CITY OF CHICAGO RULES

NOTIFICATION TO ADJACENT PROPERTY OWNERS OF EXCAVATION WORK

LAST UPDATED: 10/22/2015

Mayor Rahm Emanuel **Commissioner Judy Frydland**

BY AUTHORITY VESTED IN THE COMMISSIONER OF BUILDINGS PURSUANT TO SECTIONS 2-22-040(4) AND 13-124-430 AND THE GENERAL PROVISIONS OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES FOR NOTIFICATION TO ADJACENT PROPERTY OWNERS OF EXCAVATION WORK.

By Order of the Commissioner:

Signed: _____ Date: 10/9/15
Commissioner Judith Frydland

Effective: 04/01/00

As Amended
Published: 10/12/15
Effective: 10/22/15

RULES FOR NOTIFICATION TO ADJACENT PROPERTY OWNERS OF EXCAVATION WORK

Rule No. 1 As used in these rules, unless the context clearly indicates otherwise:

"Excavation" means the removal or carrying away by electrically equipped apparatus, steam shovel, other mechanical device, or by day labor of dirt, rock, cinders, soil, building material, sand, debris or other substance or material below grade level.

"Public way" means a public street, alley, sidewalk or park.

Rule No. 2 For purposes of the written notice to adjacent property owners, the City of Chicago and the alderman of the respective ward as required in Section 13-124-390 of the Municipal Code of Chicago, said notice requirement to adjacent property owners and the alderman of the ward shall be required under either of the following occurrence:

(a) when an excavation to a depth of five (5) feet or more is to be made within five (5) feet of a structure on an adjacent lot, or

(b) when any excavation to a depth of more than ten (10) feet is to be made anywhere on the site.

Rule No. 3 When the adjacent property owner is the City of Chicago, for either a City lot or the City public way, the written notice as required in Section 13-124-390 of the Municipal Code of Chicago shall be made to the commissioner of the department of buildings and the commissioner of the department of planning and development regarding a City lot and to the commissioner of the department of buildings and the commissioner of the department of transportation regarding the City public way. Written notification, as required above, shall be sent to the following addresses:

Office of the Commissioner
Chicago of Chicago
Dept of Buildings
121 N. LaSalle St., Rm. 906
Chicago, IL 60602

Office of the Commissioner
Chicago of Chicago
Dept of Planning &
Development
121 N. LaSalle St., 10th Fl.
Chicago, IL 60602

Office of the Commissioner
City of Chicago
Dept of Transportation
30 N. LaSalle St., Rm. 1100
Chicago, IL 60602

Rule No. 4 Nothing in these Rules is intended to limit the powers or authority of the City of Chicago, the Department of Buildings or the powers or authority of any other City departments; nor are these Rules intended to relieve any person or entity from full compliance with any other provisions of the Municipal Code of Chicago or other rules and regulations promulgated by the department or any other City department.

Rule No. 5 Penalties for violations of these rules shall be as provided in the Municipal Code of Chicago.

Rule No. 6 The commissioner reserves the right to suspend, repeal or amend these Rules at any time in accordance with law.

Rule No. 7 The provisions of these Rules are severable. If any part of these Rules, in whole or in part, is declared invalid or unconstitutional, that declaration shall not affect the part or parts which remains.