

# FAQ: Construction activity has started next door. What do I need to know?

## Overview:

This FAQ serves to provide clarification around contractor and permitting requirements for homeowners adjacent to or otherwise affected by construction activity.

This document addresses the following questions:

### 1. [Permits](#)

- What type of work does not require a building permit?
- How do I check to make sure that a permit was issued?

### 2. [Damage Caused by Construction and Property Rights](#)

- The contractor wants to access my property. Should I let them?
- How do I protect my property from being damaged during construction or demolition?
- The contractor damaged my property during construction or demolition; what do I do?
- My property was damaged by a contractor performing a demolition contracted by the City; what do I do?
- How do I obtain the contractor's insurance information?
- What is a party wall and does my neighbor need my permission to work on the shared party wall?
- I see a contractor carrying buckets of soil out of a basement. What are they doing and is that legal?
- The contractor says he needs to underpin the party wall. What is underpinning and should I be concerned?
- What happens to party walls after demolition?

### 3. [Miscellaneous](#)

- During what hours is construction permitted?
- Is the contractor allowed to close the sidewalk?
- The contractor is using water from the fire hydrant. Is that legal?
- A contractor is dumping soil and debris on a vacant lot. What should I do?
- What is a contractor required to do about dust in the air?

## PERMITS

**Question: What type of work does not require a building permit?**

**Answer:** The majority of projects that involve construction or demolition will require a permit; however, there are some small-scale projects that do not require a permit. These include, but are not limited to, installation of new cabinetry, painting, installation of new flooring, masonry pointing, and erection of certain fences and sheds.

For a more detailed list of projects that do not require a permit, refer to [L&I's website](#).

**Question: How do I check to make sure that a permit was issued?**

**Answer:** Permits are required to be posted on the job site and be visibly displayed along with a sign notifying the public that work is in progress. The permit will include a description of the approved work; be sure to review this carefully and ensure that it corresponds to the work that is taking place on the site.

If you have questions about the construction, the contractor should be contacted. Their name will be listed on the permit and their name and contact information should be listed on the work site signage.

The public can access property information related to permits, inspections, violations and licenses online at [atlas.phila.gov](http://atlas.phila.gov).

If the applicable permits are not posted on the job site, not listed on [Atlas](#), the permit has expired or if contractor is exceeding the approved scope of work, you can contact 311 to generate a service call for an inspection. Call (215) 686-8686 if you are outside Philadelphia.

## DAMAGE CAUSED BY CONSTRUCTION

**Question: The contractor wants to access my property. Should I let them?**

**Answer** At times, getting access to one property can help a contractor perform work more safely, quickly, and/or affordably on the property next door. Before entering another property, the contractor is required to obtain the permission of the property owner. It is encouraged that the owners and contractor coordinate in order to reach an agreement that satisfies all affected parties. If a contractor enters your property without permission, the contractor is trespassing, and you should notify the police.

**Question: How do I protect my property from being damaged during construction or demolition?**

**Answer:** The contractor performing work on a property must protect the structure from the weather and maintain structural integrity of the adjoining property. They must provide all necessary shoring, temporary supports, and security provisions to protect the adjoining property and occupants from harm arising from the proposed work. If you can, talk to your neighbor and the contractor about how they are planning to protect your property.

Most work requires permits and those must be posted where you can see them. If there are no permits or work is being done that does not appear to match what is described on the permit, you can call 311 to generate a service call. You may want to ask the contractor for a copy of the contractor's insurance certificate so that you have it just in case something goes wrong.

It is also suggested that you document the condition of your property prior to the start of construction or demolition. A good way to do this is by taking timestamped photographs.

**Question: The contractor damaged my property; what do I do?**

**Answer:** If a construction project causes damage, notify the owner of the property under construction and/or the contractor. If you do not have it already, obtain the contractor's liability insurance information. You may need to obtain private legal representation.

You can call 311 to generate a service call by an inspector and if the L&I inspector finds violations of the Philadelphia building codes (laws), they will issue notices of violation to the owner of the property under construction. If the contractor's conduct was an egregious violation of the building codes, L&I may conduct further investigation, take action to suspend or revoke the contractor's license, and/or, in extreme circumstances, refer the situation to the District Attorney's Office. However, City government, including L&I, cannot represent you in a dispute with the property owner or contractor and/or reimburse you for repairs.

If you are concerned that the adjacent construction has put your home in danger of collapse, leave the house immediately and call 911.

**Question: My property was damaged by a contractor performing a demolition contracted by the City; what do I do?**

**Answer** L&I will inspect and have the contractor address the damage the contractor caused. Call 311 to make an official complaint. You can also directly call L&I's Emergency Response Unit, which oversees demolitions, at (215) 686-2583 or (215) 685-3055. You can also file a claim against the City by submitting a claim form to the Office of Risk Management: [General claim form for bodily injury, auto, and property | Office of the Director of Finance | City of Philadelphia](#). You can call the Office of Risk Management at (215) 683-1713.

**Question: How do I obtain the contractor's insurance information?**

**Answer** All licensed contractors in the City of Philadelphia are required to maintain minimum levels of insurance. This insurance should cover any damage that occurs during construction. To obtain a copy of the contractor's insurance, you should contact the contractor directly. Their name will be listed on the permit and their name and contact information should be listed on the work site signage.

**Question: What is a party wall and does my neighbor need my permission to work on the shared party wall?**

**Answer:** A party wall is a wall shared by two adjacent properties that is located on the property line. Party walls are typically found between townhouses, row houses, or two units in a duplex or twin and are considered to be part of both properties.

If one property owner is proposing construction that effects the party wall, they are permitted to do so without the permission of the other owner. If they are proposing excavation below the party wall, the person making or causing an excavation, shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings shall be protected.

**Question: I see a contractor carrying buckets of soil out of a basement. What are they doing and is that legal?**

**Answer:** A contractor may be attempting to increase the height of the basement by digging out the basement floor. A building permit is required for any excavation work in the basement of an existing building.

If this work is not described on the permit or no permit has been obtained, you should report it immediately. If the activity is observed on a weekday, call 311 to generate a service call. Call (215) 686-8686 if you are outside Philadelphia. If the activity is observed on a weekend, call 911.

**Question:** The contractor says he needs to underpin the party wall. What is underpinning and should I be concerned?

**Answer:** Underpinning is a method for providing support for a foundation. If the contractor is lowering the floor level of a basement, the construction plans can include underpinning the party wall between the house under construction and the adjacent house in order to protect the structural stability of both houses. If underpinning is done wrong, the foundation can be weakened instead of strengthened.

Written notice to the owners of adjoining buildings is required when underpinning has been proposed as part of a construction project. A building permit that authorizes underpinning will specifically state that underpinning is allowed. A licensed special inspections engineer must be on site at all times during the excavation and underpinning work. If any of these conditions are not met, call 311 to generate a service call.

**Question:** What happens to party walls after demolition?

**Answer:** A party wall is any wall located on a lot line between adjacent buildings which are used for joint service between the two buildings. When a building is demolished, the party wall is typically left behind to provide support for the remaining building.

Once the building is demolished, the contractor must close any openings in the party wall with like materials and cover the wall with an appropriate covering, like stucco. Additionally, the exterior of foundation walls that enclose interior space of a structure adjoining a structure that has been demolished shall be damp-proofed prior to filling in what had been the basement.

## MISCELLANEOUS

**Question:** During what hours is construction permitted?

**Answer:** Construction noise affecting residences should not be louder than five decibels above the background sound level from 8 p.m. to 7 a.m. on weekdays, and 8 p.m. to 8 a.m. on weekends, unless there is emergency or public works construction. You can report noise pollution from commercial and industrial sources by calling the Air Management Services complaint line at (215) 685-7580. You can also email Air Management Services at [dphams\\_service\\_requests@phila.gov](mailto:dphams_service_requests@phila.gov).

**Question:** Is the contractor allowed to close the sidewalk?

**Answer:** Contractors are required to protect pedestrians during construction and, depending on the work being done, may be allowed to close part or all of a sidewalk or street. Contractors must obtain a partial sidewalk, full sidewalk, or street closure permit from the Philadelphia Streets Department's Right-of-way unit and post the permit. You can confirm whether a sidewalk or streets closure has been authorized by checking this map: [Street and Sidewalk Closure Permits \(phila.gov\)](#)

**Question:** The contractor is using water from the fire hydrant. Is that legal?

**Answer:** It is illegal for contractors to operate a fire hydrant without a hydrant permit from the Philadelphia Water Department. The contractor must register with the PWD Load Control unit for a hydrant permit at the Municipal Services Building, concourse level. To report illegal use of fire hydrants, contact 311 to generate a service call. Call (215) 686-8686 if you are outside Philadelphia.

**Question:** A contractor is dumping soil and debris on a vacant lot. What should I do?

**Answer:** Trash and construction debris must not be dumped on a vacant lot. You can report illegal dumping by calling 311. Call (215) 686-8686 if you are outside Philadelphia.

**Question:** What is the contractor required to do about dust in the air?

**Answer:** Contractors are required to control excessive dust during construction activities so that no visible dust passes beyond the property line of the property where the worksite is located. Contractors can control excessive dust by wetting down dirt so that it doesn't emit dust and attaching dust control fabric to worksite fencing.

You can report air and/or noise pollution from commercial and industrial sources by calling the Air Management Services complaint line at (215) 685-7580. You can also email Air Management Services at [dphams\\_service\\_requests@phila.gov](mailto:dphams_service_requests@phila.gov).