Explanatory Policy – Certificate of Occupancy

**SUBJECT:**
Existing Building Certificate of Occupancy

**EFFECTIVE DATE:**
July 19, 2019

**REFERENCES:**
Section 105.3.3

**REVIEW DATE:**
July 2024

**APPROVED:**
John Mertens, Fire Marshal

Scope

**Certificate of Occupancy.** Occupancy in a new or existing building is prohibited prior to obtaining a Certificate of Occupancy (C of O). The C of O is issued to the building, not the business or tenant. The designated occupant load of a space may need to be posted, dependent on the use.

**New Buildings**
Facilities, buildings or structures shall not be occupied prior to the Building Official issuing a Certificate of Occupancy Permit and conducting associated inspections indicating the applicable provisions of this code have been met.

**Existing Buildings**
When an existing building use changes that is different from the current Certificate of Occupancy a new C of O must be obtained. Customer will request either an Inspection Only Permit (INSP) for a retroactive C of O or an updated occupant load for an existing C of O from the Planning & Development Department located on the 2nd Floor, Commercial Services Counter, at 200 W Washington.

The following are needed to:

**Establish a Retroactive C of O:**
- Site / Floor plan drawn to scale or with drawn in dimensions
- If >3000 sq. ft. it must be stamped and sealed by a design professional
- Historical documents showing it has been used as the same for as far as is possible to document. The Records Department may have historical documents, permits and C of Os.
- Maricopa County Tax documents for site
Occupant Load update for existing C of O

- Site / Floor plan drawn to scale or with drawn in dimensions
- Occupant load calculations
- If >3000 sq. ft. it must be stamped and sealed by a design professional

The 2018 Phoenix Fire Code retroactively requires all Assembly (Group A-2) Occupancies with an Occupant Load 300 persons or greater with a Liquor License to install an Automatic Fire Extinguishing System.