



OBTAINING A CERTIFICATE OF OCCUPANCY FOR UNAPPROVED DWELLING UNITS

A 2008 City Code amendment requires the owners of all rental dwelling units in the city to have a certificate of occupancy (CO) before renting, offering to rent, or continuing to rent such units. If you own a duplex or multi-family dwelling for which the City of Fort Collins has no record of a certificate of occupancy for such use, then it is necessary that you take steps to obtain one.

The following information is offered as a guide and resource to explain the process required to obtain a CO for an unrecorded duplex or multi-family dwelling.

1. Is the property in a zone which allows a duplex or multi-family dwelling?

In order to be eligible to obtain a CO for a duplex or multi-family dwelling, the City of Fort Collins Zoning Department must determine that the property is in a zone which currently allows such uses, or was in a zone which allowed such uses at the time the building first became a duplex or multi-family dwelling. Contact the Zoning office at 970-416-2745 for assistance in making this first-step determination.

2. Does the building comply with the City's Rental Housing Standards?

All rental units must satisfy the regulations contained in the Rental Housing Standards before a certificate of occupancy can be issued. A [Rental Housing Minimum Requirements](#) check list of the applicable standards is attached. After you've determined that the duplex or multi-family unit will be allowed by the Zoning Department, you should then review the list to determine what, if any, remodel work will be necessary. You may want to obtain the services of a home inspector or contractor to help with this and to get an estimated cost of any remodel work. You can request that a City building or housing inspector do this initial compliance inspection, but **please be advised that once a City inspector inspects the dwelling unit(s), this process to obtain a CO will no longer be voluntary.** You will be required to complete the steps necessary to obtain a CO, which means obtaining the necessary building permit and completing the required remodel work needed to achieve compliance with the Rental Housing Standards and other applicable City codes.

3. What type of review process is required and how much does it cost?

Once you've completed steps 1 and 2, it is necessary to submit the attached [Unapproved Dwelling Unit Compliance Application Form](#) to the Development Review Center at 281 N. College Avenue, Fort Collins, CO, 80524. The cost for this review is \$200 for applications submitted by June 15, 2010, \$300 for applications submitted between June 16, 2010 and December 15, 2010, and \$400 for applications submitted between December 16, 2010 and June 15, 2011.

The application form, appropriate fee and 3 copies of a site plan of the property and floor plans of each dwelling unit must be submitted to the Development Review Center. The site plan must be to scale and has to show the parking provided on the lot and the location of the public sidewalk along the street. Be sure that the site plan shows the dimensions of the lot lines and the parking area and the surface treatment of the parking (gravel, concrete, etc.). The floor plan should describe the use of each room (i.e. living room, bedroom, etc.). Allow up to 2 weeks for City review of your application.

4. How do I apply for a building permit and certificate of occupancy?

After the Compliance application has been approved, it is necessary to apply for a building permit for any remodel work which is necessary to achieve compliance. Contact the Building Services Department at 970-416-2740 for submittal requirements and building permit fees. Once the permit has been issued and the subsequent

remodel work (when required) has been completed, City staff will conduct an inspection of the premises for compliance with all approved plans and documents. Upon approval, the City will issue a certificate of occupancy.

If you believe your dwelling unit already complies with the Rental Housing Standards and that additional remodel work is not needed, then an application for a certificate of occupancy must be applied for. A City inspector will then inspect the premises and if indeed no additional work is required, a CO will be issued.

5. In addition to the Rental Housing Standards, are there any other City regulations which must be complied with?

The Zoning Code has required off-street parking since January, 1964. You will need to provide the number of off-street parking spaces that were required by Code in the year in which your dwelling unit was created. These requirements are:

Duplex:

- Prior to January 1964 = no parking spaces
- January 1964 to March 27, 1997 = 2 spaces total, regardless of the number of bedrooms in each unit
- March 28, 1997 to present = 1.5 spaces for each 1 bedroom unit, 1.75 spaces for each 2 bedroom unit, and 2 spaces for each 3 bedroom unit

Tri-plex or greater:

- Prior to January 1964 = no parking spaces
- January 1964 to October 13, 1965 = 1 space per dwelling unit
- October 14, 1965 to January 7, 1975 = 3 spaces for every two dwelling units
- January 8, 1975 to present = 1.5 spaces for each 1 bedroom unit, 1.75 spaces for each 2 bedroom unit, and 2 spaces for each 3 bedroom unit.

6. What documentation can be used to show what year the dwelling unit(s) was created?

- Building permits or certificate of occupancy
- Lease agreements
- Utility bills
- County Assessor records
- Affidavits from previous owners or neighbors
- Rental receipts
- Tax returns identifying income and expense from rental unit(s)
- Other relevant documentation

7. What if I have a single electric or water meter serving 2 or more units?

In most cases the single water meter and electric meter may remain. The base rate for electric and water services will increase somewhat when serving more than one dwelling unit. For further information, contact Utilities at 970-221-6760.

Attachments:

Development application
Rental Housing Minimum Requirements
Flow chart



Comments Due By _____ Application # _____ Effective Date _____
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Unapproved Dwelling Unit Compliance Application Form

Date Submitted: _____	
Property Location: _____	
Legal Description (lot, block, subdivision): _____	
General Information: <i>List all property owners having a legal/equitable interest in the property (Attach separate sheets if necessary).</i>	
Owner's Name(s): _____	
Street Address: _____	City/State/Zip: _____
Telephone: _____	Email: _____ FAX: _____
Applicant's/Property Manager/Consultant's Name: _____	
Name of Firm: _____	
Street Address: _____	City/State/Zip: _____
Telephone: _____	Email: _____ FAX: _____
Fee: \$200.00 – Prior to June 15, 2010; \$300.00 – June 16, 2010 to December 15, 2010; \$400.00 – December 16, 2010 to June 15, 2011.	

SUBMITTAL REQUIREMENTS:

- 1) Three copies of site plan and floor plan Site plan must be to scale and has to show the parking provided on the lot, location of alley (if any), curb cut, and the location of the public sidewalk along the street. Be sure that the site plan shows the dimensions of the lot lines and the parking area and the surface treatment of the parking (gravel, concrete, etc.). The floor plan should describe the use of each room (i.e. living room, bedroom, etc.). Allow up to 2 weeks for City review of your application;
- 2) Completed and signed application form; and
- 3) Application fee

DESCRIPTION of request (i.e. obtain CO for duplex, triplex, etc.), year dwelling unit(s) first used as rental, supporting documentation, if any:

CERTIFICATION

I certify the information and exhibits submitted are true and correct to the best of my knowledge, and that in filing this application, I am certifying that I am the owner of the property or that I am acting with the knowledge, consent, and authority of the owner of the property.

Name (please PRINT): _____

Address: _____

Telephone: _____ Signature: _____



Rental Housing Minimum Requirements

Required Items in ALL Rental Housing

Exterior General

1. Building, sidewalks, outbuildings and fences generally must be in good repair and free from hazards like damaged and loose building components.
2. Yards must not have rodent, vermin or insect infestation and free from hazards such as open holes or broken sidewalks.
3. Stairways must not have loose or broken steps and have handrails solidly attached.
4. Decks and porches 30 inches above the ground must have guardrails that are solidly attached.
5. Window wells within 3 feet of driveways or sidewalks must be protected with guard rails or grate covers.

Interior General

1. Windows and doors must be capable of keeping wind and elements out.
2. Insect screens are required on windows and doors used for ventilation May to November.
3. Entry doors are required to have locks for security; locks shall operate from inside without a key or special knowledge.
4. Windows located within 6 feet of ground are required to have locks for security.
5. All floors, walls, stairs, doors and windows to be maintained in good repair and free from decay or defective surfaces.
6. All stairs must have handrails and guardrails installed and solidly attached.
7. All interior doors must be securely attached and open and close properly.
8. All interior spaces must be free from rodent, vermin or insect infestation.
9. All walking surfaces must be in generally good repair.

Light

1. Every habitable space must have a window for natural light with a glazed area sized not less than 8% of the floor area of the room.
2. In buildings containing 3 or more dwelling units, the common hallways and stairways must be provided with one 60 watt bulb per every 200 square feet.

Ventilation

1. Every habitable space must have at least one openable window for natural ventilation sized not less than 4% of the floor area of the room.
2. Every bathroom and toilet room must have an openable window to the exterior or have an exhaust fan, ducted to the exterior.
3. Every clothes dryer must be exhausted to the exterior through independent ducts.

Occupancy General

1. Dwelling units must be arranged to provide privacy from adjoining spaces.
2. Every bedroom must have access to at least one water closet and lavatory without passing through another bedroom.
3. Spaces used for food preparation must contain suitable space and equipment to store, prepare and serve foods in a sanitary manner.
4. Adequate facilities for temporary storage and sanitary disposal of food waste and refuse are required.

Plumbing Facilities

1. Every dwelling unit must contain its own bathtub or shower, lavatory, water closet and kitchen sink, maintained in safe and sanitary condition.
2. A kitchen sink must not be used as a substitute for the required lavatory.
3. Toilet rooms and bathrooms must provide privacy
4. All plumbing fixtures must be maintained in a safe, sanitary and functional condition, free from obstructions, leaks and defects.
5. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers must have hot and cold running water.
6. The water supply system must have sufficient volume and pressure for proper function of plumbing fixtures.
7. Water heated to a temperature of not less than 110 degrees must be provided.
8. All plumbing fixtures must be connected to an approved sewer system without obstructions, leaks and defects.

Mechanical Facilities

1. Habitable spaces must have heat during the period from September 15 to May 15 and maintain a temperature of not less than 68 degrees F.
2. All mechanical appliances must be properly installed and maintained in a safe working condition.
3. All fuel-burning equipment and appliances except for gas-cooking appliances, must be connected to an approved chimney or vent.
4. All mechanical equipment must have an approved automatic safety fuel shutoff, an accessible manual fuel shutoff valve and a listed appliance fuel connector.
5. Gas cooking appliances must not be used for space heating of any portion of a dwelling or guestroom, and, portable fuel burning appliances are prohibited.

6. Every rental housing unit containing fuel-burning appliances(s) or constructed with an attached garage must have an approved carbon monoxide alarm maintained in sound operational condition.

Electrical Facilities

1. Dwelling units must have a three-wire, 120/240 volt, electrical service having a rating of not less than 60 amperes.
2. All electrical equipment, wiring and appliances must be properly installed and maintained in a safe and approved manner.
3. Every habitable space in a dwelling must contain at least (2) separate and remote receptacle outlets.
4. Every laundry area must contain at least (1) grounded receptacle or a receptacle protected with a ground fault circuit interrupter (GFCI).
5. Every bathroom must contain at least (1) receptacle protected with a ground fault circuit interrupter.
6. Receptacle outlets installed in kitchens, garages, unfinished basements and exterior locations must be protected by ground fault circuit interrupters.
7. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room must contain at least (1) electric light fixture.
8. Extensions cords must not be wired directly to permanent wiring or installed inside walls, through floors, under carpets or attached to trim or walls.

Fire Safety Requirements

1. All means of egress doors must be openable from the inside without the need for keys, special knowledge or effort.
2. Every rental dwelling unit or guestroom must have access directly to the outside or to a public corridor which leads to an exterior exit.
3. Below grade sleeping rooms must be provided with emergency escape window having a maximum sill height of (48) inches above the floor and a minimum openable area of (720) square inches.
4. Smoke alarms (electric or battery operated) must be installed in each of the following areas:
 - a. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - b. In each room used for sleeping purposes.
 - c. In each story within a dwelling unit, including basements.

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Unapproved Dwelling Unit Process

