

### §3-107 FOOD VENDOR ADMINISTRATIVE CODE PENALTY SCHEDULE

Multiple Offense Schedule (MOS) : 1st Violation \$50 (default \$50); 2nd Violation \$100 (default \$100); 3<sup>rd</sup> Violation \$250 (default \$250); 4th Violation \$500 (default \$1,000); 5<sup>th</sup> Violation \$750 (default \$1,000); 6<sup>th</sup> and subsequent Violation \$1,000 (default \$1,000).

A 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> or subsequent violation is a violation by the same respondent of a section of law listed in this Penalty Schedule that is subject to an "MOS" penalty as indicated in this Penalty Schedule, with a date of occurrence within 2 years of the date of occurrence of the previous violation(s), and where the previous violation(s) was a violation of any section of law that is subject to an "MOS" penalty as indicated in this Penalty Schedule.

\* Pursuant to §3-81(b), a late admit fee of \$30.00 will be added to the penalty for this charge for a failure to submit a payment by mail, as per §3-32, within 30 days of the mailing date of the default order issued against respondent.

All citations are to the NYC Administrative Code and to the Rules of the City of New York (RCNY).

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
Admin. Code 17-307(a) AF01	Unlicensed Mobile food vendor	1,000	1,000
Admin. Code 17-307(b) AF02	Unpermitted Mobile Food Unit	1,000	1,000
Admin. Code 17-307(b)(1) AF2A	Vending food other than fresh fruits and vegetables	1,000	1,000
Admin. Code 17-307(c)* AF03	Lack of permit for commissary or distribution place	200	1,000
Admin. Code 17-307(d) AF04	Vending of unapproved items	MOS	MOS
Admin. Code 17-311 AF05	Fail to display license and/or plate	MOS	MOS
Admin. Code 17-311(d) AF5A	Green Cart Vendor failed to carry map showing authorized vending areas	MOS	MOS
Admin. Code 17-312 AF06	Fail to notify of change of license information	MOS	MOS

Admin. Code 17-313 AF07	Failure in bookkeeping requirements	MOS	MOS
Admin. Code 17-314(a) AF08	Fail to permit regular inspections	MOS	MOS
Admin. Code 17-314(b) AF09	Failure to give supplier/depot/commissary information	MOS	MOS
Admin. Code 17-314(c) AF10	Sale of unauthorized foods without written approval	MOS	MOS
Admin. Code 17-314(d) AF11	Fail to surrender license, permit and plate	MOS	MOS
Admin. Code 17-314.1 AF12	Sale, loan, lease or transfer of license, permit or plate	MOS	MOS
Admin. Code 17-315(a) AF13	Vendor on sidewalk less than 12ft., or not at curb	MOS	MOS
Admin. Code 17-315(b) AF14	Cart touching or leaning against building	MOS	MOS
Admin. Code 17-315(c) AF16	Items not in or under cart (except waste container)	MOS	MOS
Admin. Code 17-315(d) AF17	Vending pushcart or stand against display window or 20ft. of entrance	MOS	MOS
Admin. Code 17-315(e) AF18	In bus stop, or 10ft. of drive, subway, crosswalk, etc.	MOS	MOS
Admin. Code 17-315(f) AF19	Violation of parking rules and regulations	MOS	MOS
Admin. Code 17-315(h)	On median strip, not intended for mall or plaza	MOS	MOS

AF20

Admin. Code 17-315(i) AF21	Vending within Parks jurisdiction without Comm. approval	MOS	MOS
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Admin. Code 17-315(j) AF22	Failure to move after notice of exigent circumstances given	MOS	MOS
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Admin. Code 17-316 AF23	Transfer of food to unlicensed food vendor for resale	MOS	MOS
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Admin. Code 17-315(k), (l) AF25	Vending at time/place prohibited	MOS	MOS
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24 RCNY 6-01(m)

AF26	Green Cart umbrella not opened while vending	MOS	MOS
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24 RCNY 6-01(m)

AF27	Green Cart umbrella not safely secured or in good condition or repair	MOS	MOS
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