



PLANNING & DEVELOPMENT SERVICES DEPARTMENT POLICY

POLICY NAME:	Certificates of Occupancy for Existing Buildings		
DIVISION/SECTION:	All COT Departments	CONTACT:	Ron Boose
POLICY TYPE:		EMERGENCY?	

PURPOSE: To clarify building code requirements for issuance of a Certificate of Occupancy (CO) and standardize practices within and across various city departments.

DISCUSSION: A CO is required by the International Building Code (IBC), International Residential Code (IRC), and International Existing Building Code (IEBC) prior to occupancy of a newly constructed, relocated, or altered area of a building. A new CO is also required if the occupancy classification of a building, or portion of a building, is changed. All three code documents also state that the legal occupancy of any structure existing on the date of adoption of that code shall be permitted to continue subject to the maintenance requirements of the International Fire Code (IFC) or International Property Maintenance Code (IPMC). Neither the IFC nor IPMC contain a requirement for existing buildings to possess a CO. (The City of Tucson does not adopt the IPMC and it is only cited here to demonstrate consistency among the International codes.)

It is my interpretation that these code provisions intend for COs to be issued only for new construction, alterations (dependant upon the extent), and change of occupancy classifications. They are not required for a change in building tenancy only. Buildings that were *legally* occupied on the date of adoption of the current codes are assumed to have a CO regardless of whether a document can be produced to confirm that assumption.

POLICY: A new CO is not required and will not be issued to a new tenant of an existing building unless the new occupancy constitutes a change in occupancy classification from the previous occupant under the building code. Occupants of existing buildings that legally established their occupancy, do not change the occupancy classification of any portion of the building, and maintain the structure safe from hazards as determined by the IFC; are assumed to have a CO for that use whether a paper or digital record of such a document exists or not. Unless there is substantive evidence to the contrary, an existing business is assumed to have been legally established

DIRECTOR APPROVAL:



Ernie Duarte

Date 2/1/11

CFT use only	EMT Review Date:	
EMT Approval Date:	Posting Date:	
PDSD Policy Number:	Effective Date:	