



City of Rochester, NY
Lovely A. Warren, Mayor

NUISANCE POINTS

October 30, 2018

RED means not eligible for Waiver

10 Points:

- **Article 265 of the Penal Law — Firearms and Other Dangerous Weapons.**
- **Section 47-5 of the City Code — Firearms, shotguns, rifles and other dangerous weapons**

6 to 10 Points:

- Article 220 of the Penal Law — Controlled Substances Offenses. (Note that sale offenses are 10 points in new law, all other violations of this article are 6 points)
- Article 221 of the Penal Law — Offenses Involving Marihuana. (Note that sale offenses are 10 points in new law, all other violations of this article are 6 points)

6 Points:

- Article 225 of the Penal Law — Gambling Offenses.
- Article 230 of the Penal Law — Prostitution Offenses.
- Sections 165.15(4), (6), (7), and (8), 165.40, 165.45, 165.50, 165.52, 165.54, 165.71, 165.72, and 165.73 of the Penal Law — Criminal Possession of Stolen Property.
- The Alcoholic Beverage Control Law.
- **Sections 260.20 and 260.21 of the Penal Law — Unlawfully Dealing with a Child.**
- Possession, use, sale or offer for sale of any alcoholic beverage in violation of Article 18 of the Tax Law, or of any cigarette or tobacco products in violation or Article 20 of the Tax Law.

- Article 178 of the Penal Law — Criminal Diversion of Prescription Medications and Prescriptions.
- Section 147 of the Social Services Law — Food stamp program fraud.
- Section 3383 of the Public Health Law — Imitation controlled substances.
- Operating a premises without the requisite business permit in violation of § 90-33 of the Code of the City of Rochester.
- Sections 240.36 and 37 of the Penal Law — Loitering in the First Degree and Loitering for the Purpose of Engaging in a Prostitution Offense.
- Section 2024 of Title 7 of the United States Code — Federal Food Stamp Program.
- Section 240.20 Suffering or permitting the premises to become disorderly, including suffering or permitting fighting or lewdness.
- Chapter 75 of the Municipal Code — Noise.
- Chapter 29 of the Code of the City of Rochester — Amusements.
- **Sections of Chapter 54 of the Code of the City of Rochester, as applied to places of assembly and other non-residential structures and uses, concerning occupancy requirements, capacity of means of egress and fire protection systems**
- Chapter 66 of the City Code – Junkyard Operators, Junk Dealers and Scrap Processors
- Chapter 569, Article 8 (Service Food Establishments) and Article 9 (Food and Food Establishments) of the Laws of the County of Monroe — Sanitary Code

NUISANCE POINTS

October 30, 2018

Waiver of Nuisance Points.

- Eligibility:
 - To be eligible for a waiver of nuisance points, no nuisance points shall have been assessed against a property during the preceding twelve months.
 - A property is eligible for the waiver of nuisance points no more than one time in any twelve-month period.
 - Points resulting from the following violations are not eligible for waiver:
 - Article 265 of the Penal Law — Firearms and Other Dangerous Weapons.
 - (b) Section 47-5 of the Code of the City of Rochester — Firearms, shotguns, rifles and other dangerous weapons.
 - Sections of the New York State Uniform Fire Prevention and Building Code and Chapter 54 of the Code of the City of Rochester concerning occupancy requirements.
 - Sections 260.20 and 260.21 of the Penal Law — Unlawfully Dealing with a Child