



(Revised 4-10-2012)

CHANGE OF USE & CHANGE OF OCCUPANCY

CHANGE OF USE:

CHANGE OF USE as determined by Zoning Code shall mean the act of changing the occupancy of a building or land from a use that is specifically listed as a "Permitted Use" in Article 4 of the Land Use Code to a different use that is specifically listed as a "Permitted Use" in Article 4 of the Land Use Code.

When considering a *CHANGE OF USE*, Zoning will determine if the proposed use is allowed in the zone in which the address is located. The following items are generally reviewed during a *CHANGE OF USE* process. Contact Zoning at 416-2745 for specific requirements relating to your change

- Building elevation changes
- Site Improvements such as: Parking, Accessibility, Landscaping
- Signage

CHANGE OF OCCUPANCY:

CHANGE OF OCCUPANCY as determined by the Building Code shall mean the act of changing the purpose or character of what a building or part thereof is used or intended to be used for.

The Building Code lists the following 10 specific occupancies: Assembly, Business, Education, Factory, Hazardous, Institutional, Mercantile, Residential, Storage and Utility. A change in use from one occupancy to any other occupancy constitutes a *Change of Occupancy*. The following items are generally reviewed during the *CHANGE OF OCCUPANCY* process. Contact a Building Plan Reviewer at 416-2341 for specific requirements relating to your change.

- Building elevation changes and associated structure changes
- Fire rating, allowable area, and construction requirements
- Required exits, exit path & discharge.
- Systems checks: plumbing, electrical, mechanical
- Existing checks: exit signage, emergency illumination, door hardware and exiting distance.
- Sprinkler systems, fire containment, and fire area.
- Energy & lighting if changed or increase in usage.
- Floor loading change may be required (new occupancy may require additional floor load).
- Access to upper floors, elevator access.
- Outside air increase.
- Accessibility entrance & toilet rooms.
- Toilet room fixture count (new occupancy may require more toilets). Smaller restaurants (B occupancy) are allowed one uni-sex toilet room when limited to 450 sq.ft. & 30 occupants.

A building permit is required to change occupancy. If applicant desires to use the space as is, and does not intend to make any changes to the space, see the below process:

1. Submit permit application and \$100 fee for permit application/permit fee.
2. Submit 2 to-scale floor plans for review.
3. Building Services and Zoning will determine if the space does comply or what changes are necessary.

A building permit, inspections, approvals and the issuance of a new Certificate of Occupancy (CO) is required for either a *Change of Use* or *Change of Occupancy*. Without a new CO being issued, the change is considered to be a violation of City codes and a misdemeanor subject to fines of up to \$1,000.00 per day. Contact the phone number above for information needed to start the review and building permit process.

Your specific application for a *Change of Use* or *Change of Occupancy* will determine possible involvement of other departments such as: Health, Fire, Engineering, City Clerks and Utilities.