



## Community Development Department Building Division

# TEMPORARY CERTIFICATE OF OCCUPANCY

### CODE REQUIREMENTS

If the Chief Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion and final approval of the entire building or structure.

### APPLICANT PROCEDURE

1. The applicant must file a written request (see attached sample letter) addressed to the Chief Building Official for a Temporary C of O, using an official letterhead, and signed by both the Business Owner and Construction Company. Allow **24-72 hours of processing time** for such a request and include the following details:
  - A. Name of Business.
  - B. Name and address of the project.
  - C. Building Permit Number.
  - D. Number of days requested for the Temporary C of O, generally no longer than 2 weeks. Other time periods are considered based on conditions and on a case-by-case basis.
  - E. Effective date, ending date.
  - F. The reason for needing occupancy prior to final inspection.
  - G. The request must include a detailed status of all inspections that have been disapproved as well as a list of all items that have not been completed.
  - H. The applicants must stipulate in their request that if the conditions of the agreement are not met prior to expiration of the Temporary C of O, they will terminate the occupancy and vacate the premises.
2. **A processing fee of \$266.00, is assessed for each application and for any renewals, to be paid at the time of submittal. Length of time of temporary occupancy is normally granted for a period of 2 weeks. Requests for a longer time period will be reviewed on a case-by-case basis.**
3. Prior to issuance of the Temporary C of O the **original** letter shall be submitted.
4. The applicant must request inspections for each trade with Building Services to confirm that the remaining items stipulated in the request for temporary occupancy are accurate. A copy of the Temporary Occupancy Request letter must be present at the project site to insure verification of the listed items by the inspection staff.

### FIELD PROCEDURES

1. A copy of the Temporary Occupancy Request will be on site for review by inspection staff.
2. Upon request of an inspection, the inspector will verify that the status of the job matches the conditions detailed in the Temporary Occupancy Request.

3. Upon completion of inspection, the inspector will make a written recommendation as to the approval or denial of the temporary occupancy request. If denied, the reason for denial shall be stated. Documentation of corrections can be left on site but comments of approval or denial should only be given to the field supervisor.
4. The following workday, the inspector will give the recommendations to the field supervisor for processing.
5. Once all Building Services inspection results are obtained, the field supervisor will forward the field recommendations to the administration section for processing.

### **ADMINISTRATIVE PROCEDURES**

Once Building Services and the Fire District inspectors recommend issuance of a Temporary C of O, then the Request for Temporary Occupancy will be reviewed by the Chief Building Official. If the Chief Building Official approves the request, acknowledgment of such an approval will be endorsed on the Temporary Occupancy Request letter and a copy of the same will be sent to the applicant. This endorsement on the face of the temporary request will constitute a temporary certificate of occupancy. No occupancy of the building should occur until it is authorized in writing by Building Services.

### **CLERICAL PROCEDURES**

1. Fax a copy of the approved Temporary C of O letter to the applicant.
2. Fax a copy to the Fire District.
3. File a copy with the active permit file.
4. Monitor expiration date of the Temporary C of O and advise the Chief Building Official.

**SAMPLE LETTER**

\_\_\_\_\_, 20\_\_\_\_

City of Benicia  
250 East L Street  
Benicia, CA 94510  
Attn: Chief Building Official

Re: (Business Name)\_\_\_\_\_ (Bldg Permit No)\_\_\_\_\_

(Address)\_\_\_\_\_

I/We request that a Temporary Certificate of Occupancy be issued at the above noted business location to be in effect on \_\_\_\_\_ and expire at 12:00 noon on \_\_\_\_\_.  
(Effective Date) (Ending Date)

(Note: **Maximum of two weeks from date of inspection**)

We acknowledge that the following lists of items are yet to be completed:

A) Building/Plumbing/Mechanical/Electrical

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

B) Planning/Zoning/Grading

- 1.
- 2.
- 3.
- 4.

*(The following must be on the letter.)*

Prior to the expiration of the Temporary Certificate of Occupancy, we will schedule inspections to insure that all issues as stated in the above list are resolved to the full satisfaction of the City of Benicia.

However, if we fail to comply by the expiration date, we will cease all occupancy and vacate the premises until the building/structure is brought under full compliance.

\_\_\_\_\_  
(Signature of Business Owner)  
(Print Signature Name)  
(Title)  
(Business Name)  
(Phone No): (Fax No):

\_\_\_\_\_  
(Signature of Construction Company)  
(Print Signature Name)  
(Title)  
(Business Name)  
(Phone No): (Fax No):