

February 9, 1977

Mr. Morris B. Raucher, Director
Department of Finance
Office of Legal Affairs
225 Broadway
New York, N. Y. 10007

Dear Mr. Raucher:

Vending Machines in Multiple Dwellings

Your letter of February 4, 1977, regarding cigarette vending machines, and former Commissioner Gillroy's memorandum of June 30, 1955, regarding milk dispensing machines in multiple dwellings in residence districts, have been reviewed.

Subsequent to issuance of the above mentioned memorandum, a comprehensive amendment of the Zoning Resolution was adopted. The amendment incorporates broad language in regard to permitted accessory uses that permits this office to more closely align such uses to the dominant use.

Accordingly, you are hereby advised that installation and operation of cigarette vending machines in multiple dwellings in residence districts is permissible, provided:

1. The machines are so located that access to them by non-tenants is inconvenient; and, their location is generally unknown to non-tenants.
2. There are no signs advertising the presence of these machines, either outside or inside the building.
3. If placed in corridors or passageways, they do not reduce the required width thereof.

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I am distributing a copy of this letter to all Borough Superintendents and to Deputy Commissioner Dell'Aira of the Office of Code Enforcement of the Department of Rent and Housing Maintenance so that they are guided accordingly.

Thank you for bringing this matter to my attention.

Very truly yours,

Jeremiah T. Walsh, P.E.
Commissioner

JTW/IEM/df

CC: Exec. Staff
Boro. Supts.
Dep. Comm. Dell'Aira, OCE

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