

A GUIDE FOR NYC PROPERTY OWNERS

The NYC Sidewalk Violation Owner's Guide

What the 75-day notice actually means, whether you owe the repair at all, and how to get it dismissed.

There is no fine. But it is filed against your property.

You have at least 75 days. A permit does not extend it.

133,541 violations are open across New York City right now.

JBS CONCRETE PROS

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Start here. A Notice of Sidewalk Violation carries no fine and nothing is due on receipt. It is an order to repair, and it is filed with the County Clerk against your property — which is where the real cost sits. You have a minimum of 75 days, and pulling a permit does not extend that.

1. You Got a Notice of Sidewalk Violation. Here's What It Is and What It Isn't

There is no fine attached to a Notice of Sidewalk Violation. No payment is due. Nothing has been charged to you. This is the single most misunderstood fact about these notices (NYC311, KA-01506).

What the notice does is quieter and more serious. The violation is filed with the County Clerk and becomes part of the public record attached to your property. That is where the real cost sits: it can complicate a sale, stall a refinance, and surface as an open item in a title search when you least want one.

The notice is an order to repair. Under NYC Administrative Code § 19-152, the property owner — not the City — must install, construct, repave, reconstruct and repair the sidewalk flags in front of or abutting the property. DOT inspected, found a defect it classifies as substantial, and set a deadline.

There is a second exposure. Under NYC Administrative Code § 7-210, the owner has a duty to maintain the sidewalk in a reasonably safe condition, including removing snow and ice. If someone trips and is hurt, the owner is the one who gets sued — unless the property falls into a narrow exempt class described in Section 3. That liability exists whether or not a notice ever arrived.

So: no fine, no immediate bill, no emergency. But a real deadline, a real cloud on your title, and a real reason to handle this properly rather than quickly.

2. Read Your Notice: The Five Things That Matter

Five fields control everything that follows: the violation number, the service date, the defect codes, the square footage, and the compliance deadline. Find those five and you know your whole situation.

The violation number. The identifier DOT and 311 use for everything — the permit, the dismissal request, any question you ask. Write it down somewhere other than the notice.

The issue date and how it reached you. The clock does not start when the inspector visits. It starts on the certified-mail receipt date, or on the posting date if the notice was sent regular mail with posting (NYC311, KA-01506). Keep the envelope and the receipt. That scrap of paper is your proof of the deadline.

The defect codes. These map to the nine categories of "substantial defect" enumerated in § 19-152: missing flags; cracking that allows a piece to be removed; undermined or loose flags; trip hazards; improper drainage or slope; hardware defects; structural integrity failure; non-compliance with DOT specifications; and patchwork repairs. They tell your contractor exactly which flags are cited and why.

The square footage. DOT's estimate of the area needing replacement. It sets the scope a legitimate quote should cover, and if the City ends up doing the work, your bill is calculated from it.

The compliance deadline. By statute the order must specify a reasonable time for compliance, and that time must be a minimum of 75 days. The exception is an immediate danger declared by DOT — then the window is 10 days (NYC Admin Code § 19-152). Check which one you have first.

Also pull your Preliminary Inspection Report. Flags marked "X" are non-assessable: replaced free, not billed to you.

3. Do You Actually Owe This Repair?

Most owners do. Two real exemptions exist, and they cover different things — one covers your liability if someone gets hurt, the other covers damage caused by City trees. They are not the same exemption, and people confuse them constantly.

The § 7-210 liability exemption

If your property is a one-, two-, or three-family residential building, **and** it is at least partly owner-occupied, **and** it is used exclusively for residential purposes, then liability for injuries on the abutting sidewalk stays with the City (NYC Admin Code § 7-210).

All three conditions must be true. A three-family house where the owner lives upstairs qualifies. The same house with a nail salon on the ground floor does not — not exclusively residential. A two-family the owner rents out entirely while living elsewhere does not — not owner-occupied. Everyone outside that class carries the liability personally.

Note carefully: this exemption is about **liability**, not repairs. An exempt owner still has the § 19-152 duty to repair. It means only that if a pedestrian falls, the claim goes to the City rather than to you. For scale on why the City draws the line where it does, the NYC Comptroller's Annual Claims Report shows the City paid \$53.5 million on sidewalk claims in FY2023, the fifth costliest claim type that year.

The City-tree exemption

The City no longer issues violations for sidewalk damage caused solely by City trees at 1-3 family properties, and outstanding violation liens for such properties have been canceled. If a street tree's roots lifted your flags and you own a 1-3 family, that damage is not your bill.

If that may apply to you, the Parks Department's Trees & Sidewalks Program offers free consultations. Start there before hiring anyone.

4. The 75-Day Timeline, Week by Week

Seventy-five days sounds generous. It compresses fast, because permitting, scheduling, weather, curing and inspection all have to fit inside it — and a permit does not extend the deadline (NYC311, KA-01506). That last point catches people.

A workable plan:

Week 1 — Establish your real deadline. Count 75 days forward from the certified-mail receipt or posting date, not the letter's print date. Confirm it is 75 days and not 10; a 10-day immediate-danger order needs action today.

Weeks 1-2 — Check your exemptions. Determine whether the § 7-210 residential exemption applies, and whether a City tree caused the damage. Pull your Preliminary Inspection Report and note any "X" flags.

Weeks 2-3 — Get quotes. Any repair over \$200 requires a contractor licensed by the Department of Consumer and Worker Protection (DCWP), and that contractor must also be registered with NYC DOT to pull the sidewalk permit (NYC311, KA-01506). Verify both before comparing prices. A cheap quote from an unregistered contractor is worthless: the work cannot be permitted, and unpermitted work cannot be dismissed.

Weeks 3-4 — Contractor pulls the permit. The permit costs \$70 for up to 300 linear feet for any one property, and that single fee covers the administrative cost and the dismissal inspection fee (NYC311, KA-01506). Your contractor handles it; ask for the permit number.

Weeks 4-8 — The work. Demolition, forming, pour, cure. Build in slack for weather.

Weeks 8-10 — Request dismissal. File through 311 as soon as the work is complete. Do not wait.

Weeks 10-11 — Inspection. DOT sends an inspector. Keep the sidewalk clear and fully visible.

The buffer at the end is deliberate. If the inspector finds something, you want days left, not hours.

5. What a Compliant Repair Actually Requires

A compliant repair is a full-depth replacement of the cited flags to DOT specification — not a grind, not a patch, not a skim coat. Patchwork repairs are themselves one of the nine enumerated substantial defects under § 19-152. A patch can create a new violation.

These specifications come from DOT's own sidewalk repair checklist. Use them to judge a quote.

Expansion joints. Required at a minimum of every 20 linear feet, at property lines, where the curb meets the sidewalk, and between concrete of differing thicknesses.

Thickness. Seven inches at driveway aprons, four inches everywhere else. A contractor pouring four inches across a driveway is building a future violation.

Cracks. Full-depth cracks a quarter inch wide or more are defects.

Trip hazards. A vertical grade differential of half an inch or more is a defect, as is a surface defect of one inch or more.

Hardware. Utility covers, grates and similar hardware must sit flush within half an inch.

Ramps. Detectable warning surfaces are required on ramp repairs.

Visibility. The entire sidewalk must be visible for inspection. Move the dumpster, the materials, the parked truck. An inspector who cannot see the work cannot pass it.

Why trip hazards matter most

We queried NYC Open Data's Sidewalk Management Database: Violations (dataset 6kbp-uz6m) on 9 September 2026. Of **133,541 open, undismissed sidewalk violations** citywide, **92,572 — about 69% — cite a trip hazard**. It is by far the most common defect. **34,876** of the open violations were issued since 1 January 2020, meaning most predate 2020 and have sat on the record for years. One honest caveat: the dataset contains a handful of obvious data-entry errors in the date fields, so treat date-based counts as close rather than exact.

For context, NYC has over 12,000 miles of sidewalk, and DOT replaces more than two million square feet a year — less than 1% of the city's total sidewalk area (NYC DOT). The overwhelming majority of sidewalk repair in New York is done by owners.

Questions to Ask Any Contractor

Ask these before signing anything. The answers separate a real bid from a patch job.

1. Are you licensed by DCWP, and what is your license number?
2. Are you registered with NYC DOT to pull sidewalk permits?
3. Will you pull the \$70 permit, or am I expected to?
4. What thickness are you pouring at the apron, and elsewhere?
5. Where will the expansion joints go, and how far apart?
6. Are you replacing the full flag, or patching part of it?
7. Does the quote cover every flag cited on my violation, by defect code?
8. Are any of my flags marked "X" on the Preliminary Inspection Report, and are those excluded from my price?
9. Will you file the dismissal request with 311, or is that mine to do?
10. What is your written timeline, and does it finish before my compliance date?

6. How Dismissal Actually Works

DOT removes the violation only after an inspector verifies that the work was satisfactorily completed by a licensed contractor holding a valid permit. Finishing the concrete is not the end. The dismissal request is.

Step 1. Complete the repair using a DCWP-licensed contractor working under a valid DOT sidewalk permit.

Step 2. Submit a "Sidewalk Violation Dismissal Request — Work Done by Owner" through 311 (NYC311, KA-01506).

Step 3. Supply the required information: permit number, property address, block and lot, violation number, and your contact information. Have all five ready and the request is straightforward.

Step 4. Make the sidewalk fully visible and wait for the inspection.

Step 5. DOT removes the violation once the inspector confirms the work.

Two things people get wrong. No separate dismissal fee is due — the \$70 permit fee already covers the dismissal inspection. And **the City does not accept requests to repair your sidewalk.** The repair is yours to arrange.

7. What Happens If You Miss the Deadline

If the deadline passes without compliance, the City may do the work itself and bill you through the Department of Finance. This is spelled out in § 19-152: the cost of the work plus administrative expenses becomes a debt owed to the City, recoverable by a lien on the property that takes priority over all other encumbrances except taxes.

The bill is the estimated square footage multiplied by a per-square-foot rate stated in your violation letter. That rate is not published publicly — check your letter for the number.

You then have 90 days to pay. After that, interest accrues and a lien is placed on the property. Payment plans are available through Department of Finance Business Centers, or by calling 311 and asking for "Sidewalk Repair Payment Plan."

A lien is worse than a filed violation in every respect. It survives, it grows, and it has to be cleared before a sale closes. If your deadline is close and the work cannot be done in time, call DOF or 311 about a payment plan before the debt matures rather than after.

8. Frequently Asked Questions

Do I have to pay a fine for a sidewalk violation? No. There is no fine attached to a Notice of Sidewalk Violation (NYC311, KA-01506). It is an order to repair. What it does carry is a filing with the County Clerk, which can complicate selling or refinancing the property until the violation is dismissed.

How do I remove a NYC sidewalk violation? Hire a DCWP-licensed contractor who is registered with NYC DOT, have them pull the \$70 sidewalk permit, complete the repair to DOT specification, then submit a "Sidewalk Violation Dismissal Request — Work Done by Owner" through 311 with your permit number, address, block and lot, and violation number. DOT dismisses it after an inspector verifies the work.

How long do I actually have? A minimum of 75 days, counted from the certified-mail receipt date, or from the posting date if the notice was mailed regular mail with posting. If DOT declared an immediate danger, you have 10 days instead.

Does getting a permit extend my deadline? No. The permit is required, but it does not extend the 75 days by a single day (NYC311, KA-01506). Plan the whole job — quotes, permit, pour, cure, inspection — inside the original window.

Can I fix the sidewalk myself, or can I ask the City to do it? Almost certainly neither. Any repair over \$200 requires a DCWP-licensed contractor, registered with NYC DOT to pull the permit, and flag replacement generally runs well past that threshold. The City also does not accept requests to repair your sidewalk (NYC311, KA-01506).

A City tree lifted my sidewalk. Do I still have to pay? If your property is a 1-3 family home, likely not. The City no longer issues violations for damage caused solely by City trees at 1-3 family properties, and outstanding violation liens for those properties have been canceled. Flags marked "X" on your Preliminary Inspection Report are replaced free.

Can someone sue me if they trip on my sidewalk? Usually yes. Under § 7-210 the owner must maintain the sidewalk in a reasonably safe condition, including snow and ice removal. The only exemption is a one-, two-, or three-family residential property at least partly owner-occupied and used exclusively for residential purposes. Everyone else carries the liability personally.

Will this stop me from selling my house? It can complicate it. The violation is filed with the County Clerk, so it surfaces during title work and can slow or condition a sale or refinance. It is not a lien on its own. But if you miss the deadline and the City does the work, an unpaid bill becomes a lien.

What if I already missed the deadline? DOT may do the work and bill you through the Department of Finance — estimated square footage times the per-square-foot rate stated in your violation letter. You have 90 days to pay before interest and a lien. Payment plans are available through DOF Business Centers or by calling 311 and asking for "Sidewalk Repair Payment Plan."

My contractor says he can just grind it down. Is that enough? Be careful. Patchwork repairs are one of the nine enumerated substantial defects under § 19-152, and a repair that does not meet DOT specifications is itself a listed defect. If the flag is cracked, undermined, or out of spec, only replacement clears the violation.

9. About JBS Concrete Pros

We are a licensed New York City concrete contractor. We clear DOT sidewalk violations across all five boroughs and Long Island.

In practice that means we pull the permit, repour to DOT specification — correct thickness, correct joint spacing, correct grade — and file the dismissal request when the work is done. You do not have to decode the defect codes or chase 311.

If you have a notice in hand and want a straight read on what it actually requires, we will look at it and tell you. The assessment is free.

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Sources

- NYC Administrative Code § 19-152 (sidewalk repair duty, substantial defects, 75-day compliance period, City work and lien) — <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCAadmin/0-0-0-218000>
- NYC Administrative Code § 7-210 (owner liability and the residential exemption) — https://law.justia.com/codes/new-york/2006/new-york-city-administrative-code-new/ad07-210_7-210.html
- NYC311, KA-01506, Sidewalk Repair and Violation — <https://portal.311.nyc.gov/article/?kanumber=KA-01506>
- NYC DOT, Sidewalks — <https://www.nyc.gov/html/dot/html/infrastructure/sidewalkintro.shtml>
- NYC DOT, Sidewalk Repair Checklist — <https://www.nyc.gov/html/dot/downloads/pdf/sidewalk-repair-checklist.pdf>
- NYC Open Data, Sidewalk Management Database: Violations (dataset 6kbp-uz6m), queried 9 September 2026 — <https://data.cityofnewyork.us/Transportation/Sidewalk-Management-Database-Violations/6kbp-uz6m>
- NYC Comptroller, Annual Claims Report (FY2023 sidewalk claims) — <https://comptroller.nyc.gov/reports/annual-claims-report/>

This guide is general information about the NYC sidewalk violation process, not legal advice. For questions specific to your property, consult an attorney or contact NYC311.

If you'd rather hand this to someone

JBS is a licensed NYC concrete contractor based in Richmond Hill, Queens. We pull the DOT permit, repour the cited flags to DOT specification, haul the debris on our own trucks, and file the dismissal request. All five boroughs and Long Island. The assessment is free and there is no obligation.

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Monday to Saturday, 6am–4pm · jbsconcretepros.com