

Section 113

Sec. 117-33. Certificate of occupancy.

(a) Certificates of occupancy are required to ensure that completed structures and the development of property of which such structures are a part, comply with the provisions of this chapter, as well as any site plans or conditional approvals for such structures and development.

(b) The building inspector shall have the authority and responsibility to issue and keep records of certificates of occupancy in accordance with the requirements set forth in this chapter, and the building code.

(c) A certificate of occupancy must be applied for and issued by the building inspector prior to occupancy and use of a structure or premises for any of the following:

(1) Any new structure.

(2) Any addition to an existing nonresidential structure.

(3) Any change in occupancy or use of a building or premises that involves nonresidential occupancy.

(4) Placement or change in occupancy of any mobile home on any lot or parcel, regardless of use.

(d) A certificate of occupancy shall be applied for coincident with the application for a building permit and must be issued before occupancy and connection of utilities to such building.

(e) The building official or his designated agent shall inspect the property which is the subject of an application within a reasonable time, after a completed application has been filed, and shall issue a certificate of occupancy if the premises of the property comply in all respects with the applicable development regulations in effect for the city. If the premises do not so comply, the building official shall deny the application in a written notice mailed to the applicant with five days, excluding weekends and holidays, after the inspection of the property, specifying the provisions of which ordinance or code the structure or development does not comply.

(f) A temporary certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building. A temporary certificate of occupancy shall be valid for a period not exceeding six months. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owner or of the city relating to the use or occupancy

or any other matter required by this chapter. _____

~~(g) A temporary certificate of occupancy shall not be issued until the owner of the property and/or the general contractor have posted a surety bond, irrevocable letter of credit with automatic renewal, or other instrument approved by the city attorney to ensure that incomplete building improvements and/or site improvements are completed as required by the city zoning permit and/or the city building permit issued for the property.~~ _____

~~The amount of the bond shall be equal to the cost of the remaining work to be completed as determined by an architect or engineer registered in the state or by a licensed general contractor and verified by the city engineer or the chief building official.~~ _____

(gh) Information required for submission to obtain a certificate of occupancy shall include:

- (1) The name of applicant.
- (2) The nature and extent of the applicant's ownership interest in the subject property.
- (3) The address of the property for which a certificate is requested.
- ~~(4) A legal description of the property, the zoning classification for the property, and a statement that the use of the property is allowed or permitted in the zoning classification for the property.~~ _____
- ~~(5) Four copies of a site plan for any new construction, same as required for a building permit, for the structure or the development of which such structure is a part, is required.~~ _____
- ~~(6) Four copies of architectural plans for the proposed structure or the development of which such structure is a part is required. When no new work is required with a change in use of a commercial space, such request for certificate of occupancy shall accompany a letter of code analysis by a registered architect within the state certifying compliance with all applicable building, zoning and fire codes.~~ _____
- ~~(47) Such other information as requested by the building official to ensure conformance with applicable development regulations and to assure compliance with Ark. Fire and Prevention Code Volume II Sec. 110, sub sec. 110.3..~~ _____
- ~~(5) Letter signed and dated by owner stipulating all outstanding issues as required by Engineering Department and Planning Department.~~ _____
- ~~(6) Under no circumstances will a temporary certificate of occupancy be issued until all life safety, all final electrical, HVAC and Plumbing inspections pass and are in code compliance with current codes.~~ _____