



Community Development

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Policies / Interpretations / Procedures

POL 1092

Adopted: February 2006
Last Reviewed: February 2014

TEMPORARY CERTIFICATE OF OCCUPANCY REQUESTS

Policy Summary:

Provides criteria for consideration and approval of requests for temporary occupancy

Background:

A majority of new commercial projects request the temporary occupancy of a building, structure or portion thereof, prior to final completion. Oregon Structural Specialty Code Section 111.3 indicates that a temporary certificate of occupancy (TCO) may be issued before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid.

Remodels not increasing area or changing the use or occupancy are not required to obtain a certificate of occupancy but must pass all final inspections. Projects involving additional floor area require that a certificate of occupancy be issued for the added area. Once a certificate of occupancy is issued for a structure, the structure does not lose the approval for occupancy unless the structure is declared dangerous, unfit for human habitation, changes occupancy or otherwise has occupancy revoked by the Building Official.

A project that follows a phased development process may only be considered for a temporary occupancy at completion or tenant improvement phases. Temporary occupancy is not permitted for foundation, shell, or any other phase of permitting.

Discussion:

Issuance of a TCO is a discretionary act and is intended to facilitate early occupancy without adversely impacting the owner, occupants, or City staff.

Additional staff time is required to prepare a TCO. Furthermore, staff must track the progress of the project and remain available for ongoing review and inspection needs while monitoring the deadlines associated with the TCO approval. Because of this, an administrative fee of \$250.00 is required for each request for temporary occupancy, including TCO renewals. Temporary occupancy may be granted at the discretion of the assigned building inspector after obtaining agreement from all appropriate disciplines including, Fire, Plumbing, Electrical, PIPC, Planning, County Health, State, Special Inspection Agency, Design Professional of Responsible Charge, and any other regulatory entity involved in the project.

In addition to approval from the above-noted disciplines, prior to issuance of a TCO, the following must occur at a minimum:

- All fire & life-safety items must be completed to the satisfaction of the building inspector and fire inspector.
- All final special inspections must be completed and no outstanding discrepancies recorded for the portion of the project to be occupied.
- Fire sprinkler and fire alarm systems tested, accepted, and certificates completed.
- Mechanical systems installed, tested, and approved.
- Bonds posted as required.
- All planning, engineering, or other conditions of approval that are linked to temporary occupancy must be completed.
- All fees paid in full, except where billed in accordance with DS policy.
- All deferred submittals, revisions, and other outstanding paperwork are submitted to Development Services, reviewed, fees paid, approved, and installation inspected and approved.

Policy:

1. A TCO application must be completed and signed by the contractor, owner, and Design Professional of Responsible Charge.
2. The fee for each TCO is \$250.00. The fee for each extension is \$250.00. The fee must be paid at the time of application for a TCO.
3. TCO applications will only be approved by the Specialty Inspections Supervisor upon recommendation from the assigned inspector. The SIS will draft a letter that serves as the TCO and specifies the conditional criteria, areas of the building that may be occupied, and time frame for TCO approval.
4. TCO's are valid for 60 days from the time of the TCO inspection.
5. An extension may be requested at the end of the 60 day period by completing a new application. Each application for an extension must be accompanied by a written summary of the progress made to date and the reason why additional time is necessary. Development Services does not imply or guarantee that a TCO extension will be granted

or approved. The applicant shall proceed in good faith and assumes all risk with temporary occupancy.

6. Any occupancy of a building, structure, or portion thereof without a valid Certificate of Occupancy shall be illegal. Occupancy violations shall be processed in accordance with CMC Chapter 9.

NEXT SCHEDULED REVIEW: February 2016