



Building Safety Division
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Building Safety Division Temporary and Final Certificate of Occupancy Policy Statement - Commercial Building Permit Projects

In addition to final building inspection approval, most commercial building permit projects require an official final Certificate of Occupancy (CO) to be issued by the Building Safety Division (BSD) prior to public occupancy of a newly constructed, finished, altered or remodeled building/building space; and prior to public occupancy of an existing space where the Building Code use and occupancy classification is being changed under a "Change of Occupancy" building permit (for example, from a business classification to a mercantile classification, even when no alteration or remodeling will occur). Any project other than one- and two-family, including multi-family residential with three or more dwelling units, is considered to be "commercial".

A Temporary Certificate of Occupancy (TCO) may be granted for all or a portion of a commercial building or building space when it has been determined by BSD and the Fire Prevention Division of the Lawrence-Douglas County Fire & Medical Department that no substantial hazard exists, and that all required inspections and clearances have been partially approved, approved with conditions or fully approved. *Stocking of goods, installation of furnishings/equipment or training of employees in new or substantially remodeled buildings or spaces requires an officially issued TCO or CO.*

Some minor remodeling projects, such as those where the Building Code use and occupancy classification will not change and the design occupant load will not increase, require only a final building inspection approval without a new CO being required/issued.

It is a goal of BSD to assist General Contractors, project owners and project tenants in constructing safe, code-compliant projects, and in obtaining required final inspections, TCOs (when necessary) and COs in the most efficient and timely manner possible. To facilitate achievement of this goal, BSD has implemented the following TCO and CO Procedures and Protocols.

Temporary and Final Certificate of Occupancy Procedures and Protocols

1. For most commercial building permit projects requiring an official CO (and TCO, if necessary), the General Contractor (GC) and project owner/owner representative should have previously received information regarding the permit inspection, TCO and CO processes about the time the building permit was issued, and/or during a building permit pre-construction meeting with BSD/City staff.
2. The commercial building permit project GC is encouraged to contact BSD to arrange for a courtesy TCO/CO inspection by City Staff, the results of which will be communicated to the GC. If a partial occupancy TCO, limited occupancy TCO and/or conditioned full public occupancy TCO is anticipated, the GC will be required to complete, sign (and obtain the project owner or tenant signature) and submit to BSD the attached no-fee [Temporary Certificate of Occupancy Application](#) prior to the expected date of the officially requested TCO inspection, in accordance with the guidelines in the table below.

	Minimum # of days prior to official TCO inspection to request courtesy City walk-thru inspection from BSD	Minimum # of days prior to official TCO inspection to submit required TCO Application to BSD
Large Projects: Area of new, remodeled and/or altered area is 10,000 ft ² or more, or the new construction or addition is greater than 3 stories above grade.	20 calendar days	15 calendar days
Medium Projects: Area of new, remodeled and/or altered area is less than 10,000 ft ² and equal to or greater than 5,000 ft ² .	15 calendar days	7 calendar days
Small Projects: Area of new, remodeled and/or altered area is less than 5,000 ft ² .	5 business days	3 business days

3. The final, approved building inspection is the last inspection required before a TCO or CO can be issued (the final building inspection also serves as the TCO or CO inspection). ***Before scheduling the final City building inspection for issuance of a TCO or CO, the GC should ensure that all required final City trade (Mechanical, Electrical, Plumbing, or MEP), final required City Fire inspections (emergency egress, fire suppression systems, fire alarm systems) and required site plan inspections (including City Stormwater Division inspections and City Utility Department inspections, if applicable) have been previously scheduled, completed and approved.*** For MEP, the final inspections should be scheduled at least one business day prior to the date of a request for the final building inspection; for Fire, final Fire inspections should be scheduled by the GC or his fire suppression/fire alarm subcontractor/s at least three (3) days prior to the anticipated date of the request for the final building inspection. This will allow time for the GC and/or his subcontractors to correct MEP, Fire and/or site plan "punch-list" items, and to have them re-inspected, as required, prior to the final building inspection.
4. The GC should allow at least one (1) full business day from the date of final building inspection approval for BSD to prepare and issue the TCO or CO for the project (usually sent to the GC via email). However, BSD will make every effort to prepare and issue the TCO or CO the same day the final building inspection is approved, partially approved and/or approved with conditions, depending on BSD workloads/staffing levels that day, and the time of day when the final building inspection for the project was completed.

Educational information documents regarding BSD TCO and CO requirements, processes and procedures, and the [Temporary Certificate of Occupancy Application](http://www.lawrenceks.org/pds/building-safety) are posted on the Development Services website at <http://www.lawrenceks.org/pds/building-safety>, and are provided to GCs and project owners when a commercial project building permit that requires an official CO is issued.

Attachment: [Temporary Certificate of Occupancy Application](http://www.lawrenceks.org/pds/building-safety)