

Formal Interpretation #2

Date: October 02, 2023

Effective Date: June 30, 2015

Amended: October 02, 2023

To: All Staff

From: Fred Clum

Chief Building Official

Subject: Issuance requirements for Certificate of Occupancy/Completion

In accordance with the Florida Building Code, Issuance of Certificate of Occupancies and/or Certificate of Completions are to be issued in the following manner.

Per FBC-Building Section 111 Certificate of Occupancy:

A Certificate of Occupancy is issued when “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 therefor as provided herein”

Certificate of Completion is “a certificate of completion is proof that a structure or system is complete and for certain types or permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.”

Per FBC-Building Section 202 Definitions:

Occupiable space is “a room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of this code.”

Per FBC – Residential section 202 Definitions:

Occupied space is “the total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane, excluding permitted projections as allowed by this code.”

The occupancy classification is the formal designation of the primary purpose of the building, structure or portion thereof in which it most nearly resembles. Permitted scopes of work in which no occupied space is modified, altered or created would not require an occupancy classification to be associated. Therefore, the following examples of when a Certificate of Occupancy or Completion is issued shall be implemented.

A *Certificate of Occupancy* is to be issued when the permitted scope is a change in use or a creation of occupiable space. I.e., change in or creation of tenant space occupancy, new residences, and new commercial uses.

A *Certificate of Completion* is to be issued when the permitted scope is complete and no new occupancies or occupiable spaces are created, i.e., creation of shell buildings, screen enclosures, pools, sheds (residential properties), well, a/c change outs, roof permits, window door and shutter permits, etc.

Associated permits attached to the building permit which may directly impact the use and life safety of the structure may require a CO or CC before the Certificate of Occupancy can be issued. A Temporary Certificate of Occupancy (TCO) may be allowed per Bulletin 19.

History: Updated code section, clarifies that associated permits may not be occupied unless the principal structure is issued a Certificate of Occupancy.