

SECTION 17-36. CERTIFICATES OF OCCUPANCY

(a) Certificates of Occupancy Shall be Required for Any of the Following:

- (1)** Occupancy and use of a building hereafter erected or structurally altered.
- (2)** Change in use of an existing building to a use of a different classification.
- (3)** Occupancy and use of vacant land, except agricultural use.
- (4)** Change in the use of land to a use of a different classification.
- (5)** Any change in the use of a nonconforming use.

No such occupancy, use, or change of use shall take place until a Certificate of Occupancy therefore shall have been issued by the Building Inspector.

(b) Procedure for New or Altered Buildings: Written application for a Certificate of Occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the Building Permit for such building. Said Certificate shall be issued within three (3) days after a written request for the same has been made to said Building Inspector or his agent after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this Ordinance.

(c) Procedure for Vacant Land or a Change in Use: Written application for a Certificate of Occupancy for the use of vacant land, or for a change in the use of land or a building, or for a change in a nonconforming use, as herein provided, shall be made to said Building Inspector. If the proposed use is in conformity with the provisions of this Ordinance, the Certificate of Occupancy therefore shall be issued within three (3) days after the application for same has been made.

(d) Contents: Every 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 in file in the office of the Building Inspector or his agent and copies shall be furnished on request to any person having proprietary or tenancy interest in the building or land affected.

(e) Temporary Certificate: Pending the issuance of a regular Certificate, a temporary Certificate of Occupancy may be issued by the Building Inspector for a period not exceeding six (6) months, during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this Ordinance.

(f) Certificates for Nonconforming Uses: A Certificate of Occupancy shall be required for all lawful nonconforming uses of land or buildings created by adoption of this Ordinance. Application for such Certificate of Occupancy for a nonconforming use shall be filed with the Building Inspector by the owner or lessee of the building or land occupied by such nonconforming use within one (1) year of the effective date of this Ordinance. It shall be the duty of the Building Inspector to issue a Certificate of Occupancy for a lawful nonconforming use, but failure to apply for such Certificate of Occupancy for a nonconforming use shall be evidence that said nonconforming use was either illegal or did not lawfully exist at the effective date of this Ordinance.