

CHAPTER 4-8 CERTIFICATE OF OCCUPANCY

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CERTIFICATE OF 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.

Prior to issuance of a certificate of occupancy, inspections must have been made, and tags or stickers placed upon the structure's main electrical box or boxes, which tags or stickers shall indicate satisfactory completion of rough-in and of final inspections for the structure for the interior and exterior plumbing and for the interior and exterior electrical wiring, electrical connections, and electrical power supply.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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NOTIFICATION OF COMPLETION OF INSPECTIONS REQUIRED

Within three days of completion of each inspection, all inspectors from all agencies, local regional, state, and national, shall provide the City of Brandon building Safety Department with accurate, legible copies of all of the reports of inspections, including but not limited to all rough-in and final inspections completed. The copies may be handwritten or typed, may be carbon copies, carbon less copies, photocopies, fax copies, or e-mail copies, and must include the name and signature of the inspector, the date off the inspection, the reason for the inspection, the complete address of the property, the inspection tag or sticker number, and, if readily available, the City building permit number. Electronic signatures are acceptable if first registered with the City Inspection Department.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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CONTENTS OF CERTIFICATE OF OCCUPANCY

After the building official completes the final inspection of the building or structure and find no violations of provisions of this ordinance or other laws that are referenced in this ordinance such as the International Building Codes, the building official shall issue a certificate of occupancy that shall contain the following:

- A. The building permit number.
- B. The complete address of the structure.
- C. The name and address and telephone number of the general contractor, if not the same person as the owner.
- D. A description of the portion of the structure for which the certificate is issued.
- E. A statement that the described portion of the structure has been inspected for compliance with a building, electrical and plumbing codes of the City of Brandon, and a description of the use for which the structure is intended at the time of the inspection.

- F. The name of the building official preparing the certificate of occupancy.
- B. The type of construction.
- C. The design occupant load of commercial structures.
- D. If an automatic sprinkler system is provided, whether the sprinkler system is required.
- E. Any special stipulations of the building permit.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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ADDITIONAL CRITERIA TO ISSUE A CERTIFICATE OF OCCUPANCY

- A. A valid building permit issued by the City of Brandon.
- B. Structural inspections will be required for all projects as required by the International Building Code as adopted by the City of Brandon, including:
 - Three inspections of the structure consisting of:
 - 1. A footing inspection.
 - 2. A framing inspection before any framing materials are covered.
 - 3. A final inspection to be complete after the final electrical and plumbing inspections.
- C. Electrical inspections will be required for all projects that require an electrical permit as issued by the State of South Dakota and pursuant to the National Electrical Code as adopted by the State of South Dakota including:
 - Three electrical inspections consisting of:
 - 1. A meter socket inspection.
 - 2. A rough-in inspection completed before a rough framing inspection of the structure is completed.
 - 3. A final inspection completed before occupancy.
- D. Plumbing inspections will be required for all projects that require a plumbing permit as issued by the State of South Dakota and pursuant to the Unified Plumbing Code as adopted by the State of South Dakota including:
 - Three plumbing inspections consisting of:
 - 1. An underground inspection before material is covered.
 - 2. A rough-in inspection completed before a rough framing inspection of the structure is completed.
 - 3. A final inspection completed before occupancy.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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DISTRIBUTION OF CERTIFICATE

A copy of the completed certificate of occupancy shall be placed in or on the main electrical box or boxes of the structure along with the other tags or stickers for the other inspections. A copy of the certificate of occupancy shall be maintained in the office of

the building inspector of the City of Brandon and a copy shall be mailed by the City by first class mail to the general contractor.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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RESPONSIBILITY

It shall be the responsibility of the person obtaining the building permit to insure that the building, electrical and plumbing inspections are complete in the specified time.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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TEMPORARY CERTIFICATE

The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, providing that such portion shall be occupied safely. The building official shall set a time period during which temporary certificate of occupancy is valid. Failure to complete the entire work within the time period allowed in the temporary certificate of occupancy shall result in revocation of the temporary certificate of occupancy by the building official until such time as a permanent certificate of occupancy shall be issued.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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NOTICE OF REVOCATION OF TEMPORARY CERTIFICATE

Notice to revocation of a temporary certificate of occupancy shall be given by one telephone message to the contractor(s) indicated on the building permit for the structure, and by placement of a notice on the structure, and, if possible with one attempt, by personal contact with the occupants. If a temporary certificate of occupancy is revoked, the structure shall be vacated immediately and shall remain vacated until the entire work is completed. Failure to comply with the required completion of the work, and/or failure to comply with the vacation of the premises, will result in the refusal by the City to issue additional building, plumbing, and/or electrical permits to the general contractor(s) and/or to the subcontractor(s) involved in the structure for which revocation of the temporary certificate has occurred and may result in additional penalties to the contractor(s), owner(s) and occupant(s).

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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CONNECTIONS

No person shall make connections from a utility such as water, sewer, or electricity or from any source of energy, fuel or power to any building or system that is regulated by the Ordinances of the City of Brandon, SD, or that is regulated by any International or National Building Plumbing or Electrical Codes adopted by the City of Brandon, SD, until completion of all rough-in inspection, as indicated by the presence of completed tags or stickers on the main electrical box or boxes.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;

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PENALTY

Violation of this ordinance is punishable by a fine or by imprisonment, or both, as established in 1-10-1 of the Brandon Municipal Code.

Legislative History:
Ordinance No. 352 , 8/18/04

Authority:
SDCL §§ 9-37-2, 9-12-1;