



**Informal Interpretation Report
Number 7251**



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Section 111.2

Question:

Is it the intent of Section 111.2 that a county or municipality shall issue a Certificate of Occupancy after the electrical, gas, mechanical, plumbing, fire and building inspections have been passed and the building permit finalized; even though other issues such as DEP stormwater requirements, sod, trees, site issues, impact fees or any other local or state requirements are unsatisfied? Could you please clarify this issue?

Answer

No, If the jurisdiction has other local ordinances requiring the C.O. not to be issued until certain items have been satisfied the C.O. may be held until they have been satisfied. (See commentary below)

Commentary:

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided

herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

The end wording "or of other ordinances of the jurisdiction." would allow the C.O. to be held until the other issues established by local ordinance have been complied with.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.