FAQ:

When does my construction permit expire?

The life of a permit is based on when the permit was issued, how soon construction work begins, the continuity of work, and whether or not permit extensions are requested and granted. In accordance with <u>Section A-302.2</u> of the Philadelphia Code, work under a permit must begin within 6 months and may not be halted for a period exceeding 6 months.

Certain permits are eligible for extension. The <u>Construction Permit Extension Information Sheet</u> outlines general conditions under which permits may be extended and the process for requesting an extension. However, many questions arise regarding next steps, special circumstances, and electronic system records.

This FAQ is intended to address common scenarios and questions relating to permit expirations, including:

- My permit has expired because work has not started. What happens next?
- My permit has expired because work has stalled. What happens next?
- My permit is about to expire but work is ongoing. What happens next?
- My permit has expired but is still within the eligible extension window. How do I resolve it?
- I have a large project (i.e. housing development) and some of the permits have expired. How do I resolve it?
- Why didn't I receive notice of expiration?
- <u>The expiration date identified in eCLIPSE does not seem consistent with the rules. What is the correct expiration date?</u>
- My permit is under appeal, but I received notice that the permit is set to expire. How do I resolve it?

My permit has expired because work has not started. What happens next?

• If you intend to pursue the project and less than 18 months has lapsed, you can request that the permit be reinstated.

You should only pursue reinstatement if you are anticipating that work will start within 18 months of issuance. In order to qualify as start of work, the work must be included in the scope of the subject permit. For example, demolition or unrelated site work does not qualify as the start of work under a new construction permit.

• If more than 18 months have lapsed, the Department has no authority to grant additional extensions. To proceed with your project, you must submit a new permit application that will be reviewed in accordance with the Code in effect at the time of new application. If the zoning permit also lapses, a new zoning permit will be required. Refer to Code Bulletin Z-1901 for more information on zoning permit expiration.

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You may be able to <u>request a partial refund</u> of the original permit fee in accordance with <u>section A-901.5</u> of the Philadelphia Code.

If you believe that the permit expired in error, you can <u>contact the district office</u> for more information. If you still disagree with the Department's determination, you have the right to appeal the decision to the <u>Board of License and Inspection Review</u>.

My permit has expired because work has stalled. What happens next?

- If less than 12 months has lapsed and no prior extensions for stalled work were granted, you can request
 that the permit be <u>reinstated</u>. If construction has been exposed for an extended period of time, a
 professional engineer may be required to certify soundness of construction or a component (i.e. weather
 resistant barrier) may require replacement.
- If the permit expires, a violation will be issued for work without a permit. A new permit reflecting the full scope of work will be required and will be reviewed in accordance with the code in effect at the time of application. If the zoning permit also lapses, a new zoning permit will be required. Refer to Code Bulletin Z-1901 for more information on zoning permit expiration.

If you believe that the permit expired in error, you can contact the district office for more information.

You have the right to appeal the violation to the **Board of License and Inspection Review**.

My permit is about to expire but work is ongoing. What happens next?

- If work is ready for the next inspection, schedule the inspection through the eCLIPSE portal or the <u>IVR</u>.
- If work is not yet ready for inspection, contact the district office via email or phone to request a building progress inspection. The assigned inspector will visit the site to confirm work is on-going and, if work is observed or alternate proof of continuous work is provided, the permit will be extended by 6 months.

Note: Do <u>not</u> submit this request through the 'Extend Permit' option on the permit job.

My permit has expired but is still within the eligible extension window. How do I resolve it?

If you failed to request an extension but the permit is within the eligible timeframe, you can contact the district office via email to request reinstatement.

The period of extension shall not exceed the limits set forth in <u>Section A-302.2</u>. For example: If 16 months has lapsed and no work has started, you will only be granted an additional 2 months.

Please allow at least 5 business days for processing of the reinstatement request. You will be charged a reinstatement fee in accordance with <u>Section A-901.11</u> in addition to standard permit extension fees.

Note: Permit holders are strongly encouraged to track permit expiration and make extension requests prior to expiration. Permit reinstatement is a complex process that the Department allows by exception.

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I have a large project (i.e. housing development) under construction and some of the permits have expired. How do I resolve it?

If the project includes multiple building permits that are on the same or associated parcels, then work under any one of the permits may extend all of the permits in the project.

In order for the system to recognize this relationship between associated permits, the permits MUST be joined as a City-managed project.

You can establish a City-managed project by <u>scheduling a project meeting</u> with Permit Services. Once established, any expired permits in the project can be reinstated. Standard permit reinstatement fees will apply.

Refer to Code Bulletin A-2001 for more information on the expiration of projects.

Why didn't I receive notice of expiration?

The Department sends a notice via email of pending permit expiration for certain permit types, such as building and site permits. These notifications are sent to the applicant and contractor via email 15 days prior to expiration, if they set email notification as a contact preference in eCLIPSE. This is a courtesy extended by the Department and not an entitlement under the Philadelphia Code.

There are multiple reasons that a notice would not be received, including: the department does not transmit for that permit type, the party is not the applicant or contractor, email address submitted to the Department is incorrect or outdated, or the notice was sent to a spam folder.

A lack of notification or receipt of notification does not entitle the permit holder to additional time under a permit. Permit holders are responsible to track progress and ensure compliance with time limitations set forth in the Philadelphia Code and printed on the permit document.

The expiration date identified in eCLIPSE does not seem consistent with the rules. What is the correct expiration date?

The expiration date visible in eCLIPSE should be 6 months from issuance and, once work has started, 6 months from the last passed inspection on a permit, with the following exceptions:

- Extensions have been granted.
- The permits are joined in a City-managed project. Refer to <u>Code Bulletin A-2001</u> for more information on the expiration of projects.
- The permits are for trade work associated with a building permit. Refer to <u>Code Bulletin A-2001</u> for more information on the expiration of projects.

These conditions of the code and code bulletin govern expiration. Any dates visible in the electronic system do not supersede the law. If you have any questions on the expiration date, you are encouraged to contact the district office and review with the building inspector.

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My permit is under appeal, but I received notice that the permit is set to expire. How do I resolve it?

If the validity of a permit is being challenged through an appeal, the time limit imposed on the permit does not begin until the appeals have been exhausted. Refer to <u>Code Interpretation A-1701</u> for more information on the effect of appeals on permits

In such cases, you are not required to obtain a standard permit extension; however, you must notify the Department of pending appeal (and submit proof of appeal) to annotate the permit accordingly. You must provide regular updates to the Department and present proof of final decision through the <u>online help form</u>. The inspector will otherwise be unaware of the pending appeal.

If you fail to provide this information and the permit is expired, the permit can be reinstated. Standard permit reinstatement fees will apply in accordance with <u>Section A-901.11</u>.

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