



REQUIREMENTS FOR TEMPORARY OCCUPANCY OF COMMERCIAL & INDUSTRIAL TENANT SPACES AND MULTI FAMILY RESIDENTIAL BUILDINGS

CODE REQUIREMENTS

If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy (Temp C of O) may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

APPLICANT PROCEDURE

1. A written request for temporary occupancy shall be submitted to the Building Division at least 10 working days prior to the proposed occupancy date. The request shall include all the following information on a company letterhead:
 - a) Building Permit Number
 - b) Job Site Address and unit number
 - c) The proposed beginning and ending date of temporary occupancy
 - d) The requestor's name, address, phone, fax and email
 - e) An itemized listing of the extent of construction that will be remaining at the time of the proposed occupancy and an estimate of the time period needed to complete those items
 - f) A statement indicating that the requestor will obtain all inspections and complete the project in the agreed temporary time frame. If work cannot be completed in the temporary time frame, the requestor shall obtain a one time extension or vacate the premises until final approval is granted.
 - g) Signatures of the Building Owner, Contractor and Tenant with contact information for each tenant space / unit.
2. Payment of the required \$500.00 temporary occupancy fee for each request. Multi tenant or family buildings require a request for each unit or space. A one time extension fee of \$300.00 for each request will be required for each extension of a temporary occupancy request.
The \$500.00 (& \$300.00 if charged) fee is non-refundable.
3. Temporary occupancy request(s) if approved are for a maximum of 30 days.
A one time 30 day extension may be requested on a case by case bases subject to Building Division approval. If completion is not obtained by the end of the original or extension temporary occupancy period the unit or tenant space shall be vacated until final occupancy is achieved.
4. All special inspection reports and final affidavit(s) shall be submitted, reviewed and accepted by the Building Division.
5. Approval of temporary occupancy by:
 - a) Fire Department
 - b) Engineering / Public Works Department
 - c) Planning Division

d) San Mateo County Environmental Health

6. Compliance with all project conditions, including but not limited to:

- a) Building color
- b) Architectural features
- c) Parking, including number of spaces, configurations, handicap, signage
- d) Landscaping
- e) Other project specific conditions

7. All disability access requirements for parking, paths of travel, building access, common areas, restrooms and occupied spaces.

8. All exits and exiting systems serving the proposed occupied areas shall be completed and shall be maintained clear and unobstructed. No construction related activities, personnel and / or materials will be allowed in these exit system / exits.

9. All plan revisions for the building shell (if applicable) and tenant improvement permits shall have been submitted, approved and on the job site.

10. The occupying tenants of commercial or industrial occupancies shall have obtained all planning and building division approvals as it relates to use, type of occupancy, signage, etc.

11. The fire sprinkler and fire alarm systems shall be complete and operational in the proposed temporary occupancy spaces, common hallways, common areas, etc.

12. The tenant space(s) or a residential unit(s) proposed to be occupied shall be completed to a level meeting all occupancy related code requirements.

ADMINISTRATIVE PROCEDURES

Once a request for temporary occupancy has been received, the Building Division will have 10 working days to approve or deny the request.

If Approved

1. The building Division will send a copy of the approved temporary occupancy request to the requestor.
2. This temporary approval shall be available at the site for inspection at any time during normal working hours.
3. The approved request will become the temporary certificate of occupancy.

If Denied

1. The Building Division will send a copy of the denied request and the reason for denial to the requestor.
2. No Occupancy shall be allowed at the site until such time as a temporary occupancy request has been granted.

Non Compliance with Temporary Occupancy Time Limit(s)

1. Building Division will notify requestor and occupant of the noncompliance with the time line.
2. Tenant, requestor or occupant shall stop occupying the temporary location and vacate the site.
3. If compliance is not made the city may elect to use any means to gain compliance with the plans and permits, this may include disconnection of utilities, legal resources, unsafe building orders, etc.

SAMPLE LETTER

on company letterhead

Date: _____

City of Millbrae, Building Division
621 Magnolia Ave.
Millbrae, Ca. 94030

Re: *(Business / Residence Name)* _____
(Job Address) _____ *(Unit Number)* _____
_____ *(Building Permit #)* _____

We request that a Temporary Certificate of Occupancy be issued at the above noted Business / Residence location to be in effect on _____ and expire at 12:00 noon on _____
(Effective Date) *(Ending Date)*

Note: Maximum of 30 days from date of inspection

We acknowledge that the following lists of items are yet to be completed:

A) Building / Plumbing / Mechanical / Electrical

- 1.
- 2.
- 3.

B) Fire Department

- 1.
- 2.
- 3.

C) Engineering / Public Works Department

- 1.
- 2.
- 3.

D) San Mateo County Environmental Health

- 1.
- 2.
- 3.

(The following must be on the letter)

Prior to the expiration of the Temporary Certificate of Occupancy, we will schedule inspections to insure that all issues as stated in the above list are resolved to the full satisfaction of the above agencies. However, If we fail to comply by the expiration date, we will cease all occupancy and vacate the premises until the building is brought under full compliance.

(Signature of Business or Residence Tenant)
(Print Signature Name)
(Title)
(Business Name)
(Phone #): (Fax #):
(Email Address)

(Signature of Construction Company)
(Print Signature Name)
(Title)
(Business Name)
(Phone #): (Fax #):
(Email Address)