



SUBJECT	EFFECTIVE DATE	CODE SECTION	PROCEDURE NUMBER
Temporary Occupancy Authorization	January 25, 2016	SRCC 18-04.040 CBC 111.3 CRC R110.4	3.5.10
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PURPOSE:

To provide for Temporary Occupancy authorization of a building or portion thereof prior to completion of all required provisions of the approved construction documents and/or conditions of approval. This policy establishes the requirements and procedure for obtaining Temporary Occupancy approval for any commercial or residential project.

GENERAL:

A Temporary Certificate of Occupancy (TCO) is required to occupy and use any building or portion thereof prior to completion of all required provisions of the approved permit documents and project conditions of approval. The TCO can and may apply to all occupancy classifications including single family residences. The TCO must be requested in writing by the owner of the property and the project contractor through a TCO application.

If approved, the owner will be permitted to occupy and make use of all or any specified portion of a building or facility for a period of time not to exceed 90 days, as agreed upon by the owner, contractor and the City, while completing the outstanding construction and/or satisfying any remaining conditions of approval.

The authority for the Chief Building Official to issue a TCO for buildings or a portion thereof prior to full completion is granted in the *California Building Code (CBC)* section 111.3, *California Residential Code* section R110.4 and *Santa Rosa City Code (SRCC)* section 18-04.040.

PROCEDURE:

The Chief Building Official may consider and approve a TCO request for all or part of a building or facility if a finding can be made that no substantial life, safety, or health hazards exist, and that by allowing such temporary occupancy there exists an equivalent level of safety and protection to the public as would be afforded by completion and final approval of the project.

Prior to approving a TCO permit, the Building Division will verify that all required approvals, including Fire, Planning/Zoning, Engineering, Water, and Environmental Compliance are obtained.

Prior to TCO approval a Building Division inspector will review the building and verify safety for occupancy and completion of all requirements not scheduled for deferral. Additional work, or corrective action to existing work, may be required before temporary occupancy is granted.

In no case shall the building be used or occupied prior to written approval from the Chief Building Official.

SUBMITTAL REQUIREMENTS:

1. Completed Application for Temporary Occupancy signed by the property owner and contractor.
2. Temporary Occupancy permit application and inspection fee (see current Building Permit Fee schedule).
3. Supporting letter containing all of the following:
 - Narrative request and explanation of why TCO is needed
 - A listing of all items that will remain incomplete and deferred at time of temporary occupancy
 - A schedule of when all deferred items will be completed
 - Signatures of the property owner and contractor

PROCEDURE:

1. The applicant submits a completed application and supporting letter and pays fees.
2. Building Division staff will review the building permit(s) and conditions of approval associated with the TCO application and determine which other departmental approvals are required for issuance of a TCO. If necessary, the applicant will be directed to the appropriate City staff to review requirements for TCO approval. If all required department approvals for temporary occupancy are granted, the applicant will be advised to schedule a TCO inspection.
3. The Senior Building Inspector will review the inspection request and assign a field inspector to review field conditions. The field inspector shall verify all required construction other than stated deferred items has been completed and the building is safe to occupy. The inspector shall also verify that all other required inspections such as Fire, Water, Engineering, and Environmental Compliance, have been completed and approved for TCO. Additional work or corrective action to existing work may be required before temporary occupancy is granted. Re-inspections may be subject to additional inspection fees which shall be paid prior to scheduling any re-inspection.
4. When Building and Fire Inspectors have verified field conditions are acceptable and that all other required inspections have been completed and approved, the building inspector shall sign the TCO application as recommended for approval and shall submit to Senior Building Inspector for final review.
5. When all items are verified by the Senior Building Inspector as approved and firm dates are established for completion of all deferred items, the TCO application will be signed by the Chief Building Official or his duly authorized representative. The signed

application will constitute the Temporary Occupancy (TCO) permit. This approved permit shall be kept at the site at all times, and shall be shown to any inspector, code enforcement officer or other agent of the City upon request.

6. The Temporary Certificate of Occupancy shall be issued for a period of time not to exceed 90 days as determined by the Chief Building Official and as agreed at the time of application. The TCO expiration date shall be clearly indicated on the application. The agreed established time for Temporary Occupancy shall be used to complete all outstanding items identified at the time of application and any additional items that may occur as a result of efforts to complete such deferrals. If all outstanding items are not completed by the expiration date, the TCO will expire; the approval to occupy will be revoked, the property may be ordered vacated and utilities may be ordered to be disconnected. Additionally, a code enforcement case may be opened and the property may become subject to citations and/or administrative hearings, fines and penalties.
7. Prior to TCO expiration the applicant may request an extension by resubmitting a new application and pay new application and inspection fees as noted above under "Submittal Requirements". Extensions will only be granted under extenuating circumstances as determined and approved by the Chief Building Official.
8. If any TCO application is denied prior to completion of the field inspection, the TCO inspection fee may be refunded consistent with the City's refund policy.

MINIMUM TEMPORARY OCCUPANCY REQUIREMENTS:

The Building and/or Fire Inspector may require that specific work be completed. Where applicable, the following list includes, but is not limited to, the work required to be completed or installed prior to approving temporary occupancy. Specific requirements shall be reviewed on a case by case basis.

1. All construction activity is completed and approved in the immediate vicinity of the area proposed for occupancy.
2. All life safety components of the building are complete and approved in the area proposed for occupancy, and any areas adjacent to the ingress and egress path of travel. Critical life safety components shall include but not be limited to: fire protection systems, fire sprinkler or stand pipe systems, fire alarm systems, smoke and carbon monoxide detectors, means of egress, emergency lighting, emergency vehicle access, on-site water supplies and other safety features as determined by the Chief Building Official and Fire Marshal.
3. Weather tight shell including complete exterior wall assemblies, roof covering, doors, windows, and other opening protections.
4. Sanitary facilities serving the TCO area.
5. Heating and cooling capacity to the TCO area.
6. Lighting, power and controls serving the TCO area
7. Accessible path of travel to the public way from all TCO areas including parking and/or areas of refuge.
8. Accessible features such as sanitary facilities, drinking fountains, parking, controls or other required items.
9. Final gas test.
10. Labeling of electrical panels.
11. Wire nuts and cover plates at all incomplete electrical boxes.

- 12.** Handrails and guardrails.
- 13.** Kitchen with hot and cold running water
- 14.** Exiting components including stairs, landings, ramps, walkways, corridors and signage.
- 15.** Doors not required for exiting leading to incomplete or unsafe areas shall be locked or mechanically secure to prevent use.
- 16.** Address numbers and directional signage as required.

Mark Setterland
Chief Building Official