

	CITY OF OCEANSIDE Building Division 300 N Coast Highway Oceanside, CA 92054 760-435-4373 www.ci.oceanside.ca.us	I.B. 134
		2022 California Residential Code
		1/1/2023 - 12/31/2025 <i>Effective Date</i>

Temporary Certificates of Occupancy Requirements

Informational Bulletin

All new commercial buildings and Tenant improvements are required to obtain occupancy approval from the required city departments and divisions as listed on the construction inspection card.

A request to commence stocking materials or furnishings only requires approval from the Building Division.

A Temporary Certificate of Occupancy (TCO) may be approved for commercial buildings when most of the construction is completed and only minor, non-life safety issues remain. TCO's for residential construction are not permitted. The minimum Processing time for TCO applications (initial review) is three (3) business days.

TCO instructions:

Step 1

Complete the following checklist:

Yes No

- The TCO is for a commercial or multi-family building under the same ownership.
- There is a specific and significant hardship that is outside the control of the developer and deemed acceptable by the Building Official. TCOs will not be allowed for reasons of convenience.
- All utilities are installed per plan including water, sewer, electrical and gas systems.
- The building permit is for a tenant improvement or for a shell building that is constructed by the same contractor with the proposed tenant improvement included all on one permit. (We do not approve occupancy on shell buildings. If the shell is not complete, a separate TCO will be required for both the Shell and TI.)

*** All boxes must be checked yes to move forward to Step 2**

Step 2

- The applicant is responsible for obtaining approval signatures on the TCO form from all City Departments and Divisions as shown on the TCO form. Contact information is below.

DEPARTMENT	PHONE
BUILDING	760-435-4373
ENGINEERING	760-435-5801
FIRE DEPT.	760-435-4101
STREET LIGHTING	760-435-5168
WATER UTILITIES	760-435-5800

- Obtain a TCO application. A [TCO application](#) can be provided by the Building inspector or online.

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Step 3

- Request a final inspection from all required departments as listed on the inspection card.
- Incomplete work must be identified on the TCO form by the various inspection groups.
- The project must be deemed reasonably complete, safe and sanitary by planning, engineering, water, landscape and streetlighting departments. Obtain department signatures on the TCO form.
- The structure must be deemed 100% safe to occupy by the Building Division and Fire Department. Obtain Department signatures on the TCO form.
- The owner and developer must sign the form in the presence of Building Division staff or by a notary.

Step 4

- There must not be any contested items remaining and the developer acknowledges a willingness in writing to complete the remaining items in an expedited manner.
- Pay Non-refundable TCO fees.
- The TCO form must be completed, signed by all departments and provided to the Building Official for review and approval or denial.

In addition to the TCO application, the following letters shall be provided to the Building Official:

A Company letter A letter on company letterhead and signed by the developer stating:

- The reason the TCO is being requested must be provided. **The request for TCO must include a specific and significant hardship outside the control of the owner and developer. TCOs will not be allowed for reasons of convenience.**
- The developer must acknowledge in writing a willingness to complete the remaining items in an expedited manner and maintain necessary safety protocols for areas still under construction and workplace safety regulations.
- A detailed description of the remaining work and an estimate of the time frame for completing all outstanding items must be included.
- The planned use of the building during the 30-calendar day period must be detailed.
- The following statement must be included:

“The City of Oceanside will not be held responsible in any form for any damage or liability due to the issuance or revocation of the TCO. I understand and accept that utilities have been release on a temporary basis and may be revoked by the Building Official.”

A letter from the responsible design professionals

The Engineer and Architect of Record must provide a signed letter certifying that the site is safe and ready for occupancy, is substantially complete, and complies with all applicable codes protecting the public’s health, safety, and welfare.

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After receiving and reviewing all documentation, the applicant will be notified by the Building Official if the TCO is approved and a copy will be sent or provided in person at the counter.

Please note the following procedures for approved TCOs:

- It is unlawful to occupy a building for purposes other than construction without a current TCO or Certificate of Occupancy (CO).
- The TCO will be effective for a maximum of 30 calendar days only.
- A TCO Extension for another 30-calendar day period can be requested in writing stating a hardship. A fee is required for TCO extensions.
- TCO extension requests must be in letter form and contain the outstanding items and time frames for completion.
- If a customer’s TCO expires this may result in a Code Enforcement Department case, resulting in, but not limited to, fines of up to \$1000 per day revocation of utility releases. The Building Official is authorized to suspend or revoke a TCO or CO wherever the certificate is issued in error, or based on incorrect information supplied, or where it is determined that the building or structure or portion thereof violates any safety code, ordinance, or regulation.
- Notification can be done by letter or electronic correspondence via email provided on the application.
- A wall hanging quality copy of the Certificate of Occupancy can be provided for \$40 at the Building Division counter.