

**RESCINDED BY BUILDINGS
BULLETIN 2023-021**

The City of New York
HOUSING AND DEVELOPMENT ADMINISTRATION
Department of Buildings

DIRECTIVE NO. 44 of 1970

TO: Borough Superintendents

DATE: October 8, 1970

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Notice to Adjoining Property Owners Concerning Foundation
Work or Earthwork Operations - C26-112.3 New Building Code

Section C26-112.3 of the building code states the following:

"No foundation or earthwork permit shall be issued unless and until at least five days prior written notice of the permit application shall have been given by the applicant to the owner of the adjoining lots, buildings and service facilities which may be affected by the proposed foundation work or earthwork operations."

Proof of service of the five day notice must be submitted, by a statement in writing made by the applicant, to the department prior to the issuance of the permit.

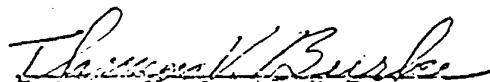
To give the applicant adequate notice of the aforesaid requirement, you are hereby directed to instruct the plan examiners to stamp the following legend on the specification sheet and folder of all approved applications which involve foundation work or earthwork operations:

"No permit involving foundation or earthwork operations shall be issued, until the applicant has submitted a statement certifying that he has given the required five day notice as set forth in Section C26-112.3 of the building code.

NOTE: Falsification of the statement is a misdemeanor under Section 643a - 10.0 of the Administrative Code."

Stamps are forwarded herewith for use by your Borough Office.

This directive shall be effective immediately.


Thomas V. Burke, P.E.
Director of Operations

TVB/JTW/s1

cc: Executive staff
Industry