

CHAPTER 38
CERTIFICATES OF OCCUPANCY

Section 1. General.

A certificate of occupancy shall state that the building or land, proposed use of a building or land complies with all the building and health laws and ordinances and with the provisions of this Ordinance.

1. Vacant land (where no principal building is involved) shall not be occupied or used and any building hereafter erected or structurally altered shall not be occupied or used until a Certificate of Occupancy shall have been issued.
2. A permit for excavation for any building shall not be issued before application has been made for a Certificate of Occupancy.
3. The Certificate of Occupancy shall be issued by the Building Department.
4. A record of all Certificates of Occupancy shall be kept on file in the office of the Building Commissioner and copies shall be furnished upon request to any person having a propriety or tenancy interest in the building or land affected.

Section 2. Certificate of Occupancy-Vacant Land.

A Certificate of Occupancy for the use of vacant land or the change in the use of vacant land as herein provided shall be applied for before any such land shall be occupied or used, and said Certificate of Occupancy shall be issued within ten (10) days after the application has been made, provided such use is in conformity with the provisions of this Ordinance.

Section 3. Certificate of Occupancy-Building.

A Certificate of Occupancy for a new building or a structurally altered existing building shall be applied for coincident with the application for the Building Permit and said certificate shall be issued within three (3) days after the request for such issuance shall have been made following the completion of erection or structural alteration of such building in conformity with the provisions of this Ordinance.

Section 4. Temporary Certificate of Occupancy-Building.

Pending the issuance of a regular certificate of Occupancy may be issued for a period not exceeding six (6) months for partial occupancy of a building during its construction or during the completion of the structural alteration. Such temporary Certificate of Occupancy shall not be construed as in any way altering the respective rights, duties, or obligation of the owner or of the city relating to the use or the occupancy of the premises or any other provisions of this Ordinance. Such temporary certificate shall not be issued except under such restrictions and provisions as shall adequately insure the safety of the occupants.

Section 5. Certificate of Occupancy-Nonconforming Use.

A Certificate of Occupancy for a nonconforming use existing on the effective date of this Ordinance shall be issued and shall state that the use is a nonconforming use and does not conform to the provisions of this Ordinance. The Building Commissioner shall notify all occupants of property being used as nonconforming uses and said occupants shall, within thirty (30) days after receipt of such notice, apply for a Certificate of Occupancy.

Section 6. Fee.

No fee shall be charged for any original certificate applied for coincident with the application for a building permit; for all other certificates or for copies of any original certificate there shall be reasonable fee.