

## **Environmental Control Board**

### **Dirty Sidewalk/Area; Failure to Sweep 18" into Street:**

**16-118(2) / AS06, AS26, AS6M; 151.03(a) / AH50; 153.19 / AH54**

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*To support a defense to the allegation of allowing a dirty sidewalk or dirty area or failing to sweep 18" into the street, please submit a sworn, notarized statement containing the relevant information and supporting documentation requested below.*

- If you are not the respondent named on the Notice of Violation, submit a written statement explaining: (a) your relationship to that named respondent, and (b) whether you are authorized to represent that party.

#### **If you are the owner or managing agent of a purely residential building or mixed-use building please address the following questions:**

- Is the premises involved a one- or two-family home?
- How many units/apartments does the building contain?
- Are there commercial tenants? If there are commercial tenants, how many are there and what type of businesses are they?
- Is the surrounding neighborhood, residential, commercial or mixed?
- Are there commercial establishments, i.e., delis, fast food stores, etc., near the premises? If yes, what types of businesses are they? How far away are they?
- Are there subway or bus stops in front of or near your building?
- Are there schools and playgrounds nearby? If yes, how far away are they?
- Is there a lot of pedestrian or vehicular traffic?
- Are there times of the day that pedestrian traffic is heaviest? When?
- Is there a superintendent or caretaker for the premises? If yes, does he /she reside at the premises?
- What days and hours does the superintendent or caretaker work?
- What are his / her duties?
- How often is the area, sidewalk and street (18" from the curb) swept and cleaned?
- Who sweeps and cleans and at what times do they do so?
- If you are not the person doing the cleaning, how are you aware of what efforts are being made?
- When was the area, or sidewalk and street (18" from the curb) last swept and cleaned prior to the time indicated on the Notice of Violation?
- Describe in detail what efforts were made, on the violation date, to clean the street (18" from the curb)/area?

#### **If you are the owner or managing agent of a purely commercial building or if you are a commercial tenant in any building please respond to the following questions:**

- What are the Routing Program hours during which Sanitation Enforcement Agents are scheduled to patrol your block? Please submit proof of such routing hours.
- How and when did you become aware of the routing hours?

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- Describe in detail the efforts that are made to clean the area described in the Notice of Violation, the sidewalk and the street (18" from the curb) immediately before and during these routing hours. What tools and implements are used?
- Is the surrounding neighborhood, residential, commercial or mixed?
- Are there commercial establishments, i.e., delis, fast food stores, etc., near the premises? If yes, what types of businesses are they? How far away are they?
- Are there subway or bus stops in front of or near your building?
- Are there schools and playgrounds nearby? If yes, how far away are they?
- Is there a lot of pedestrian or vehicular traffic?
- Are there times of the day that pedestrian traffic is heaviest? When?
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- Describe in detail what efforts were made, on the violation date, to clean the street (18" from the curb)/area?

#### **For Commercial Tenants (additional questions)**

- Do you own the building?
- Are there other commercial tenants in your building?
- If so, what role do they play in keeping the area clean?
- Are there residential tenants?
- If so, what role do they play in keeping the area clean?
- On what floor is your business located?
- Which days of the week are your commercial premises open?
- What are the store hours?
- How many employees work at the premises?