



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner  
312-8100

Issuance # 77

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OPERATIONS  
POLICY AND PROCEDURE NOTICE # 24/87

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To: Distribution

From: Fredric J. Pocci, P.E., Assistant Commissioner

Date: December 31, 1987 (Revised 2/1/88)

Subject: Demolition Permits

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Superseded: Memorandum, 4/23/71, P. 516  
Operations PPN # 24/87, dated December 31, 1987

References: Memorandum, 9/29/72, P. 697  
Memorandum, 11/27/74, P. 930  
Directive # 2/78, 10/25/78, P. 1419-1420  
Directive # 2/78, Revised, 11/24/78, P. 1422-1423  
Memorandum, 7/31/87

Effective: February 1, 1988

Purpose: To establish a procedure to ensure that all demolition applications and requests for legalization of demolitions are treated uniformly in all borough offices. This policy deals solely with private demolitions.

Procedure:

Plan Examiners

The existence of a structure on a property, which would interfere with a proposed new building, should be recorded on the Plan Examination checklist.

All Buildings Notices filed in conjunction with Demolition Applications should be handled expeditiously.

### Clerical

The clerk responsible for ensuring that the Demolition Application is complete must prepare a checklist for each application. This checklist is to be used to verify that all of the necessary documents, as described on the "Items Required for Demolition Permit" or the "Items Required for Legalization of Demolition" list, are submitted. The clerk should perform an internal check of Department of Buildings records to verify that the building is not designated as a landmark or calendared by the Landmarks Preservation Commission. If it is found that the premises is a landmark, or is calendared by the Landmarks Preservation Commission the clerk should refer the file to the office of the Borough Superintendent for handling. A demolition permit cannot be issued until all of the necessary items are filed. There are no exceptions unless written approval is obtained from the Assistant Commissioner of Operations.

All letters confirming service cut-offs, extermination, etc. must be original documents on utility company or City of New York agency letterhead. Verification of notification to adjoining owners and the Community Board can be either a letter of acknowledgement or certified/registered mail receipts signed from the appropriate party.

Adjoining owner shall mean any owner of a building or lot which abuts at any point the property to be demolished.

For requests for legalization of demolitions, if the applicant cannot prove that the building was demolished prior to current ownership, ECB violation/s must be served. The clerk processing the application must at that time refer applicant to the appropriate Supervising Construction Inspector. The clerk will deliver the application file to the Supervising Inspector and advise him/her as to the situation. The clerk will subsequently obtain a copy of the violation/s to place in the file.

The Building Permit Clerk will check the Plan Examination checklist prior to issuing a Building Permit. If a demolition permit is required, no Building Permit may be issued until it is obtained.

### Inspectors

#### Construction:

Pre-demolition reports must be completed prior to the filing of an application for a demolition permit, unless the filing is for legalization of a completed demolition. In order to sign-off on the pre-demolition report, the inspector must verify that a sign visible to the public, has been erected by the applicant. This sign, should contain the name of demolition contractor, or building owner, the appropriate Department of Buildings complaint telephone number and a place for posting the demolition permit, once it is approved by the Department of Buildings.

Supervising inspectors will direct the issuance of ECB violations for the legalization of illegal demolitions, as indicated in "Items Required for Legalization of Demolition", Number 9.

When a clerk delivers the application file to the Supervising Inspector, the violation/s should be written in a timely fashion. The violation/s should be served to the applicant and copies should be forwarded to the clerk who will then continue to process the application.

B.E.S.T.:

Twenty-four (24) hours prior to the actual start of demolition work, the applicant will notify B.E.S.T. The Director of B.E.S.T. will sign an appointment card approving a tentative demolition date. The 24 hour notification is to be used for both verification and notification of any changes in the tentative demolition date. A B.E.S.T. Inspector will visit the demolition site within 24 hours of the actual start date. The inspector must verify that the demolition permit is posted on the sign that was erected prior to pre-demolition approval.

All demolition violations are to be written by B.E.S.T., except as noted in the above "Construction" Section. B.E.S.T. Inspectors are also responsible for responding to all complaints regarding illegal demolitions. However, at the discretion of the Borough Superintendent, complaints of an emergency nature may be initially pursued at the borough level.

Applicant:

Applicant must provide all required items in order to obtain a demolition permit. Any request for reconsideration to waive any of these requirements must be directed in writing to the Assistant Commissioner of Operations.

The pre-demolition inspection must be completed prior to filing a demolition application. As a prerequisite for obtaining sign-off from the Department of Buildings Inspector, a sign must be posted at the premises, in a place visible to the public. This sign must include the name of the demolition contractor and the appropriate Department of Buildings complaint telephone number. The sign must contain a place for posting the Demolition Permit, which must be displayed once it is approved by the Department of Buildings. It must be in place 24 hours prior to commencement of any demolition activity and remain visible at the site until all work is completed.

An appointment card from B.E.S.T. must be obtained. Applicants may either visit the B.E.S.T. office in person or submit a request through the mail. There may be certain

cases where a personal visit will be required, however, this is at the sole discretion of the Director of B.E.S.T. No appointments will be made over the telephone.

When giving notification to the adjoining owners, the applicant must ensure that all owners of property which abuts at any point the premises to be demolished, are notified.