



Chimney & Vent Clearance Information Sheet

A. Overview

The Philadelphia Building Construction and Occupancy Code establishes minimum vertical and horizontal clearance requirements for chimneys and vents. These separation requirements address multiple concerns, including:

- Ensure proper exhaust to avoid any backdraft that may increase levels of carbon monoxide or reduce the efficiency of a product.
- Reasonably ensure that exhaust air does not enter windows or air intake openings in an adjacent structure and there is adequate separation from any combustion air.

Where a building is constructed or extended above the chimney or vent of an adjacent building, the proper operation of the existing chimney or vent may be hindered by reduced clearances. In accordance with Section 3307 of the Philadelphia Building Code and [associated regulations](#), the person causing construction must protect the adjacent property by taking reasonable steps to ensure that the chimney or vent on the adjoining building is extended or offset to satisfy clearance and termination requirements of the Code.

B. Building Permit Application Requirements

A building permit application for a new building or addition extending above an existing chimney or vent on an adjacent roof and within 10 feet of the building must address any potential impacts on the operation of the chimney or vent by satisfying one of the following:

1. Proof of intent to extend chimney or vent and notice to adjoining owner. See [Section C](#) for requirements.
2. Certification that the location and termination of the existing chimney or vent will satisfy the requirements of the Code. This certification must be provided in the form of a written report signed and sealed by a PA Registered Architect or Professional Engineer.
3. Certification that the chimney or vent is no longer connected to a fireplace or other equipment requiring exhaust. This certification must be provided in the form of a written statement signed by the adjacent owner OR a Registered Architect, Professional Engineer, or contractor authorized to perform an inspection by the adjacent owner.

C. Chimney or Vent Extension

The person causing construction must take reasonable steps to ensure that the chimney or vent on the adjoining building is extended or offset to satisfy clearance and termination requirements set forth in the Philadelphia Building Construction and Occupancy Code. The minimum requirements necessary to establish that due diligence has been exercised are outlined in the section and illustrated in the chart provided in [Appendix A](#).

1. Initial Notice to Affected Property Owner

- a. A [Notice of Required Chimney / Vent Modification](#) form including a description of proposed work and impacts on adjacent chimney or vent, an offer to perform or fund chimney or vent extension and identification of any known pre-existing conditions that require correction prior to safe extension must be provided to the affected property owner a minimum of 60 days prior to the start of work. Note: The 60-day period may be waived if an agreement is reached between owners or if the offer is expressly rejected.
- b. Proof of notice must be submitted with the permit application in one of the following forms:
 - If the project involves excavation or modification to a party wall that requires the Acknowledgment of Receipt of Construction or Demolition Project Information, the form must identify the required chimney or vent modification.



- If the project does not include excavation or party wall modification requiring the Acknowledgement, the permit applicant must provide proof of mailing of the Notice of Required Chimney / Vent Modification.

2. Construction Requirements

Proof of compliance in one of the following forms must be uploaded to the Hold Permit Completion on the permit job through the online portal BEFORE the building is extended above the adjacent roof line.

- a. A [mechanical permit](#) for chimney or vent extension must be issued to the adjacent property. Work must be completed, and the mechanical permit closed before scheduling a final inspection of the new or modified building.
- b. Written proof that the adjacent owner expressly rejected a proposal for a code-compliant extension.
- c. An affidavit confirming that the adjacent owner failed to respond to the initial notice described under [Section C.1](#) and a final notice delivered at least 10 days prior to the start of work.
 - The final notice must include the same details described under [Section C.1](#) and indicate that it is a final notification.
- d. Proof that the owner failed to correct underlying deficiencies that preclude the safe extension of the chimney or vent.
 - A written determination by a PA Professional Engineer that the alteration cannot be completed without creating a hazard or worsening the condition of the chimney or vent due to the pre-existing deficiency shall be required. The report shall be based on the engineer's inspection of the property and shall fully describe existing conditions and the required corrections.
 - The adjacent owner shall have a minimum of 60 days from the date of notice of required corrections to make such repairs. The notice must include a copy of the engineer's report fully documenting conditions, existing defects and required repair.

Enforcement action shall be taken if the building is extended above the adjacent roof before satisfactory proof of compliance is submitted and accepted by the Department.

If an owner rejects or fails to respond to an offer of extension or fails to correct underlying deficiencies that preclude extension, they shall be responsible to ensure the safe operation of equipment compliant with the Philadelphia Building Construction and Occupancy Code.

This information sheet applies to permit applications filed on or after January 1, 2024. If an application filed prior to this date impacts an adjacent chimney, the builder is still required to make a reasonable attempt to make necessary modifications in conformance with the Philadelphia Code. Any claims that an adjacent property owner is non-responsive or rejected an offer must be substantiated in writing. Proof must include written notice that was provided at least 30 days prior and fully describes the project and proposed chimney or vent extension.

APPENDIX A: CHIMNEY AND VENT FLOWCHART

