

Temporary Certificate of Occupancy

Planning, Building and
Code Enforcement

FEES

A processing fee of \$522.00 is to be paid with your submittal.

If you do not have a Fire Department Final, an additional \$538.00 will be required at submittal for Fire Department review.

REQUIRED STIPULATIONS

Your letter must stipulate that you agree to pursue scheduled inspections and to resolve inspection issues to the City's satisfaction.

If you fail to do this prior to the expiration of your TCO, you must vacate the premises and terminate all temporary occupancy until renewal of a TCO is approved or you obtain a final Certificate of Occupancy for the building.

OFFICE USE ONLY

- Email a copy of the approved TCO letter to the applicant.
- Send the approved letter and attachments to the Imaging Section to be filed with the building permit.
- Monitor TCO expiration date and advise Inspection Division Manager when a TCO expires.

Development Services Permit Center

San José City Hall
200 E. Santa Clara St.
San José, CA 95113
408-535-3555
www.sanjoseca.gov/permitcenter

A **Temporary Certificate of Occupancy (TCO)** enables occupancy or partial occupancy of a building before the building project is completed. A TCO may be granted for a reasonable timeframe if the Inspection Services Division Manager finds that no substantial hazard will result from such occupancy. Each TCO request is evaluated on a case-by-case basis.

HOW TO APPLY

<ul style="list-style-type: none"> ▪ Before you begin 	<p>All required final inspections must have been attempted, although not necessarily passed, before you can apply for temporary occupancy.</p>
<ul style="list-style-type: none"> ▪ Write a Request Letter as outlined here <p><i>SEE EXAMPLE ON BACK</i></p> <ul style="list-style-type: none"> ▪ Provide copies of all permits, inspection cards (both sides), and permit review documents <p>Failure to include all documents will delay the processing of your request</p>	<p>Use your company's official letterhead. The letter must include:</p> <ol style="list-style-type: none"> 1. Business name and address of the project. 2. Building Permit Number and Plan Check Number. 3. Proposed Effective Date and Ending Date for the TCO. 4. The reason for needing occupancy prior to final inspection. 5. Itemized status of all inspections and deferred submittals that have not been completed or approved. 6. Include the stipulations as explained in the sidebar and shown in the example letter. 7. Signatures of both the Business Owner and Construction Company. 8. Email address to which the approval/denial will be sent. <p>Please include copies of:</p> <ul style="list-style-type: none"> ▪ Building permit, any sub-trade permits (plumbing/mechanical/electrical), any permits associated with the building shell ▪ Any inspection notices (sub-trades or Fire inspections: Fire Sprinkler, Fire Alarm and Fire Architectural inspections) ▪ If the project will be phased, you must also provide a plan for exiting, accessibility, emergency lighting, and barricades.
<ul style="list-style-type: none"> ▪ Submit your letter (not a copy) and copies of permit documents in person to: 	<p>San José Permit Center City of San José, 1st Floor 200 E. Santa Clara Street San José, CA 95113</p>
<ul style="list-style-type: none"> ▪ How long will it take to process my request? 	<p>Requests are typically processed in one to three business days. If approved, the TCO request letter will be endorsed and a copy will be emailed to the applicant. The endorsed letter constitutes a temporary certificate of occupancy. No occupancy of the building may occur until authorized by the Building Division and a copy of the endorsed letter is available at the site.</p>
<ul style="list-style-type: none"> ▪ What if all inspections are approved except Building? 	<p>If the Fire Department has signed the Fire Final on the permit card and all other final inspections are approved, <u>then your Building Inspector has authority to grant temporary occupancy.</u> Follow these steps:</p> <ul style="list-style-type: none"> ▪ Call the Field Coordinator (phone number on inspection slip) and request an inspection for temporary occupancy. ▪ Provide the Inspector with a Request Letter as described in this bulletin. If approved, the Inspector will spell out the requirements and limitations applicable to your TOC on the inspection slip and give you a copy. The inspector will handle processing of your Request Letter at the Permit Center.

continued >

EXAMPLE REQUEST LETTER SHOWING REQUIRED INFORMATION

letter must be on company letterhead

Date

Attn: Inspection Services Division Manager
 Building Division, 2nd Floor
 City of San José - Dept. of Planning, Building & Code Enforcement
 200 E. Santa Clara Street
 San José, CA 95113

Re: REQUEST FOR TEMPORARY CERTIFICATE OF OCCUPANCY

Business Name:	Building Permit #:
Address:	Plan Check #:

We request that Temporary Occupancy be granted at the above business location to be in effect on _____ (Effective Date) and expiring at 12:00 noon on _____ (Ending Date).

The reason we need Temporary Occupancy is _____
 _____.

We acknowledge that the following list of items is yet to be completed or corrected:

Building Items	Electrical Items
1.	1.
2.	2.
3.	3.
Plumbing/Mechanical Items	Fire Items
1.	1.
2.	2.
3.	3.

Before the Temporary Certificate of Occupancy expires, we will schedule inspections for items in the above list so as to resolve these to the satisfaction of inspectors in both the Building Division and Fire Department. If we fail to comply by the expiration date, we will cease all occupancy and vacate the premises until the building is in full compliance.

• SIGNATURE - Business Owner

DATE

• SIGNATURE - Construction Company Representative

DATE

Print Name:	Print Name:
Title:	Title:
Business Name:	Business Name:
Phone:	Phone:
Email:	Email: