



CITY OF CORPUS CHRISTI
DEVELOPMENT SERVICES DEPARTMENT
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TO: Development Community

SUBJECT: **INFORMATION BULLETIN 017**
Certificate of Occupancy for Commercial Construction
Temporary Certificate of Occupancy for Commercial Construction

DATE: **January 23, 2024**

CREATED BY: Building Division

Purpose

As a customer service initiative, the Development Services Department (DSD) created this bulletin to assist you with obtaining a Certificate of Occupancy (C of O).

Procedures

The currently adopted International Building Code (IBC) states in part that no building or structure shall be used or occupied until the building official has issued a Certificate of Occupancy (C of O).

Certificates of Occupancy are obtained in several ways based on the needs of the owner:

- Commercial construction of a new building or interior space to be occupied.
- Remodel or renovation of an existing building/space with or without a new owner.
- Building an addition to enlarge an existing building.
- Existing building/space with no construction with no change of use, or the use does not require inspections, and the owner wants to reprint the existing C of O with a new business name.
- Temporary certificate of occupancy (TCO) near the end of construction before receiving a final C of O.

The type of application is determined by the individual's situation, which is described in detail below.

C of O Issuance Requirements – Where a new C of O will be issued, the following must be provided, reviewed, and inspected. For existing buildings with no construction and no previous C of O on file, the inspectors will field verify and identify the appropriate occupancy classification, occupant load, and building construction type.

1. The occupancy and classification are identified on the plans and application.
2. The occupant load is provided and calculated based on the occupancy classification, and measured floor plan of each space.
3. The Building Construction Type is identified.
4. The Business Name and Business Owner is identified.
5. Other code requirements such as hazardous materials are reviewed.
6. All applicable permits are secured such as building and possible fire system permits.
7. All inspections, including special inspections, if applicable, have been performed and approved except for sign permits, which may be obtained after issuance of a C of O.
8. All outstanding fees such as permit fees, plan review fees, and re-inspection fees have been paid.
9. The final Fire inspection has been approved by the Corpus Christi Fire Department.

New Buildings versus Existing Buildings:

The process to obtain a C of O is partially determined by either:

1. Construction of a new building (or first-time interior finish out of a shell building);
2. Remodel (or addition) to an existing building; or
3. No construction work on an existing building but a new C of O is needed.

New Commercial Construction Work:

New Building – Upon the completion of construction of a new occupiable building and associated project work, including project-related separate permits, the department will issue the C of O as the final step. Before obtaining a full C of O, a temporary C of O (TCO) may be obtained for a limited time for moving furniture/fixtures/equipment (FFE), employee training, or even for temporary occupancy.

Interior Finish-Outs – This is the final phase of a phased construction project for a first-time Interior Finish Out (IFO) of a shell building. The IFO may have the same owners as the shell but is often a new owner/tenant of a building shell or suite (where there has never been a previous owner/tenant). An IFO will always receive a new C of O since no previous C of O has been issued for that building or suite.

Foundations and Shell Buildings – Foundation and Shell buildings are issued a Certificate of Completion and not a C of O.

Existing Commercial Buildings – Construction Work or No Construction Work:

Definition of an Existing Building

An Existing Building is defined as a building or space that was occupied previously and had a previous C of O issued.

A C of O is required for existing buildings. In some cases, a former C of O may be used. However, a new C of O will be required. For all cases where a new C of O will be issued, more information will be required to be submitted.

Commercial Remodel or Building Addition:

There are four options during the application and completion of a Renovation/Remodel or Building Addition permit. The applicant will need to state the intended use of the structure clearly.

1. If there is an existing C of O **with a change of Use or Occupancy Classification**, the applicant will receive a new C of O after all required inspections.
2. If there is an existing C of O and **no change of Use or Occupancy Classification**, or use listed later in this IB, the existing C of O is still valid. A new owner may request a replacement of the old C of O with a new business name. (C of O Name Change). Game rooms are required to obtain a new C of O.
3. If there is an existing C of O **with or without a change of Use or Occupancy Classification or Occupant Load** for a remodel or addition, it will be determined at review if the existing C of O will be revised based on occupancy, construction type, and occupant load.
4. If there is an existing C of O **without a change of Use, Occupancy Classification, or Occupant Load for a renovation or remodel** a Certificate of Completion will be issued once all inspections have been completed. This does not replace the existing, and valid, C of O, and instead is to show that the renovation/remodel has been completed.

Commercial Remodel Without Construction Work – New owners of buildings or new tenants have three paths. They may need to apply for a C of O if there is a use change, or the use is specifically described later in this IB. Without a change of use or specifically listed uses, they may use the existing C of O or may apply for a C of O name change to update the existing C of O with a new business name.

1. **Certificate of Occupancy Application (change in use or certain business uses)** – A change of use or for certain uses will require an application for a new C of O will be required. This includes building, fire, mechanical, electrical, and plumbing inspections to determine occupancy load, occupancy classification, and building safety per the ICC codes. Some occupancy uses (such as storage/warehouse) require submittal and review of possible hazardous material storage and high pile storage. Be aware that the review of information and inspections may result in safety concerns and permits required to fix life safety concerns to obtain a C of O.
2. **Name Change C of O (with only a change of ownership)** - A new C of O is not required when the business use and occupancy classification remain the same, regardless of a change of ownership or change of tenant. However, if the use falls into one of the classifications below, an application for a C of O is required.
 - a. Assemblies- All assemblies must follow the Certificate of Occupancy Application process regardless of a use change.

- b. Game Rooms- All game rooms must follow the Certificate of Occupancy Application process regardless of a use change. Additionally, Game Rooms require all coin-operated machines to be submitted on a spreadsheet at the time of application with City Coin Operated permit issued before issuance of C of O.
3. Existing Building without a C of O Located - In this case, a new C of O is required and should follow the “Certificate of Occupancy Application” process above.

Temporary Structures:

Temporary structures over 400 square feet in size (i.e. Stages, Tents, etc.) require the following to obtain a TCO:

1. Completed building permit application, review, inspection, and approval.
2. Review, inspection, and approval by the Corpus Christi Fire Department.

Temporary Certificate of Occupancy (TCO)

Upon receipt of an Application for a Temporary Certificate of Occupancy (TCO), a TCO may be issued when all necessary permits have been obtained and all inspections preceding the final inspections are approved. Of the inspections that are pending final inspection, it is the responsibility of the permit holder to request approval, from the appropriate inspector, for a TCO. The inspector must document the approval of the TCO and indicate the duration.

TCO's must be requested by completing the Temporary Certificate of Occupancy Application.

The permit holder must provide the following information:

- Requested Occupancy Date
- Project Completion (anticipated date for C of O)
- Areas requested for TCO.
- Reason for request
- Specify the type of request TCO as indicated below:
 - FF&E- Furniture, Fixtures, and Equipment only, not included in the GC contract. No occupants other than installation staff and contractors.
 - FF&E + Training- Furniture, Fixtures, and Equipment plus staff/admin/training personnel. Occupancy on a limited basis. Additional inspections and approvals are required.
 - Full - Occupancy allowed with all required inspection approvals.

Before the issuance of a TCO, all outstanding fees shall be paid. The TCO will be issued and valid until the permanent C of O is issued or the TCO expires. If the TCO expires, the permit holder is required to apply for an extension of the TCO and pay the required fee.

Occupying a building or space before the issuance of a TCO or C of O, or with an expired TCO will be viewed as a violation of the building code and may result in fines.

Summary

This bulletin is for informational purposes only.

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