

CHAPTER 1  
REQUIRED SIGNS

**§1-01 Vendors of alcoholic beverages.**

**§1-02 Dangerous underwater breathing behaviors.**

**§1-01 Vendors of alcoholic beverages.**

- (a) *Definitions.* Words and terms used in this section have the same meaning as in §17-173(a) of the Administrative Code, except that terms not defined in such §17-173(a) have the same meaning as terms defined in the Alcoholic Beverage Control Law.
- (b) *Applicability.* This section applies to owners, operators, and other persons in control of any business establishment that, pursuant to the Alcoholic Beverage Control Law, is required to obtain a license for the retail sale of alcoholic beverages for (i) consumption on the premises, or (ii) for consumption off the premises excluding grocery stores or supermarkets where the primary business purpose is the sale of foods, dry goods, household supplies, and beverages other than alcoholic beverages.
- (c) *Posting.* Owners, operators and other persons described in subdivision (b) of this section must post in each applicable business establishment a sign, provided by the Department, in a conspicuous place visible to patrons, with the following text:  
WARNING: Drinking alcoholic beverages during pregnancy can cause birth defects.

**§1-02 Dangerous underwater breathing behaviors.**

- (a) *Definitions.* Words and terms used in this section have the same meaning as in Article 165 of the New York City Health Code.
- (b) *Applicability.* This section applies to persons owning or operating swimming pools who are required to have a permit issued by the Commissioner pursuant to Article 165 of the Health Code.
- (c) *Posting.* Swimming pool permittees must post a sign, in a location easily seen from the pool deck of each pool in a bathing facility, and in each dressing area, warning swimmers of the dangers of taking deep breaths, one after the other, before swimming underwater, and the prohibition of breath-holding contests.
- (d) *Sign specifications.* Signs must:
  - (1) Be constructed of durable, resilient, water resistant metal, plastic or other material acceptable to and approved by the Department;
  - (2) Measure at least 17” in width and 22” in height; and
  - (3) Bear the pictorial design and text that appears in Appendix 1A of this Chapter that is either downloaded from the Department’s website or otherwise obtained from the Department, and that when reproduced incorporates the language, color, size of type, imagery, and other specifications of the Department’s pictorial design.
- (e) *Penalties.* Swimming pool permittees who are issued notices of violation returnable to the Hearings Division at the Office of Administrative Trials and Hearings must pay a penalty of \$200 per violation sustained for (i) failure to post the sign, (ii) posting a sign without the Department’s required pictorial design or text or as otherwise specified in Appendix 1A of this Chapter and subdivision (d) of this section, or (iii) not posting a sign in a location that is easy to see from the pool deck of each pool in a bathing facility, and in each dressing area. If a person issued a notice of violation fails to appear and is found in default for a violation cited under this section, any penalties to be imposed for such sustained violation will be doubled.

CHAPTER 1 APPENDIX 1A  
“NO BREATH-HOLDING CONTESTS” Poster

