

ANAHEIMBUILDING DIVISION

**POLICY AND PROCEDURE ON
TEMPORARY CERTIFICATE OF OCCUPANCY for
MULTI-UNIT and/or MIXED USE PROJECTS**

The Building Division's policy and procedure on considering and approving requests for Temporary Certificate of Occupancy (TCO) for a portion of a building is as follows: The authority for the Division to issue a TCO for a portion of a building prior to its full completion is stipulated in Anaheim Municipal Code (AMC) Section 15.02.090.030, which states in pertinent part:

"The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid."

Policies

The Division's consideration to issue a TCO for a portion of a building is limited to large, multi-unit and/or mixed-use projects when the building owner desires to occupy portions of the building in phases. In addition, requests for TCO for a portion of a building will not be entertained by the Division until all the vertical load carrying and lateral resisting structural systems have been constructed, inspected and approved.

Prior to approving a request for a TCO for a portion of a building, the Division will first find that all fire/life safety issues, fire protection system, exiting, sanitary facilities, parking spaces, and accessibility provisions for the portion to be occupied meet the code requirements. In addition, temporary safety measures such as barricades and occupancy separation walls shall be provided onsite to ensure occupants can safely ingress to and egress from the TCO area without going through other portions of the building which are still under construction.

Finally, concurrence must be obtained from Public Works, Planning Services, Public Utilities, and the Fire Department prior to the issuance of each TCO. Depending on the time required to complete subsequent phases and any outstanding concern, a TCO may be issued for a period of 30 days. An additional 30 day period may be granted when an extension for an issued TCO is requested and justifications provided.

Procedure

The procedure listed below shall be followed for each portion, or phase, of the building to be issued a TCO.

- a) The applicant prepares a phasing plan which shall include, but not limited to, a site plan, and floor plans, showing the different portions of the building to be phased for TCO's. If a portion of the building to be issued a TCO does not meet the code requirement (e.g. exiting, handicapped access, etc.), clearly show on plan what temporary measures are to be provided to bring it into code compliance.

The applicant shall go through the phasing plan with the inspector and his/her supervisor. If each portion of the building to be issued a TCO meets the code requirements and there is no change required to the approved plans, the request and approval of TCO will be handled by the building inspector/supervisor.

- b) If changes to the approved plans are needed to address code compliance at areas to be considered a TCO, then the applicant shall call the Plan Check Supervisor (PCS) at 714-765-5153, ext. 5766, to request an appointment to review and approve the phasing plan. The review will be conducted with the PCS, the building inspector, and his/her supervisor.

If the phasing plan cannot be approved, the applicant shall make necessary changes and make another appointment with the PCS to go through the corrections. Subsequent meetings with the PCS may be conducted without inspection staff.

- c) When the phasing plan is approved, the PCS will obtain Fire Department concurrence and then stamp the plan with the note "Approval is for design only. No TCO Inspection will be scheduled until inspector determines the project is ready for such inspection." The customer, the inspector, and the PCS will each receive one copy of the approved phasing plans.
- d) When inspector verifies that the project is ready for TCO inspection, s/he will inform the customer as such, and note so in the computer permit system.
- e) The Customer pays the TCO application fee which can be viewed at www.anaheim.net/building. The permit technician will schedule the TCO inspection and obtain approval from other departments.
- f) The TCO will be issued when the TCO inspection is completed and the applicable departmental approvals have been received.

The above procedure is further outlined in the attached flowchart entitled TCO for Large Mixed-Use Projects.

Please note that the Building Official may suspend or revoke a TCO whenever it is issued in error, or on the basis of incorrect information provided, or when it is determined that the building or portion thereof is in violation of any codes, regulations, and/or the terms and conditions imposed on the Phasing Plan.