	\$250	\$300	\$350	\$400	\$600
02C	NYCHC 81.09(d)	CRITICAL	Previously cooked and cooled TCS food not reheated to 165°F for 15 seconds within 2 hours	\$200	\$200	\$250	\$300	-
02D	NYCHC 81.09(d)(2)	CRITICAL	Commercially processed TCS food not heated to 140°F within 2 hours	\$200	\$200	\$250	\$300	-
02E	NYCHC 81.09(f)(5)	CRITICAL	Whole frozen poultry or poultry breast, other than a single portion, cooked frozen or partially thawed	\$200	\$200	-	-	-
02F	NYCHC 81.11	CRITICAL	Meat, fish, eggs or poultry offered, served raw or partially cooked without written consumer advisory	\$200	-	-	-	-
02G	NYCHC 81.09(a)	Public Health Hazard	Cold TCS food not held at 41°F or below	\$250	\$300	\$350	\$400	\$600
02G	NYCHC 81.09(a)(2)	Public Health Hazard	Eggs not held at ambient temperature of 45°F or below	\$250	\$300	\$350	\$400	\$600
02G	NYCHC 81.09(a)(3)	Public Health Hazard	Processed or smoked fish not held at or below 38°F	\$250	\$300	\$350	\$400	\$600
02H	NYCHC 81.09(e)	Public Health Hazard	TCS food not cooled by approved method	\$250	\$300	\$350	\$400	\$600
02I	NYCHC 81.09(e)(2)	CRITICAL	TCS food not cooled to 41°F when prepared from ambient temperature ingredients within 4 hours	\$200	\$200	\$250	\$300	-
03A	NYCHC 81.04	Public Health Hazard	Food from unapproved or unknown source, or home cooked	-	-	-	\$400	\$600
03A	NYCHC 81.04(b)	Public Health Hazard	Meat not from an approved source	-	-	-	\$400	\$600
03A	NYCHC 81.04(d)	Public Health Hazard	Exotic and game animals meat not from an approved source	-	-	-	\$400	\$600
03A	NYCHC 81.07(m)	Public Health Hazard	Animal slaughter on MFVU	-	-	-	\$400	\$600
03A	NYCHC 89.19(d)	Public Health Hazard	Ice contaminated or not made from potable water	-	-	-	\$400	\$600
03A	NYCHC 89.19(f)	Public Health Hazard	Butchering raw meat on MFVU	-	-	-	\$400	\$600
03B	NYCHC 81.04(c)	Public Health Hazard	Shellfish improperly tagged or labeled	-	-	-	\$400	\$600
03B	NYCHC 81.04(c)	Public Health Hazard	Shellfish required tags not retained at least 90 days	-	-	-	\$400	\$600
03B	NYCHC 81.04(c)	Public Health Hazard	Shellfish records not on MFVU	-	-	-	\$400	\$600
03B	NYCHC 81.04(c)	Public Health Hazard	Shellfish not from an approved source	-	-	-	\$400	\$600
03C	NYCHC 81.07(c)	Public Health Hazard	Whole eggs cracked, not clean; other eggs unpasteurized	\$250	\$300	\$350	\$400	\$600

03D	NYCHC 81.07(b)	Public Health Hazard	Food packages, hermetically sealed containers, or canned food swollen, leaking and/or rusted; not labeled; not segregated from intact packages	\$250	\$300	\$350	\$400	\$600
03E	24 RCNY 6-04(f)	Public Health Hazard	Potable water not provided; inadequate	-	-	-	\$400	\$600
03E	NYCHC 141.13	Public Health Hazard	Bottled water not from an approved source; not state certified	-	-	-	\$250	\$250
03E	NYCHC 81.20(c)	Public Health Hazard	Carbon dioxide gas lines unacceptable, improper materials used	-	-	-	\$400	\$600
03E	NYCHC 81.20(a)	Public Health Hazard	Cross-connection observed between potable and non-potable water	-	-	-	\$400	\$600
03F	NYCHC 81.07(k)	Public Health Hazard	Unpasteurized milk and milk products (except aged cheese) served	-	-	-	\$400	\$600
03G	NYCHC 81.07(a)(4)	CRITICAL	Raw fruits and vegetables not washed prior to cutting, serving	\$200	\$200	\$250	\$300	-
03H	NYCHC 89.19(f)	Public Health Hazard	Prohibited sale of raw meat, fish, and shellfish	-	-	-	\$400	\$600
03I	NYCHC 81.04(e)	Public Health Hazard	Juice packaged on MFVU with no or incomplete label, no warning statement	-	-	-	\$400	\$600
04B	NYCHC 81.13(a)	Public Health Hazard	Food worker or vendor with illness, communicable disease and/or injury preparing food	-	-	-	\$400	\$600
04B	NYCHC 81.13(i)	Public Health Hazard	Food worker or vendor spitting	-	-	-	\$400	\$600
04C	NYCHC 81.07(j)	Public Health Hazard	Bare hand contact with ready-to-eat foods	\$250	\$300	\$350	\$400	\$600
04D	NYCHC 81.13(d)	Public Health Hazard	Food worker failed to wash hands after contamination; or change gloves when required	-	-	-	\$400	\$600
04E	NYCHC 81.23(d)	Public Health Hazard	Pesticide improperly labeled, stored or used such that food contamination may occur	\$250	\$300	\$350	\$400	\$600
04F	NYCHC 81.20(b)	Public Health Hazard	Food preparation, food storage, or other area contaminated by sewage or liquid waste	-	-	-	\$400	\$600
04G	NYCHC 81.07(l)	Public Health Hazard	Unprotected TCS food re-served	-	-	-	\$400	\$600
04H	NYCHC 81.07(a)	Public Health Hazard	Food in contact with toxic material	\$250	\$300	\$350	\$400	\$600
04H	NYCHC 81.07(a)	Public Health Hazard	Food adulterated or contaminated	\$250	\$300	\$350	\$400	\$600
04H	NYCHC 81.07(a)(2)	Public Health Hazard	Food not protected from cross-contamination	\$250	\$300	\$350	\$400	\$600
04H	NYCHC 89.19(e)	Public Health Hazard	TCS foods improperly stored on ice	\$250	\$300	\$350	\$400	\$600
04H	NYCHC 89.19(j)	Public Health Hazard	Food exposed to contamination when containers stored in cooking water	\$250	\$300	\$350	\$400	\$600
04I	NYCHC 81.07(i)	CRITICAL	Unprotected non-TCS food re-served	\$200	\$200	\$250	\$300	-
04J	NYCHC 89.19(b)	CRITICAL	Thermometer not provided, calibrated properly, or accessible for use	\$200	-	-	-	-
04K	NYCHC 81.23(a)	CRITICAL	Rats or evidence of rats	\$200	\$200	\$250	\$300	\$350
04L	NYCHC 81.23(a)	CRITICAL	Mice or evidence of mice	\$200	\$200	\$250	\$300	\$350
04M	NYCHC 81.23(a)	CRITICAL	Live roaches	\$200	\$200	\$250	\$300	\$350
04N	NYCHC 81.23(a)	CRITICAL	Filth or FRSA flies, other nuisance pests	\$200	\$200	\$250	\$300	\$350
04O	NYCHC 81.25	CRITICAL	Live animal other than fish in tank or service animal	\$200	\$200	\$250	\$300	-

05A	NYCHC 89.25(b)	Public Health Hazard	Sewage and liquid waste holding tank not provided, inadequate or unapproved	-	-	-	\$400	\$600
05B	NYCHC 81.19(c)	Public Health Hazard	Harmful noxious gas or vapor detected; CO levels at or exceeding 9 ppm	-	-	-	\$400	\$600
05C	24 RCNY 6-04(f)(2)	CRITICAL	Water tanks and inlet pipes are not constructed of food grade materials that are corrosion resistant, durable and non-absorbent	\$200	\$200	\$250	\$300	\$350
05C	24 RCNY 6-04(i)(3)	CRITICAL	Culinary sink or alternative method not provided for washing food	\$200	\$200	\$250	\$300	\$350
05C	NYCHC 81.17(d)	CRITICAL	Food contact surface, equipment improperly constructed, located and/ or made of unacceptable materials	\$200	\$200	\$250	\$300	\$350
05D	24 RCNY 6-04(i)(1)	CRITICAL	Hand wash facility not provided with potable running water, or properly equipped	-	-	-	\$300	\$350
05D	24 RCNY 6-04(i)(1)	CRITICAL	Hand wash facility without soap, drying device	-	-	-	\$300	\$350
05D	24 RCNY 6-04(i)(1)(A)	CRITICAL	Hand washing facilities not provided/ obstructed	-	-	-	\$300	\$350
05F	24 RCNY 6-04(l)	CRITICAL	Hot or cold holding equipment not provided or inadequate	-	-	-	\$300	\$350
05H	24 RCNY 6-04(i)(2)(A)	CRITICAL	No facilities to wash, rinse, and sanitize utensils or equipment	-	-	-	\$300	\$350
05I	24 RCNY 6-11(g)	CRITICAL	Service contract or agreement with commissary or other approved facility not provided; documents not kept on MFVU and made available for inspection.	-	-	-	\$300	\$350
05J	24 RCNY 6-04(b)(4)	CRITICAL	Food vehicles not provided with partition or self-closing door between the drivers seat and the food preparation area.	-	-	-	\$300	\$350
05J	24 RCNY 6-04(n)	CRITICAL	Ice cream truck not equipped with fully operational warning beepers and signage arm	-	-	-	\$300	\$350
05J	24 RCNY 6-04(o)	CRITICAL	MFVU not equipped or constructed with an overhead structure, or similar device	-	-	-	\$300	\$350
05J	24 RCNY 6-04(p)	CRITICAL	Tamper proof locks or other food security mechanism not provided	-	-	-	\$300	\$350
05J	24 RCNY 6-04(f)(1)	CRITICAL	Potable water tank capacity inadequate	-	-	-	\$300	\$350
05J	24 RCNY 6-04(i)(1)	CRITICAL	Potable water storage tank less than 5 gallons	-	-	-	\$300	\$350
06A	NYCHC 81.13	CRITICAL	Food worker or vendor does not maintain personal cleanliness	\$200	\$200	\$250	\$300	-
06A	NYCHC 81.13(b)	CRITICAL	Effective hair restraint not worn	\$200	\$200	\$250	\$300	-
06A	NYCHC 81.13(c)	CRITICAL	Clean outer garment not worn	\$200	\$200	\$250	\$300	-
06A	NYCHC 81.13(e)	CRITICAL	Fingernails not clean, trimmed, or with nail polish	\$200	\$200	\$250	\$300	-
06A	NYCHC 81.13(f)	CRITICAL	Jewelry worn on arm(s) or hand(s)	\$200	\$200	\$250	\$300	-
06A	NYCHC 89.19(i)	CRITICAL	Not properly dressed; sleeveless garment or bare midriff	\$200	\$200	\$250	\$300	-
06B	NYCHC 81.13(g)	CRITICAL	Smoking, use of tobacco or electronic cigarette	\$200	\$200	\$250	\$300	-
06B	NYCHC 81.13(h)	CRITICAL	Eating or drinking in food preparation or other areas	\$200	\$200	\$250	\$300	-
06C	NYCHC 81.07(a)	CRITICAL	Food not protected from contamination	\$200	\$200	\$250	\$300	-

06C	<u>NYCHC 81.07(d)</u>	<u>CRITICAL</u>	<u>Food not properly protected when stored</u>	\$200	\$200	\$250	\$300	-
06C	<u>NYCHC 81.07(e)</u>	<u>CRITICAL</u>	<u>Food not properly protected when displayed</u>	\$200	\$200	\$250	\$300	-
06C	<u>NYCHC 81.07(i)</u>	<u>CRITICAL</u>	<u>Supplies and equipment under or near source of contamination</u>	\$200	\$200	\$250	\$300	-
06C	<u>NYCHC 81.07(q)</u>	<u>CRITICAL</u>	<u>Unnecessary traffic through food prep area</u>	\$200	\$200	\$250	\$300	-
06C	<u>NYCHC 89.19(h)</u>	<u>CRITICAL</u>	<u>Condiments, seasoning, sugar, dressings: held in inadequate containers, not properly dispensed</u>	\$200	\$200	\$250	\$300	-
06D	<u>NYCHC 81.27(b)</u>	<u>CRITICAL</u>	<u>Food contact surface not washed, rinsed and sanitized when required</u>	\$200	\$200	\$250	\$300	-
06E	<u>NYCHC 81.07(g)</u>	<u>CRITICAL</u>	<u>Ice not properly dispensed</u>	\$200	\$200	\$250	\$300	-
06E	<u>NYCHC 81.07(h)</u>	<u>CRITICAL</u>	<u>In-use food dispensing utensil not properly stored</u>	\$200	\$200	\$250	\$300	-
06E	<u>NYCHC 81.07(h)</u>	<u>CRITICAL</u>	<u>Food dispensing utensil not provided</u>	\$200	\$200	\$250	\$300	-
06F	<u>NYCHC 81.27(c)</u>	<u>CRITICAL</u>	<u>Wiping cloth improperly stored and/or sanitized</u>	\$200	\$200	\$200	-	-
06F	<u>SSC 14-4.112(b)</u>	<u>CRITICAL</u>	<u>No test kit for measuring sanitizing solution concentration</u>	\$200	\$200	\$200	-	-
06J	<u>NYCHC 81.46</u>	<u>CRITICAL</u>	<u>No approved standard operating procedure for refillable consumer containers</u>	-	-	-	\$300	\$600
06K	<u>24 RCNY 6-04(p)</u>	<u>Public Health Hazard</u>	<u>MFVU with food left unsecured or unattended for more than one-half hour</u>	-	-	-	-	\$600
06L	<u>NYCHC 89.19(d)</u>	<u>CRITICAL</u>	<u>Ice not held in manufacturer's bag</u>	-	-	\$250	-	-
06L	<u>NYCHC 89.19(d)</u>	<u>Public Health Hazard</u>	<u>Ice not obtained in chipped, crushed, or cubed form or not properly packaged.</u>	-	-	\$250	-	-
07A	<u>NYCHC 3.15(a)</u>	<u>CRITICAL</u>	<u>Interference or obstruction of Department personnel</u>	-	-	-	-	\$1,000
08A	<u>NYCHC 81.23(a)</u>	<u>CRITICAL</u>	<u>Harborage or conditions conducive to pests with pests, signs of pests</u>	-	-	\$200	\$200	-
08A	<u>NYCHC 81.23(b)(3)</u>	<u>GENERAL</u>	<u>Door openings from outside not properly equipped when pests or signs of pests present</u>	-	-	\$200	\$200	-
08B	<u>NYCHC 81.24(a)</u>	<u>GENERAL</u>	<u>Garbage cans not pest- or water-resistant; not covered with tight-fitted lids</u>	\$200	-	-	-	-
08B	<u>NYCHC 81.24(c)</u>	<u>GENERAL</u>	<u>Garbage receptacles and covers not cleaned after emptying and prior to reuse</u>	\$200	-	-	-	-
08B	<u>NYCHC 89.25(a)</u>	<u>GENERAL</u>	<u>Garbage, refuse and litter not properly removed or stored</u>	\$200	-	-	-	-
08B	<u>NYCHC 89.25(a)</u>	<u>GENERAL</u>	<u>Solid and liquid waste discarded on public streets, or in public litter baskets.</u>	\$200	-	-	-	-
08C	<u>NYCHC 81.17(g)</u>	<u>GENERAL</u>	<u>Toxic materials not properly stored</u>	\$200	\$200	\$200	\$200	\$200
08C	<u>NYCHC 81.23(d)(4)</u>	<u>GENERAL</u>	<u>Open bait station used</u>	\$200	\$200	\$200	\$200	\$200
08C	<u>NYCHC 89.19(k)</u>	<u>GENERAL</u>	<u>Pesticides, other toxic chemicals improperly used/stored on a MFVU.</u>	\$200	\$200	\$200	\$200	\$200
09A	<u>NYCHC 81.07(b)</u>	<u>GENERAL</u>	<u>Dented food cans not segregated from intact packages</u>	\$200	\$200	\$200	\$200	-
09B	<u>NYCHC 81.09(f)</u>	<u>GENERAL</u>	<u>Thawing procedures improper</u>	\$200	\$200	\$200	\$200	-
09C	<u>NYCHC 81.17(d)(1)</u>	<u>GENERAL</u>	<u>Food contact surface improperly constructed and maintained; not easily cleanable</u>	\$200	\$200	\$200	\$200	-

09D	24 RCNY 6-04	GENERAL	MFVU used as a dwelling, or for sleeping purposes						\$200
09E	NYCHC 81.21(c)	GENERAL	Wash hands sign not posted	\$200					
10B	24 RCNY 6-04(g)(1)	GENERAL	Potable water not protected from back-flow, back-siphonage or cross-connection	\$200	\$200	\$200	\$200	\$200	
10B	NYCHC 81.20(b)	GENERAL	Improper disposal of sewage or liquid waste	\$200	\$200	\$200	\$200	\$200	
10B	NYCHC 81.20(b)	GENERAL	Condensation pipes not properly installed or maintained	\$200	\$200	\$200	\$200	\$200	
10C	24 RCNY 6-04(c)	GENERAL	Lighting insufficient; inadequate	\$200	\$200	\$200	\$200	\$200	
10D	24 RCNY 6-04(d)	GENERAL	Ventilation (mechanical or natural) not provided or inadequate	\$200	\$200	\$200	\$200	\$200	
10E	24 RCNY 6-04(1)(1)	GENERAL	Accurate thermometer not provided in each hot and cold storage or holding equipment	\$200	\$200	\$200	\$200	\$200	
10E	24 RCNY 6-04(1)(2)	GENERAL	Thermometer not properly located in each hot and cold holding equipment	\$200	\$200	\$200	\$200	\$200	
10F	24 RCNY 6-04(b)(2)	GENERAL	Exterior non-food contact surfaces: unacceptable materials used	\$200	\$200	\$200	\$200	\$200	
10F	24 RCNY 6-04(b)(1)	GENERAL	Interior non-food contact surfaces: unacceptable material used, or not clean or sanitary	\$200	\$200	\$200	\$200	\$200	
10F	NYCHC 81.17(e)	GENERAL	Non-food contact surface (equipment, fixtures, decorative material, fans, etc.) not clean or not in working order	\$200	\$200	\$200	\$200	\$200	
10G	NYCHC 81.29(a)	GENERAL	Manual sanitizing procedure inadequate					\$200	
10G	NYCHC 81.29(a)(3)(B)	GENERAL	Chemical sanitizer unapproved or sanitizing procedure inadequate					\$200	
10G	NYCHC 81.29(a)(3)(B)	GENERAL	Test kit not accurate or used for manual dishwashing					\$200	
10H	NYCHC 81.07(o)	GENERAL	Single service items improperly stored or reused	\$200	\$200	\$200	\$200	\$200	
10H	NYCHC 81.07(o)	GENERAL	Drinking straws improperly dispensed	\$200	\$200	\$200	\$200	\$200	
10H	NYCHC 89.23(c)	GENERAL	Single service items not provided	\$200	\$200	\$200	\$200	\$200	
10H	NYCHC 89.23(c)	GENERAL	Consumer not provided with single service items.	\$200	\$200	\$200	\$200	\$200	
10I	NYCHC 89.19(l)	GENERAL	Failure to clean unit at commissary or approved facility at least daily						\$200

***Default Penalties.** When a respondent is found in default, the penalty for each violation of the Health Code or the State Public Health Law must be doubled, except that in no case may the penalty imposed exceed \$2000. Except when this Appendix states that a violation is subject to the Multiple Offense Schedule (MOS), the penalty to be imposed upon a respondent found in default for any violation of the rules of the Department in 24 RCNY must be doubled, but may not exceed \$1,000.

**APPENDIX 6-C-2 MOBILE FOOD VENDING UNIT (MFVU) PENALTY SCHEDULE
UNSCORED VIOLATIONS**

VIOLATION CODE	CITATION	VIOLATION DESCRIPTION	VIOLATION PENALTY*
16-01	NYCHC 81.08(a)	Cooking oil, shortening, margarine contains 0.5 grams or more of artificial trans fat	\$200
16-02	NYCHC 81.08(c)	Nutritional fact labels and/or ingredient label is not maintained on site.	\$200
16-03	NYCHC 81.50(c)	Calorie information is not posted on menu and menu board	\$200
16-03	NYCHC 81.50(c)	Total number of calories or total number of discrete calories not posted.	\$200
16-03	NYCHC 81.50(c)	Calorie information not posted for standard menu items offered in different varieties	\$200
16-03	NYCHC 81.50(c)	Calorie information not posted for combination meals	\$200
16-03	NYCHC 81.50(c)	Calorie information not posted for toppings	\$200

16-03	NYCHC 81.50(c)	Calorie information font, appearance, term used improper	\$200
16-03	NYCHC 81.50(c)	Calorie information improperly posted for standard menu items offered in three or more combinations	\$200
16-03	NYCHC 81.50(c)	Calorie information for standard menu item offered in two different combinations not posted with a slash between both calories count	\$200
16-03	NYCHC 81.50(c)	Calorie information for standard menu items that come in two different varieties not posted with a slash between both calorie count	\$200
16-03	NYCHC 81.50(c)	Calorie information improperly posted for standard menu items offered in three or more different varieties.	\$200
16-04	NYCHC 81.50(d)	Required nutritional succinct statements not posted on menu(s) for adults and children	\$200
16-06	NYCHC 81.50(e)	Additional nutritional information statement not posted	\$200
16-06	NYCHC 81.50(e)	Written nutritional information not provided in a manner required by Federal Law	\$200
16-08	NYCHC 81.49(b)(1)	No sodium warning icon where required	\$200
16-09	NYCHC 81.49(b)(1)	Sodium warning icon non-compliant with design specifications	\$200
16-10	NYCHC 81.49(b)(2)	No sodium warning statement at point of purchase	\$200
18-03	NYCHC 89.05(a)	Operating a MFVU without a permit in restricted or private space	\$1,000
18-05	NYCHC 89.07(a)	Operating a MFVU without a license in restricted or private space	\$1,000
18-06	NYCHC 89.13(g)	Allowing unlicensed person to vend	\$1,000
18-07	24 RCNY 6-04(b)(3)	Unobstructed space not provided for posting of permit-decal and grade card	\$500
18-09	NYCHC 89.07(d)	Failure to display license and/or permit documentation	\$200
18-12	NYCHC 3.19	Department document unlawfully reproduced or altered	\$1,000
18-13	NYCHC 3.05(a)	Failure to comply with an Order of the Board of Health, Commissioner or Department	\$1,000
18-14	NYCHC 3.17	Notice, Order or other posted material of the Department mutilated, obstructed, or removed	\$1,000
18-15	NYCHC 81.43(a)	Foodborne illness; failure to notify department	\$200
18-16	NYCHC 89.13(a)	Failure to permit inspection or present unit at time and place designated by the Department	\$1,000
18-17	NYCHC 3.19	Submitting false, misleading statements, documents; documents unlawfully reproduced or altered	\$1,000
20-06	24 RCNY 6-19	Current letter grade or Grade Pending card not posted	\$1,000
20-07	24 RCNY 6-20(b)	Current letter grade or Grade Pending card removed, destroyed, modified, obscured, or otherwise tampered with	\$1,000
22-05	24 RCNY 6-21(b)	Operating without a location sharing device	\$1,000
22-05	24 RCNY 6-21(c)	Location sharing device removed, obstructed, disposed of, modified or tampered with	\$1,000
22-06	24 RCNY 6-03(f)	Vending non-food items	\$200
22-10	NYCHC 89.23(b)	Vending from any place other than a MFVU	\$200
28-01	NYCHC 3.07	Failure to take reasonable precautions to protect health and safety, e.g., by not securing CO2 or liquefied petroleum gas (LPG) containers	\$1,000
28-01	NYCHC 3.09	Failure to abate or remediate nuisance	\$1,000
28-02	NYCHC 81.07(p)	Microwave safe container not marked or used	\$200
28-03	24 RCNY 6-04(c)	Light fixtures not shielded, shatterproofed, or otherwise protected from accidental breakage	\$200
28-04	NYCHC 89.25(c)	Failure to remove consumer litter, and food spillage caused by the operation	\$200
28-05	NYCHC 71.05	Food adulterated or misbranded	\$500
28-06	NYCHC 81.23(b)(2)	Contract with pest management professional, record of pest extermination activities not kept on premises	\$200
28-07	NYCHC 81.31	Unauthorized FSE street, sidewalk cooking	\$350
28-08	24 RCNY 6-06(a)	MFVU exceeds size requirements	\$200
99-00	NYCHC miscellaneous	Other Health Code unscored violations	\$200

***Default Penalties.** When a respondent is found in default, the penalty for each violation of the Health Code or the State Public Health Law must be doubled, except that in no case may the penalty imposed exceed \$2000.

Except when this Appendix states that a violation is subject to the Multiple Offense Schedule (MOS), the penalty to be imposed upon a respondent found in default for any violation of the rules of the Department in 24 RCNY must be doubled, but may not exceed \$1,000.

When a respondent is found in default for any violation of the New York City Administrative Code or the New York State Sanitary Code, the penalty shall remain the same as that set forth herein.

APPENDIX 6-C-3 MOBILE FOOD VENDING UNIT (MFVU) PENALTY SCHEDULE VIOLATIONS

ADMINISTRATIVE CODE AND MULTIPLE OFFENSE SCHEDULE (MOS)

CITATION	VIOLATION DESCRIPTION	PENALTY*
Admin. Code 16-329(c)	Possess, sell expanded polystyrene (EPS) single service articles	\$250 (1st); \$500 (2nd); \$1,000 (3rd or more in 12 months)
Admin. Code 17-307(a)(1)	Unlicensed mobile food vendor (public space)	\$1,000
Admin. Code 17-307(b)(1)	Unpermitted MFVU (public space)	\$1,000
Admin. Code 17-307(b)(1)	Vending food other than fresh fruits and vegetables	\$1,000
Admin. Code 17-307(d)	Vending of unapproved items	MOS**
Admin. Code 17-311	Failure to display license and/or plate	MOS
Admin. Code 17-311(d)	Green Cart vendor failed to carry map showing authorized vending areas	MOS
Admin. Code 17-315(a)	MFVU on sidewalk less than 12 feet, or not at curb	MOS
Admin. Code 17-315(b)	Pushcart touching against building	MOS
Admin. Code 17-315(c)	Items not kept in MFVU (except waste container)	MOS
Admin. Code 17-315(d)	Pushcart against display window or within 20 feet of entrance of any building or within 20 feet from exits, including service exits, to buildings that are exclusively residential at street level	MOS
Admin. Code 17-315(e)	Vending in: bus stop, sidewalk next to a hospital or health facility, no standing zone or within 10 feet of a driveway, subway, crosswalk	MOS
Admin. Code 17-315(h)	Vending on median strip, which is not intended for mall or plaza	MOS
Admin. Code 17-315(i)	Unapproved vending within Parks Department jurisdiction	MOS
Admin. Code 17-315(k), (l)	Vending at time/place prohibited	MOS
*Default Penalties. When a respondent is found in violation of New York City Administrative Code Section 17-307 (a)(1) or (b)(1), the penalty for each violation is \$1,000 which may not be increased on default.		
**MOS or Multiple Offense Schedule. In accordance with New York City Administrative Code Section 17-325, the Multiple Offense Schedule (MOS) applies to a subsequent violation by the same respondent, of the same section of law listed in this Penalty Schedule as subject to the "MOS" with a date of occurrence within two (2) years of the date(s) of occurrence of the first violation. The MOS is to be applied as follows:		
1st Violation \$50 (default \$50); 2nd Violation \$100 (default \$100); 3rd Violation \$250 (default \$250); 4th and subsequent Violation \$500 (default \$500).		

SPECIAL MATERIALS

CITY PLANNING

NOTICE

POSITIVE DECLARATION

Project Identification
 Staten Island & Bronx
 Special Districts Update
 CEQR No. 19DCP083Y
 ULURP Nos. Pending
 SEQRA Classification: Type I

Lead Agency
 City Planning Commission
 120 Broadway
 New York, NY 10271
 Contact: Olga Abinader
 (212) 720-3493

Name, Description and Location of Proposal:

Staten Island & Bronx Special Districts Update
 The New York City Department of City Planning (DCP), the Applicant, is proposing zoning text and zoning map amendments (the "Proposed Action") to the Special Natural Area District, Special South Richmond Development District and Special Hillside Preservation District to provide a clear and consistent framework for natural resource preservation that balances development and ecological goals within these Special Districts. In Staten Island, the Proposed Action also includes targeted zoning text changes to the Lower Density Growth

Management Areas (LDGMA) and to areas with applicable cross access requirements to further the original purposes of protecting neighborhood character and making the regulations easier to apply.

The Proposed Action includes zoning text and related zoning map changes that would affect the Special Natural Area District (Article X, Chapter 5), Special South Richmond Development District (Article X, Chapter 7), and Special Hillside Preservation District (Article XI, Chapter 9) of the Zoning Resolution (ZR). The Proposed Action would affect Staten Island's Special Hillside Preservation District (SHPD) in Community District 1; Staten Island's Special Natural Area Districts (NA-1 and NA-3) in Community Districts 1 and 2; Staten Island's Special South Richmond Development District (SSRDD) in Community District 3; and the Bronx's Special Natural Area District (NA-2) district in Riverdale and Fieldston, Community District 8. The proposed zoning text amendment to Lower Density Growth Management Area (LDGMA) will affect all three Community Districts in Staten Island; modification of requirements for cross access between non-residential parking lots would affect C4-1, C8, M1, M2 and M3 districts in Staten Island. The Special Natural Area District in Queens (NA-4) would not be affected by the proposed changes.

The Special Districts that are the subject of the Proposed Action were established in the 1970's and 1980's to balance development with environmental protections in areas with significant natural features, that have ecological and conservation values. Collectively, these regulations introduced valuable resource protection and oversight mechanisms. However, current regulations lack a broader approach to the ecological context, since they focus on the preservation of natural features on a site-by-site basis. Without considering the relationship of the natural features on a site to the wider ecological context, the current regulations lack clear and consistent parameters to guide the City Planning Commission's (CPC) review when a property owner requests permission to remove or modify natural features, resulting in unpredictable and inconsistent outcomes. Additionally, the current one-size fits all approach for properties of all sizes, land uses and types of natural feature subject to CPC review imposes burdensome costs and

time delays for homeowners seeking to make modest changes to their properties, while allowing some larger developments in sensitive areas to be developed without any public oversight.

Moreover, the City's understanding of the natural environment has evolved, revealing a better understanding of the importance of larger natural areas, such as Forever Wild parklands, which are referred to as "designated natural resources" in the Proposed Action. These larger natural areas are now understood to be key "anchor habitats" that have a high level of biodiversity with more species of plants and animals and form an integral part of the larger ecosystem. Technology has also improved in the last 40 years, allowing these areas to be mapped more accurately. These "designated natural resources" that are already on publicly protected lands, combined with other larger habitats on private properties, are the assets that the Proposed Action intends to protect, preserve and enhance.

The Proposed Action seeks to update and refine current regulations to strengthen and rationalize natural resource preservation, to codify best practices learned over the past 40 years and to create a more homeowner-friendly environment with robust as-of-right rules with clearer outcomes for development on smaller lots (defined for the purposes of the Proposed Action as sites of less than one acre in size). As-of-right regulations that protect significant natural features and ensure cohesion within neighborhoods with distinct character would allow small lots (less than one acre) to be developed as-of-right, provided compliance with the Proposed Action without requiring CPC review.

The Proposed Action would require special review by the CPC for development on large lots (defined as sites measuring one acre or more in size), as well as development with new private roads or new buildings or subdivisions of a lot in a historic district. In areas of steep slope or ecological sensitivity (abutting designated natural resources), developments including four or more new lots or buildings would also require CPC review. These types of developments have a greater potential to affect the surrounding ecology, neighborhood character and the public realm.

Because the current regulations require many small properties to go through CPC review, it is anticipated that the proposed framework will result in a reduction of over 66 percent in the number of applications requiring CPC review, based on data analysis of applications to the CPC in the three affected special districts from 2012 to 2017.

The Proposed Action would set clear parameters for large (one acre or more) and sensitive sites such that CPC review would result in predictable outcomes for natural feature preservation and development. Additionally, for sites with existing habitat, portions of their habitat would be required to be preserved in perpetuity to maintain ecological connectivity and neighborhood character. These sites, which will be pre-identified in the Zoning Resolution, will require ecological assessment of habitat before a development is designed so that the requirement can be met by preservation of the most valuable ecological areas that may also provide connectivity to the larger protected natural areas. There will be an option to cluster buildings on these sites in order to preserve natural habitat on a portion of the site while maintaining roughly the same development potential for the entire site. The proposal would encourage upfront long-term site planning to create a holistic development plan for the public and the property owner, considering natural resource preservation.

The proposal would also remove CPC review for Bluebelt properties managed by the NYC Department of Environmental Protection (DEP) and NYC Parks properties as required in the existing SNAD regulations. Due to NYC Parks and NYC DEP goals of preserving natural resources as well as their own public review process and the Public Design Commission (PDC) public review process for any publicly owned property, the goals of the Proposed Action would be maintained without CPC review.

To achieve these objectives, the proposal would combine the existing three Special Districts (Hillsides, Natural Areas and South Richmond) into one Special District called the "Special Natural Resources District" to create consistent natural resource preservation rules. The Proposed Actions would establish a new Subdistrict to maintain the existing special bulk, parking and open space rules of the Special South Richmond Development District. Within the new Special District, three ecological areas (Escarpment, Resource Adjacent and Base Protection) would be established to create a hierarchy of natural resource preservation based on the proximity of a private property to "designated natural resources" or properties containing steep slopes, to protect, enhance and connect the most ecologically sensitive resources. The Proposed Action would also update cross access regulations on Staten Island and LDGMA regulations that established residential development controls regarding parking, yard, open space, private roads and other regulations to preserve neighborhood character.

The Proposed Action is not expected to cause a significant change in the overall amount, type, or location of development. On large sites (one acre or more) with existing habitat, where a portion of the site is required to be preserved, in certain cases, the development under the Proposed Action may be reduced to balance the goals of habitat preservation. This proposal is not expected to induce development

where it would not have otherwise occurred absent the Proposed Action. The land use actions (certifications, authorizations and special permits) necessary to facilitate development on a site may be changed or eliminated by the Proposed Action. The proposed changes to LDGMA regulations in Staten Island are not expected to cause a significant change in the overall amount, type or location of development, though in some cases due to updates in minimum lot area rules along private roads, the amount of development under proposed regulations may be reduced. Updates to cross access regulation are mostly clarifications of rules and changes to review process and would not affect the type or amount of development.

The analysis year for the Proposed Action is 2029.

Statement of Significant Effect:

On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The action, as proposed, may result in significant adverse impacts related to land use, zoning and public policy.
2. The action, as proposed, may result in significant adverse impacts related to socioeconomic conditions.
3. The action, as proposed, may result in significant adverse impacts related to community facilities.
4. The action, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.
5. The action, as proposed, may result in significant adverse shadow impacts.
6. The action, as proposed, may result in significant adverse impacts related to historic and cultural resources.
7. The action, as proposed, may result in significant adverse impacts related to urban design and visual resources.
8. The action, as proposed, may result in significant adverse impacts on natural resources in the vicinity of the affected area.
9. The action, as proposed, may result in significant adverse impacts related to hazardous materials.
10. The action, as proposed, may result in significant adverse impacts related to water and sewer infrastructure.
11. The action, as proposed, may result in significant adverse impacts on solid waste and sanitation services.
12. The action, as proposed, may result in significant adverse impacts of energy.
13. The action, as proposed, may result in significant adverse impacts related to transportation.
14. The action, as proposed, may result in significant adverse impacts to air quality.
15. The action, as proposed, may result in significant adverse impacts to greenhouse gas emissions.
16. The action, as proposed, may result in significant adverse noise impacts.
17. The action, as proposed, may result in significant adverse public health impacts.
18. The action, as proposed, may result in significant adverse impacts related to neighborhood character in the vicinity of the affected area.
19. The action, as proposed, may result in significant adverse construction-related impacts.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. Land Use, Zoning and Public Policy – The proposed action could result in a change to zoning and land use.
2. Socioeconomic Conditions – The proposed action could result in effects to socioeconomic conditions
3. Community Facilities – The proposed action could result in increases in residential units, which could result in effects on public schools, child care facilities, libraries, and health, police and fire safety services.
4. Open Space – Direct and indirect changes to the area's open spaces may occur.
5. Shadows – The proposed action may allow new buildings as of right. Shadows cast by the proposed buildings could affect sunlight sensitive resources in the study area.
6. Historic and Cultural Resources – The proposed action could result in new construction within close proximity to known architectural or archaeological resources.
7. Urban Design and Visual Resources – The proposed action could change the urban design and visual character of the affected area.
8. Natural Resources – The proposed action could result in new development within close proximity to natural resources.
9. Hazardous Materials – The proposed action could result in new construction and in-ground disturbance within the

- affected area, which has a documented history of hazardous materials conditions.
10. Water and Sewer Infrastructure – The proposed action could result in increased water demand.
 11. Solid Waste and Sanitation – The proposed action could result in increased solid waste and demand for sanitation services.
 12. Energy – The proposed action could result in increased energy consumption.
 13. Transportation – The proposed action could generate vehicular traffic and increase demand for parking, pedestrian traffic and subway and bus riders.
 14. Air Quality – The proposed action could have the potential to result in mobile and stationary air quality impacts.
 15. Greenhouse Gas Emissions – The proposed action could generate greenhouse gas emissions.
 16. Noise – The proposed action could have the potential to result in mobile and stationary source noise impacts.
 17. Public Health – The proposed action could result in effects related to air quality, hazardous materials or noise, and consequently public health may be affected.
 18. Neighborhood Character – The proposed action could affect socioeconomic conditions, urban design and visual resources, historic and cultural resources, transportation and noise; consequently, the affected area’s neighborhood character may be affected.
 19. Construction – Potential significant adverse impacts related to architectural resources and transportation, air quality,

- noise, hazardous materials and natural resources could also result in construction impacts.
20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment.

Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

Two public scoping meetings have been scheduled. The first public scoping meeting will be held on Monday, December 10, 2018, at Wagner College, Spiro Hall, Room 2, 1 Campus Road, Staten Island, NY 10301. The meeting will begin at 4:00 P.M.

The second public scoping meeting will be held on Thursday, December 13, 2018, at Ethical Culture Fieldston School, Student Commons Room, 3901 Fieldston Road, Bronx, NY 10471. The meeting will begin at 4:00 P.M.

Written comments will be accepted by the lead agency until the close of business on Monday, January 14, 2019.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Stephanie Shellooe, at (212) 720-3328.

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8228
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 11/5/2018
3687331	1.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0454 GAL.	2.4438 GAL.
3687331	2.0	#2DULS	PICK-UP	SPRAGUE	-.0454 GAL.	2.3391 GAL.
3687331	3.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0454 GAL.	2.6421 GAL.
3687331	4.0	#2DULS	PICK-UP	SPRAGUE	-.0454 GAL.	2.5373 GAL.
3687331	5.0	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0485 GAL.	2.7092 GAL.
3687331	6.0	#1DULS	PICK-UP	SPRAGUE	-.0485 GAL.	2.6044 GAL.
3687331	7.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0454 GAL.	2.4716 GAL.
3687331	8.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0454 GAL.	2.7626 GAL.
3687331	9.0	B100	CITYWIDE BY TW	SPRAGUE	-.0226 GAL.	2.7786 GAL.
3687331	10.0	#2DULS	PICK-UP	SPRAGUE	-.0454 GAL.	2.3668 GAL.
3687331	11.0	#2DULS	PICK-UP	SPRAGUE	-.0454 GAL.	2.6578 GAL.
3687331	12.0	B100	PICK-UP	SPRAGUE	-.0226 GAL.	2.6738 GAL.
3687331	13.0	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0485 GAL.	2.7188 GAL.
3687331	14.0	B100	CITYWIDE BY TW	SPRAGUE	-.0226 GAL.	2.7875 GAL.
3687331	15.0	#1DULS	PICK-UP	SPRAGUE	-.0485 GAL.	2.6140 GAL.
3687331	16.0	B100	PICK-UP	SPRAGUE	-.0226 GAL.	2.6827 GAL.
3687331	17.0	#2DULS	BARGE MTF III & ST. WI	SPRAGUE	-.0454 GAL.	2.4044 GAL.
3687192	1.0	Jet	FLOYD BENNETT	SPRAGUE	-.0355 GAL.	3.0526 GAL.
3587289	2.0	#4B5	MANHATTAN	UNITED METRO	-.0262 GAL.	2.4341 GAL.
3587289	5.0	#4B5	BRONX	UNITED METRO	-.0262 GAL.	2.4329 GAL.
3587289	8.0	#4B5	BROOKLYN	UNITED METRO	-.0262 GAL.	2.4271 GAL.
3587289	11.0	#4B5	QUEENS	UNITED METRO	-.0262 GAL.	2.4324 GAL.
3587289	14.0	#4B5	RICHMOND	UNITED METRO	-.0262 GAL.	2.5178 GAL.
3687007	1.0	#2B5	MANHATTAN	SPRAGUE	-.0443 GAL.	2.3763 GAL.
3687007	4.0	#2B5	BRONX	SPRAGUE	-.0443 GAL.	2.3653 GAL.
3687007	7.0	#2B5	BROOKLYN	SPRAGUE	-.0443 GAL.	2.3820 GAL.
3687007	10.0	#2B5	QUEENS	SPRAGUE	-.0443 GAL.	2.3782 GAL.
3687007	13.0	#2B5	RICHMOND	SPRAGUE	-.0443 GAL.	2.5426 GAL.
3687007		#2B5	RACK PICK-UP	SPRAGUE	-.0443 GAL.	2.3041 GAL.
3687007	16.0	#2B10	CITYWIDE BY TW	SPRAGUE	-.0431 GAL.	2.5358 GAL.
3687007	17.0	#2B20	CITYWIDE BY TW	SPRAGUE	-.0409 GAL.	2.5593 GAL.
3787198	18.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0454 GAL.	2.6540 GAL.
3787198	19.0	B100	CITYWIDE BY TW	SPRAGUE	-.0226 GAL.	3.1831 GAL.
3787198	20.0	#2DULS	PICK-UP	SPRAGUE	-.0454 GAL.	2.4993 GAL.
3787198	21.0	B100	PICK-UP	SPRAGUE	-.0226 GAL.	3.0284 GAL.

Note:

3687331	#2DULSB5	95% ITEM 8.0 & 5% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0443 GAL.	2.7634 GAL.
3687331	#2DULSB10	90% ITEM 8.0 & 10% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0431 GAL.	2.7642 GAL.
3687331	#2DULSB20	80% ITEM 8.0 & 20% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0409 GAL.	2.7658 GAL.
3687331	#2DULSB5	95% ITEM 11.0 & 5% ITEM 12.0	P/U	SPRAGUE	-.0443 GAL.	2.6586 GAL.
3687331	#2DULSB10	90% ITEM 11.0 & 10% ITEM 12.0	P/U	SPRAGUE	-.0431 GAL.	2.6594 GAL.
3687331	#2DULSB20	80% ITEM 11.0 & 20% ITEM 12.0	P/U	SPRAGUE	-.0409 GAL.	2.6610 GAL.

3687331	#1DULSB20	80% ITEM 13.0 & 20% ITEM 14.0	CITYWIDE BY TW	SPRAGUE	-.0433 GAL.	2.7326 GAL.
3687331	#1DULSB20	80% ITEM 15.0 & 20% ITEM 16.0	PICK-UP	SPRAGUE	-.0433 GAL.	2.6278 GAL.
3787198	#2DULSB50	50% ITEM 18.0 & 50% ITEM 19.0	CITYWIDE BY TW	SPRAGUE	-.0340 GAL.	2.9185 GAL.
3787198	#2DULSB50	50% ITEM 20.0 & 50% ITEM 21.0	PICK-UP	SPRAGUE	-.0340 GAL.	2.7638 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8229
FUEL OIL, PRIME AND START

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 11/5/2018
3787250	1.0	#2B5	ERP - CITYWIDE	PACIFIC ENERGY	-.0443 GAL.	2.4341 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8230
FUEL OIL AND REPAIRS

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 11/5/2018
3787250	1.0	#2B5	CITYWIDE BY TW	PACIFIC ENERGY	-.0443 GAL.	2.4341 GAL.
3787250	2.0	#4B5	CITYWIDE BY TW	PACIFIC ENERGY	-.0262 GAL.	2.3508 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 8231
GASOLINE

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 11/5/2018
3787120	1.0	Reg UL	CITYWIDE BY TW	GLOBAL MONTELLO	-.0636 GAL.	1.8593 GAL.
3787120	2.0	Prem UL	CITYWIDE BY TW	GLOBAL MONTELLO	-.0693 GAL.	2.0199 GAL.
3787120	3.0	Reg UL	PICK-UP	GLOBAL MONTELLO	-.0636 GAL.	1.7943 GAL.
3787120	4.0	Prem UL	PICK-UP	GLOBAL MONTELLO	-.0693 GAL.	1.9549 GAL.
3787121	6.0	E70 (Winter)	CITYWIDE BY DELIVERY	UNITED METRO	-.0177 GAL.	1.9449 GAL.

NOTE:

- As of February 9, 2018, the Bio-Diesel Blender Tax Credit was retroactively reinstated for calendar year 2017. Should the tax credit be further extended, contractors will resume deducting the tax credit as a separate line item on invoices.
- Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$.001 per gallon and will be shown as a separate line item on your invoice.
- The National Oilheat Research Alliance (NORA) resumed operations in 2014. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. NORA has been authorized through February 2019. All other terms and conditions remain unchanged.
- DCAS has registered contract #20181202926/3887214 for Renewable Hydrocarbon Diesel Demonstration Project.

The following NYC agencies are authorized to participate: DCAS, DOT, DPR, DSNY, DEP. However, other agencies may participate with prior DCAS' approval.

REMINDER FOR ALL AGENCIES:

In anticipation of the upcoming winter season, please ensure your fuel purchase orders are in place and your respective agency tops off their *interruptible* and fuel tanks on a continuous basis.

All entities utilizing DCAS fuel contracts are reminded to pay their invoices on time to avoid interruption of service.

Please send inspection copy of receiving report for all gasoline (E85, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

CHANGES IN PERSONNEL

DEPARTMENT OF CITY PLANNING FOR PERIOD ENDING 10/05/18						
NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
CHAN	CONNIE	22122	\$80032.0000	INCREASE	NO 09/16/18	030
CLERMONT	JOHANE J	22122	\$71134.0000	RESIGNED	NO 09/07/18	030
CUNNINGHAM	SHAUN K	13632	\$94962.0000	RESIGNED	YES 06/03/18	030
GHOSH	RUPSHA	56058	\$65160.0000	RESIGNED	YES 08/01/18	030
KAVALAR	MICHAEL H	22122	\$73000.0000	DECREASE	NO 07/26/18	030
KLINGEL	NILUS	22122	\$71791.0000	DECREASE	NO 07/26/18	030
LEE	CHRISTOP K	22122	\$71147.0000	APPOINTED	NO 08/12/18	030
MATHEW	JESSICA G	21744	\$83643.0000	RESIGNED	YES 09/26/18	030
MENJIVAR	MANUEL U	10074	\$120000.0000	APPOINTED	YES 09/16/18	030
MILLER	GREGORY J	22122	\$61800.0000	DECREASE	NO 07/26/18	030
MOSES	KENDALL L	22121	\$23.6400	RESIGNED	YES 09/08/18	030

DEPARTMENT OF CITY PLANNING FOR PERIOD ENDING 10/05/18						
NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
ULKER KACAR	EVREN	22122	\$86032.0000	RESIGNED	NO 02/15/18	030
WOOD	KERENSA S	22122	\$80032.0000	INCREASE	NO 09/16/18	030
ZHANG	LE	22122	\$60000.0000	DECREASE	NO 07/26/18	030

DEPARTMENT OF INVESTIGATION FOR PERIOD ENDING 10/05/18						
NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
D'ANGELIS	MICHAEL J	31143	\$60000.0000	RESIGNED	YES 09/21/18	032
DAVIE	VICKI C	31130	\$105575.0000	RESIGNED	YES 09/19/18	032
DAVIE	VICKI C	12627	\$85588.0000	RETIRED	NO 09/19/18	032

QORRI	LORENA	31143	\$60000.0000	RESIGNED	YES 09/23/18	032
ROZEN	DAVID A	30119	\$81159.0000	RESIGNED	YES 09/16/18	032

TEACHERS RETIREMENT SYSTEM FOR PERIOD ENDING 10/05/18						
NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
BRAMBHATT	RINA	10050	\$121292.0000	INCREASE	YES 09/09/18	041
GILBERT	PAUL A	13632	\$94880.0000	RETIRED	YES 09/19/18	041
GILBERT	PAUL A	13620	\$39747.0000	RETIRED	NO 09/19/18	041
GRAY	ROBERT E	10050	\$210756.0000	RESIGNED	YES 03/25/18	041
HEREDIA	LENIN	40493	\$60049.0000	INCREASE	NO 04/15/18	041
LIANG	SHAOLING	10050	\$120000.0000	INCREASE	YES 01/08/18	041
NUNEZ	MAILEN	13632	\$87731.0000	INCREASE	NO 06/06/18	041
PREMDAS	MAHENDRA	40493	\$64707.0000	INCREASE	NO 08/12/18	041
RAMSUNDAR	JIMMY O	82986	\$110716.0000	INCREASE	YES 07/01/18	041
SARKER	THOMAS M	40491	\$38315.0000	DECEASED	NO 12/22/16	041
SHIFER	SOFIYA	40493	\$51946.0000	INCREASE	YES 03/18/18	041
VILLAVICENCIO	NENITA S	40493	\$51763.0000	INCREASE	YES 03/18/18	041

CIVILIAN COMPLAINT REVIEW BD FOR PERIOD ENDING 10/05/18						
NAME	TITLE	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY
ABEDRABBO	WASSIM K	31165	\$65749.0000	INCREASE	YES 04/16/18	054
ALEXANDER	GEORGE	31165	\$65749.0000	INCREASE	YES 02/26/18	054
ANDERSON	CHRISTOP A	31165	\$65749.0000	INCREASE	YES 07/01/18	054
AZMITTA	MAGDALEN	31165	\$55230.0000	INCREASE	YES 06/26/18	054
BENTIN	OLGA	31165	\$65749.0000	INCREASE	YES 04/16/18	054
BEST	REBECCA	31165	\$65749.0000	INCREASE	YES 02/26/18	054
BROWNE	SHERE D	56058	\$65970.0000	INCREASE	YES 07/01/18	054

CASSAR JR	JOSEPH R	56057	\$41200.0000	RESIGNED	YES	01/10/18	054
CHANKO	NORA M	31165	\$65749.0000	INCREASE	YES	05/21/18	054
CHEN	HONGLIAN	56058	\$38.6900	INCREASE	YES	07/01/18	054
CONNORS	CHRISTOP M	31165	\$55230.0000	INCREASE	YES	03/12/18	054
DIAZ	MELINA	31165	\$65749.0000	INCREASE	YES	07/01/18	054
FINCH	GREGORY W	31165	\$65749.0000	INCREASE	YES	05/21/18	054
FORMAN	ISAAC L	31165	\$65749.0000	INCREASE	YES	07/01/18	054
GARDNER	COLIN P	31165	\$65749.0000	INCREASE	YES	07/01/18	054
HARTFORD	CHARLIE	31165	\$55230.0000	INCREASE	YES	06/26/18	054
HARVIANDY	MARCHELL	10234	\$15.5000	RESIGNED	YES	08/31/18	054
HERRERA	KARINA	31165	\$55230.0000	INCREASE	YES	06/26/18	054
HUAN	CALVIN	31165	\$55230.0000	INCREASE	YES	01/09/18	054
JOSEPH	NATHAN N	94494	\$315.0000	APPOINTED	YES	09/12/18	054
MACLURE	WILLIAM P	31165	\$65749.0000	INCREASE	YES	04/15/18	054
MCCANN	CASEY E	31165	\$55230.0000	INCREASE	YES	06/26/18	054
MONTGORIS	FRANK A	31165	\$65749.0000	INCREASE	YES	04/16/18	054
MUIR	MACDONAL A	31165	\$65749.0000	INCREASE	YES	05/21/18	054
PICHARDO	MASSIEL	31165	\$65749.0000	INCREASE	YES	07/01/18	054
POSTIGLIONE	AMT M	31165	\$65749.0000	RESIGNED	YES	07/26/18	054
PRAKASH	SANTOSH	31165	\$65749.0000	INCREASE	YES	04/16/18	054
RICHARDSON	JOSHUA F	31165	\$65749.0000	INCREASE	YES	04/16/18	054
SAMPSON	HANNAH A	31165	\$65970.0000	INCREASE	YES	07/01/18	054
SHAUCHENKA	VOLHA	31165	\$65749.0000	INCREASE	YES	04/16/18	054
SMITH	JENNIFER V	31165	\$55230.0000	INCREASE	YES	06/26/18	054
VALE	DIANA L	31165	\$65749.0000	INCREASE	YES	04/16/18	054
WURTZEL	BENJAMIN A	31165	\$64460.0000	RESIGNED	YES	06/03/18	054
YESSELMAN	TESSA S	31165	\$65749.0000	INCREASE	YES	04/16/18	054

POLICE DEPARTMENT
FOR PERIOD ENDING 10/05/18

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
ABEDIN	ROKSHANA	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
ADISON	JOSHUA J	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
AGOSTO	VANNESSA E	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
AHMED	TUFAYEL	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
AKTER	JASHMIN	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
ALAM	MOHAMMAD R	70205	\$13.5000	APPOINTED	YES	09/16/18	056
ALDERMAN	GREINDA N	70205	\$13.5000	RESIGNED	YES	09/20/18	056
ALLOCCO	MICHAEL J	70266	\$138089.0000	RETIRED	NO	06/26/18	056
ALONZO	JOSEFA B B	31175	\$61200.0000	RESIGNED	YES	08/30/18	056
ALVARADO	ENJOLI	70205	\$13.5000	APPOINTED	YES	09/16/18	056
ANDERSON	CHRISTOP A	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
ANDERSON	MEGHAN L	56056	\$17.4800	RESIGNED	YES	09/16/18	056
ANDRADE	VINCENT E	70210	\$85292.0000	RETIRED	NO	06/01/18	056
ANTOS	KAYLI M	21849	\$51290.0000	APPOINTED	YES	09/23/18	056
APAZA	ADA E	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
ARNOLD	JADA	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
ARRAO	KATHERIN A	70210	\$42500.0000	INCREASE	NO	10/18/17	056
ARRINGTON	NASHEEMA D	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
AUGUSTE	KARYNE	70205	\$13.5000	APPOINTED	YES	09/16/18	056
AVELINO	GAULIE D	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
AVENOSO	GABRIELL L	70205	\$13.5000	APPOINTED	YES	09/16/18	056
BACARELLA	BARBARA A	70205	\$14.3200	RETIRED	YES	09/29/18	056
BAEZ	ILYANI J	70205	\$13.5000	APPOINTED	YES	09/16/18	056
BALLON	JUANA	70205	\$13.5000	APPOINTED	YES	09/16/18	056
BAKER	DENIELLE	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BAKSH	AFRAZ I	92508	\$33872.0000	RESIGNED	YES	08/31/18	056
BANU	SHARMINA A	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BARTHELEMY	JOSELAINE	70205	\$13.5000	APPOINTED	YES	09/18/18	056
BASDEO	PRINCESS S	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BASTIAN JR	STEVEN L	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BAUTZ	KEILA	71651	\$38986.0000	RESIGNED	NO	09/15/18	056
BENOIT	ROBERT M	90644	\$29882.0000	APPOINTED	YES	09/23/18	056
BILLUPS	PHYLLIS D	10252	\$36445.0000	RETIRED	NO	09/27/18	056
BISWAS	LIPKA R	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BLAKE	DONNA C	70205	\$13.5000	RESIGNED	YES	09/25/18	056
BOBADILLA	JACOB S	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BONOMO	SPENCER G	70210	\$85292.0000	RETIRED	NO	09/16/18	056
BROWN	LATOYA N	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BROWN	TIJAH P	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BRUNKE	CHARLES W	70210	\$85292.0000	RETIRED	NO	06/16/18	056
BRYANT	ARIEL G	21849	\$51290.0000	APPOINTED	YES	09/23/18	056
BRYANT	GENE A	71651	\$41214.0000	RETIRED	NO	09/12/18	056
BURKE	SHERINE F	90644	\$29882.0000	APPOINTED	YES	09/23/18	056
BUTLER	JAMIE N	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BUTLER	LASTONE J	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
BYASHIMOVA	OGULJAHA	90644	\$29882.0000	APPOINTED	YES	09/23/18	056
BYRNS	KATHERIN A	30087	\$81085.0000	RESIGNED	YES	09/02/18	056
CACCSE	ANTHONY C	70210	\$54394.0000	RESIGNED	NO	09/14/18	056
CARR	DEBORAH K	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CARRERO	JENNIFER M	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CARROLL	LYKITA A	60817	\$32426.0000	APPOINTED	NO	09/09/18	056

POLICE DEPARTMENT
FOR PERIOD ENDING 10/05/18

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
CARTER	KHADIJAH	1002F	\$104689.0000	INCREASE	NO	08/31/18	056
CARTER	SHAWN F	60817	\$46737.0000	RESIGNED	NO	08/14/18	056
CARTUSCIELLO	ANTONELL P	70205	\$13.5000	APPOINTED	YES	09/16/18	056
CASTALDO	PIERLUIGI A	70210	\$85292.0000	RESIGNED	NO	09/19/18	056
CATALANO	RICHARD	92575	\$137960.0000	INCREASE	NO	06/05/18	056
CEPEDA	AXEL	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CHANDLER	CAMILLE B	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CHAPMAN	KRISTAL A	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CHAPMAN	PAUL E	70210	\$85292.0000	RETIRED	NO	06/01/18	056
CHAPMAN II	WARRINGT G	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CHARLES	JAMIE V	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CHILDS	ROSE A	10232	\$20.5700	RESIGNED	YES	09/22/18	056
CIPOLLONE	SANDRA P	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
COMANESCU	MIRCEA A	21849	\$51290.0000	APPOINTED	YES	09/23/18	056

CONCEPCION III	BERNARDO	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
COOK	DAISHELL T	60817	\$46737.0000	RESIGNED	NO	09/18/18	056
COX	GLORIA E	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CRUZ	CATHERIN	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CRUZ	DENISE	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
CRUZ	MARCELLA	70205	\$14.3200	RETIRED	YES	09/26/18	056
DAMA	PETER P	10033	\$170774.0000	INCREASE	YES	08/19/18	056
DAS	AJIT K	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
DAS	PROSANTA K	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
DAVIS	THOMAS W	70210	\$85292.0000	RETIRED	NO	06/16/18	056
DAVIS	TRACEY J	31121	\$54681.0000	INCREASE	YES	07/27/18	056
DECKER	ANDREW J	70210	\$54394.0000	RESIGNED	NO	09/24/18	056
DESUZA	VERNON	92510	\$322.4000	RETIRED	NO	09/23/18	056
DEY	AMIT K	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
DHANPATH	SHIVANAN	13621	\$46303.0000	RESIGNED	YES	01/21/18	056
DIAZ	YANEYRI E	90644	\$29882.0000	APPOINTED	YES	09/23/18	056
DUNCAN	SAQUAVEA J	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
EDMOND	KENALD	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
EDWARDS	ASHLI C	7165A	\$44214.0000	RESIGNED	NO	09/22/18	056
EDWARDS	DAIGERIA W	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
EDWARDS	LEANA E	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
EMILIANO	ALEXANDR	90644	\$29882.0000	APPOINTED	YES	09/23/18	056
ESCOBAR	JOHN A	21849	\$51290.0000	APPOINTED	YES	09/23/18	056
EVERSLEY	RYAN A	60817	\$32426.0000	RESIGNED	NO	09/15/18	056
FARGIANO	JOANN M	70205	\$13.5000	RESIGNED	YES	09/05/18	056
FEKETE	GABRIELL	70210	\$48666.0000	RESIGNED	NO	09/14/18	056
FERRARA	JOHN D	70210	\$85292.0000	RESIGNED	NO	09/14/18	056
FIELDS	SAQUAN W	60817	\$46737.0000	RESIGNED	NO	09/13/18	056
FLEMING	DANIELLE O	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
FLORES SERVELLO	MIRNA C	70205	\$13.5000	APPOINTED	YES	09/16/18	056
FLORVILLE	RUTH E	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
FLOYD	DARLENE C	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
FORBES	TANISHA R	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
FORD	BRITTANY A	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
FRAZIER-LOCKE	ALDITH M	60817	\$46737.0000	RETIRED	NO	09/25/18	056
FULLEDA	JUAN C	90622	\$39841.0000	RESIGNED	YES	08/29/18	056
FURMAN	LAUREN A	21849	\$51290.0000	APPOINTED	YES	09/23/18	056

POLICE DEPARTMENT
FOR PERIOD ENDING 10/05/18

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
GARCIA	BRYAN K	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
GATON	JARILSA M	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
GIANGRANDE	PAUL A	91915	\$361.4800	APPOINTED	NO	09/23/18	056
GILLIAM	STEPHANI E	71012	\$37343.0000	RESIGNED	NO	09/16/18	056
GOMEZ ALEJO	YARLEMY	70205	\$13.5000	APPOINTED	YES	09/16/18	056
GONZALEZ	JAMES-ST	60817	\$46737.0000	RESIGNED	NO	08/26/18	056
GOUDALO	KOFFI N	31175	\$61200.0000	APPOINTED	YES	09/23/18	056
GRACIANO	SOLINA G	90644	\$29882.0000	APPOINTED	YES	09/23/18	056
GRAFFEO	MELANIA A	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
GRAHAM	TIMOTHY	71651	\$41214.0000	RETIRED	NO	09/19/18	056
GRANT	GLADYS	71651	\$41214.0000	RETIRED	NO	09/18/18	056
GRIER	QUASHEMI	70205	\$13.5000	RESIGNED	YES	09/08/18	056
GRISOLIA	GARY	70210	\$89923.0000	RETIRED	NO	02/03/15	056
GUCCIARDO	LEONIDAS K	70210	\$45000.0000	RESIGNED	NO	09/26/18	056
GUILBE	SURELY	71012	\$50578.0000	RETIRED	NO	08/05/18	056
GUY	ROXANNE L	60817	\$32426.0000	APPOINTED	NO	09/09/18	056
GUZMAN	STEPHANI A	60817	\$32426.				

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
KINLOCH	LATOYA	C	60817	\$32426.0000	APPOINTED	NO	09/09/18 056
KIRBY	KENYETTA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
KORSAK	STEVEN		92575	\$112821.0000	RETIRED	NO	09/28/18 056
LACHAPEL	JOSE	M	60817	\$32426.0000	APPOINTED	NO	09/09/18 056
LAMB	JAMES	C	70235	\$109360.0000	RETIRED	NO	09/22/18 056
LAWRENCE	YADIRA	A	60817	\$32426.0000	APPOINTED	NO	09/09/18 056
LENNON	KAREN	Y	70205	\$13.5000	APPOINTED	YES	09/16/18 056
LEON	JOSHELIN	M	60817	\$32426.0000	APPOINTED	NO	09/09/18 056
LEW	PAK	L	70210	\$42500.0000	RESIGNED	NO	09/27/18 056
LEWIS	SHAMOUN P		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
LEWIS	SHANIQUE		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
LEWIS	YUSUF	Q	60817	\$32426.0000	APPOINTED	NO	09/09/18 056
LIBSTER	JACQUELI B		30087	\$109153.0000	APPOINTED	YES	09/23/18 056
LIVERMAN	SANDRA	E	71012	\$49823.0000	RETIRED	NO	09/14/18 056
LOPICCOLO	FILIPPO		70210	\$54394.0000	RESIGNED	NO	09/28/18 056
LOWE	STEPHANI I		70210	\$85292.0000	RETIRED	NO	07/01/18 056
LOZANO	BIENVENI R		70205	\$14.3200	RESIGNED	YES	09/06/18 056
LUM	EDWIN		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MAHONEY	GABRIEL J		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MAMUN	MOHAMMAD A		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MANDALA	MARISSA A		21744	\$86442.0000	RESIGNED	YES	08/18/18 056
MANIGAULT	SAMANTHA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MANUEL	JOHNIKA L		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MANZUETA	YOKASTA R		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MARCHELLO	KENNETH D		70210	\$85292.0000	RETIRED	NO	06/21/18 056
MARTE	DESIRE		70205	\$13.5000	APPOINTED	YES	09/16/18 056
MARTO	MARGARET		70205	\$14.3200	RESIGNED	YES	08/08/18 056
MASSARO	KRISTY M		70210	\$85292.0000	RESIGNED	NO	09/28/18 056
MATIAS JR	GUILLERM		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
MATOS III	MOISES		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MATTHIUS	PETER	M	60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MCCALL	NIKEISHA A		71012	\$50562.0000	RESIGNED	NO	09/15/18 056
MCCARTHY	TORRE		70210	\$42500.0000	RESIGNED	NO	09/28/18 056
MCGINN	MARJORIE A		70205	\$14.3200	RESIGNED	YES	09/22/18 056
MCGRIFF	LUQUANA D		71012	\$50562.0000	RESIGNED	NO	09/22/18 056
MCHUGH	EUGENE F		7023B	\$111851.0000	RETIRED	NO	06/01/18 056
MCINTOSH	NICKETA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MCJUNKIN	QUINTONY P		60817	\$46737.0000	RESIGNED	NO	09/19/18 056
MCKOY	LAKESHA C		70205	\$13.5000	APPOINTED	YES	09/16/18 056
MCLEAN	ROBERT I		21849	\$48277.0000	APPOINTED	YES	09/23/18 056
MCSHINE	KENDAR S		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MEANS	ALEXIS L		70205	\$13.5000	RESIGNED	YES	09/14/18 056
MEANS	TIFFANI C		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MEDINA	JOHNNY		91212	\$37200.0000	APPOINTED	NO	09/23/18 056
MEGGIE	ABGAIL M		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MGLIO	GERALD E		70260	\$125531.0000	RETIRED	NO	06/16/18 056
MENDEZ	JOSE L		60817	\$32426.0000	APPOINTED	NO	09/09/18 056

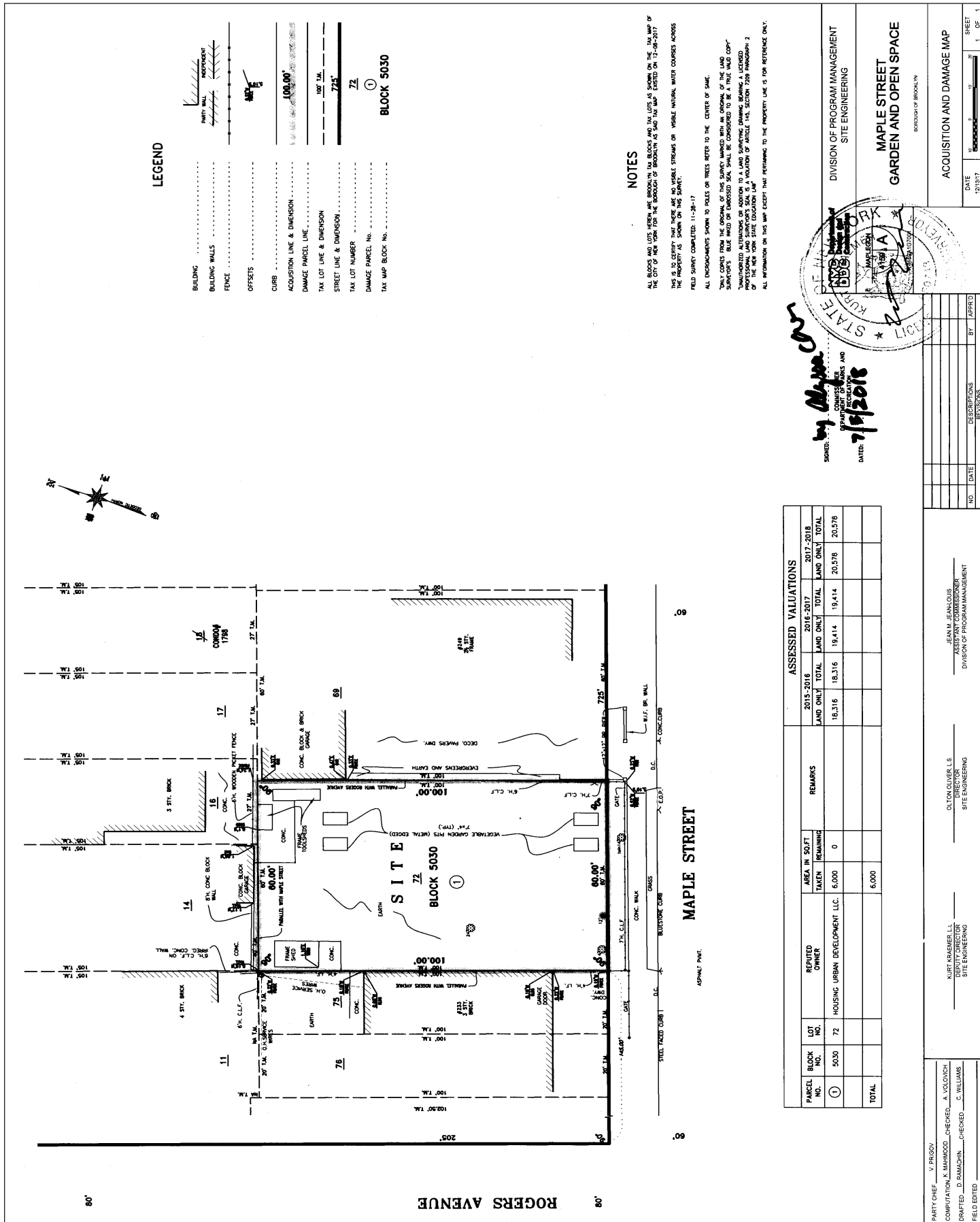
POLICE DEPARTMENT
FOR PERIOD ENDING 10/05/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
MENDEZ RODRIGUE	FELIPE A		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MERCADO	CHRISTIN P		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MESSINA	MARIE D		21849	\$51290.0000	APPOINTED	YES	09/23/18 056
MILES	ZIPORAH		60817	\$46737.0000	RESIGNED	NO	09/18/18 056
MILLER	JENELLE E		70210	\$85292.0000	RETIRED	NO	06/01/18 056
MILLER	TIFFANY		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MINIELLI	VITO A		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
MIRAKA	OLTI		70206	\$15.6400	RESIGNED	YES	09/22/18 056
MOHAMMADULLAH	FNU		71651	\$38625.0000	RESIGNED	NO	08/25/18 056
MOSES	BRIANNA J		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MOYBT	ASIA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MUNOZ	GLENNY M		70205	\$13.5000	APPOINTED	YES	09/16/18 056
MURPHY	TAYLOR M		10234	\$13.0000	RESIGNED	YES	09/22/18 056
MURRAY	SHEVON S		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
MURUGESAN	NEELAVAT		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
NADOLSKI	WILLIAM C		60216	\$104105.0000	APPOINTED	YES	09/23/18 056
NAHAR	MST Z		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
NAPOLION	RAVEN A		70205	\$13.5000	RESIGNED	YES	09/05/18 056
NAVARRETE JR	JORGE		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
NESBITT	KAYSHA S		60817	\$46737.0000	RESIGNED	NO	09/14/18 056
NEUMEYER JR	DONALD G		70205	\$13.5000	RESIGNED	YES	09/12/18 056
NG	NANCY C		52110	\$68869.0000	APPOINTED	YES	09/23/18 056
NOREIGA	MARVA A		70205	\$14.4700	RETIRED	YES	09/29/18 056
O' MALLEY	MARISA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
OGBOONNAYA	NNENNE U		10234	\$13.0000	RESIGNED	YES	09/22/18 056
ORIE	SAMANTHA P		10234	\$13.0000	RESIGNED	YES	09/14/18 056
ORTIZ	CARMEN D		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
ORTIZ	MALAYSHA D		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
OXLEY	EVER-LYN M		70205	\$13.5000	RESIGNED	YES	09/15/18 056
PADILLA	APOLINAR		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
PAGAN	ROSA M		70205	\$13.5000	APPOINTED	YES	09/16/18 056
PAREDES	MICHAEL S		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
PARRIS	PATRICIA A		60817	\$46737.0000	RETIRED	NO	09/25/18 056
PATTERSON	LEONARD		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
PATTERSON	SHAVETTE A		70205	\$13.5000	APPOINTED	YES	09/16/18 056
PATTERSON	TAYMARK D		60817	\$33498.0000	RESIGNED	NO	09/13/18 056
PAVA	CARLOS A		70210	\$85292.0000	RETIRED	NO	06/01/18 056
PERRY JR	EARL		71651	\$39449.0000	RESIGNED	NO	09/15/18 056
PETERS	SUSAN C		81901	\$38000.0000	RESIGNED	YES	09/04/18 056
PHILLIPS	SHARAYA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
PINDER	JUSTIN J		71651	\$41214.0000	RESIGNED	NO	08/13/18 056
PITA ROSALES	JESSICA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
POL	AMANDA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
POLANCO	RAMONA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
PRENTICE JR	DALE		21849	\$48277.0000	APPOINTED	YES	09/23/18 056
PRETTO	JEAN D		71651	\$45862.0000	RETIRED	NO	09/29/18 056
QUINN	TIMOTHY P		70210	\$85292.0000	RETIRED	NO	06/01/18 056
RAHMAN	ABUNOMAN M		31175	\$66000.0000	APPOINTED	YES	09/23/18 056
RAHMAN	ASHFAQUR		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RAHMAN	MOHITUR		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RAMOS LUCIANO	JUAN		70210	\$48666.0000	RESIGNED	NO	09/25/18 056

POLICE DEPARTMENT
FOR PERIOD ENDING 10/05/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
RAMOS RIVERA	MADELINE		60817	\$34570.0000	RESIGNED	NO	09/07/18 056
RATHOUR	SURJIT K		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RAYSOR	QIYANA M		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
REYES	TIFFANY M		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
REYNOLDS	MAKEDA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RHODES	PATIENCE U		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RICHARDSON	MICHELLE A		70205	\$13.5000	APPOINTED	YES	09/16/18 056
RINGO	SHAQUITA N		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RIVADENEIRA	RIKUY		91717	\$389.9700	RETIRED	NO	09/27/18 056
RIVERA	JOEL B		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RIVERA MULLER	YASMIN		70205	\$13.5000	RESIGNED	YES	09/12/18 056
RIVERE	ERIC		70210	\$85292.0000	RETIRED	NO	09/27/18 056
ROBINSON	CATRESHA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
ROBINSON	DAVAUNTE T		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
ROBLEY	LAVAUGHN L		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RODRIGUEZ	JOANNA M		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
RODRIGUEZ	MARIELA C		70205	\$13.5000	RESIGNED	YES	09/14/18 056
ROGERS	RONICITA T		70205	\$13.5000	RESIGNED	YES	09/19/18 056
ROJAS MORILLO	BRAYLIO A		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
ROSARIO	BARBARA		71012	\$38585.0000	RESIGNED	NO	09/25/18 056
ROSARIO	ERIKA A		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
ROSARIO	LESLIAN		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
ROSARIO COLLADO	MELITZA A		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
ROSS	DAVID W		70210	\$85292.0000	RETIRED	NO	07/28/18 056
SAMPLE	WILLIAM A		70235	\$109360.0000	RETIRED	NO	06/01/18 056
SANTOS	KARINA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SCHETTINO	ALEXIS J		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SEBEK	EVA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SELLERS	JUSTINE A		71012	\$38585.0000	RESIGNED	NO	09/13/18 056
SEVERINO	ARGENIS A		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SHAHIN	PHILIP M		70210	\$85292.0000	RETIRED	NO	06/01/18 056
SHANNON	DANIEL Q		70210	\$54394.0000	RESIGNED	NO	09/15/18 056
SHANTA	IRIN P		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SHIELDS	KENNETH W		70210	\$85292.0000	RESIGNED	NO	09/29/18 056
SILARDI	LESLEY		70210	\$42500.0000	RESIGNED	NO	09/27/18 056
SILVERIO	NELLIS A		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
SKYFIELD	JUDY		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SMALL-JONES	JULIA M		10144	\$28946.0000	RESIGNED	YES	03/03/04 056
SMART-MARTINEZ	VIVIAN A		71013	\$65125.0000	RETIRED	NO	09/27/18 056
SMITH	FELIDA		70205	\$14.3600	RETIRED	YES	09/29/18 056
SMITH	MELINDA		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SOLORZANO	LIGIA M		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SOW	AMADOU C		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SPELLER	SHAWN K		90644	\$29882.0000	APPOINTED	YES	09/23/18 056
SPINELLI	WILLIAM J		70210	\$59401.0000	RESIGNED	NO	09/28/18 056
STORINO	CHRISTIN M		10232	\$20.5700	RESIGNED	YES	08/12/17 056
SUAREZ	LAUREN		90622	\$39841.0000	RESIGNED	YES	08/25/18 056
SUBEDI	KAMAL K		60817	\$32426.0000	APPOINTED	NO	09/09/18 056
SUBEDI	THAKUR P		60817	\$32426.0000	APPOINTED	NO	09/0

COURT NOTICE MAP FOR MAPLE STREET PASSIVE RECREATION SPACE AND COMMUNITY GARDEN



LEGEND

- BUILDING
- BUILDING WALLS
- FENCE
- OFFSETS
- CURB
- ACQUISITION LINE & DIMENSION
- DAMAGE PARCEL LINE
- TAX LOT LINE & DIMENSION
- STREET LINE & DIMENSION
- TAX LOT NUMBER
- DAMAGE PARCEL No.
- TAX MAP BLOCK No.

BLOCK 5030

NOTES

ALL LOTS AND LOTS HEREIN ARE SHOWN TO BE SUBJECT TO THE BLOCK AND LOT LINES AS SHOWN ON THE TAX MAP OF THE CITY OF NEW YORK FOR THE YEAR OF 2018. THE LOTS ARE SHOWN AS SHOWN ON THE TAX MAP OF THE CITY OF NEW YORK FOR THE YEAR OF 2018. THE LOTS ARE SHOWN AS SHOWN ON THE TAX MAP OF THE CITY OF NEW YORK FOR THE YEAR OF 2018.

THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR VISIBLE NATURAL WATER COURSES ACROSS THE PROPERTY AS SHOWN ON THIS MAP.

FIELD SURVEY COMPLETED: 11-26-17

ALL ENCROACHMENTS SHOWN TO POLES OR TREES REFER TO THE CENTER OF SAME.

TRAILY CORNER FROM THE ORIGINAL OF THE SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S. BLUE WAXED OR EMBOSSSED SEAL SHALL BE CONSIDERED TO BE A "TRUE WAX COPY".

UNAUTHORIZED ALTERATIONS OR ADDITION TO A LAND SURVEYING DRAWING BEARING A LICENSED PROFESSIONAL LAND SURVEYOR'S SEAL IS A VIOLATION OF ARTICLE 145, SECTION 7209 PARAGRAPH 2 OF THE CITY OF NEW YORK CHARTER.

ALL INFORMATION ON THIS MAP EXCEPT THAT REFERRED TO THE PROPERTY LINE IS FOR REFERENCE ONLY.

ASSESSED VALUATIONS		REMARKS	
PARCEL NO.	LOT NO.	2015-2016 LAND ONLY TOTAL	2017-2018 LAND ONLY TOTAL
1	72	18,316	19,414
TOTAL		18,316	19,414

SENDER: *by Maple Street*
 DATE: 7/19/2018

STATE OF NEW YORK
 COUNTY OF NEW YORK
 OFFICE OF THE CLERK

DIVISION OF PROGRAM MANAGEMENT
 SITE ENGINEERING

MAPLE STREET
 GARDEN AND OPEN SPACE
 (ENCLOSURE OF BLOCK 5030)

ACQUISITION AND DAMAGE MAP

NO. DATE DESCRIPTIONS BY APPROVED
 1 12/13/17

PARTY CHIEF: V. PRUDY
 COMPUTATION: J. MAHMOOD - CHECKED: A. VOLOVICH
 DRAFTED: D. RAMADHIN - CHECKED: C. WILLIAMS
 FIELD EDITOR:

JEAN M. JEANLOUIS
 ASSISTANT COMMISSIONER
 DIVISION OF PROGRAM MANAGEMENT

OLTON OLIVER L.S.
 DIRECTOR
 SITE ENGINEERING

KURT KRAMER L.L.
 DEPUTY DIRECTOR
 SITE ENGINEERING