

CERTIFICATE OF OCCUPANCY/CERTIFICATE OF COMPLAINE
CERTIFICATE OF EXEMPTION/CERTIFICATE OF CONTINUED
OCCUPANCY
PROCESSES

A Certificate of Occupancy (CO) is a document that together with a property owner's deed, title, and property survey, constitutes legal rights as to property usage. A CO provides the recipient with certain rights that are permanent, and failure to have a CO reduces certain 'as of right' use. Because of this, the CO process is comprehensive in nature, includes intra-division reviews, and takes time. The importance of each property owner having a CO for each tenant/use on a property cannot be stressed enough. All of the divisions discussed throughout this document rely upon the CO as a basic document before any other permits –Building, Fire, Health, Zoning, etc. can be issued. The city has prepared this guide to assist property owners and residents and we ask that you **Please read this document carefully in order to familiarize yourself with the CO process to ensure proper and efficient submissions/reviews by all involved before you submit any application.**

It is recommended that anyone who is selling/buying property, proposing to utilize additional square footage in an existing structure or through an addition, or has a proposed change of tenancy/use contact the Inspections Division (Room #302 -753-3386) or Building Division (Room #205, 226-2665) prior to commencing the Certificate process.

THE CERTIFICATE PROCESS BEGINS IN EITHER THE BUILDING OR THE INSPECTIONS DIVISION:

IS A ONE OR TWO FAMILY DWELLING BEING SOLD OR PURCHASED? This application may not require the issuance of a formal Certificate of Occupancy, but, DOES instead require issuance of a different type of certification:

- Applicants should go to the Inspections Division to file for a Certificate of Compliance (CN) in order for the sale to move forward.
- If the property/dwelling has been vacant for six months, the Division can issue a Certificate of Exemption to allow the sale to advance, and direct the applicant to the Building Division to file an application for a Certificate of Continued Occupancy (CofC) before occupancy is commenced.
- If the property/dwelling has NOT been vacant for more than six months, the Division will conduct an inspection, and advise of maintenance items that must be completed as part of the sale. They will conduct future inspections to ensure all work is completed and issue a Certificate of Compliance (CN) when all work is completed.
- Applicants must also contact the Fire Division, Fire Prevention Bureau (315 Central Avenue – 753-3446) to schedule the smoke detector/carbon monoxide inspection. There is a fee.

The property can then be sold, with the new homeowner possessing their Certificate of Compliance and storing it with their important documents. CONGRATULATIONS ON YOUR NEW HOME IN PLAINFIELD! WELCOME!

CERTIFICATE OF OCCUPANCY PROCESS STATEMENT

A Certificate of Occupancy (CO) is a document that together with a property owner's deed, title, and property survey, constitutes legal rights as to property usage. A CO provides the recipient with certain rights that are permanent, and failure to have a CO reduces certain 'as of right' use. Because of this, the CO process is comprehensive in nature, includes intra-division reviews, and takes time. Applicants should expect a three week (21-day) review period from the date all documents are submitted. The importance of each property owner having a CO for each tenant/use on a property cannot be stressed enough. All of the divisions discussed throughout this document rely upon the CO as a basic document before any other permits –Building, Fire, Health, Zoning, etc. can be issued. The city has prepared this guide to assist property owners and residents and we ask that you **please read this document carefully in order to familiarize yourself with the CO process to ensure proper and efficient submissions/reviews by all involved before you submit any application.** Certified or business checks, or money orders (no cash or personal checks accepted!) should be made out to the City of Plainfield and deposited with the Inspections Division, who will issue one receipt for the applicant's records, and one receipt for the application folder.

Anyone who is selling/buying property, proposing to utilize additional square footage in an existing structure or through an addition, or has a proposed change of tenancy/use should contact the Inspections Division (Room #302 - 753-3386) or Building Division (Room #302, 226-2665) prior to commencing the Certificate process. It is also recommended that applicants do NOT sign leases without knowing the zone in which the property is located and whether the use is a permitted use in that zone. Applicants should review the zoning map and schedule of uses (available online) to see if the use is permitted. If the proposed use is not permitted, an applicant should speak directly with the Zoning Officer in the Planning Division (Room #202, 753-3391).

All business applicants filing for a CO who are not a Limited Liability Corporation (LLC) or corporation that already possesses a State of New Jersey Business Registration Certificate must first register their trade names/sole proprietorships at the Union County Clerk's office- Elizabeth (908-527-4966) / Westfield (908-654-9859) or online (<http://www.nj.gov/treasury/revenue/revprnt.shtml>). Applicants must include a copy of their business registration (either state/county) in their CO application process submission.

IS A MULTI-FAMILY DWELLING (THREE OR MORE UNITS) BEING SOLD/PURCHASED?

Applicants should file for a Certificate of Compliance (CN) with the Inspections Division. The Inspections Division will review the property folder to determine the legal use of the property based on the issuance (or non-issuance) of a previous CO. If a previous CO had been issued for the use requested, the Inspections Division, together with the Building Division, will proceed towards the issuance of a CN. If no CO – or a CO for a different use - had been issued, the Inspections Division will direct the applicant to the Building Division to file a CO application with the Building Division, and a development permit with the Planning Division.

IS A COMMERCIAL, INDUSTRIAL, MIXED COMMERCIAL/RESIDENTIAL USE INVOLVED?

Applicants should file a CO application with the Building Division, and commence the CO process.

THE BUILDING DIVISION IS THE STARTING POINT FOR THE CERTIFICATE OF OCCUPANCY PROCESS

Applicants should fill out a Uniform Construction Code (UCC) construction 'jacket' and CO application, and complete the application for a Development (zoning) Permit. This application requires the filing of a property survey of not less than 10 years old and a \$20.00 fee. The Building Division forwards the jacket and documents to

the Planning Division (Room 202 – 753-3391) for the zoning review, and gives the applicant a checklist of items that the Building Inspector will inspect as part of his interior inspection.

The applicant should take the following actions (if required), simultaneously with the above application submission. All forms are available either in the Building Division, or each related Division:

- Fire Division, Bureau of Fire Prevention – All uses requiring a CO must register with the Bureau of Fire Prevention. The purpose of this review is to ensure life safety of those within a building in the event of a fire or other emergency. All commercial uses, including multi-family dwellings (three family or more), must complete the Bureau of Fire Prevention’s *Business Registration Form*. The Bureau gives a copy of the form to the applicant and either the bureau or the applicant sends a stamped copy of the form to the Building Division to confirm submission.
- Health Division – (510 Watchung Avenue – 753-3092) All retail food establishments, restaurants, tanning salons and tattoo parlors are required to obtain a health certificate. The purpose of the Health Division review is to prevent foodborne illness. When there is a change of ownership, establishment of a new food business, or an addition or alteration to an existing food business, the business must file for a Health Certificate. The Health Division will inspect the space, review the application, and forward a copy of their review to the applicant and Building Division. Applicants must address all health issues before the Health Division will issue a letter of CO recommendation.
- Licensed Refuse/Recycling Hauler – All property owners/uses must have a valid contract with the PMUA or a private licensed refuse/recycling hauler. Applicants must submit a copy of that contract as part of the CO application approval process. The Planning Division will forward a copy of the contract to the identified hauler for their review and to PMUA for city records. Each hauler will forward a confirmation of validity to the Building Division.

While the above reviews are ongoing, the Planning Division reviews the application to ensure that there are no zoning violations on the property, the property is properly maintained, and is compliant with the zone code. The application is approved or denied based upon these findings and a letter is e-mailed to the applicant indicated on the form. If the application is denied, the applicant must address all stated concerns before the Planning Division recommends the Construction Official issue a CO. If the application is approved, a letter is sent to the applicant with a positive recommendation, and the construction jacket with the letter enclosed is returned to the Building Division.

ISSUANCE OF CERTIFICATE OF OCCUPANCY

Upon receipt of positive responses from all divisions identified above the applicant should contact the Building Division to schedule an interior inspection, and submit a \$300.00 check. Upon completion of any and all interior work required by the Building and any of the above Divisions, and submission of all requisite documentation, the Construction Official will issue a CO, and the applicant can commence occupancy. All applicants are advised to retain the CO with their important property documents.

All city offices conduct their reviews/inspections as promptly as possible. The Building Division has 21 days to complete their reviews; the Planning Division has 10 days. Incomplete or inadequate applications delay the process. Some applications require extensive background reviews. Repeated phone calls to the Divisions within these time frames take time away from reviews/inspections. Divisions will contact applicants directly provided applicants submit proper e-mail/phone information.

We recognize that this process is time and calorie consuming. We hope that applicants recognize the scope of work involved, the need for review time, and the importance of the document itself for the city and for themselves. Working together, we can create an efficient, beneficial process for all of us and a safe, healthy and high quality of life for all Plainfield residents and visitors. We thank you for your cooperation and assistance.