Excavation & Protection of Adjacent Property Training

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Learning Description

(Eligible for 1.5 hours or 0.15 ICC Continuing Education Credits)

The Philadelphia Building and Administrative Codes establish additional submission requirements for any Construction or Demolition activity that has impacts on adjacent neighboring properties due to vulnerabilities of structural support elements commonly shared between different property owners. Legislative changes to the Philadelphia Code instituted in 2022 introduced many new submission requirements that include Preconstruction Surveys, Monitoring Plans, Notice to Adjacent Property Owner Acknowledgment Forms, and Support of Excavation Details.

This training aims to provide participants with resources to apply Philadelphia Code requirements toward the review of these documents, to include common areas of deficient submissions, minimum submission standards, and applicable areas of code exemptions associated with Excavation submissions per Dept Policy.



Goals & Objectives:

Over the course of the training, participants will be able to:

- Understand the applicable code requirements for Construction & Demolition activities that impact adjacent properties
- Navigate available tools & resources to verify applicability of minimum submission and design requirements for proposed construction & excavation workscopes
- Recognize requirements for Engineered Support of Excavation details and limitations on use of OSHA prescriptive design methods
- Identify common areas of deficient submissions associated with Preconstruction Surveys, Notifications, Monitoring Plans, and Support of Excavation details
- Determine applicable submission requirement exemptions with respect to excavation permit workscopes



Disclaimer

This listing of codes, standards or any other regulations within this presentation is for informational purposes only. They do not constitute the full scope of provisions that may be applicable to your project and cannot be relied upon as evidence of compliance or enforcement.

Any code provision not mentioned in this presentation does not alleviate the person responsible for the design (owner, designer, etc.) from full compliance with necessary codes and standards nor does it diminish the importance of any specific feature or element.



Agenda

- ı. Introduction
- II. Preconstruction Surveys
- III. Monitoring Plans
- IV. Notifications to Adjacent Property Owners
- v. Exposed Party Walls & Backfilling (Demolitions)
- vi. Excavations
- vII. Questions

Introduction

Excavation and Adjacent Properties

- Bill Nos <u>210389</u> and <u>220008</u> both became effective Jan 1, 2023.
- Both bills have the objective of protecting life safety and adjoining properties.

Requirements	Details					
Excavation Permit (Bill No 210389)	Separate permit required for all excavations more than 5' below grade, with exceptions					
Excavation Contractor (Bill No 210389)	Specialized license required for excavations with additional training and increased insurance bonding					
Protection of Property (Bill No 220008)	Requires Pre-Construction Survey, Monitoring Plan, and Notifications to Adjacent Owner for specific work scopes that may directly impact adjacent property					

Known Urban Risk History



'It felt like an earthquake': South Philly rowhouse collapse crushes two cars



These Philly contractors have repeatedly seen homes next door crack or collapse. Accountability is scarce.

Pizza place destroyed in Kensington building collapse, no injuries reported

Chopper 6 over the scene showed firefighters surveying the damage and neighbors looking on.





City Hones In On Multi-Alias Contractor Linked To Row Home Disaster

Safeguards

Pre-construction Survey

Inspection report required to document the <u>existing conditions of all adjoining and adjacent buildings</u> and <u>identify any potential hazards</u> where proposed construction or demolition may impact buildings on **an adjacent or adjoining property**

Monitoring Plan/ Special Inspections

Buildings or structures adjoining or adjacent to certain excavation, demolition, or construction shall be **monitored by a licensed special inspector** to ensure that the <u>integrity of the building is not adversely impacted by the activity</u>

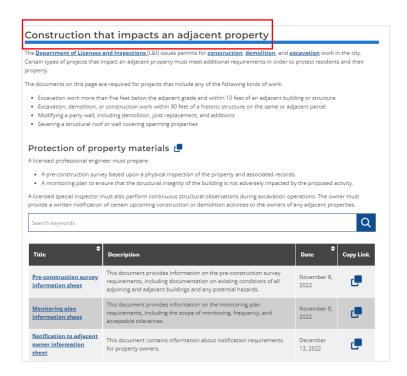
Notification to Adjacent Property Owner

Written notification of certain upcoming construction or demolition activities is required to be given from the owner or owner's representative to adjacent property owners

Work Scope	Preconstruction Survey	Monitoring Plan	Notice
Excavations, more than 5' below adjacent grade and within 10' of an existing bldg/ structure	Y	N ₂ (continuous special inspection)	Y
Structural alteration of an historic structure (excluding 1 or 2 family)	N	Υ	N
Excavation, Demolition, or Construction where historic structure is within 90' on same or adjacent parcel	Υ	Υ	Υ
Modification to a party wall, including demolition, joist replacement, and additions	Y ₁	Υ	Υ
Severing of structural roof/elements or wall covering spanning multiple properties	Y	As per Eng	Υ

- 1. Existing Site Survey for demo meets requirement if prepared by an engineer
- 2. Engineer must confirm no additional monitoring required or prescribe monitoring

Resources



Web page provides overview of protection of property requirements, includes information sheets, and provides forms/notices in 7 languages.

Acknowledgement of receipt 📮

After the owner or their representative provides any adjacent owner with information about the project, the adjacent owner must sign an acknowledgement form. The permit applicant must submit an acknowledgement for each affected property with the building or demolition permit application.

Search keywords Q

Title	Description	Date #	Copy Link
Acknowledgement of receipt of construction or demolition project form	Include this form with your permit application to indicate that you notified adjacent property owners of work that impacts their property.	November 9, 2022	.
Acknowledgement of receipt of construction or demolition project form (Chinese Simplified)	将此表格包含在您的许可申请中,以表明您已将影响其财产 的工作通知了相邻的财产所有者。	December 21, 2022	.
Acknowledgement of receipt of construction or demolition project form (French)	Joignez ce formulaire à votre demande de permis pour indiquer que vous avez avisé les propriétaires des terrains adjacents des travaux qui ont un impact sur leur propriété.	December 21, 2022	.
Acknowledgement of receipt of construction or demolition project form (Korean)	하가 신청서에 이 양식을 포함하여 인접 부동산 소유주에게 그들의 재산에 영향을 미치는 작업을 통지했음을 표시하십시 오.	December 21, 2022	.
Acknowledgement of receipt of construction or demolition project form (Spanish)	Incluya este formulario con su solicitud de permiso para indicar que notificó a los dueños de propiedades adyacentes sobre el trabajo que afecta su propiedad.	December 21, 2022	.
Acknowledgement of receipt of construction or demolition project form (Urdu)	اں فارم کو اپنی امیازت تاہیے کی در خواست کے ساتھ شامل کروں اس بات کی تشانتیں کرنے کے لیے کہ آپ نے ملحقہ جائیات کے مالکان کو اس کام کے بارے میں مطاح کیا ہے جو ان کی جائیات کو مثال کرتا ہے۔	December 21, 2022	.
Acknowledgement of receipt of construction or demolition project form (Vietnamese)	Bao gồm biểu mẫu này cùng với đơn xin giấy phép của bạn để cho biết rằng bạn đã thông báo cho chủ sở hữu tài sản liên kề về công việc ảnh hưởng đến tài sản của họ.	December 21, 2022	•

7 records

L&I notification 🗗

L&I may send a courtesy notice with basic project information to adjacent property owners. Below is a sample of this notification.

Search keywords Q

Title	Date \$	Copy Link
Notice to adjacent owner	December 21, 2022	٠
Notice to adjacent owner (Chinese Simplified)	December 21, 2022	٠
Notice to adjacent owner (French)	December 21, 2022	٠
Notice to adjacent owner (Korean)	December 21, 2022	٠
Maries to adjacent comes (Famile)	December 24, 2022	· 🔳

Pre-Construction Surveys

Pre-Construction Survey

- Assessment of exterior condition of <u>all</u> adjoining and adjacent building must be performed by a licensed PA engineer.
 - → Inclusive of Historic Structures on abutting lots within 90 feet
 - ★ Inclusive of any structures located at rear properties within impact zones for excavations or historic structures
- Documentation of adjoining or adjacent buildings, including
 - Height,
 - Number of stories,
 - Construction Type,
 - ★ ➤ Exterior Wall Types,
 - > Identification of any elements that may be impacted by construction or demolition operations,
 - ★ > If building above adjacent roof line must also include visible chimneys, parapets, skylights, etc.

Pre-Construction Survey (cont'd)

- Documentation of existing conditions of adjoining or adjacent buildings and identification of deficiencies
 - Must identify any potential hazards requiring monitoring
 - ★ > Size, length & magnitude of distress condition observed





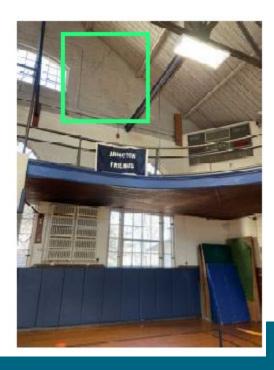


Image Credit: Pennoni

Pre-Construction Survey (cont'd)

- Photographs of adjoining buildings and any elements that may be impacted, to include at a minimum:
 - ★ ➤ Elevation views of all facades observable from the Public Right-of-Way
 - Unobstructed photos of façade conditions
- Signature of special inspection agency acknowledging that assessment was reviewed and existing conditions will be monitored accordingly.
 - > To be captured on the Special Inspections Duties and Responsibilities Form.

Pre-Construction Survey (cont'd)

The pre-construction survey shall be used to identify temporary and permanent protections, supports and alterations required to preserve the integrity of affected structures, including:

- > Conditions that <u>must be monitored</u> during the construction or demolition operation, as outlined in the Monitoring Plan.
- > <u>Temporary protections, such as roof covering, bracing, or fall protection</u> that must be identified in the construction documents.



- Permanent alterations necessary to mitigate potential code violations directly caused by the construction or demolition, such as a chimney with reduced clearance, that must be addressed to the extent possible prior to project completion.
 - Intended resolution must be addressed in construction document.

Pre-Construction Survey

Condition	Documentation		
	Monitoring Plan	Construction Plan	Separate Permit
Cracks or Deformations	х		
Demolition, resulting in modification of lateral support	Х	x (if temporary bracing is required)	x (if permanent support is required)
Demolition abutting an independent structure	Х	x (if temporary bracing or protection is required)	x (if permanent restoration is required)
Historic Structure within 90' on same or adjacent lot	Х		
Adjacent building or pedestrian area requiring protection		x (if temporary protection is required)	
Severing shared component (i.e. porch roof, or balcony)	х	x (if temporary bracing is required)	x (if permanent support is required)
Roof being raised above adjacent chimney			Х

Chimney Vent Extension Reference Materials



Notice of Required Chimney / Vent Modification Form The owner or their representative causing construction impacting the chimney or vent exhaust on an adjacent property must provide this notice of required modifications to the affected property owner registered with the Office of Property Assessment at least 60 days prior to the start of work. Project Information Provide address for property Address of Proposed Work: undergoing new construction or Provide address for building with Address of Affected property: chimney or vent that will be affected by proposed construction Required Project Details SCOPE OF PROPOSED WORK: The person causing construction is Provide a brief description of proposed construction: required to provide initial notice of proposed construction and required modifications necessary to maintain clearance requirements for an affected chimney or vent on an adjacent property. Visit www.phila.gov/li to review regulations and associated 2. REQUIRED MODIFICATION TO CHIMNEY OR VENT: Provide a description of proposed modifications to chimney or vent to maintain compliance with the Philadelphia 3. DESCRIPTION OF REQUIRED MODIFICATIONS (If applicable Provide a description of underlying repairs that must be made prior to safe modification of chimney or vent, as prescribed by a PA licensed professional engineer (Attach additional sheets if necessary) Must be accompanied by the signed and sealed engineer's report.

Link: Chimney & Vent Clearance Info Sheet

Link: Notice of Required Chimney/Vent Modification Form

Webinar Slide Deck Link: Chimney/Vent Extensions 2023



Chimney & Vent Clearance

Information Sheet

A. Overview

The Philadelphia Building Construction and Occupancy Code establishes minimum vertical and horizontal clearance requirements for chimneys and vents. These separation requirements address multiple concerns, including:

- Ensure proper exhaust to avoid any backdraft that may increase levels of carbon monoxide or reduce the efficiency of a product.
- Reasonably ensure that exhaust air does not enter windows or air intake openings in an adjacent structure and there
 is adequate separation from any combustion air.

Where a building is constructed or extended above the chimney or vent of an adjacent building, the proper operation of the existing chimney or vent may be hindered by reduced clearances. In accordance with Section 3307 of the Philadelphia Building Code and associated regulations, the person causing construction must protect the adjacent property by taking reasonable steps to ensure that the chimney or vent on the adjoining building is extended or offset to satisfy clearance and termination requirements of the Code.

B. Building Permit Application Requirements

A building permit application for a new building or addition extending above an existing chimney or vent on an adjacent roof and within 10 feet of the building must address any potential impacts on the operation of the chimney or vent by satisfying one of the following:

- 1. Proof of intent to extend chimney or vent and notice to adjoining owner. See Section C for requirements.
- Certification that the location and termination of the existing chimney or vent will satisfy the requirements of the Code. This certification must be provided in the form of a written report signed and sealed by a PA Registered Architect or Professional Engineer.
- Certification that the chimney or vent is no longer connected to a fireplace or other equipment requiring exhaust. This certification must be provided in the form of a written statement signed by the adjacent owner OR a Registered Architect, Professional Engineer, or contractor authorized to perform an inspection by the adjacent owner.

C. Chimney or Vent Extension

The person causing construction must take reasonable steps to ensure that the chimney or vent on the adjoining building is extended or offset to satisfy clearance and termination requirements set forth in the Philadelphia Building Construction and Occupancy Code. The minimum requirements necessary to establish that due diligence has been exercised are outlined in the section and illustrated in the chart provided in Appendix A.

- 1. Initial Notice to Affected Property Owner
 - a. A <u>Notice of Required Chimney / Vent Modification</u> form including a description of proposed work and impacts on adjacent chimney or vent, an offer to perform or fund chimney or vent extension and identification of any known pre-existing conditions that require correction prior to safe extension must be provided to the affected property owner a minimum of 60 days prior to the start of work. Note: The 60-day period may be waived if an agreement is reached between owners or if the offer is expressly rejected.

Chimney & Vent Extensions

- Separate permits required for any chimney/vent to be extended for adjacent properties impacted by construction
 - <u>EZ Permit Standard for Chimney & Vent</u>
 <u>Extensions</u> where low-heat or residential type appliances are served
 - If limitations of EZ permit are exceeded, a mechanical permit application shall be submitted with plans.



EZ PERMIT STANDARDS CHIMNEY AND VENT EXTENSION

For Residential Type Appliances for One- and Two-Family Dwellings (three stories or less).

EZ Permit Standards: Chimney and Vent Extension

Obtain permits for existing chimney/vent extension alterations for low-heat or residential type uses without submitting plans by meeting the Conditions and Design Limitations below. Any deviations from this permit standard will result in permit revocation. (Deviations will require submission of plans to the Department.)

Limitations & Conditions

- This permit shall be obtained for the property undergoing the extension. The permit application must be authorized by the owner of that property.
- The building undergoing the extension must be a one-or two-family dwelling that is three (3) stories or less.
- · This EZ Permit standard shall permit the following ventilation and appliance types:

Appliance Type:

- Listed Category I appliances Listed appliances equipped with draft hood Listed
 - Listed vented wall furnaces
- Appliances with integral vents Appliances listed for use with Type B gas vents

Vent Type:

- Factory-Built Chimneys
 Type B & BW Vent
 Single-Wall Metal Pipe
 Integral Vents
- Historically designated buildings require prior approval from the Philadelphia Historical Commission. Additional documentation and plans may be required.
- The installation or modification of appliances is excluded from this standard and shall require a separate mechanical permit.

Reference Material



Pre-Construction Survey Information Sheet

Overview

Pursuant to <u>Section 4-A-3307 of the Philadelphia Code</u>, a preconstruction inspection and summary plan or report is required to document the existing conditions of all adjoining and adjacent buildings and identify any potential hazards where proposed construction or demolition may impact buildings on an adjacent or adjoining property.

The survey must be prepared by a licensed professional engineer. At a minimum, the survey shall be based upon a physical inspection of the property and supplemented with available records and reports. The engineer shall determine means and methods required to determine the character and condition of surrounding structures. Supplemental records and reports may include a soils investigation report, aerial imagery, and permit and violation records.

Applicability

Section 4-A-3307 requires that a preconstruction survey be performed when the project scope includes any of the following conditions:

- 1. Excavation work to a depth of more than 5 feet below adjacent grade and within 10 feet of an adjoining or adjacent building. This excludes excavation for utilities and geotechnical exploration.
- Excavation, new construction or demolition work occurring within 90 feet of a building or structure on the <u>Philadelphia</u> <u>Register of Historic Places</u> that is located on the subject property or abutting lot. This excludes excavation for utilities and geotechnical exploration.

Preconstruction Survey Checklist

		Provi	ded		Ν	I/A
1. Signature and Seal of Licensed Professional Engineer on Record		Υ		N		
2. Adjacent Building/Structure Information	<u> </u>	Υ				\square
a) Height	<u> </u>	Υ	Щ	N		
b) Number of Stories	⊢	Υ		N		\vdash
c) Construction Type	片	Υ		N		\vdash
1) Exterior wall construction materials	Η	Υ		N	_	\vdash
d) Elements Impacted by Demolition/Excavation/Construction	片	-	ī	N		
1) Corner Properties/Standalone Urban Singles	౼	Y	片	N	님	N/A
Assessment of Side-Exterior Wall Stability	片	Υ	Ц	N	Н	N/A
2) Existing Chimney Structures		Υ	ш	N		N/A
Will existing adjacent chimney structure need to be raised to address a new construction roof structure located at a higher elevation? If YES, then plans shall make note to raise the existing chimney structure of the adjacent property through separate mechanical permit. If NO, applicant must demonstrate one of the following conditions have been met: 1) Written confirmation from adjacent property owner confirming refusal to accept offer for repairs/alterations for existing chimney structure. 2) Certification statement signed by the registered design professional on record demonstrating that the existing chimney structure configuration will meet the code upon completion of the proposed structure. 3) Certification statement confirming that existing chimney is no longer connected to a fireplace or other equipment requiring exhaust, to be signed by the adjacent property owner, contractor or registered design professional authorized to perform inspections by the adjacent property owner.		Υ		N		N/A
3) Porch Structures		Υ		N		N/A
Porch Roof Structure Protection		Υ		N		N/A
Unenclosed Porch Roof Structure — Structural Assessment (where porch roof framing spans across property lines)		Υ		N		N/A
Installation of Temporary Support Structures		Υ		N		N/A
4) Adjacent Roof Level Projections (where elevation difference > 4'-0")		Υ		N		N/A
Means of adjacent property protection		Υ		N		N/A

Link: <u>Preconstruction Survey Information Sheet</u>

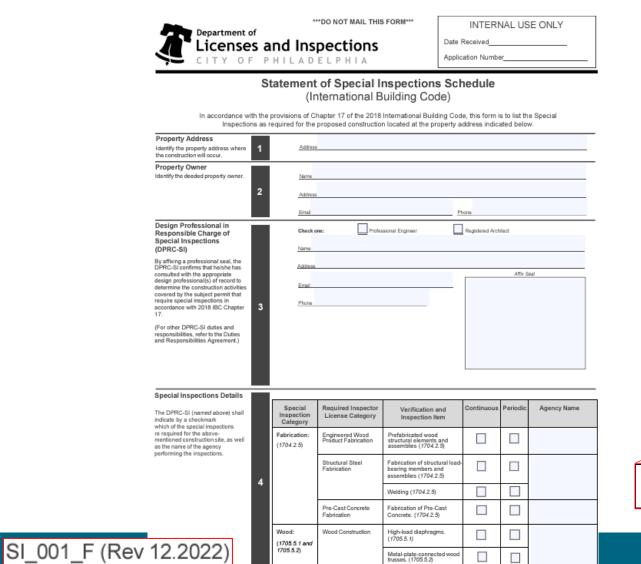
Link: Preconstruction Survey Checklist

Monitoring Plans

Monitoring Plan

- > Based on pre-construction survey, reports, and records, the engineer shall determine the required level of inspection to identify and prescribe:
 - ★ Location of existing distress condition to be monitored,
 - the scope and frequency of inspections,
 - + > required instrumentation (if applicable), and
 - → acceptable tolerances
- > The engineer may <u>not</u> waive the inspection requirement, unless otherwise approved by the Department based on level of work and potential hazard.
- Monitoring shall be carried out by a Special Inspector approved for Structural Stability of Existing Buildings.
 - > SI may establish increased inspections.
 - > However, a reduction in inspections requires an amended permit.

Statement of Special Inspections



_		***DO NOT MAIL THIS FO
	Department of	and Inspections
4		PHILADELPHIA

Special Inspections Details

INTERNAL USE ONLY
Date Received
Application Number

cont'd		Inspection Category	License Category	Inspection	on Item				
		Foundations: (1705.7-	Deep Foundations and Helical Pile Foundations	Driven deep fou (1705.7 and Tai					
		1705.10, Tables 1705.7 and 1705.8)		Cast-in-place de (1705.8 and Tai					
				Helical piles (17	705.9)				
		Miscellaneous	Spray Fire-Resistant Materials and Mastic and Intumescent Fire-	Spray Fire-Res (1705.14)	istant Materials				
			Resistant Coatings	Mastic & Intume (1705.15)	escent Coating				
			Exterior Insulation and Finish Systems (EIFS)	Exterior Insulat Systems. (EIFS					
	4		Underpinning	Underpinning. (dated August 2	See publication 022) (1705.1.1)				
			Demolition, Primary Inspector	Demolition. (33 amended, 1705 amended)					
			Smoke Control Systems – Primary Inspector	Smoke Control (1705.18, 909,9 909.19)					
			Structural and Non- Structural Seismic Resistance	Seismic Resist: 1705.13, 1704.	ance. (1705.12, 3.2)				
			Fire Resistance Penetrations and Joints	Fire-Resistant F and Joints. (170 1705.17.1, 170					
			Structural Stability – Primary Inspector	Structural Obse Monitoring (170					
Special Cases									
If the project includes		Code Reference	Special Inspection	on Item	Continuous	Periodic	Ag	ency Name	
construction activities that require special inspections which are not specifically listed on pages 1-3, please									
tructural Stability – rimary Inspector		ictural Obs nitoring (17	servation and 704.6)					·	
design professional of record),				•			•		
Whether inspections are to be continuous or periodic, and									
The name of the agency performing the inspections.									
SI_001_F (Rev 12:2022)			Statement of Special Insp	pections Schedule	,			Page 3 of 3	

Statement of Special Inspections Schedule Page 1 of 3 Statement of Special Inspections Schedule Page 3 of 3

Reference Material



Monitoring Plan Information Sheet

Overview

Pursuant to Section 4-B-1704 of the Philadelphia Code, buildings or structures adjoining or adjacent to certain excavation, demolition, or construction shall be monitored by a licensed special inspector to ensure that the structural integrity of the building is not adversely impacted by the activity.

Operations shall be monitored in accordance with an approved monitoring plan specifying scope, frequency, and acceptable tolerances. The monitoring plan shall include observation of any specific defects or conditions, including those identified in the pre-construction survey or soils investigation report, that may be affected by the construction or demolition.

Applicability

Sections 4-B-1704 and 4-B-3310 of the Philadelphia Code require that structural observations be provided in accordance with a monitoring plan prepared by the engineer of record where any of the following conditions exist:

Excavation, new construction or demolition work occurring within 90 ft of a building or structure on the Philadelphia
Register of Historic Places that is located on the subject property or abutting lot. This excludes excavation for utilities
and geotechnical exploration.

Link: Monitoring Plan Information Sheet

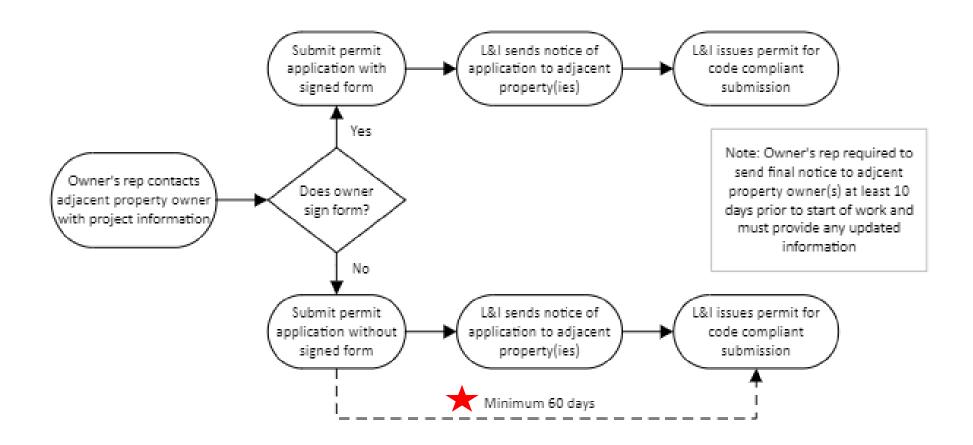
Notifications to Adjacent Property Owners

Notification to Adjoining Owner



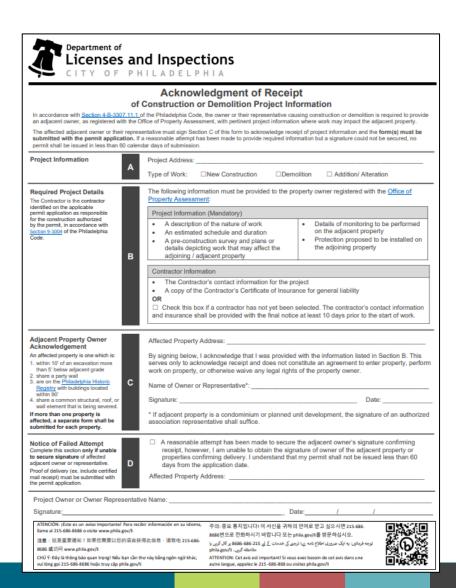
- Written notification is required to be given from the owner or owner's representative to <u>ALL</u> affected adjacent property owners.
- Notification is required to be provided both at:
 - > Initial construction/demolition permit submission, and
 - > a minimum of 10 days prior to the start of work.
 - Note: Unsafe buildings exempt from minimum timeframes.
- The notification must include project information as specified in the Philadelphia Code.
- > The notice must also be provided to the resident, if different from owner.
- Proof of the initial notification to the adjacent owner must be submitted with the building permit application.
 - Where signature(s) of adjacent property owner(s) can not be obtained, certified mail receipt(s) to the adjacent property shall be submitted with your application

Application and Notification Timeline



Initial Notification

- Notice of proposed work must be provided to adjacent property owner and resident (if different) and include:
 - Description of work
 - Plans depicting work that may impact building
 - Project schedule
 - Preconstruction survey
 - Protections (Temporary & Permanent)
 - Prescribed Monitoring
 - Contractor Certificate of Insurance
 - Project Contact Information



Initial Notification

- Owner or owner's representative is responsible for notice.
- If condominium or PUD ownership structure, authorized representative may sign.
- Must send to the owner at the address listed in OPA record, unless a more current address is identified.
- Must submit the form with excavation and/or building permit application. Must either have signature of adjacent owner OR indicate that a reasonable attempt has been made and provide proof of mailing.
- A separate form is required for each affected parcel.
- Form will be made available in multiple languages on L&I website. Can submit separate forms if cannot sign in common language.
- Acknowledgment of proposed work does NOT constitute permission to enter the property.

Notification from L&I



Current Resident 1224 Main Street Philadelphia PA 19111

Novemeber 8, 2022

RE: Notice to Adjoining Owner of 1222 Main Street

Dear Resident:

A permit application has been submitted for the project described below, which may impact your property.

- . A Commercial Building Permit application (CP-2022-001234) was received on November 8, 2022 for 1222 Main Street
- · The application is for the following work:

New Construction of a three-family dwelling.

In accordance with Section B-3307.11 of the Philadelphia Code, the owner or their agent is required to provide you with the following information:

- · Description of work and estimated schedule,
- · Results of a pre-construction inspection, documenting existing conditions of the adjacent building
- · Plans or details depicting work that may affect adjacent property,
- details of monitoring (i.e., periodic inspections, ongoing measurements of existing cracks, etc.) to be performed on the
 adioping property.
- · protection proposed to be installed on the adjoining property, and
- once a contractor has been selected for the permitted work, you must be provided with their contact and insurance information.

If you have not received this information, please contact the permit applicant: Josephine Architect 215-111-1111.

The owner is required to provide notice, in writing, at least 10 calendar days prior to the start of work; provide you with updates to the construction schedule; and/or notify you of any changes to the information provided in the initial notification as noted above. The owner is also responsible for notifying you of any significant modifications required during construction or demolition operations that may have an impact on your property.

Thank you,

City of Philadelphia

Department of Licenses & Inspection

ATTENTION: This is an important notice! For information in your language, call 215-686-8686 or visit www.phila.gov/li

ATENCIÓN: ¡Este es un aviso Importante! Para recibir información en su idioma, llame al 215-686-8686 o visite www.phila.gov/li

注意:这是重要通知!如果您需要以您的语言获得此信息·请致电 215-686-8686 或访问 www.phila.gov/li

CHÚ Ý: Đây là thông bào quan trongh Miu ban cân thư này bằng ngôn ngô thác, vui lông gọi 21.5-686-8866 hoặc truy cấp phila giệu lĩ 주의: 중요 통지입니다 이 서신을 귀하의 언어로 받고 싶으시면 21-566-8668 번으로 전화하시기 배협기(디 또는 phila-gov)를 당당하십시오. 나 교육 등 3688-886-713 4.5 Cuhin 소개 소개 나는 아니 Print-나는 나는 나는 가장 소개 나는 사람이 되었다.

ATTENTION: Cet avis est important! Si vous avez besoin de cet avis dans une autre langue, appelez le 215-686-868 ou visitez phila.gov/li



More Information about Nearby Construction Activity

Prior to the start of construction on the adjacent property, it is a good idea to educate yourself about construction and your rights as a property owner.

Access to your Property

At times, gaining access to an adjacent property can help a contractor perform work more safely, quickly, and/or affordably on the property next door. Before entering another property, the contractor is required to obtain permission. It is encouraged that the owners, residents and contractor coordinate with one another in order to reach an agreement that satisfies all affected parties. A written agreement regarding access and other construction related issues may avoid unnecessary confusion or miscommunication if such agreement is reached before construction begins.

Damage to your Property

It is suggested that you document the condition of your property prior to the start of construction or demolition. A good way to do this is by taking timestamped photographs. It is recommended to exchange pre-construction photographs with the owner or contractor.

If a construction project causes damage, immediately notify the owner of the property under construction and/or the contractor. Prior to the start of work, you should be provided with a copy of the contractor's Certificate of insurance for general liability. If you have questions about your legal rights you will need to consult with a lawyer, among other options, you can contact the Philadelphia Bar Association Lawyer Referral and Information Service (IRIS) at https://philadelphiabar.org/iris or by phone at 215-238-6333.

Exceeding the Allowable Scope of a Permit

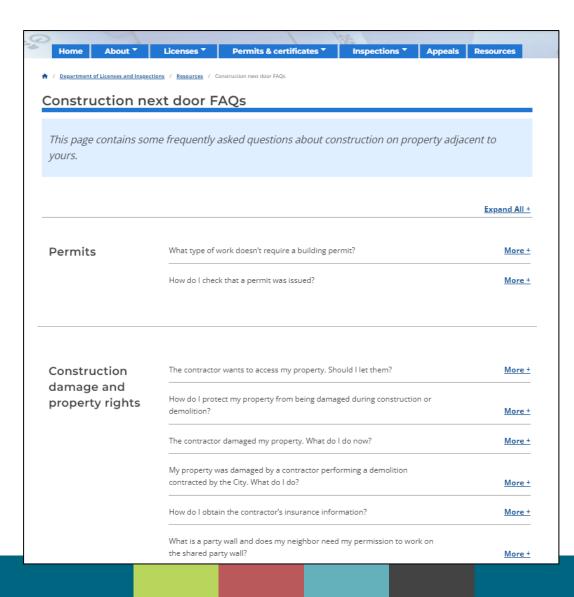
If you believe that the contractor is performing work that is not permitted, you should report it immediately. If the activity is observed on a weekday, call 311 to generate a construction complaint service call. Call (215) 686-8686 if you are outside Philadelphia. If activity is observed on the weekend, email weekendworkLi@phila.gov.

If you are concerned that the adjacent construction has put your home in danger of collapse, leave the house immediately and call 911.

For additional information about construction activity next door as related to hours of operation, underpinning, party walls, dust management and more, please refer to the Construction Activity FAQ located on the L&I website, www.phila.gov/li.



Construction FAQs



QR Code is directed to existing resource page for surrounding property owners

Page can be translated into over 120 languages.

Will incorporate pre and post January 1, 2023 requirements

Final Notification and Updates

- Final notification identifying any updates or changes must be sent to the adjacent owner and resident must be sent at least **10 days** prior to the start of work.
 - Exception: Time period does not apply to permit applications filed to remediate an unsafe or imminently dangerous conditions.
- > Owner or owner's agent responsible to update adjacent owner and resident of any changes that may impact their property throughout the duration of the project.
- L&I is not collecting proof of notice; however, any substantiated deviations from Code may result in enforcement action, including a Stop Work Order.

Reference Material



Notification to Adjacent Owner Information Sheet

Overview

Pursuant to <u>Section 4-A-3307 of the Philadelphia Code</u>, written notification of certain upcoming construction or demolition activities is required to be given from the owner or owner's representative to adjacent property owners. Notification is required to be provided both at the time an application is submitted and a minimum of 10 days prior to the start of work.

The notification is required to describe the scope of work, provide a schedule of work, and detail anticipated protection and monitoring measures for the adjacent property. The notification must also include contact information for the project and a copy of the contractor's Certificate of Insurance for general liability

The notice must also be provided to the resident, if different from owner.

In accordance with <u>Section 4-A-305.2.1.9 of the Philadelphia Code</u>, proof of the initial notification to the adjacent owner must be submitted with the building permit application. In the event that the proof of receipt of the notification cannot be obtained, the building permit will not be issued for a minimum of 60 days from application.

Applicability

Section 4-A-3307 requires that notification be provided to adjacent property owners prior to the start of the following activities:

- Excavation work to a depth of more than 5 feet below adjacent grade and within 10 feet of an adjoining or adjacent building. This excludes excavation for utilities and geotechnical exploration.
- Modification to a fire wall which is used for joint service between two buildings on separate lots. This includes
 demolition or underpinning. Modifications shall include, but are not limited to, exposure of the party wall, joist removal,
 or additional loading placed upon the wall. Applicable modifications shall exclude the removal and replacement of up
 to 10% of floor joists.
- Excavation, new construction or demolition work occurring within 90 feet of a building or structure on the <u>Philadelphia Register of Historic Places</u> that is located on the subject property or abutting lot. This excludes excavation for utilities/geotechnical exploration and work occurring within 90 feet of a non-contributing building. Contact the <u>Philadelphia Historical Commission</u> to confirm the status of a particular building.
- Severing of any structural, roof, or wall covering element extending continuously across the property line onto
 adjoining property. This work may include modification of any common building element such as a shared porch roof,
 building facade or balcony.
- Demolition activity that results in the exposure of a wall of an adjacent or adjoining building.

Link: Notification to adjacent owner information sheet

Exposed Party Wall & Backfilling (Demolition)

Exterior Wall

- > B-3307 requires party walls exposed during demolition be <u>treated</u> with exterior wall coverings compliant with Ch 14
- Wall must be protected against weather, and temporary protections are permitted for a max of 60 days.
- A complete demolition impacting a party wall must either include the <u>exterior wall covering in the</u> <u>permit scope</u> OR a <u>separate exterior wall covering permit</u> shall be required prior to demolition permit issuance.
- > An exposed party wall that is NOT permanently covered after 60 days shall constitute a violation.

Backfilling

- B-3303.4.1 Where a structure is demolished or removed and no new construction is contemplated, the vacant lot shall be graded in accordance with the Building Code.
 - New construction shall be considered 'contemplated' where there is <u>an active permit for</u> development in the **issued** status, unless otherwise approved by the Department.
- > Demolition is complete upon removal of the building and permit cannot be left open indefinitely.
- Within **30 days** of building removal: A site must be <u>backfilled</u> OR a <u>new construction permit</u> must be issued.
 - o If the demolition exposed foundation wall (or includes excavation within 10'), the new construction permit must include monitoring of the adjacent structure from the time the building is removed.
 - Failure to comply within 30 days of building removal constitutes a violation.

Permit Sequencing

There is no restriction on sequencing of demolition and construction permits with the following exceptions:

- The proposed demolition is in an area that requires issuance of a construction permit prior to demolition permit issuance under the *Philadelphia Zoning Code*.
- A demolition permit must be completed, and a *Certificate of Approval* issued before work may commence under the construction permit.

Reference Material

CODE BULLETIN B-2203 Demolition Permit Requirements

Page 1 of 5

DEPARTMENT OF LICENSES AND INSPECTIONS CODE BULLETIN OF INFORMATION B-2203	CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADBLEHIA TITLE 4 — BUILDING CONSTRUCTION AND OCCUPANCY CODE
SUBJECT OF BULLETIN: DEMOLITION PERMIT REQUIREMENTS	REFERENCE CODE SECTION(S): Phila Building Code and Regulations Phila Administrative Code
ISSUED BY	ISSUE DATE
NAME: Elizabeth Baldwin, P.E. Chief Code Official	November 29, 2022

BACKGROUND:

The Philadelphia Building Construction and Occupancy Code includes specific provisions to address the complex operation of building demolition, which may pose significant risk to the public and surrounding property.

Complete permit provisions designed to ensure safe operation and mitigate risk to both the public and surrounding property are contained within Chapters 4-A-3, 4-B-17, and 4-B-33 of the Philadelphia Code. This Code Bulletin is intended to clarify certain application and sequencing requirements contained in these chapters:

Section 1: Protection of Adjacent Property

Section 2: Waiver to leave floor slab or foundation in-place

Section 3. Exterior Wall Protection

Section 4. Backfilling of Site

Section 5: Demolition and Construction Permit Sequencing

Section 1 shall apply to all permit applications filed on or after January 1, 2023, unless otherwise noted.

CODE BULLETIN B-2203 DEMOLITION PERMIT REQUIREMENTS

Page 2 of 5

DIRECTION:

Section 1. Protection of Adjacent Property

Additional permit requirements apply during certain activities that may have a direct impact on adjacent property:

- Modification to a wall which is used for joint service between two buildings on separate lots, including exposure of the wall, removal of perpendicular walls, floor diaphragms, or roof diaphragms. This shall also include demolition where the shared wall abuts an independent bearing wall; or
- 2. Demolition within 90 feet of an historic structure on an adjacent parcel; or
- 3. Severing of any structural, roof, or wall covering element extending continuously across the property line onto adjoining property

Demolition meeting any of the above conditions shall comply with the following requirements:

A. Pre-Construction Survey

The Site Safety Plan required under Section 4-A-305.2.2.1 and including condition of adjacent buildings and potential hazards shall be prepared by a Pa registered professional engineer and satisfy all requirements of Section 4-B-3307.9, as outlined in the Pre-Construction Survey Information Sheet.

The plan shall highlight any specific conditions that <u>will be</u> adversely impacted by construction and must be addressed in the construction documents and conditions that <u>may be</u> adversely impacted by construction and must be monitored during construction.

B. Monitoring

A monitoring plan shall be prepared by a registered professional engineer and identify the scope, frequency, instrumentation and allowable tolerances as established by Section 4-B-3307 of the Philadelphia Code, based upon the conditions detailed in the pre-construction survey, and as outlined in the Monitoring Plan Information Sheet.

The monitoring plan shall also include minimum special inspection requirements set forth in Section 4-B-1705.1.1.1.2:

Excavation Permits

Excavation Permit Applicability

Excavation Permits are required under the Philadelphia Administrative Code where excavations are located at a depth greater than 5'-0" below the grade level, including basement dig-outs.

Exceptions:

- Utility Trenches, including Plumbing Work regulated by the Philadelphia Plumbing Code
- Geotechnical Explorations (e.g., Test Pits)
- **Complete Demolition Permits**
- **Underground Tank Installations**
 - Engineer may be required to address necessary protections when in close proximity to foundation walls

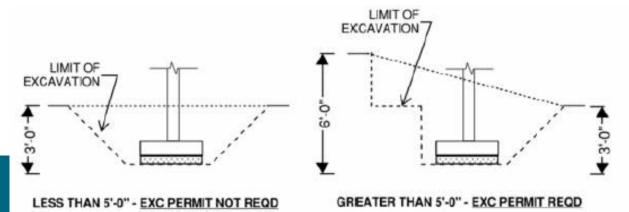


X Exceptions to be published soon

- Limited excavations limited to individual interior column footings (ie. stair footing installations)
- Helical Piles/Push Pile Installations where excavation does not exceed a depth 5'-0" below grade level
- Equipment installation to include Elevators



Engineer may be required to address necessary protections when in close proximity to foundation walls



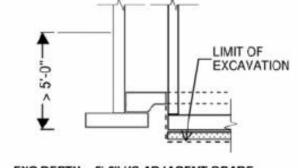
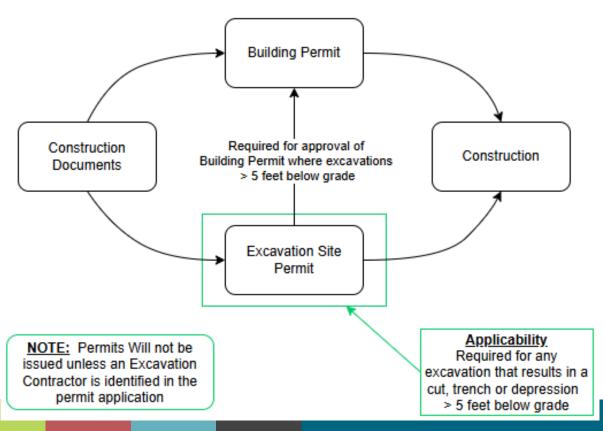


Image Credit: Pennoni

Excavation Site Permit Sequencing

Where a proposed project requires an excavation at a depth lower than 5'-0" below grade, an excavation permit must be secured with the building permit.



NOTE: No building permit will be issued before an excavation permit has been approved. Work may not start until the excavation permit has been issued.

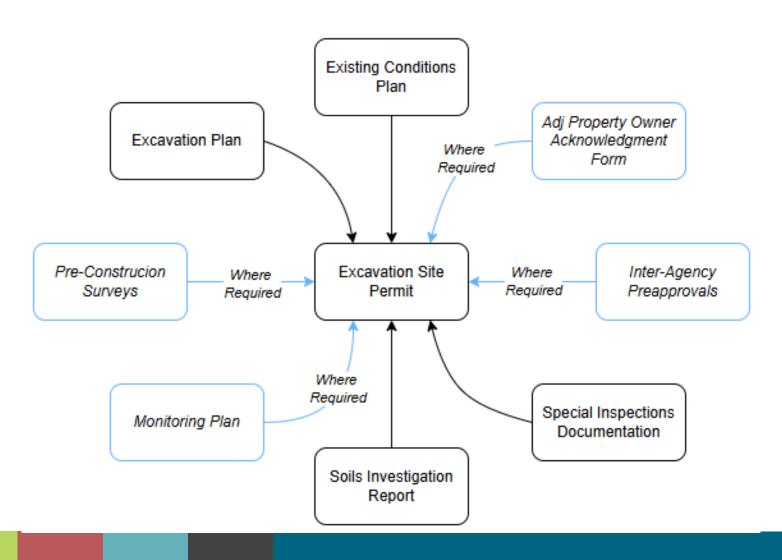
NOTE: Where an excavation site permit has not yet been secured, applicant may request to file a **Combination** New Construction permit with an Excavation Site permit through the eClipse system.

Excavation Permit & Contractor

A separate excavation contractor trade license will be required to obtain an excavation permit.

- The application will require the
 - identification of a site safety manager with OSHA 3015 certification (or equivalent),
 - a general liability insurance policy with a \$2 million limit, and
 - a \$100,000 license bond.

Excavation Permit Requirements



Excavation Permit Submission Checklist



D. Area & Depth of Excavation

EXCAVATION PERMIT SUBMISSION CHECKLIST

PROVIDED N/A Interdepartmental Approvals A. Streets Dept Approval--Encroachments in the Public ROW □ N - Temporary Excavation Encroachment is more than 3' into the ROW, with exception of emergency egress window well dimensions. - Any excavations exceeding 12'-0" in depth and within the ROW zone width (equal to the excavation depth). - All permanent encroachments into the public right-of-way. B. PWD-Storm Water Management Approval (Area of Disturbance > 5,000 SF) 2. Plan Submission A. Property Lines B. Location and Width of Adjacent Site Elements (within a separation distance the greater of 15'-0" or 1.5 times the excavation depth) Adjacent Walkways N/A N/A Adjacent Alleys Adjacent Streets N/A Curbline locations and cross-sections N/A N/A C. Neighboring Structures (within 10' of excavation) N/A Height N/A Stories N/A Width Description of Construction Type N/A

Link: Excavation Permit
Submission Checklist

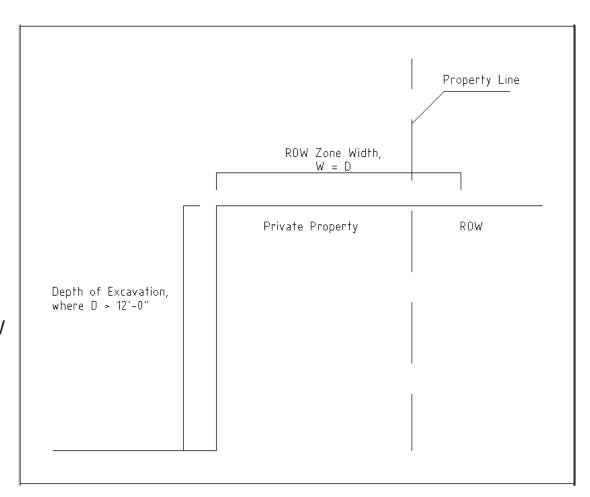
Interagency Pre-requisite Approvals

PWD

- Stormwater Management Plan Requirements to be provided where:
 - Area of Disturbance >= 5,000 SF

Streets Dept

- Public Right of Way (ROW) impacts
 - Permanent ROW encroachments
 - (ie. Support of Excavation, Egress Wells)
 - Temporary excavation encroachments where:
 - Excavation > 3 feet within the public ROW
 - Excavation located more than 12 feet in depth where located within a distance from the ROW equal to the depth of excavation
- SEPTA/PATCO impacts to be assessed by Streets Dept



Soils Investigation Report

- Identify depth of adjacent structure footings
 - Adjacent Structure Survey of Interior Elevations
 - **Exploratory Test Pits**
 - Archived Construction Records for Modern Construction
 - Cannot rely solely on these records, and requires physical verification of conditions
- - Support of Excavation Plans do not necessarily correspond or reflect findings of Geotechnical Reports
 - Existing Uncontrolled Fill not addressed in plans with regard to bearing and lateral

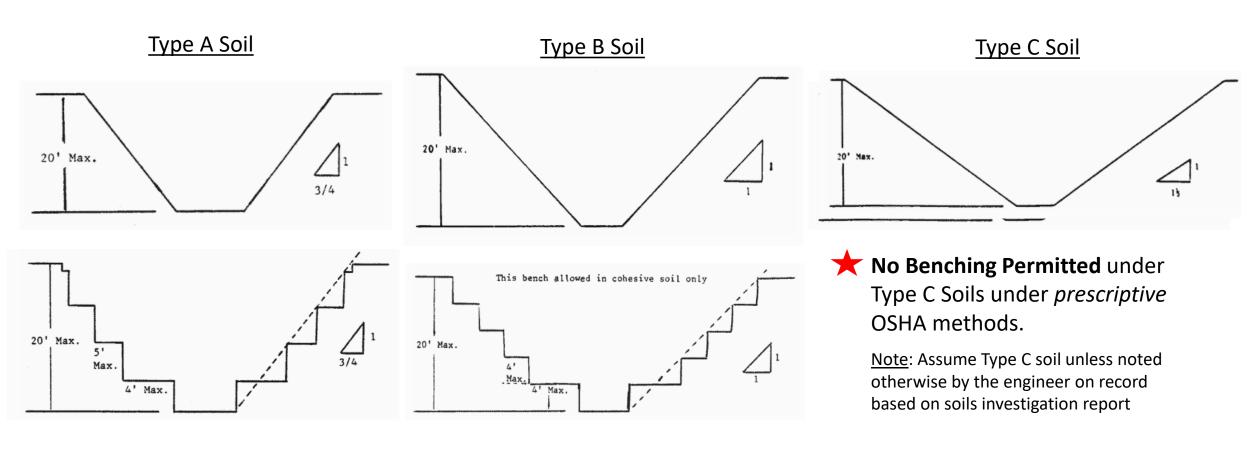
support

- Recommendation: OSHA Soil Type identification
 - Correlate findings to OSHA Soil Types

Link: OSHA Title 29, Part 1926, Subpart P; Excavations

Sloping and benching systems per OSHA				
Soil or Rock Type	Soil or Rock Description	Max Slope for Excavations <20ft		
Stable Rock	Natural solid mineral matter	Vertical (90°)		
Type A	Cohesive Soils	³4:1 (53°)		
Туре В	Cohesive Soils, Granular cohesionless soils, Previously disturbed soils	1:1 (45°)		
Type C	Cohesive Soils, Granular cohesionless soils, Submerged soil and rock	1 ½:1 (34°)		

Prescriptive OSHA Support of Excavation



Link: OSHA Title 29, Part 1926, Subpart P; Excavations

Excavation Plan Submission

Excavation plans and support of excavation must be signed off by the licensed professional engineer on record.

<u>Exception</u>: A registered professional engineer is NOT required to prepare the plans where ALL of the following conditions are met:

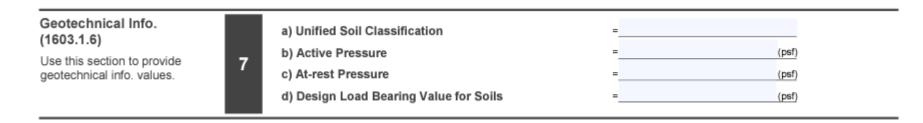
- 1. the excavation does NOT exceed **12 feet** in depth or **15 feet** in width,
- 2. is greater than **10 feet** from an adjacent building or structure,
- 3. is greater than **10 feet** from a public right-of-way or track structure, and
- 4. support systems are designed in accordance with the prescriptive provisions of OSHA Standards Part 1926 Subpart P.

Structural Design Analysis

• Structural Design Criteria Form



Lateral Soil Loads often not identified for Support of Excavation Requirements



Structural Design Analysis



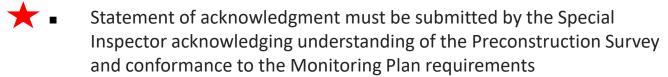
- Structural Design Analysis for Support of Excavation system often not provided for Engineered Protective Systems.
- Safety Factors based on structural analysis to be identified for proposed support of excavation systems.

Special Inspections for Excavation Activity

 Applicants shall be identifying the correct Special Inspection items applicable to their workscope.



- The latest Statement of Special Inspections form to be utilized (Rev 12/2022)
- Where Special Inspection Agency identified is a different entity from the
 Design Professional in responsible charge of Monitoring plan submittal:





- Ensure that all required Special Inspection activities are accurately identified
 - Major Demolitions → Demolitions
 - Underpinning → Underpinning
 - Deep Pile Foundations → Deep Foundations and Helical Pier Foundations



- ★ Structural Monitoring → Structural Observations & Monitoring
 Frequency of special inspection shall be correctly identified per Philadelphia
 Building Code, Section 1704 & 1705
 - Excavation → Continuous Inspection
 - Underpinning → Continuous Inspection



INTE	RNAL USE ONLY
Date Received	
Application Nur	nber

Special Inspections Details

	Special Inspection Category	Required Inspector License Category	Verification and Inspection Item	Continuous	Periodic	Agency Name
_	Foundations: 1705.10, Tables 1705.7 and 1705.8)	Deep Foundations and Holical Pile Foundations	Driven deep foundations (1705.7 and Table 1705.7)			
			Cast-in-place deep foundations (1705.8 and Table 1705.8)			
			Helical piles (1705.9)			
	Miscellaneous	Spray Fire-Resistant Materials and Mastic and Intumescent Fire-	Spray Fire-Resistant Materials (1705.14)			
		Resistant Coatings	Mastic & Intumescent Coating (1705.15)			
		Exterior Insulation and Finish Systems (EIFS)	Exterior Insulation and Finish Systems. (EIFS) (1705.16)			
4		Underpinning	Underpinning. (See publication dated August 2022) (1705.1.1)			
_		Demolition, Primary Inspector	Demolition. (3303 as amended, 1705.1.1 as amended)			
		Smoke Control Systems – Primary Inspector	Smoke Control System. (1705.18, 909,909.18.8, and 909.19)			
		Structural and Non- Structural Seismic Resistance	Seismic Resistance. (1705.12, 1705.13, 1704.3.2)			
		Fire Resistance Penetrations and Joints	Fire-Resistant Penetrations and Joints. (1705.17, 1705.17.1, 1705.17.2)			
		Structural Stability – Primary Inspector	Structural Observation and Monitoring (1704.6)			

Special Cases

construction activities that require special inspections which are not specifically listed on pages 1-3, please provide (to table at right):

- The applicable code reference.
- The special inspection iter (per special inspection tables listed in Chapter 17 or as required by the design professional of
- Whether inspections are be continuous or periodic and
- The name of the agency performing the inspections

	Code Reference	Special Inspection Item	Continuous	Periodic	Agency Name
5					

SI 001 F (Rev 12 2022) Statement of Special Inspections Schedule Page 3 of 3

Construction Considerations

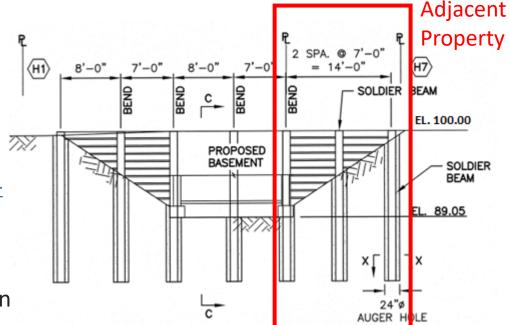
Proposed temporary encroachments on adjacent properties

Requires written agreement between respective owners to proceed with encroachment per Code Bulletin A-1703-R2

Prescriptive OSHA Support of Excavation Limitations

Where limitations of OSHA prescriptive designs have been exceeded, structural design calculations will be required for the protective system design per OSHA Title 29, Section 1926.652

- Engineering details with unclear or insufficient design
 - E.g. Raker System designs to be inclusive Heel/Kicker
 Block Designs
- Damp proofing of exposed adjacent property foundation







Findings & Recommendations

- Ensure that project teams have all submittal requirements identified for their workscope.
 - Review Information Sheets for submission standards.
 - Utilize the Plan Review Checklists to address submittal requirements.
- Ensure that project requirements meet project specific needs.
 - To include Preconstruction Survey, Monitoring Plans, and Excavation Plans prepared based on existing field conditions and observed structural distresses.
- Proactive notification outreach for all impacted adjacent property owners.
 - Plan around approval delays where owner signatures cannot be obtained.
 - Obtain certified mail receipts for notification deliveries.

QUESTIONS?

Resources

- o Information Sheets:
 - o <u>Pre-Construction Survey</u>
 - o Monitoring Plan
 - Notification to Adjacent Owner
- Code Bulletins and Regulations:
 - Code Bulletin: Excavations and the
 Protection of Adjacent Property Public and Private
 - Code Bulletin: Property Rights Issues
 Related to the Permit Process

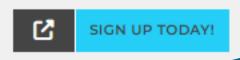
- Plan Review Checklists:
 - o <u>Demolition Permits</u>
 - o <u>Preconstruction Surveys</u>
 - Excavation Permits
- Other:
 - Acknowledgment of Receipt
 - o <u>L&I Notification</u>
 - o <u>Construction FAQs</u>

L&I Newsletter

- Stay up to date on L&I related news by signing up for our newsletter.
- o Go to www.phila.gov/li and scroll down. Click "Sign Up Today!"

Sign up for our newsletter

L&l's newsletter helps you stay up-to-date about permits, licenses, and more.



Thank You!!!