50-37.16 Certificate of occupancy.

Certificates of occupancy shall be required for any of the following, and no occupancy, use or change of use in this list shall occur until a certificate of occupancy has been issued by the building official.

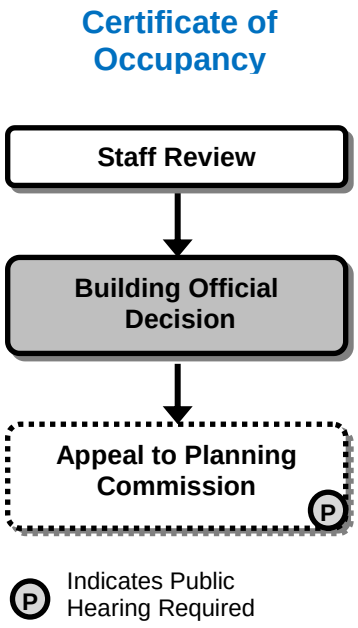
- Occupancy and use of a building that has been erected or structurally altered;
- Change in use of an existing building to a use of a different classification as shown in Table 50-19.8;
- Occupancy and use of vacant land;
- Change in the use of land to a use of a different classification as shown in Table 50-19.8;
- Any change in the use of a nonconforming use.

A. Application.

An application for a certificate of occupancy shall be filed pursuant to Section 50-37.1.B;

B. Procedure.

1. The building official shall review and make a decision on an application for a certificate of occupancy based on the criteria in subsection C below;
2. Each certificate of occupancy shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all certificates of occupancy shall be kept by the building official;
3. Upon application, a certificate of occupancy shall be issued for all lawful nonconforming uses of land or buildings;
4. Any certificate issued upon a false statement of any fact that is material to the issuance of the permit shall be void. Whenever the building official determines that a material false statement has been made, the official shall revoke the certificate of occupancy and promptly notify the property owner in writing of that revocation. Any person who proceeds to occupy the building or engage in the use covered by a certificate of occupancy after its revocation without having first obtained a new certificate commits a violation of this Chapter;
5. The building official may revoke a certificate of occupancy if the city has determined that the property owner or an occupant of the property has failed to obtain any other required permit or approval under this Chapter or has otherwise violated this Chapter and the property owner has not responded to city requests to remedy the violation within a reasonable time;



C. Criteria.

The building official shall issue a certificate of occupancy or approve it with conditions if the building official determines that the construction of the building or structure complies with the terms of all applicable building permits and the use, development, and operation of the property comply with all applicable provisions of this Chapter. (Ord. No. 10044, 8-16-2010, § 6.)