



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005

ROBERT ESNARD, R.A. Commissioner

CAROL FELSTEIN  
Deputy Commissioner

Date: October 19, 1983

To: Borough Superintendents

From: Carol Felstein

Re: Five-Day Notice to Owners of Adjoining Property Before  
Foundation or Earthwork - Section C26-112.3 Administrative  
Code

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The provisions of Section C26-112.3 of the Administrative Code require five-day notice to owners of adjoining property be given before start of foundation or earthwork. The section reads as follows:

"Section C26-112.3. No foundation or earthwork permit shall be issued unless and until at least 5 days prior written notice of the permit application shall have been given by the applicant to the owners of all adjoining lots, buildings and service facilities which may be affected by the proposed foundation work or earthwork operations."

The Department will require the applicant to submit evidence of such notification as an attachment to the permit application, to be retained by the Department of Buildings as part of the permanent file.

Acceptable evidence will be:

A copy of a letter addressed to the owner by name and correct address of his residence or place of business, along with a "Certified Mail" receipt endorsed by the Post Office.

Failure of a contractor to submit acceptable evidence that required notice was given to owners of adjoining premises, will be cause for denial of a permit.

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Effective Date: 30 calendar days after date of this memorandum.

CF:mk

cc: Bob Esnard  
Irv Minkin  
Lou Munoz  
Joe White  
Ken Lowenstein  
Neil Dennis  
Gene Slattery

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