

§3-110**HEALTH CODE AND MISCELLANEOUS FOOD VENDOR VIOLATIONS PENALTY SCHEDULE**

For multiple rodent violations issued under NYC Health Code section 151.02(a), Administrative Code section 17-133.1 provides that the minimum civil penalty for violations pertaining to the eradication or elimination of rodents, rodent harborages or other rodent related nuisances shall be not less than \$300. The penalty for each subsequent violation at the same premises and under the same ownership or control, within a two-year period, shall be double the amount of the penalty for the previous violation. The maximum penalty is \$2000 for a Health Code violation. See Health Code, section 3.11.

Pursuant to §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties 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.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
NYC Health Code 3.05 AH3K	Failing to comply with Department, Board of Health, or Commissioner's Order to abate or remediate nuisance condition(s)	\$1000	\$2000
NYC Health Code 3.07 AH3L	Failing to take reasonable precautions to protect health and safety	\$1000	\$2000
NYC Health Code 3.09 AH3M	Failing to abate or remediate nuisance	\$1000	\$2000
NYC Health Code 81.09 AH02	Potentially hazardous foods at improper temperatures	385	770
NYC Health Code 81.13(a) AH03	Food worker with communicable disease	385	770
NYC Health Code 81.15(a) AH04	Failure to have required Food Protection Certificate	550	1100
NYC Health Code 81.07(l) AH05	Foods prepared or served with bare-hand contact	385	770
NYC Health Code 81.29(c) AH09	Handwashing facilities not provided	200	400
NYC Health Code 81.37(a) AH10	Cart, utensils, equipment unclean	200	400

NYC Health Code 113.03(c)(2)or 113.07 AH26	Vending frozen desserts w/o appropriate permits	1,000	2,000
NYC Health Code 181.17 AH27	Smoking in elevator, supermarket or assembly hall	200	400
NYC Health Code 81.19(b) AH1D	Shatter proof or shielded light bulb not provided when required	200	400
NYC Health Code 81.19(c) AH1E	Inadequate ventilation	200	400
NYC Health Code 81.23(a) AH1F	Vermin, insects or other pests present	300	600
NYC Health Code 81.31 AH1G	Equipment not clean; improperly maintained	300	600
NYC Health Code 81.37(a) AH1H	Wiping cloth used on food contact surfaces not stored in sanitizing solution	300	600
NYC Health Code 81.08(a) AH1L	Food containing artificial trans fat is stored/distributed/held for service/used in preparation of menu item or served	200	400
NYC Health Code 81.08(c) AH1M	Original nutritional fact labels and/or ingredient labeling or acceptable manufacturers' documentation not maintained on site	200	400
NYC Health Code 81.50(c) AH1N	Calorie content not posted for each menu item served in portions, size and content of which are standardized	200	400
NYC Health Code 81.50(c) AH1P	Caloric content range not posted on menus and/or menu boards for each flavor/variety/size of each menu item offered for sale	200	400
NYC Health Code 81.50(c) AH1Q	Calorie content or range not posted for menu item offered as combination meal	200	400
NYC Health Code 81.50(c) AH1R	Posted caloric content deficient in that size and/or font for posted calories not as prominent as name of the menu item or price	200	400

NYC Health Code 89.05(a) AH1I	Operating a mobile food unit without a permit on private property	1000	2000
NYC Health Code 89.05 (a)(2) AH1S	Failure to provide proof that mobile food vending unit is supplied and serviced at a permitted commissary or other approved facility	200	400
NYC Health Code 89.05(c) AH1T	Material alteration of a mobile food vending unit after decal and permit issuance	550	1100
NYC Health Code 89.05(d) AH1U	Failure to equip ice cream truck with warning beepers and signage arms.	550	1100
NYC Health Code 89.07(a) AH1V	Operating a mobile food vending unit without a license	1000	2000
NYC Health Code 89.07(d) AH1W	Operating a mobile food vending unit without displaying a badge or without a license, permit paper or inspection report	1000	2000
NYC Health Code 89.13(j) AH1X	Operating a mobile food vending unit in area not authorized by private or restricted area permit	1000	2000
NYC Health Code 89.13(a) AH1Y	Failure to permit inspection or present unit	1000	2000
NYC Health Code 89.13(b) AH1Z	Failure to provide commissary or approved facility information.	550	1100
NYC Health Code 89.13 (c) AH2A	Failure to possess or make available for inspection documentation of food source	275	550
NYC Health Code 89.13(d) AH2B	Vending unauthorized food	550	1100
NYC Health Code 89.13(e) AH2C	Operating with a suspended, expired or revoked permit or license	1000	2000
NYC Health Code 89.13(f) AH2D	Failure to surrender permit or license	1000	2000

NYC Health Code 89.13(g) AH2E	Allowing unlicensed person to vend	1000	2000
NYC Health Code 89.13(h) AH2F	Failure to notify the Department of change in application information	1000	2000
NYC Health Code 89.13(i) AH2G	Vending from damaged, repaired unit that was not re-inspected	200	400
NYC Health Code 89.13(i) AH2H	Unauthorized transfer of decal	1000	2000
NYC Health Code 89.15 AH2I	Transfer of food to unlicensed vendor	550	1100
NYC Health Code 89.17(a) AH2J	Unauthorized transfer of permit or license	1000	2000
NYC Health Code 89.19(a) AH2K	Vending food from unapproved source	550	1100
NYC Health Code 89.19(b) AH2L	Failure to provide/use thermometers as required	440	880
NYC Health Code 89.19(c) AH2M	Failure to provide/use hot and cold storage facilities	385	770
NYC Health Code 89.19(d) AH2N	Failure to use approved ice, or maintain or protect ice	385	770
NYC Health Code 89.19(e) AH2O	Failure to properly store food on ice	385	770
NYC Health Code 89.19(f)(1) AH2P	Processing or preparing raw meat on mobile food vending unit	385	770
NYC Health Code 89.19(f)(2) AH2Q	Preparing, storing, holding or selling aquatic animal	385	770
NYC Health Code 89.19(f)(3) AH2R	Failure to provide adequate refrigeration for processed fruits and vegetables	550	1100
NYC Health Code 89.19(g) AH2S	Failure to protect displayed food from contamination	385	770
NYC Health Code 89.19(h) AH2T	Failure to properly dispense condiments	275	550

NYC Health Code 89.19(i) AH2U	Failure to maintain personal hygiene	275	550
NYC Health Code 89.19(j) AH2V	Food not protected against contamination	385	770
NYC Health Code 89.19(k) AH2W	Toxic materials prohibited or not properly stored	385	770
NYC Health Code 89.19(l) AH2X	Failure to clean unit at commissary or approved facility	600	1200
NYC Health Code 89.21(a) AH2Y	Failure to supply/obtain potable water.	550	1100
NYC Health Code 89.21(b) AH2Z	Failure to properly construct water storage tank	550	1100
NYC Health Code 89.23(a) AH3A	Failure to properly design or equip mobile food vending unit	550	1100
NYC Health Code 89.23(b) AH3B	Vending from any place other than a mobile food vending unit	385	770
NYC Health Code 89.23(c) AH3C	Failure to provide or improperly using single service items	200	400
NYC Health Code 89.23(d) AH3D	Failure to design unit to allow for proper cleaning	385	770
NYC Health Code 89.23(e) AH3E	Failure to provide unobstructed work space	200	400
NYC Health Code 89.23(f) AH3F	Failure to provide hand washing facilities	550	1100
NYC Health Code 89.25(a) AH3G	Improper garbage collection and/or disposal	385	770
NYC Health Code 89.25(b) AH3H	Improper storage/disposal of sewage and/or liquid waste	385	770
NYC Health Code 89.25(c) AH3I	Failure to properly remove and/or clean debris and consumer litter	385	770
NYC Health Code 89.29(e) AH3J	Removal or covering of cessation signs or seals	1000	2000

24 RCNY 6-01(l) AH1K	Non-processing unit being operated without proper food processing permit	1000	1000
NYC Health Code 131.13 (c) AH30	Failure to remove locking device from discarded refrigerator	200	400
NYC Health Code 139.05 AH32	Littering on public transport facility	200	400
NYC Health Code 139.07(a) AH33	Smoking on public transport facility	200	400
NYC Health Code 151.02(a) 1 st : AH3N 2 nd : AH3W 3 rd : AH3X 4 th : AH3Y	Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises; initial (#1) and repeat violations (#2, 3, 4 or more in 24 month period).	1 st Violation: \$300 2 nd Violation: \$600 3 rd Violation: \$1,200 4 th Violation or more in 24 month period: \$2,000	1 st Violation: \$600 2 nd Violation: \$1200 3 rd Violation or more in 24 month period: \$2,000
NYC Health Code 151.02(a) 1 st : AH3O 2 nd : AH3Z 3 rd : AH4A 4 th : AH4B	Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floors, walls, ceilings, pipes, baseboards, screens, doors, and sills; initial (#1) and repeat violations (#2, 3, 4 or more in 24 month period).	1 st Violation: \$300 2 nd Violation: \$600 3 rd Violation: \$1,200 4 th Violation or more in 24 month period: \$2,000	1 st Violation: \$600 2 nd Violation: \$1200 3 rd Violation or more in 24 month period: \$2,000

NYC Health Code 151.02(a) 1 st : AH3P 2 nd : AH4C 3 rd : AH4D 4 th : AH4E	Failure to eliminate conditions conducive to rodents--e.g., via interior and/or exterior debris, dense vegetation; initial (#1) and repeat violations (#2, 3, 4 or more in 24 month period).	1 st Violation: \$300 2 nd Violation: \$600 3 rd Violation: \$1,200 4 th Violation or more in 24 month period: \$2,000	1 st Violation: \$600 2 nd Violation: \$1200 3 rd Violation or more in 24 month period: \$2,000
NYC Health Code 151.02(a) AH3Q	Failure to properly and thoroughly eliminate conditions conducive to pests and to the presence of pests other than rodents or mosquitoes.	\$ 300	\$ 600
NYC Health Code 151.02(b) AH3R	Failure to eliminate conditions conducive to pests, e.g., uncovered garbage cans or containers, garbage spillage, uncontained garbage	\$300	\$600
NYC Health Code 151.02(c) AH3S	Failure to comply with Department or Commissioner's Order; pest management plan not complied with; no inspections and/or exterminator visits documented.	\$1000	\$2000
NYC Health Code 151.02(c) AH3T	Failure to comply with Department or Commissioner's Order; pest management plan not complied with: no notice to tenants posted or provided.	\$1000	\$2000
NYC Health Code 151.02(c) AH3U	Failure to comply with Department or Commissioner's Order; pest management plan not complied with: pests and/or conditions conducive to pests, access and harborage not eliminated.	\$2000	\$2000
NYC Health Code 151.02(e) AH3V	Using pesticides alone in the management of pest infestations.	\$300	\$600
NYC Health Code 151.02(a) AH50	Rat or other pest infestation	200	400
NYC Health Code 153.01 AH51	Littering	200	400
NYC Health Code 153-03 AH52	Agitation of materials prohibited	200	400

NYC Health Code 153-05 AH53	Inadequate precautions, construction/demolition	200	400
NYC Health Code 153.19 AH54	Dirty of obstructed sidewalk	200	400
NYC Health Code 153.07 AH55	Exposure of dirty rages, barrels, boxes	200	400
NYC Health Code 161.03 AH61	Control of dogs and other animals to prevent nuisance	200	400
NYC Health Code 161.05 AH62	Dogs to be restrained	200	400
NYC Health Code 161.04 AH63	Dog licenses—no tag on collar in public places	200	400
NYC Health Code 11.29 AH64	Owning or harboring a dog or cat which has not been immunized against rabies	500	1000
NYC Health Code 161.01 AH65	Unlawfully keeping/selling/giving a wild animal	500	1000
NYC Health Code 175.05(a) AH71	Excessive radiation exposure	200	400
NYC Health Code 175.52(a) AH72	Radiation installation without permit	200	400
NYC Health Code 181-03(a) AH81	Spitting	200	400
NYC Health Code Provision Miscellaneous AH99	NYC Health Code Provision - Miscellaneous Excluding NYC Health Code Sections Relating to Violations for Single Room Occupancies or to Lead Abatement	200	400