

WHEN IS A CERTIFICATE OF USE AND OCCUPANCY REQUIRED?

The following is a paragraph from the City of York Codified Ordinances which stipulates this requirement for existing Commercial and Residential Use Group R-1 buildings to have a Certificate of Use and Occupancy.

[Use Group R-1 is residential occupancies containing sleeping units where the occupants are primarily transient in nature, including: Boarding houses (transient), Hotels (transient), Motels (transient)]

Article 1701.02 - City of York Codified Ordinance

“(9) Section 118.0 Certificate of Occupancy is hereby amended by adding a section to read as follows:

Section 118.3.1 Change of Ownership Occupancy Classification.

No existing structure shall be occupied after a change of ownership, or change of occupancy classification until a certificate of occupancy has been issued. The Code Official shall issue a certificate of occupancy provided there are not violations of law or orders of the Code Official pending, and it is established after inspection and investigation that the building or structure complies with all of the applicable requirements of this Code and other applicable codes, laws and ordinances.

Exception: The provisions of this section shall not apply to buildings and structures of Use Group R-2, R-3, and R-4.”

[Any work which requires a permit, in Use Groups R-2, R-3, and R-4, would require these structures to have a Certificate of Use & Occupancy Inspection as well.]

THE UNIFORM CONSTRUCTION CODE ADOPTED BY THE COMMONWEALTH OF PENNSYLVANIA REQUIRES THE FOLLOWING:

§ 403.61. Residential buildings.

§ 403.65. Certificate of occupancy.

(a) A residential building may not be used or occupied without a certificate of occupancy issued by a building code official.

(b) A building code official shall issue a certificate of occupancy after receipt of a final inspection report that indicates compliance with the Uniform Construction Code within 5 business days. The certificate of occupancy shall contain all of the following information:

§ 403.41. Commercial construction.

In almost all instances for **COMMERCIAL BUILDINGS**, the Pennsylvania Uniform Construction Code states that construction documents, prepared by a licensed design professional, need to be submitted for review **BEFORE** a Certificate of Use & Occupancy can be issued – even for only a change in occupancy. (Sections 403.42, 403.42a)

§ 403.46. Certificate of occupancy.

(a) A building, structure or facility may not be used or occupied without a certificate of occupancy issued by a building code official.

(b) A building code official shall issue a certificate of occupancy within 5 business days after receipt of a final inspection report that indicates compliance with the Uniform Construction Code.