



City of Carmel-by-the-Sea  
Building Safety Division  
Standard Operating Guidance

## 17-01 – Certificate of Occupancy (C.O.)

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### Background

The California Building Code (CBC) states: “A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy there for”. (2019 CBC Sec. 111).

Further, it states: “The building official is authorized to issue a temporary certificate of occupancy 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”. (2019 CBC Sec. 111.3).

Issuance of a Certificate of Occupancy is a specific responsibility of the building official under the CBC. Certificates of Occupancy shall be provided on the City form designed for that use and shall be signed by the building official prior to issuance.

### Citations

Carmel Municipal Code Sec. 15.08.050

2019 California Building Code Sec. 111

2019 California Residential Code Sec. R110

### Guidance

#### ***New Construction***

Upon completion of a project involving new construction of a building or structure requiring a permit, a Certificate of Occupancy shall issue **upon final inspection and approval** by all relevant agencies including: The City of Carmel: Building, Planning, Public Works, Environmental Compliance, and Fire Departments; and the Carmel Area Wastewater District.

#### ***Remodel construction***

Upon completion of a remodel project that 1) increases the square footage of a building or structure; or 2) requires the work of more than one construction trade (i.e. carpentry and electrical, electrical and plumbing, etc.) , a revised Certificate of Occupancy shall be issue **upon final inspection and approval** by all relevant agencies described above.

#### ***Business license applications for new or relocating businesses***

A revised Certificate of Occupancy shall issue for all changes in the CBC Occupancy Group, Division, and/or the use of a building or space prior to approval of a business license for a new or relocating business; or a change in business operations that results in a change in group, division or use of an existing business in the same location. The Carmel Building Safety Division will review all applications for new or relocating businesses, and changes in business operations, and will conduct a Certificate of Occupancy inspection prior to issuance of a revised CO and approval of the business license application.

#### ***Temporary Certificate of Occupancy***

In accordance with CBC Sec. 111.3 the building official may approve a Temporary Certificate of Occupancy (TCO) to allow occupancy of a building or structure prior to final approval and issuance of a

C.O. for the building/structure. The request for a temporary Certificate of Occupancy has been determined to be a revision to the project plans and specifications and is subject to a revision fee of \$155.00 upon approval by the building official. The following are required prior to approval of a TCO:

- The owner of the project shall submit a request for a TCO in writing to the building official. The request must include a description of the work left to complete before final inspections and approvals. The request letter shall state a date certain (approved by the building official) by which the work will be completed and final inspections requested.
- All work related to the health and safety of building occupants or the public shall be complete, inspected and approved by the Building Division prior to approval of a TCO.
- All other involved agencies must provide written approval of the work under their jurisdiction, or authorization to issue a TCO pending their final inspection and approval. It is the owner/applicant's responsibility to obtain agency approvals and provide documentation of approvals/authorization to the Building Safety Division at the time the TCO is requested.
- Payment of the fee required for owner/applicant generated revisions to project plans and specifications as prescribed in the current City of Carmel

#### ***Certificate of Occupancy Form***

Certificates of Occupancy shall be provided for all commercial and residential construction in accordance with this guidance. Separate forms have been created for commercial and residential uses. Forms shall be updated on a periodic basis as needed to maintain code compliance.

#### ***Certificate of Occupancy Posting and Retention***

Certificates of occupancy shall be maintained on the subject property as follows:

- For commercial projects, including Groups R-1, R-2, R-2.1, R-3, R-3.4, and R-4 (residential occupancies having rooms or living units for let and/or having an on-site management office) the Certificate of Occupancy shall be posted in a clearly visible location in the management office or building common area where no management office is provided.
- For commercial projects with no on-site management office or common area, the C.O. shall be maintained in the possession of the building owner or manager and made available upon request of the building official or fire marshal.
- For residential projects including Group R-3 1 and 2 family dwellings, efficiency dwelling units, and townhouses up to 3 stories in height with a separate means of egress; and structures accessory to Group R-3 dwellings and requiring a permit, the Certificate of Occupancy shall be maintained by the owner of the property and made available upon request of the building official or fire marshal.