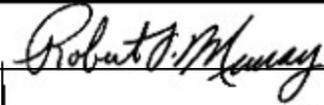


DEPARTMENT OF LICENSES AND INSPECTIONS CODE BULLETIN OF INFORMATION No. B-0702 R1		CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA <hr/> TITLE 4 — Building Construction and Occupancy Code
SUBJECT OF BULLETIN: <p style="text-align: center;">PARTY WALL EXTENSIONS (Horizontal or Vertical)</p>		REFERENCE CODE SECTION(S): <p style="text-align: center;">B-3307.1 EB-1402.1</p>
ISSUED BY		
NAME: Robert F. Murray P.E.	SIGNATURE: 	ISSUE DATE August 27, 2007 [Rev. 8/10]
TITLE: Chief Code Official		PAGE 1 OF 2

BACKGROUND

Recent trends in construction locally have increased the occurrence of building permit applications that include plans to:

- Build on top of an existing party wall to add an upper floor level,
- Build below an existing party wall to add a basement level, or
- Extend an existing party wall horizontally for a 1 story rear addition.

Definition:

A party wall is a fire wall located on a lot line between adjacent buildings, which is used or adapted for joint service between the two buildings.

A wall that does not encroach over the property line but is built directly adjacent to it is considered an exterior wall with a zero fire separation distance. It is not a party wall.

DISCUSSION

In addition to the standard construction concerns, the above activities raise questions such as proper use of a shared structural component (i.e. the party wall), adequate support of the adjoining property, encroachments over the property line and notification or permission of the owners of the adjoining property.

Construction near, on or over a property line will also raise a number of civil matters that must be worked out between the adjoining property owners. Such matters are issues that are not addressed in the code and that the Department can not resolve. The Department's concern is building safety through code compliance and good construction practice.

The Department can not require the adjoining property owner to allow access for construction activity. Approval of construction plans does not bestow any right to enter upon or disturb the adjoining property without that owner's permission. It is incumbent upon the applicant to obtain this permission.

In addition to permission for construction activity, the proposed structure may require permission from the adjoining property owner (see #4 below).

POLICY

The Department's policy with regards to construction on or near property lines and/or party walls is as follows:

1. All party wall construction shall be in accordance with the standards of the applicable code (Building, Existing Building or Residential).
2. **Constructing an addition that will extend the existing party wall vertically.**
 - a. The proposed construction is permitted to use the entire width of the existing party wall.
 - b. Joists that are proposed to be attached to the party wall shall not extend beyond the property line.
 - c. When applicable, existing chimneys, whether currently used or not, shall be extended as required to comply with the minimum clearance and termination point provisions of the code.
 - d. An Engineer's Report shall be submitted to the plans examiner stating that the existing party wall can adequately support the additional loads. The report shall include a statement that the proposed construction will not adversely affect the existing adjoining structure(s).
 - e. When a new addition is proposed to be higher than the adjoining properties' roof line, an Engineer's Report shall be submitted to the plans examiner stating that the adjoining property's roof can adequately support any additional snow drift loads that may be created.
3. **Constructing a lower level below the existing party wall (footing and foundation).**
 - a. The proposed construction is not permitted to encroach beyond the thickness of the existing foundation wall above.
 - b. The existing foundation system is required to be adequately supported and underpinned. (See Code Bulletin B-0503, Excavations and the Protection of Foundations, for requirements related to protecting against settlement and lateral translation.)
 - c. In accordance with the code, the person making or causing an excavation to be made, shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.
4. **Constructing an addition in which the party wall will be extended horizontally.**

The proposed construction is not permitted to encroach over the property line unless express written consent is provided by the adjoining property owner. A copy of this consent shall be submitted to the plans examiner to be made a part of the permanent record.

