City of Alameda

Planning and Building Department
Code Interpretation
Gregory J. McFann
Building Official

CERTIFICATE OF OCCUPANCY

Requirements for Certificates of Occupancy are covered under Section 110 of the 2007 California Building Code. Section 110.1 states that "No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy.."

The primary purpose for the issuance of a Certificate of Occupancy is to verify that buildings or structures or portions thereof are used in accordance with the fire and life safety requirements set out in the California Building Code.

A Certificate of Occupancy is issued under the following four situations:

1) **Change in tenant, with no change in occupancy group, where no work requiring permits has taken place.**

2) **Change in tenant, with no change in occupancy group, where work requiring permits has taken place.**

3) **Change in tenant, where a change in the occupancy group occurs, where no work requiring permits has taken place.**

4) **Buildings or structures or portions thereof which are new or previously unoccupied.**

Certificates of Occupancy for situations 2 and 4 will be issued as a part of the permit process.

Situations 1 & 3 will be initially reviewed at the time the business license is checked for zoning compliance.

> **Where it is determined that there will be no change in the most recent occupancy group, and where no work requiring permits is taking place, the Permit Tech shall approve the business license application. There shall be no additional fee for this review.**

> **Where it is determined that there will be a change to the most recent occupancy group, and where no work requiring permits is taking place, the Permit Tech shall issue a Certificate of Occupancy permit which will allow for necessary inspections to verify the new use is allowed.**