

## 如何索取聽證會錄音？

- 如果您想要在填寫上訴表前聆聽聽證會錄音，請使用此申請表索取一份錄音。

### REQUEST FOR APPEAL EXTENSIONS AND HEARING RECORDINGS

#### USE THIS FORM TO REQUEST:

- MORE TIME TO APPEAL OR
- THE HEARING AUDIO RECORDING (TO REVIEW BEFORE APPEALING)

ECB and the agency responsible for the violation must receive copies of this request no more than 30 days after the mailing date of the decision. This date is below the AL's signature on the front of your hearing decision.

To show that you sent a copy to the city agency, complete the statement below. This statement must be signed and notarized. Petitioners' addresses are printed on the back of the hearing decision.

VIOLATION NUMBER(S) (use an extra page if needed): \_\_\_\_\_ HEARING DATE: \_\_\_\_\_

(「上訴期延長與聽證會錄音申請表」最上方)

- 如果您的索取獲准，可以在收到用於填寫上訴表的錄音之後，額外延長 20 天（稱為「延長期」）的時間。
- 要求延期並不能讓您拖延支付罰鍰的時間。您仍必須在自「裁決令」郵寄日期起算的 20 天內支付罰鍰。

## 誰來裁決您的上訴？

- 委員會的委員會裁決您的上訴。委員會委員包括：
  - 與您一樣的人民
  - 開出違規通知的市政機構所派出的代表
- 要求您支付違規罰鍰的市政機構，不會參與關於您上訴的裁決。
- 環保委員會 (ECB) 會在收到您上訴的 180 天內，將裁決結果郵寄給您。

## 在哪裡能獲得線上協助？

- 環保委員會申請表可在 [www.nyc.gov/oath](http://www.nyc.gov/oath) 取得。
- 若要瞭解環保委員會 (ECB) 對與您情況類似之案例所作出的裁決，請前往環保委員會網站的 *Legal Resources*（法律資源）部分，然後按一下 *ECB Decisions*（ECB 裁決）。



## 環保委員會上訴科

## 我應該提出上訴嗎？

- 裁決是否有下列問題：

- 不符事實？
- 忽略聽證會中出示的某些證據？
- 對法律理解有誤？

若是如此，您便有權利提出上訴。

單純因不樂意支付罰金並非提出上訴的正當理由。

# 如何提出上訴？

## 步驟 1

提交上訴最簡單的方式，是使用我們的線上上訴申請表。此申請表可在 [www.nyc.gov/oath](http://www.nyc.gov/oath) 線上取得。使用此申請表可協助您正確提交上訴。如果您不想線上提出上訴，可以使用環保委員會 (ECB) 的上訴申請表。您可以從任何一處的環保委員會 (ECB) 辦事處或從網站取得此申請表的副本。

Environmental Control Board  
Appeals Unit  
66 John St., 10th Floor  
New York, NY 10038  
Tel: (212) 361-1400  
Fax: (212) 361-3654

**ECB APPEAL APPLICATION**

You may use this form for your appeal. Please read the instructions carefully. When you have completed the application, mail your form and documents to the address above. Please attach a copy of your Hearing Decision.

INFORMATION ABOUT YOU AND YOUR VIOLATION

DATE: \_\_\_\_\_  
VIOLATION NUMBER(S) (use an extra page if needed): \_\_\_\_\_  
NAME: \_\_\_\_\_ REPRESENTATIVE NAME: \_\_\_\_\_

(上訴申請表的最上方)

## 步驟 2

環保委員會 (ECB) 必須在自「裁決令」(Decision & Order) 郵寄日期起算的 **30 天內** 收到上訴申請。此郵寄日期列於「裁決令」(Decision & Order) 最下方處。

Page 1 of 1

THE CITY OF NEW YORK  
ENVIRONMENTAL CONTROL BOARD

HEARING LOCATION:  
Environmental Control Board  
66 John Street  
9th Floor  
New York, NY 10038  
(212) 361-1400

Method of Appearance  
Live Hearing

7426977122008235F

DECISION AND ORDER  
Violation #: 011111177 (1 NOV)  
Hearing Date: June 22, 2009

**MAIL DATE**  
JUN 23 2010

John Smith, Administrative Law Judge

(「裁決令」(Decision & Order) 的最上方)

(「裁決令」(Decision & Order) 最下方的郵寄日期)

## 步驟 3

您必須在自「裁決令」(Decision & Order) 郵寄日期起算的 **20 天** 內支付罰鍰。

「支付罰鍰」意指您必須執行下列動作之一：

- 支付全額罰鍰；或
- 郵寄支付全額罰鍰的本票；或
- 在提出上訴時請求困境豁免。\*

Environmental Control Board  
Appeals Unit  
66 John St., 10th Floor  
New York, NY 10038  
Tel: (212) 361-1400  
Fax: (212) 361-3654

**FINANCIAL HARDSHIP APPLICATION**

• USE THIS FORM TO REQUEST A WAIVER OF PRE-PAYMENT OF PENALTY.  
• THIS IS NOT AN ECB APPEAL APPLICATION FORM.

Appeal using the ECB Application Form available at any ECB office or online at [www.nyc.gov/ecb](http://www.nyc.gov/ecb).

• If you cannot afford to pre-pay your penalty while ECB is deciding your appeal, fill out this form.

(財務困難申請表範例)

\*隨附可協助您申請豁免的文件。例如，送交您所得稅申報書的前 2 頁。

## 步驟 4

填寫上訴表。

請使用「環保委員會上訴申請表」的空白部分填寫上訴內容。

3) This is why the decision is wrong.  
You may only rely on facts or evidence or arguments that were used at the hearing. ECB will decide your appeal. You have to show that the hearing decision was based either on facts applying the law, or both.

(上訴申請表的第 2 頁)

## 步驟 5

(a) 如果您是以郵寄方式提出上訴，請將一份完整的上訴表副本送交到負責處理此違規案件的市政機構。此副本讓市政機構有答辯的機會。

- 您可以在「裁決令」(Decision & Order) 背面找到該市政機構的地址。

(b) 如果您是以郵寄方式提出上訴，當您將上訴表送交給負責處理此違規案件的市政機構時，亦須送交一份給環保委員會 (ECB) 以供存證。

- 如要這麼做，必須填寫環保委員會申請表第 (2) 頁最下方的方框。此申請表必須經過公證。

I sent a copy of my appeal of violation number 011

to: (name and address of agency responsible for your violation)  
Department of Sanitation  
125 Worth Street, 7th Fl  
New York, NY 10013

by placing it in a U.S. Postal Service mailbox.

John Smith Mar

JOHN SMITH  
Notary Public, State of New York  
No. 01FL4839178  
Qualified in Kings County  
Commission Expires Nov. 30, 2013

**Notary Public**

(經公證的環保委員會申請表背面)