



## Permitting and Inspections Department

**Guidelines for Certificate of Occupancy (CO)****Adopted: 12/08/2017****Revised: 1/22/2018****Purpose**

These guidelines are intended to assist homeowners, contractors, design professionals, developers and others with better understanding the Certificate of Occupancy (CO ) process in Portland, Maine.

**Overview**

Buildings and structures cannot be used or occupied until the Permitting and Inspections Department has issued a CO. For example, a business cannot start its operations; a homeowner cannot move in; and a barn, shed, or other structure cannot be used without a CO. Similarly, a new use cannot be started without a new CO, such as when converting a business to residential use, or one type of business use to another. To ensure that a building can be safely occupied, the Department will not issue a CO until the building or structure is substantially in compliance with all state and local laws.

**Types of Certificates of Occupancy**

There are two different types of COs: partial and full. The issuance of a CO will ultimately be governed by state law and local ordinances.

**Partial Certificate of Occupancy**

A partial CO allows the occupancy of only a portion of a building or structure. For example, if a multi-unit residential building is proposed, then the developer might request a partial CO for the occupancy of the first floor condominiums, while the interior finishes of the second floor units are being completed. Examples of interior finishes include:

- Cabinets
- Counters
- Electric appliances
- Carpet
- Paint

A partial CO will be issued when an entire level of the structure is complete, safe to occupy, and fully in compliance with state law and local codes. Key portions of the overall project must be completed prior to issuing a partial CO, such as site work, parking, access, flooring for common areas, and basic life safety and fire protection for the unfinished portions of the building. See the Partial Certificate of Occupancy (CO) Pre-Approval Checklist for additional information.

A Owner must clearly indicate on their application and plans that a phased occupancy is requested. The Department will work with the Owner to ensure a mutual understanding and agreement exists on what must be completed for each phase of a CO. A Code Officer will not pass a final inspection for a partial CO without an approved plan for phased occupancy.



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**Full Certificate of Occupancy**

A full CO will be issued when the permitted work is fully completed and in compliance with state and local laws. The requirements of a final CO will depend on the type of occupancy or use. For example, a three unit apartment building will not have the same standards as a high-rise apartment building. The following are a few examples that might impact the issuance of a final CO:

- Finalization of all on-site permits (and conditions of approvals), such as fire, site, civil, and building (HVAC, electric, plumbing, subsurface, and signs).
- Completion of off-site improvements, including the removal and repair of street lights and signs.
- Resolution of all project holds (including outstanding fees or taxes to the city).
- Completion of work as required and referenced in the construction management plans.
- Submittal and acceptance by the Public Works Department (sewer, grease trap).
- Completion and submittal of required State Fire Marshal permitting.
- Completion and submittal of required Health Inspection requirements.
- Submittal of satisfactory Final Statement of Special Inspections.

A full CO can be issued when the following interior finishes don't adversely impact the safety of fixtures, sprinklers and other building code and life safety requirements. Examples of interior finishes include:

- Cabinets,
- Counters,
- Electric appliances
- Carpet
- Paint

**Other Relevant Materials**

Certificate of Occupancy or Completion - Existing Building Checklist

Partial Certificate of Occupancy - Pre-Approval Checklist