

NYCServ Violation Copy

Internet



34706108H



NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

101 2969

Violation No. 34706108H
ENVIRONMENTAL CONTROL BOARD

Respondent		First name (or entity name)		Last name	
		Rockrose GCMWA LLC			
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street		City	State	Zip code
	290 Park Ave South		NY	NY	10010
Additional mailing to be sent (agent, care of, other):			License No. (if Applicable)	Project Code	
			GC 104402709-01-NB		
Name		First name	Last name	Company	
Mailing address		Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence		Boro	Date of violation	Type	Dist.	Code	No.
453 West 37 St		M	10/16/08	CSS	ST	63	01
Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation	
New Construct	1012969	22	735	6	Under construction	CS# 628	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed		Stop Work Order	Class 1	Class 2	Class 3
Infraction Code	Provision of Law	<input type="checkbox"/> Issued	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B209	BC.3301.2+ 27-1009(a)	Failure to safeguard all persons and property affected by construction operations Observed recent smoking refuse within construction site in violation of N.Y.C Fire code 1404.1 Smoking refuse observed near entrance to hoist on floors 15 thru 22 interior side of building empty Pails also observed			
Remedy: Safe guard public and Property by ensuring that no smoking occurs on the site					
<input type="checkbox"/> ILLEGAL CONVERSIONS. Per 28-202.1 & 1RCNY 100-21(j), additional daily Class 1 penalties for continued violation of 28-210.1 also applicable. <input type="checkbox"/> Per 28-202.1 & 1RCNY 100-21(j), additional "Class 1" daily or "Class 2" monthly penalty also applicable. <input type="checkbox"/> Aggravated II Condition					
The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.					

Important Information: As detailed in §28-201.4, Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York and Section 100-21 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options	
CURE DATE	HEARING DATE
	12/11/08 at <input type="checkbox"/> 8:30 AM <input checked="" type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
<p>If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.</p> <p>The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION</p> <p>Environmental Control Board hearing locations:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. <input checked="" type="checkbox"/> Manhattan, (212) 361-1400 - 66 John Street, 10th fl. <input type="checkbox"/> Brooklyn, (718) 875-7428 - 233 Schermerhorn Street, 11th fl. <input type="checkbox"/> Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl. <input type="checkbox"/> Staten Island, (212) 361-1400 - 350 St. Marks Place, 1st fl. <p>Proceedings will be held under authority of the NYC Charter section 1404 and rules promulgated thereunder at 15 RCNY Chapter 31. This hearing is your opportunity to answer and defend against the allegations set forth above. If you do not appear, you will be held in default and subjected to maximum penalties.</p>	
<p>For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.</p>	

Issuing officer's last name, first initial (print)	I personally observed the violation(s) charged and/or verified their existence through review of departmental records.
Zimmerman G	
Badgo number	Issuing officer's signature
01212916	George Zimmerman
Unit Code	This statement is affirmed under penalty of perjury.
B15	
Supervisor's signature	

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ECB-PC (Rev. 7/08)

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