



# Excavation Requirements: New for 2023

Virtual attendees: We are having lunch.  
Program scheduled to begin at 12 noon




## Code Changes- Bills No [210389](#) and [220008](#)

Requirements	
Excavation Permit	Separate permit required for all excavations more than 5' below grade, with exceptions
Excavation Contractor	Specialized license required for excavations with additional training and increased insurance/ bonding
Protection of Property	Requires Pre-Construction Survey, Monitoring Plan, and Notifications to Adjacent Owner for specific work scopes that may directly impact adjacent property






# Who is affected?

- Anyone seeking to perform excavation services resulting in cuts, trenches, or depressions in the Earth's surface more than 5' below adjacent grade
    - INCLUDES basement dig-outs.
    - EXCLUDES utility trenches, including those requiring plumbing permits
    - EXCLUDES geotechnical exploration that does not require a permit and complete demolition permit.
  - An excavation permit naming the licensed excavation contractor that will be responsible for the work must be obtained prior to this work occurring.
- 




# When?

- The new requirements apply to permits filed through eCLIPSE after December 29, 2022 (December 30<sup>th</sup> for in-person applications).
  - Refer to L&I regulations for more information on Permit Filing Date.
  - Applications that were rejected (and not accepted for review) prior to Jan 1 may require manual adjustment. Recommend scheduling a virtual appointment to complete the application.
- 



# Why?

➤ **PROTECT LIFE SAFETY!**

- Ensure that the contractor has knowledge and skill necessary to perform excavations.
  - Increase transparency and awareness of projects that include excavation work.
  - Establish minimum permit submission requirements for excavations to ensure that adjoining buildings and public ways are sufficiently protected.
  - Demonstrate that an adequate investigation/ assessment necessary for responsible design/ construction and ensure affected buildings are appropriately monitored throughout the construction or demolition.
  - Provide notice and complete project information to an adjoining owner or resident of a building that is directly impacted by the work.
- 




# **EXCAVATION CONTRACTOR LICENSE REQUIREMENTS**





## License Requirements- §9-1009(4)

Requirements	
Commercial Activity License	Phila Tax Account in good standing
Insurance	<ul style="list-style-type: none"><li>○ \$2 million general liability</li><li>○ \$300k auto</li><li>○ Workman's Compensation</li></ul>
License Bond	\$100k- City will draw against the bond to recapture abatement costs
Qualified Site Safety Manager	OSHA 30 and 3015 training and certification; must be on-site during excavation to ensure safe operation; may not be employed by another contractor





# OSHA 3015


- OSHA 3015- Excavation, Trenching and Soil Mechanics
- OSHA 3015 may only be provided through an **OSHA Training Institute Education Center**. Regional courses are offered through the **Mid-Atlantic OTI Education Center** and additional course offerings are provided through **TEEX OTI Education Center**
- Site safety managers must have taken the course within 5 years of the license's issuance date
- When renewing the license, site safety managers can take 20 continuing education hours in excavation, trenching, and soil mechanics instead of retaking the OSHA 3015 course (if it's been more than 5 years since they took the course, and their OSHA 3015 certification had been approved by the Department on an earlier application or renewal).
- If you plan on getting an excavation contractor license and don't already have an OSHA 3015 certified person on staff, don't wait– start figuring it out now!



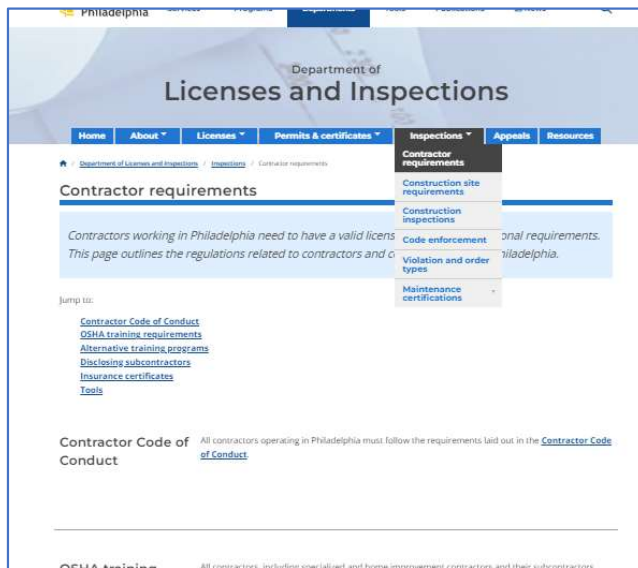




# OSHA 3015 Alternates

- The Phila Code grants L&I the authority to approve a training program equivalent to OSHA 3015
  - Regulations establishing minimum criteria took effect in September 2022
  - Criteria includes:
    - Course objectives, topics, and training time must meet or exceed OSHA
    - Must require an exam demonstrating knowledge of material to obtain Completion Certificate
    - Cost must be comparable to OSHA training course
    - Provider must be approved by Pa DLI, unless waived by the Department
  - Approved providers to be published on the L&I website
- 

# OSHA 3015 Alternates



## Alternative training programs

### Requirements for alternative training programs

L&I can approve training programs as alternatives to OSHA training. These training programs must be in construction site safety, excavation, trenching, or soil mechanics. They must meet these criteria:

- The course provider must be on the [PA Department of Labor and Industry's](#) eligible training provider list or otherwise approved by the department.
- The course's outline must have objectives, topics, and training time that meet or exceed the relevant OSHA training.
- The training provider must issue a course completion certificate to participants. L&I must be able to verify the certificate.
- The training costs must not significantly exceed OSHA training costs unless otherwise approved by L&I.
- The course provider must have a quality control plan. The plan must include:
  - The organizational structure of the company.
  - The credentials of trainers.
  - A quality assurance program.
- OSHA 3015 alternatives must:
  - Include an examination.
  - Identify a passing grade for certification.
  - Provide at least one opportunity to retest.

To submit a program for consideration, email documentation to [brett.martin@phila.gov](mailto:brett.martin@phila.gov).

### Approved alternative training programs

L&I has approved the following programs as alternatives to OSHA training:

#### OSHA 10:

- [TES](#) (for licensed electrical contractors)
- [PALM Built-Rite](#) (for building trades)

#### OSHA 30:

- [STSC \(Safety Trained Supervisor Construction\)](#)

#### OSHA 3015:

- The department hasn't approved any equivalent alternatives.

[Less](#)

Complete criteria, submission information, and listing of approval alternates is provided on the 'Contractor Requirements page



# Excavation Permit



# Excavation Permit


- Separate Excavation Permit required to perform excavation services resulting in cuts, trenches, or depressions in the Earth's surface more than 5' below adjacent grade
  - This includes basement dig-outs.
  - This excludes utility trenches/ geotechnical exploration that does not require a permit AND complete demolition permit
- Must identify a licensed excavation contractor prior to issuance
- Additional requirements for pre-construction survey, special inspections, and notification apply when excavation is within 10' of an existing building OR in 90' of historic structure on same or adjacent lot.
- \$103 fee (plus surcharges)





# Permit Application Requirements

Requirement	Conditions
Separate Plan sealed by Pa engineer	No seal required if : 1) More than 10' from structures and ROW; AND 2) Width is 15' or less/ Depth is 12' or less; AND 3) SOE complies with OSHA 1926 Subpart P prescriptive requirements
Calculations (if engineered)	
Soils Investigation Report	
Pre-requisite Approvals	<u>PWD:</u> Earth Disturbance more than 5,000 sq ft <u>Streets:</u> Extends more than 3' into ROW; OR more than 12' deep and within a distance of ROW <=excavation depth <u>Zoning Site:</u> Steep Slope (more than 1400 sf), WWO (more than 500)
Pre-con Survey, SI, Owner's Acknowledgement	Within 10' of an existing structure OR 90' of historic structure on same or adjacent lot





# Excavation Plan Requirements

- Existing conditions
- Protections of adjacent footings and foundations
- Support of excavation
- Size and location of construction barriers to protect ped walkways in ROW, alley, and adjacent property
- Design Information





# Protection of Right-Of-Way

Where an excavation within 10 feet of the public right-of-way, additional criteria shall apply:

- Live load surcharge from vehicular and ped traffic calculated in accordance with the PennDOT Design Manual- Part 4 . AASHTO LFRD may be used on non-State highways.
- A minimum factor of safety of 1.5 shall be applied to support systems.
- A support system shall be designed to minimize deflection and in no case shall exceed 1".
- Where the excavation is within 12 feet of a travel lane on a [State highway](#) and within 10 feet of a travel lane on all other highways, a crash barrier must be provided unless it can be demonstrated that traffic volumes warrant an exemption based upon PennDOT Design Manual –Part 2.





# Permit Submission

- May be filed as a separate site permit (prior to building permit) or included on building permit application (resulting in separate site permit)
- If there are multiple buildings on one parcel, a single permit may be issued for multiple excavations.
- If project includes multiple parcels , a separate permit will be required for each parcel.
- No permit will be issued until the excavation contractor is identified.
- Building permit may be issued prior to excavation permit. Work cannot commence without the excavation permit.





# Permit Submission

**Site / Utility Permit** SP-2022-000002 (Draft)

**APPLICATION INSTRUCTIONS**  
Welcome to the *Site/Utility Permit (SP)* application.

To begin, provide responses and information to the questions below and on the following pages to move through the process. A response is required to any question marked with an asterisk (\*). Once the complete application (including supporting documents) has been submitted, it will be sent the Department of Licenses and Inspections (L&I). L&I will complete all necessary reviews and issue any permits and/or approvals associated with your application.

This permit type is used for the following types of work:

**Foundation & Excavation:** Use this option if the site work will include the installation of new building foundation system.

**General Earth Disturbance:** Use this option only if work is limited to earth clearing and movement.

**Sitework with On-site Utility Service:** Use this option if you wish to obtain a site permit including trade permits for utility work such as electrical service, fire pumps, backflow devices, yard hydrants, building or site drainage, and water service.

Note: Fields marked with an asterisk (\*) are required.

**APPLICATION**

\*What is your relationship to this permit?

☒ Owner  
☐ Tenant  
☐ Equitable Owner  
☐ Professional / Tradesperson

Please identify the Design Professional responsible for the project:

Were you able to find the Design Professional you were looking for? ☒ Yes ☐ No

\*What type of work will be done?

**Excavation**

\*What is the occupancy type for this permit?

Please identify an existing project, if applicable:

Foundation  
General Earth Disturbance ONLY  
Sitework with Onsite Utility Services

File as a separate site permit (in advance of building permit) OR include on building permit application.

If filed separately, must identify as a related permit when submitting for building permit application.

**GCLIPSE**  
CITY OF PHILADELPHIA

**Commercial Building Permit** CP-2022-000007 (Draft)

**CONSTRUCTION AREA**

Use the boxes below to enter the area (square feet) for each type of work proposed with this Permit. For more information, see the right.

Note: Incomplete or incorrect information provided may result in the additional reviews by L&I (or other City Department).

Area of Earth Disturbance (sq. ft.):

New Construction Area (sq. ft.):

**PROJECT COSTS**

Use the boxes below to identify the cost of work for each construction activity associated with this Permit. At a MINIMUM, enter the cost of the work proposed under this Permit.

If you enter any costs for Electrical, Fire suppression, Mechanical, or Plumbing work, the system will automatically prompt you to enter details for each trade where a cost of work is listed.

Electrical Cost of Work:

Fire Suppression Cost of Work:

Mechanical / Fuel Gas Cost of Work:

Plumbing Cost of Work:

**Excavation Cost of Work:**

General Construction Cost of Work:

Total Construction Cost of Work:  **Calculate**

**RELATED PERMITS**

Identify any Zoning Permit or Application associated with this Commercial Building Permit.

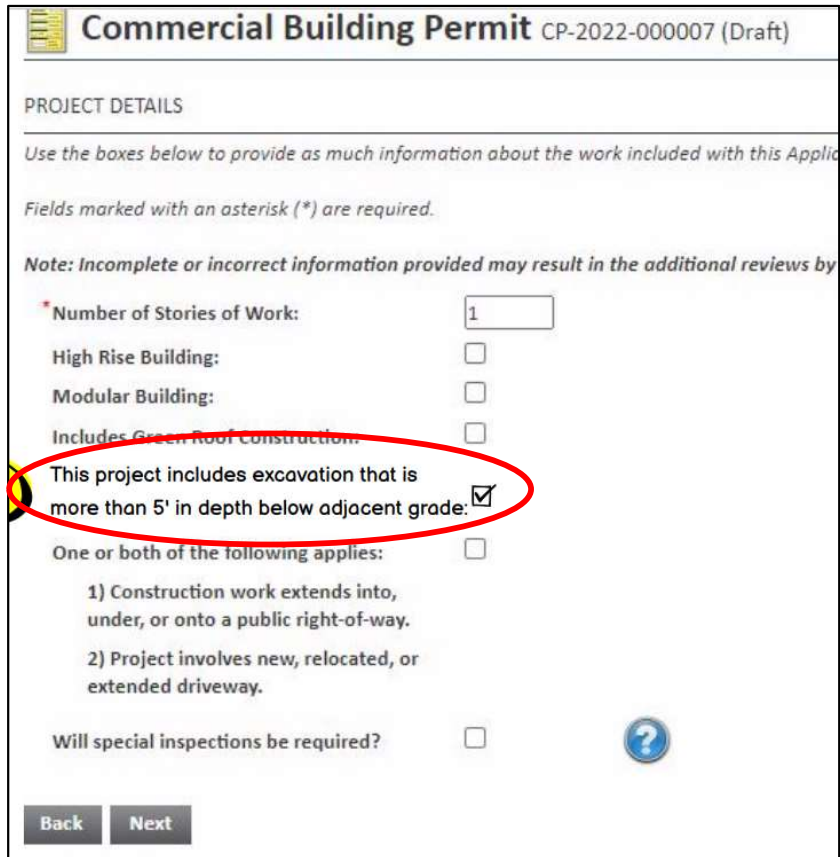
Search for the Permit by clicking on the magnifying glass icon below. If there are multiple Permits available, select the one you want to associate with this permit.

Visit [atlas.phila.gov](https://atlas.phila.gov) to Search by Address for complete description of previously issued Permits associated with this project.

Please identify an applicable Zoning Permit:

**Please identify an applicable Excavation Site/Utility Permit:**

# Permit Submission



**Commercial Building Permit** CP-2022-000007 (Draft)

PROJECT DETAILS

Use the boxes below to provide as much information about the work included with this Application.

Fields marked with an asterisk (\*) are required.

Note: Incomplete or incorrect information provided may result in the additional reviews by the City.

\* Number of Stories of Work:

High Rise Building: ☐

Modular Building: ☐

Includes Green Roof Construction: ☐

This project includes excavation that is more than 5' in depth below adjacent grade: ☒

One or both of the following applies: ☐

1) Construction work extends into, under, or onto a public right-of-way.

2) Project involves new, relocated, or extended driveway.

Will special inspections be required? ☐

[Back](#) [Next](#)

Applicant must indicate if permit includes an excavation more than 5' in depth below adjacent grade on building permit application to trigger requirements.

New construction applications will default to 'checked' and, if not applicable, the applicant must de-select.

# Reference Material

Visit [www.phila.gov/li](http://www.phila.gov/li)

ADEPARTMENT OF LICENSES AND INSPECTIONS CODE BULLETIN OF INFORMATION B-0503-R3		CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA TITLE 4 – BUILDING CONSTRUCTION AND OCCUPANCY CODE	
SUBJECT OF BULLETIN: EXCAVATIONS AND THE PROTECTION OF ADJACENT PROPERTY – PUBLIC AND PRIVATE		REFERENCE CODE SECTION(S) Phila Building Code Phila Administrative Code OSHA Standards Part 1926 Subpart P	
ISSUED BY NAME: Elizabeth Baldwin, P.E. Chief Code Official		ISSUE DATE November 8, 2022	

**BACKGROUND:**

Building and sidewalk collapses can be attributed to builders digging basements and footings close to adjoining public and private property. Many older buildings in Philadelphia are supported on rubble stone foundation walls with minimal or no spread footings below. When such walls are exposed or undermined, they become unstable and are prone to sudden catastrophic failure. Likewise, when excavations are made immediately abutting paved areas, like private yards and public footways that have no soil support, the exposed soil is prone to catastrophic failure, damaging property and infrastructure and disrupting traffic. Collapses have also been caused by property owners that attempt to increase the height of their basements by digging out the basement floor. Though the danger is most acute with rubble stone foundation walls and areas with no soil support, damage and failure can occur whenever excavations are made adjacent to existing structures and adjacent yards and footways, regardless of their age or condition.

Protections mandated by the Philadelphia Building Construction and Occupancy Code have evolved over the years as an increasing number of older buildings undergo structural renovation or total reconstruction.

This Code Bulletin will set forth construction document and inspection requirements to aid in enforcing the code sections that address concerns with excavations and their impact on adjoining public and private property.

The provisions of this revision shall apply to all permit applications filed on or after January 1, 2023. All applications filed prior to this date shall be subject to the provisions of the Philadelphia Code in the time of application and Code Bulletin B-0503-R2 (Appendix A).

## Get an Excavation Site Permit

### Service overview

You need an Excavation Site Permit for any excavation that results in a cut, trench, or depression that is five feet below an adjacent grade.

This does not apply to:

- Utility trenches or geotechnical exploration that doesn't require a permit.
- Demolition work covered under a [Complete Demolition Permit](#).

The [Department of Licenses and Inspections \(L&I\)](#) issues this license.

Applications submitted on or after January 1, 2023 for construction projects that include an excavation more than five feet below grade will require an Excavation Site Permit.

### Who

Property owners or their authorized agents can apply for this permit. An authorized agent may include a:

- Contractor.
- PA design professional.
- Attorney.
- Licensed expeditor.

### Requirements

#### Permit application

The permit application must include the complete scope of work and current owner information.

If the property is not owned by a natural person or a publicly-traded company, provide the name and mailing address of one of the following:

- Each individual with more than 49% interest in ownership of the property.
- The two individuals with the largest interest.

If the property was recently sold, submit a copy of the settlement sheet or deed with the application.

You must apply for all permits under the legal address established by the [Office of Property Assessment \(OPA\)](#).

No permit will be released unless the property is current on all City of Philadelphia Taxes.

Department of  
Licenses and Inspections  
CITY OF PHILADELPHIA

Plan Requirements:  
Excavation permit applications

**Overview**

The Department of Licenses and Inspections (L&I) reviews plans submitted with permit applications for excavation work. Review the information below before submitting plans for review.

**Plan sheet size and material**

- Minimum Sheet Size: 18 in. x 24 in.
- Maximum Sheet Size: 36 in. x 48 in.
- Print plans on white, standard-weight, bond type paper.
  - For plans that will be submitted in eCLIPSE, refer to the [ePlan Submission Standard information sheet](#) for rules and limitations of creating drawing files that will be uploaded for review.

**Acceptable drawing scales**

- Architectural Scale: 1/4 in. = 1 ft.-0 in.
- Larger scales may be used. If a smaller scale is used, the plans examiner may reject your plans.

**Minimum requirements**

- Must be of professional quality and drawn to scale. Free-hand sketches will **not** be accepted.
- Printed plans must be in ink and in grayscale. Pencil drawings will **not** be accepted.
- Title block with sheet number and project address.
- Applicable design codes and edition.
- Location of Property lines
- Location of Adjacent Walkways, Easements, Streets (Location & Width)
- Location of Neighboring Structures (to include Height, Stories, Construction Type)
- Foundation/Retaining walls within 10 ft of excavation (to include Depth & Construction Materials of Footing/Foundation)
- Location of utilities within the work area and within 10 ft of excavation, including identification of required utility protections
- PA One Call Number
- Area and depth of excavation
- Required protections of footings and foundations of buildings and structures within 10 ft of excavation, including sequencing. Where no special precautions are warranted, the plan must include a note indicating that no special precautions or measures are required to protect existing footings and foundation on the subject property or on the



# Work Site Signage

- Project Information Sign must indicate if project scope includes excavation more than 5' below adjacent grade and 10' within a structure
- Excludes major construction requiring large sign panel
- L&I to update template



**WORK IN PROGRESS**

ANTICIPATED COMPLETION DATE: \_\_\_\_\_

OWNER No 1\*: \_\_\_\_\_  
NAME PHONE NUMBER ADDRESS

OWNER No 2\*: \_\_\_\_\_  
NAME PHONE NUMBER ADDRESS

\* IF THE OWNER IS A CORPORATION, LIST TWO MEMBERS OR SHAREHOLDERS WITH THE LARGEST INTEREST. CONTACT PHONE NUMBER AND ADDRESS FOR EACH INDIVIDUAL MUST BE INCLUDED.

CONTRACTOR: \_\_\_\_\_  
NAME PHONE NUMBER

PERMIT NUMBER: \_\_\_\_\_

PROJECT LOCATION / ADDRESS: \_\_\_\_\_

☐ Project scope includes excavation more than 5 feet below adjacent grade and within 10 feet of an existing structure.

TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311 OR 911.

PARA REPORTER CONDICIONES PELIGROSAS EN UN SITIO DE TRABAJO, LLAME AL 311 OR 911. NO TIENE QUE DAR SU NOMBRE.

TO SEE OTHER PERMITS ISSUED ON THIS PROPERTY, CALL 311 OR VISIT [WWW.PHILA.GOV/LI](http://WWW.PHILA.GOV/LI). SEARCH BY PROJECT LOCATION / ADDRESS ABOVE.

 Department of \_\_\_\_\_ 



# Protection of Adjacent Property



# Safeguards

## ➤ **Pre-construction Survey**

Inspection report 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

## ➤ **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 integrity of the building is not adversely impacted by the activity

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

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





## Pre-Construction Survey

- Assessment of exterior condition of adjacent building must be performed by a licensed PA engineer.
- Documentation of adjoining or adjacent buildings, including height, number of stories, construction type, and identification of any elements that may be impacted by construction or demolition operations.
- Documentation of existing conditions of adjoining or adjacent buildings and identification of deficiencies. Must identify any potential hazards requiring monitoring







# Pre-Construction Survey

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 must be monitoring during the construction or demolition operation, as outlined in the Monitoring Plan.
- Temporary protections, such as roof covering or bracing, 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.






# Monitoring Plan

- The engineer shall determine the required level of inspection and prescribe the scope and frequency of inspections, required instrumentation (if applicable) and acceptable tolerances based on pre-construction survey, reports, and records.
- The engineer may not waive the inspection requirement, unless otherwise approved by the Department based on level of work and potential hazard.
- The monitoring plan shall be signed and sealed by the engineer.
- Monitoring shall be carried out by a Special Inspector approved for Structural Stability of Existing Buildings.





# Excavations- Inspection Responsibility

- If excavation is within 10' of an existing building:
    - Special inspector to ensure that protections conform to the approved plan and to continuously monitor the condition of existing buildings and structures during excavation and as otherwise required throughout construction.
    - If a separate inspector is identified for underpinning operations, it shall be the responsibility of that inspector to ensure underpinning is performed in accordance with the approved plan.
  - The excavation contractor's site safety manager (with OSHA 30 and OSHA 3015 certs) must be continuously present on-site during the excavation operations.
  - Inspections shall be made after every rainstorm by the competent person and inspection records shall be furnished to the Department upon request. Where evidence of potential failure is discovered, immediate steps shall be taken to ensure the protection of adjacent property as directed by the engineer of record.
- 



# Reference Material



## Pre-Construction Survey Information Sheet

### Overview

Pursuant to [Section 4-A-3307 of the Philadelphia Code](#), 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.
2. Excavation, new construction or demolition work occurring within 90 feet 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.



## 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:

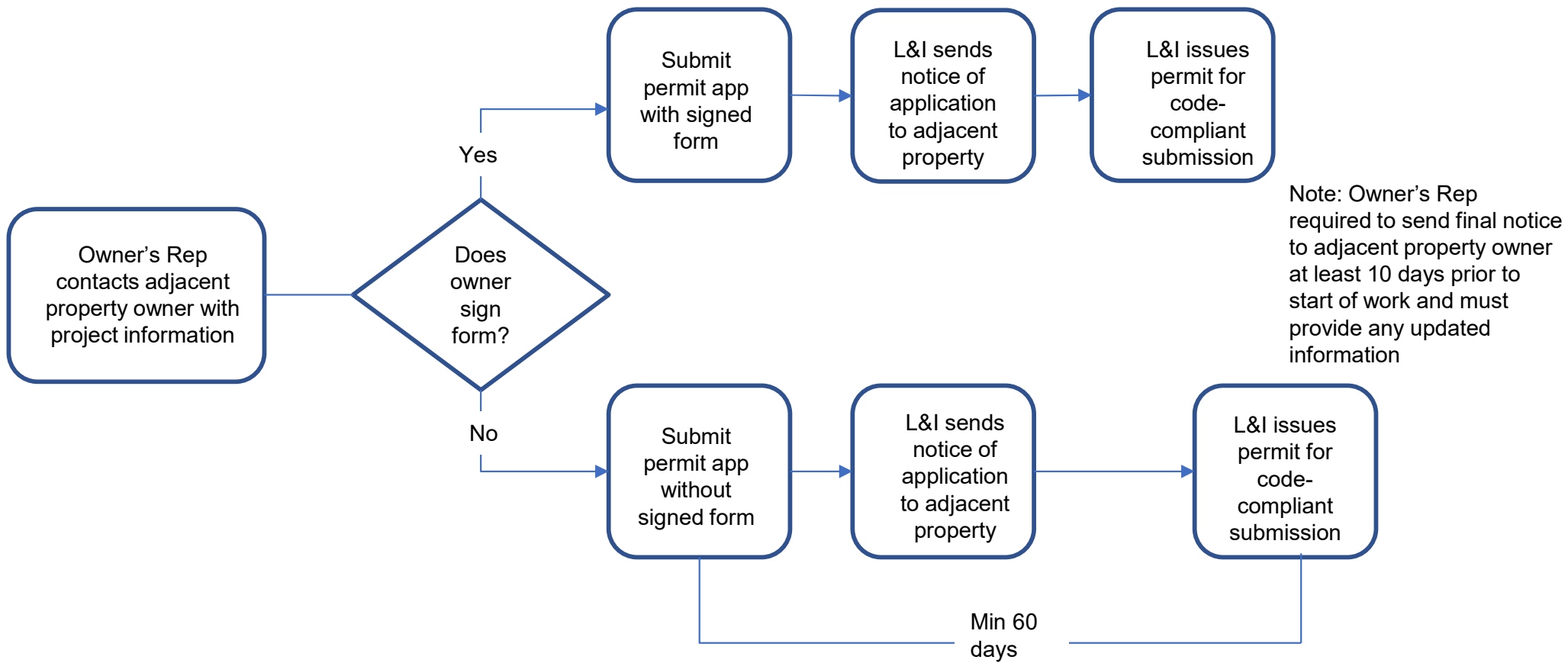
- Excavation, new construction or demolition work occurring within 90 ft of a building or structure on the Philadelphia Register of Historic Places that is located on the subject property or abutting lot. This excludes excavation for utilities and geotechnical exploration.



## Notification to Adjoining Owner

- Written notification is required to be given from the owner or owner's representative to adjacent property owners.
- Notification is required to be provided prior to submitting application and a minimum of 10 days prior to the start of work.
- 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.








# 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
  - Prescribed Monitoring
  - Contractor Certificate of Insurance
  - Project Contact Information




# Initial Notification

 **Department of  
Licenses and Inspections**  
CITY OF PHILADELPHIA

---

**Acknowledgment of Receipt  
of Construction or Demolition Project Information**

In accordance with [Section 4.6-3307.11.1](#) of the Philadelphia Code, the owner or their representative causing construction or demolition is required to provide an adjacent owner, as registered with the Office of Property Assessment, with pertinent project information where work may impact the adjacent property. The affected adjacent owner or their representative must sign Section C of this form to acknowledge receipt of project information and the form(s) must be submitted with the permit application. If a reasonable attempt has been made to provide required information but a signature could not be secured, no permit shall be issued in less than 60 calendar days of submission.

<b>Project Information</b>	<b>A</b>	Project Address: _____ Type of Work: <input type="checkbox"/> New Construction <input type="checkbox"/> Demolition <input type="checkbox"/> Addition/ Alteration				
<b>Required Project Details</b> The Contractor is the contractor identified on the applicable permit application as responsible for the construction authorized by the permit, in accordance with <a href="#">Section 4.6-3302</a> of the Philadelphia Code.	<b>B</b>	The following information must be provided to the property owner registered with the <a href="#">Office of Property Assessment</a> : <table border="1"><tr><td><b>Project Information (Mandatory)</b><ul style="list-style-type: none"><li>A description of the nature of work</li><li>An estimated schedule and duration</li><li>A pre-construction survey and plans or details depicting work that may affect the adjoining / adjacent property</li></ul></td><td><ul style="list-style-type: none"><li>Details of monitoring to be performed on the adjacent property</li><li>Protection proposed to be installed on the adjoining property</li></ul></td></tr><tr><td colspan="2"><b>Contractor Information</b><ul style="list-style-type: none"><li>The Contractor's contact information for the project.</li><li>A copy of the Contractor's Certificate of Insurance for general liability</li></ul><b>OR</b> <input type="checkbox"/> Check this box if a contractor has not yet been selected. The contractor's contact information and insurance shall be provided with the final notice at least 10 days prior to the start of work.</td></tr></table>	<b>Project Information (Mandatory)</b> <ul style="list-style-type: none"><li>A description of the nature of work</li><li>An estimated schedule and duration</li><li>A pre-construction survey and plans or details depicting work that may affect the adjoining / adjacent property</li></ul>	<ul style="list-style-type: none"><li>Details of monitoring to be performed on the adjacent property</li><li>Protection proposed to be installed on the adjoining property</li></ul>	<b>Contractor Information</b> <ul style="list-style-type: none"><li>The Contractor's contact information for the project.</li><li>A copy of the Contractor's Certificate of Insurance for general liability</li></ul> <b>OR</b> <input type="checkbox"/> Check this box if a contractor has not yet been selected. The contractor's contact information and insurance shall be provided with the final notice at least 10 days prior to the start of work.	
<b>Project Information (Mandatory)</b> <ul style="list-style-type: none"><li>A description of the nature of work</li><li>An estimated schedule and duration</li><li>A pre-construction survey and plans or details depicting work that may affect the adjoining / adjacent property</li></ul>	<ul style="list-style-type: none"><li>Details of monitoring to be performed on the adjacent property</li><li>Protection proposed to be installed on the adjoining property</li></ul>					
<b>Contractor Information</b> <ul style="list-style-type: none"><li>The Contractor's contact information for the project.</li><li>A copy of the Contractor's Certificate of Insurance for general liability</li></ul> <b>OR</b> <input type="checkbox"/> Check this box if a contractor has not yet been selected. The contractor's contact information and insurance shall be provided with the final notice at least 10 days prior to the start of work.						
<b>Adjacent Property Owner Acknowledgment</b> An affected property is one which is: 1. within 10' of an excavation more than 5' below adjacent grade 2. share a party wall 3. are on the <a href="#">Philadelphia Historic Registry</a> with buildings located within 50' 4. share a common structural, roof, or wall element that is being severed. <b>If more than one property is affected, a separate form shall be submitted for each property.</b>	<b>C</b>	Affected Property Address: _____ By signing below, I acknowledge that I was provided with the information listed in Section B. This serves only to acknowledge receipt and does not constitute an agreement to enter property, perform work on property, or otherwise waive any legal rights of the property owner. Name of Owner or Representative*: _____ Signature: _____ Date: _____ * If adjacent property is a condominium or planned unit development, the signature of an authorized association representative shall suffice.				
<b>Notice of Failed Attempt</b> Complete this section only if unable to secure signature of affected adjacent owner or representative. Proof of delivery (ex. include certified mail receipt) must be submitted with the permit application.	<b>D</b>	<input type="checkbox"/> A reasonable attempt has been made to secure the adjacent owner's signature confirming receipt, however, I am unable to obtain the signature of owner of the adjacent property or properties confirming delivery. I understand that my permit shall not be issued less than 60 days from the application date. Affected Property Address: _____				
Project Owner or Owner Representative Name: _____ Signature: _____ Date: ____/____/____						
<p>ATENCIÓN: Este es un aviso importante! Para recibir información en su idioma, llame al 215-686-8686 o visite <a href="#">www.phila.gov/hi</a></p> <p>주요 통지입니다! 이 서신을 귀하의 언어로 받고 싶으시면 215-686-8686번으로 전화하시기 바랍니다 또는 <a href="#">www.phila.gov/hi</a>를 방문하십시오.</p> <p>注意：这是重要通知！如需您需要的语言获得此信息，请致电 215-686-8686 或访问 <a href="#">www.phila.gov/hi</a></p> <p>주의: 중요 통지입니다! 이 서신을 귀하의 언어로 받고 싶으시면 215-686-8686번으로 전화하시기 바랍니다 또는 <a href="#">www.phila.gov/hi</a>를 방문하십시오.</p> <p>ATTENTION: Cet avis est important! Si vous avez besoin de cet avis dans une autre langue, appelez le 215-686-8686 ou visitez <a href="#">www.phila.gov/hi</a></p> 						

- 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.



# Notification from L&I



Current Resident  
1224 Main Street  
Philadelphia PA 19111

November 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 8-3307.11](#) 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 adjoining 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](http://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](http://www.phila.gov/li)  
注意: 如需重要通知! 如需您需要的语言信息, 请致电 215-686-8686 或访问 [www.phila.gov/li](http://www.phila.gov/li)  
Chú ý: Đây là thông báo quan trọng! Nếu bạn cần thư này bằng ngôn ngữ khác, vui lòng gọi 215-686-8686 hoặc truy cập [www.phila.gov/li](http://www.phila.gov/li)  
주의: 중요 통지입니다! 이 서신을 귀하의 언어로 받고 싶으시면 215-686-8686 번으로 전화하십시오. 또는 [www.phila.gov/li](http://www.phila.gov/li) 를 방문하십시오.  
توجه کریں: یہ ایک اہم اطلاع ہے۔ آپ اپنی زبان میں اس کی معلومات 215-686-8686 پر آواز کریں یا [www.phila.gov/li](http://www.phila.gov/li) پر  
ATTENTION: Cet avis est important! Si vous avez besoin de cet avis dans une autre langue, appelez le 215-686-8686 ou visitez [www.phila.gov/li](http://www.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 (LRIS) at <https://philadelphiabar.org/lris/> 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](mailto: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](http://www.phila.gov/li).



# eCLIPSE- Automated Triggers

 **Commercial Building Permit** CP-2022-000007 (Draft)

**Impacts on Adjacent Property** 1

\*Does your project include work that impacts adjacent property as described below? ☒ Yes ☐ No 2

1. Excavation exceeding a depth of five (5) feet below adjacent grade, excluding digging, trenching, or boring for utilities or geotechnical exploration, that is within ten (10) feet of an existing structure on an adjacent property
2. Modification to a wall which is used for joint service between two buildings on separate lots, including demolition or underpinning.
3. Excavation, new construction or demolition work occurring within 90 feet of a designated historic building or structure on an abutting lot.
4. Severing of any structural, roof, or wall covering element extending continuously across the property line onto adjoining property.
5. Demolition activity that results in the exposure of a wall of an adjacent or adjoining building.

**Owner Acknowledgement** 4

The owner and resident (if different from owner) of the adjacent property must be provided with an Adjacent Owner Notice of Construction or Demolition <http://phila.gov/LinkToRelevantForms> prior to permit application submission and must acknowledge receipt of notice. If the owner's signature cannot be secured, the permit application may be submitted; however, no permit will be issued in less than 60 days.

\*Must select one of the following. Note: The permit is subject to revocation if false or inaccurate information is provided.

Required information has been shared with property owners and tenants and a copy of the signed Owner's Acknowledgment Form shall be uploaded with this application. ☐ 6

Reasonable attempt has been made to share information with adjacent property owner. I am unable to obtain the signature of owner of adjacent property or properties confirming delivery. ☐

I understand that my permit shall not be issued in no less 60 days from application date.

Applicant must indicate if conditions apply to their project to trigger requirements.

Requirements may be also be automatically triggered based on other fields.




# Enforcement- License Violations, License Suspension/Revocation





## AIU- Site Investigations

- The Audits and Investigations Unit (AIU) will be performing site investigations at randomly selected active excavation permits. During a site investigation, the AIU inspector will:
    - Verify that only the excavation contractor named on the permit, or another licensed excavation contractor that has subcontracted part of the work, is working on site
    - Check that a Site Safety Manager with OSHA 30 and OSHA 3015 certification is on site supervising work, and that each worker has OSHA 10 certification
    - Review site conditions to ensure that the site is safe
    - Keep an eye out for any other violations of §9-1009 or §9-1004.
  - Violations will result in the responsible excavation contractor being cited with a License Violation Notice. They can also result in Stop Work Orders or further investigation that can result in license suspension
- 



# Licensing Violation Notices

- **License Violation Notice (LVN)**- The Notice issued when AIU determines that a contractor has violated the conditions of their license
  - Does not trigger reinspection
  - Does not “stay open” until an inspector has determined that it has been corrected, like a regular (Title 4) L&I violation.
  - Results in a fine (either \$300 or \$1000 per violation) even if the contractor corrects the behavior
  - Can be appealed to the Board of L&I Review, just like other violations
    - If no appeal is taken, we will issue a bill for the fine amount 35 days later
    - If you do not think that the violation is correct, you must appeal, or we will impose the fine



Department of Licenses and Inspections  
City of Philadelphia

## ✕ Licensing Violation Notice

L&I File Number: CF-2021-087

RESPONSIBLE PARTY [REDACTED]	V7 	DISTRICT OFFICE Audits and Investigations Unit SUITE 502 2401 Walnut St. Philadelphia, PA 19103 215-686-2499 AIU@phila.gov
CITED LICENSE: [REDACTED]	DATE OF NOTICE 09/11/2021	
PROPERTY WHERE VIOLATIONS OBSERVED: [REDACTED] PLEASANT ST, Philadelphia, PA 19119-2143		
On 09/10/2021 the Department of Licenses and Inspections determined that the responsible party named above violated the licensing requirements set forth in the Title 9 of the Philadelphia Code.		
VIOLATIONS PHILA. CODE § 9-1004.6	PHILA. CODE LANGUAGE (6) Required Conduct.  (b) A Contractor must secure all required permits prior to commencement of any construction.  (f) Contractors shall comply with all provisions of The Philadelphia Code.	DESCRIPTION OF VIOLATION [REDACTED] for failure to obtain a ROW permit prior to commencing demolition work is an infraction of 9-1004.6(b) & 9-1004.6(f)  LOCATION [REDACTED] Pleasant  FINE TO BE IMPOSED \$1,000.00
<p><b>!</b> In accordance with §§ 9-105, each violation of § 9-1000 or § 9-1300 results in a fine of \$300, except for violations of §§ 9-1004 (excluding subsection 8) and §§ 9-1306, which each result in a fine of \$1,000, and violations of §§ 9-1004(8), which each result in a fine of \$2,000. Repeated violations of Title 9 shall result in the suspension or revocation of the cited license, in addition to further fines.</p> <p>If this Notice is not appealed, the fine will be imposed in 30 days and a bill will be issued. For the violations referenced above, the fine to be imposed is: \$1,000.00</p>		



Department of Licenses and Inspections  
City of Philadelphia

## ✕ Licensing Violation Notice

L&I File Number: CF-2021-087

**i** You have the right to appeal this Notice of Violation within 30 days of the date of notice listed at the top of this notice. Appeals must be submitted in writing on the approved form to the Boards Administration Unit. The form may be downloaded from the L&I website and/or found at [www.phila.gov/i](http://www.phila.gov/i)

If you do not timely file an appeal then you waive your right to challenge any part of this notice. This includes whether the violations existed, whether you were responsible for the violations, and whether the City can impose any fines, fees, or costs against you, inclusive of the above indicated fines.

Repeated failure to meet the standards required under the Philadelphia Code may lead to a suspension or revocation of your license(s) under Philadelphia Code Sections 9-1004(9) and/or 19-2602.

Additionally, failure to timely appeal this notice will result in the immediate/automatic imposition of the fine thirty-one days after the date of this notice. Once imposed the fines may limit your ability to obtain or renew any permits and/or licenses pursuant to Philadelphia Code Section 9-101(9).

**i** The Philadelphia Code may be found online for free at [www.phila.gov](http://www.phila.gov) under "Open government."

ATTENTION: This is an important notice! For information in your language, call 215-686-8686  
ATENCIÓN: ¡Este es un aviso importante! Para recibir información en su idioma, llame al 215-686-8686  
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  
CHÚ Ý: Đây là thông báo quan trọng! Nếu bạn cần thư này bằng ngôn ngữ khác, vui lòng gọi 215-686-8686  
주의: 중요 통지입니다! 이 서신을 귀하의 언어로 받기 위해서는 215-686-8686번으로 전화하십시오  
کریں گال پر 215-686-8686 لیے کے خدمات کی ترجمے ایسے نامہ اطلاع ضروری ایک یہ: فرمائیں توجہ  
ATTENTION : Cet avis est important ! Si vous avez besoin de cet avis dans une autre langue, appelez le 215-686-8686





# License Violations

- The “fine to be imposed” stated on an LVN will be issued after 30 days (if no appeal) or after the appeal hearing.
- A bill titled “Statement of Outstanding Fees” will be issued. This can be appealed to the Tax Review Board. Once this document has been issued, the fine has been imposed and is due.
  - Failure to pay the fine will result in the Department withholding permits, license suspension and possible court action to recover the fine and court costs.
- License Violations are disclosed through the City’s contractor look-up tool. Violations will be disclosed for at least one year from issuance.
- License violations are part of a contractor’s record of behavior, and repeated violation of the Code will result in license suspension.





# License Suspension & Revocation- §9-1009(5)

(a) In addition to the requirements in subsection 9-1004(9), the Department may suspend or revoke any license granted under this Section for any of the following reasons:

- (.1) determination by OSHA of a serious violation during the work of the contractor;
- (.2) significant violation of a requirement of Chapter 33 (Safeguards During Construction) of Subcode B (The Philadelphia Building Code) of Title 4 of The Philadelphia Code (The Philadelphia Building Construction and Occupancy Code); or
- (.3) any significant violation of a provision of this Section, including but not limited to the License and Required Conduct provisions of subsection (2) of this Section.







# License Suspension

- Whenever a contractor has violated the Code in such a manner that suspension is authorized by §9-1004 or §9-1009, we do a two-part analysis of the contractor's record of violations to determine whether a suspension is appropriate and, if so, how long the suspension should be:
  - 1) What risk to public safety did the contractor create through the violations?
  - 2) What is the contractor's culpability in committing these violations?
- Suspensions are issued in the form of a letter titled "Notice of Intent to Suspend Contractor License #XXXX"
  - The suspension does not kick in for at least 30 days
  - If appealed to BLIR, the suspension does not kick in until after the hearing
  - If no appeal, the suspension kicks in on day 31





# License Suspension

- If your license is suspended, you can not perform any work that requires a license in the City of Philadelphia for the duration of the suspension.
- You may be given a probationary period after the suspension ends– this means that we will quickly move to suspend you again if you continue violating the Code, especially in the manner that resulted in the suspension.
- The owners of suspended companies cannot be licensed under different company names during the suspension. They also cannot be employed by a different licensed contractor during the suspension.
- The suspension will be disclosed on the City’s “Suspended Contractors” website:





## Summary and Final Tips

- AIU will prioritize inspecting excavation sites and strictly enforcing the new excavation contractor license requirements in 2023.
- If you receive a Licensing Violation Notice and you disagree with the violations, file an appeal.
  - Its extremely unlikely that AIU will withdraw a violation after its issued. This will only happen if there is a clear error. Even if you believe that there has been a clear error and email us to try to correct it, you should file an appeal.
- Check your workers' certifications
  - Make sure each of your workers has OSHA 10 training and carries their card. Make sure that a Site Safety Manager with OSHA 30 and OSHA 3015 training is present and supervising before working





## Summary and Final Tips

- Make sure that your contact information is up-to-date in eCLIPSE.
- If the insurance documents you have on file expire, make sure that you immediately upload renewed certificates of insurance.
- Keep an eye on the Department's newsletter. AIU reports out its recent work and announces new enforcement priorities through the newsletter. We're also going to be hosting webinars similar to this one on a regular basis going forward— I encourage everyone to attend these to stay briefed on the latest news and updates





# Summary and Final Tips

- If you have any Code questions, ask first: [www.phila.gov/li/get-help](http://www.phila.gov/li/get-help)

- You can also find this page by googling “L&I Inquiry”



## L&I Inquiry Submission

The following form will allow you to submit an inquiry to L&I. Please make every attempt to resolve your issue using information provided on the L&I website ([www.phila.gov/li](http://www.phila.gov/li)). If you do not see an option that matches your inquiry, please reach out to 311 for support. You can expect to receive a response within 2 business days.

### Select an Inquiry Type: \*

- ☐ Permit or Inspection Issue
- ☐ License Issue
- ☐ Code or Permit Processing Question
- ☐ Boards Notice of Decision Submission
- ☐ Payment Issue
- ☐ Project Meeting and Dedicated Examiner
- ☐ Property Sales Certification
- ☐ Structural Maintenance & Fire Protection Certifications
- ☐ Missing Virtual Appointment Link
- ☐ Request Copy of Violation
- ☐ Other

NEXT



# Summary and Final Tips

- If you have any questions about navigating eCLIPSE, you can also use the eCLIPSE help chat:

**eCLIPSE**  
CITY OF PHILADELPHIA

Home Search Profile Pay My Payments Sign Out

**Home**

**Welcome to eCLIPSE!**  
You can use eCLIPSE to apply for, view, and manage Department of Licenses & Inspections (L&I) trade licenses, business licenses, permits, certificates, appeals and Streets Department reviews.

For help please visit our eCLIPSE help resources:  
[L&I eCLIPSE Resources](#)  
[L&I Help](#)  
[Streets Department Help](#)  
311 or call 215-686-8686 for assistance

ACTIVITY LICENSES	BUSINESS LICENSES	TRADE LICENSES
<a href="#">Register for a New Activity License</a>	<a href="#">Apply for a Business License</a>	<a href="#">Apply for a Trade License</a>
<a href="#">Associate an Activity License</a>	<a href="#">Renew a Business License</a>	<a href="#">Renew a Trade License</a>
	<a href="#">Amend a Business License</a>	<a href="#">Amend a Trade License</a>
		<a href="#">Associate a Trade License</a>

**PROFESSIONAL REGISTRATION**  
[Apply for a Registration](#)

PERMITS & CERTIFICATES	OTHER
<a href="#">Apply for a Permit or Get a Certificate</a>	<a href="#">Submit An Annual Certification Report</a>
<a href="#">Associate with a Permit / Project</a>	<a href="#">Create a Project</a>
	<a href="#">Request a CRS Report</a>
	<a href="#">Make an Appeal</a>

**STREETS DEPARTMENT**  
[Apply for a Streets Department Review](#)  
[Associate with a Streets Review](#)

My Activities My Inspections My Projects My Businesses My Activity Licenses My Trade Licenses My Registrations My Hearings / Appeals

Annual Certification Reports

**We Are Here!**