



The  
City  
of  
New York

DEPARTMENT OF BUILDINGS  
EXECUTIVE OFFICES  
60 HUDSON STREET NEW YORK, N. Y. 10013  
CHARLES M. SMITH, Jr. R.A. Commissioner

PETER FRANCONERI, P.E.  
Assistant Commissioner, Operations

Issuance # 221

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OPERATIONS  
POLICY AND PROCEDURE NOTICE # 2/90

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To: Distribution  
From: Peter Franconeri *PF*  
Date: January 26, 1990  
Subject: PA Division ECB Violations

Purpose:

To utilize the ECB self-certification option to improve efficiency in the Place of Assembly Division.

Inspection

At the time of inspection, if the PA inspector issues a first offense, non-hazardous ECB violation, he or she verbally advises the respondent that the correction of the violation may be self-certified. This is done by completing the "Certification of Correction" on the back of the violation and returning it to the Enforcement and Compliance Division, attention Administrative Enforcement Unit.

In addition, the inspector hands the respondent a copy of the attached letter explaining the self-certification process.

"Certification of Correction"

The PA Division receives, on a weekly basis, a list of violations from the Office of the Executive Chief Inspector where a "Certification of Correction" was submitted by the respondent.

If a "Certification of Correction" is received, a PA permit will automatically be issued without a reinspection by a PA Inspector.

### Exceptions

A reinspection must be performed before a PA permit is issued, under the following conditions, whether a "Certification of Correction" was submitted or not:

1. The violation was a second-offense.
2. The violation was hazardous.
  - B 68 - failure to provide at least two means of egress
  - B 69 - required means of egress obstructed
3. The violation was issued because the inspector was unable to complete an inspection.
  - B64 - approved PA plans not available for inspection.
4. Other violations are pending against this PA.

### Automatic Pass

The certifications resulting in an automatic permit issuance are marked "P" next to the address on the printout. The premises with a "P" are matched against the violation reinspection cards (pink). The cards are pulled and marked "Pass". The date of self-certification and "AEU" are also indicated on the cards. The cards are then signed by the clerk, initialed by the Chief Inspector or Assistant Chief Inspector of the PA Division and forwarded to MIS through Quality Control. In addition, the date that the card was marked pass is indicated on the "Certification of Correction" list next to each entry with a "P". MIS prints and mails the PA permits to the permittee.

PF:HG:mh



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CHARLES M. SMITH, Jr., R.A., Commissioner

Dear Respondent:

You have been issued a non-hazardous, first offense Environmental Control Board violation. If you want to avoid delay and additional reinspection expense in obtaining your Place of Assembly permit, you must complete the following steps by the certification date listed on the Notice of Violation.

1. Complete the necessary repair work and/or remedy the item(s) that were in violation.
2. Complete the "Certification of Correction" on the reverse side of the pink copy of the served violation and have it notarized.
3. Submit the "Certification of Correction" with any additional required documentary proof to the Administrative Enforcement Unit at 60 Hudson Street, 14th floor, New York, New York 10013.

The Administrative Enforcement Unit will review all "Certification of Corrections", and upon acceptance, the Place of Assembly Division will issue a Place of Assembly permit without reinspection. However, if there are additional ECB Place of Assembly violations pending against the same PA number or if we were unable to complete this inspection for any reason (i.e., B64 plans not available), reinspection will be required. In addition, the Department of Buildings may spot check to determine the validity of the "Certification of Correction".

Please Note: False Certification is punishable as a criminal misdemeanor under section 26-124 of the New York City Administrative Code with up to 6 months imprisonment and a penalty of \$5,000.00. It is also punishable with a civil penalty of up to \$5,000.00.

Questions regarding the self-certification process should be directed to the Administrative Enforcement Unit at 212-312-8400. Questions regarding your PA inspection should be directed to the PA Division at 212-312-8830.

Sincerely,

Place of Assembly Division  
Inspector