

FREQUENTLY ASKED QUESTIONS

PRESENTATION: Demolition Plan Requirements & Common Errors

Q1. Is there a way to obtain past demolition drawings of past buildings? The Record Room told me they do not save records of those?

A1. Please contact the appropriate DOB borough office for guidance. CSC does not provide DM record plans.

Q2. Is partial demolition still considered an alteration in all cases?

A2. DM filings are for full demolition of a building or structure. Partial demolition is filed under an alteration application. Please refer to BC 3302 definitions:

DEMOLITION. Full or partial demolition.

Full demolition. The dismantling, razing, or removal of all of a building or structure, including all operations incidental thereto.

Partial demolition. The dismantling, razing, or removal of structural members, floors, interior bearing walls, and/or exterior walls or portions thereof, including all operations incidental thereto.

Q3. Do the exceptions need to be filed, but not need plans?

A3. A DM filing is required to fully demolish a building or structure. The exceptions apply only to plan submission.

Q4. A P.E. requested we check off yes on PW1 to partial demolition and provide a DM plan for enlargement of 2 cellar windows to a door and enlarged windows with a window well. Is this applicable as 'partial demolition'?

A4. DM filings are for full demolition of a building or structure. Partial demolition is filed under an alteration application. Please refer to BC 3302 definitions:

DEMOLITION. Full or partial demolition.

Full demolition. The dismantling, razing, or removal of all of a building or structure, including all operations incidental thereto.

Partial demolition. The dismantling, razing, or removal of structural members, floors, interior bearing walls, and/or exterior walls or portions thereof, including all operations incidental thereto.

Q5. At which point do we need to have a site safety plan for a demolition job?

A5. All full demolition (DM) applications require a site safety plan (SSP). If the building to be demolished is a major building, the SSP is subject to DOB review and approval prior to issuance of the DM permit. All other full demolitions must maintain a SSP on site and available to DOB personnel upon request in accordance with BC 3301.13.1.

- Q6. I read the Code applied to partial demolition, the Code looked ambiguous. Is there any justification as to when and what work shouldn't require a partial demolition plan?**
- A6. Please refer to BC 3302 definitions:
Partial demolition. The dismantling, razing, or removal of structural members, floors, interior bearing walls, and/or exterior walls or portions thereof, including all operations incidental thereto.
- Q7. Does the AOR need to provide the signed and sealed Weakened Structure Report? Can the report also be provided by the SIA on for Structural Stability?**
- A7. A weakened structure report must be signed and sealed by the applicant of record (AOR) identified on the DM application.
- Q8. In the fence depicted to demonstrate construction fence, the gate was shown as chain link covered in some kind of textile (debris netting). Is that permitted instead of having a plywood gate like the plywood fence?**
- A8. Where approved by the commissioner, chain link gates may be utilized in a solid fence per the exception to BC 3307.7.2. Where a chain link gate is utilized, the requirements of BC 3307.7.4 shall apply.
- Q9. Does the SSPs need to be filed with DOB for record, or can SSPs just be on site without filing with DOB?**
- A9. All full demolition (DM) applications require a site safety plan (SSP). If the building to be demolished is a major building, the SSP is subject to DOB review and approval prior to issuance of the DM permit. All other full demolitions must maintain a SSP on site and available to DOB personnel upon request in accordance with BC 3301.13.1.
- Q10. Can existing chain link fence be used as a solid construction fence?**
- A10. Fences must be built solid in accordance with BC 3307.7. Use of chain link is specified in the exceptions of this section and is subject to review and approval by DOB.
Exceptions: The commissioner may approve the use of a chain link fence to:
1. Secure a site where work has been interrupted or abandoned and discontinued, and a registered design professional has certified that all construction or demolition equipment and material that pose a hazard to the safety of the public and property have been removed from the site or safely secured. Prior to the resumption of work, the chain link fence shall be replaced by a solid fence meeting the requirements of this section.
 2. Secure portions of a site where a one-, two-, or three-family building, or a commercial building 40 feet (12 192 mm) or less in height, is being constructed or demolished and such building is setback at least 15 feet (4572 mm) from sidewalks or spaces accessible to the public and 5 feet (1524 mm) from adjoining buildings or structures.

Q11. At which point does the demolition require a construction super?

A11. All full demolition (DM) applications require a designated construction superintendent (CS) in accordance with 1 RCNY 3301-02 unless the SSP is subject to DOB review and approval in which case a designated site safety manager (SSM) or site safety coordinator (SSC) is required.

Q12. What are some options when you have uncooperative neighbors?

A12. Please see BC 3309.2 License to enter adjoining property. The owner of the property undertaking demolition work may petition for a special proceeding pursuant to Section 881 of the *Real Property Actions and Proceedings Law*.

Q13. If the structure (garage/shed) is well within property (at least 10 feet), do I need a construction fence permit?

A13. Construction fences are temporary construction equipment and are not exempt from permit requirements of AC 28-105.

Q14. How far from sidewalk do you have to be before a sidewalk shed is required?

A14. Refer to BC 3307.6.2 sidewalk shed requirements for demolition operations:

3307.6.2 Where required. A sidewalk shed shall be installed and maintained to protect all sidewalks, walkways, and pathways within the property line of a site, and all public sidewalks that abut the property, as follows:

4. When a structure higher than 25 feet (7620 mm) is to undergo a full demolition, or when exterior partial demolition, other than that performed in conjunction with the construction, alteration, maintenance, or repair of a façade, is to occur at a height greater than 25 feet (7620 mm) above curb level. The sidewalk shed shall be installed prior to the commencement of demolition work. Such shed shall remain in place until the building has been razed to the height of the shed, or where the building is not being fully demolished, until all demolition work has been completed and all exterior chutes, scaffolds, mast climbers, and hoisting equipment have been dismantled and removed from the site.

Q15. Can a small alteration job just have the applicant sealed SSP on site?

A15. Please refer to the below Code section:

3301.13.1 Site safety plan. For jobs that require the designation of a primary construction superintendent pursuant to Section 3301.13.3, a site safety plan that meets the applicable requirements of Article 110 of Chapter 1 of Title 28 of the Administrative Code shall be kept on site and made available to the department upon request.

Q16. Can DOB provide a good complete sample of a Demolition plan?

A16. No, DOB cannot provide sample demolition plans at this time.

Q17. Can I start boring test on the job site while a demo job is not signed off?

A17. At the end of demolition operations the site must be backfilled to grade. The permit will not be signed off if, at time of inspection, the site conditions are not code compliant and in accordance with the approved demolition plans.

Q18. If other buildings are on the lot line of site being demolished, can fencing on all 4 sides be waived?

A18. Please see BC 3307.7 for fence requirements. All sites where a new building is being demolished to grade shall be enclosed with a fence. Where the fence is installed to fully enclose a site, the fence shall be constructed along the inside edge of the sidewalk or walkway and along the edges of the property line. Where a fence is installed to partially enclose a site, the fence shall be installed as necessary to prevent public access to any excavation or unenclosed portion of the building accessible at grade.

Q19. What if the owner of the adjacent building is unwilling to sign the agreement?

A19. Please see BC 3309.2 License to enter adjoining property. The owner of the property undertaking demolition work may petition for a special proceeding pursuant to Section 881 of the *Real Property Actions and Proceedings Law*.

Q20. If shoring is included in the original filing set, and after an inspection more shoring is deemed necessary, does the drawing set need amending or is a PE sealed SK drawing an acceptable alternative?

A20. The DM plans would need to be amended by the applicant of record (AOR).

Q21. In an instance where the neighboring wall has NO outer envelope and relied on the backside of the wall being removed, does it still remain the responsibility to the person causing demo, even though the neighbor did not adequately build a proper exterior wall?

A21. This is a type of party wall condition and is subject to maintenance and protection requirements of the Building Code.

Q22. Is Final Inspection required?

A22. Final inspection is only permitted for applications filed under Directive 14. D14 filing is not an option for DM applications. At the completion of demolition operations, DOB Construction Safety Compliance unit will perform a demolition sign-off inspection.

Q23. Are demo jobs filed in DOB NOW?

A23. Demolition filing in DOB NOW is not available at this time.

Q24. For removal of a load bearing wall, what controlled inspections other than structural stability are required?

A24. It is the responsibility of the applicant of record (AOR) to identify any and all required special inspections.

Q25. What do I do if removal of utilities must be removed?

A25. Please refer to the requirements of BC 3306.9.2 and BC 3303.2. Utility cut-off letters must be provided prior to permit.

Q26. Can you remove and replace a damaged party wall on the roof of the property? Do you need the neighbor's consent?

A19. Repair and maintenance of the construction, design and fire-resistance rating of party walls shall be the joint responsibility of the owners of the adjoining properties, and any change by either owner must maintain the weather protection, structural, vertical fire division and other requirements of this code for party walls in accordance with AC 28-306.1.