



TEMPORARY CERTIFICATE OF OCCUPANCY (TCO) APPLICATION

Instructions and information for Temporary Certificates of Occupancy are included on pages 2 through 6 of the application.

Department of Community Development
1015 Cultural Park Blvd, Cape Coral, FL 33990
Phone: (239) 574-0606 FAX: (239) 242-5321
Email: CORequest@capecoral.net

IMPORTANT – Applicant to complete ALL applicable items. Please type or print clearly.

ALL FEES (including on associated permits on parcel) MUST BE PAID PRIOR TO THE ISSUANCE OF A TCO.

Permit # _____ Master/Shell Building Permit # _____
Commercial Project/Building Name: _____
Project Street Address: _____
Applicant Name: _____ Company: _____
Applicant Mailing Address: _____ City: _____ Zip: _____
Phone #: _____ Alternate #: _____ Fax #: _____
Email Address: _____
Reason why you are unable to receive your Final CO? _____

Intended Use:(check one) Residential(Single Family) Residential(Multi Family) Commercial
Was there a Demolition? No Yes If Yes, Demolition Permit # _____
Space Previously Occupied? Yes No
Building Owner: _____ Phone #: _____
Tenant's Name: _____ Phone #: _____
Building Use: _____ Size of Tenancy: _____ square feet
Number of Floors to be Occupied: _____ which floors will be occupied: _____ Total Number of Stories: _____
Fire Sprinklers? No Yes, If Yes: Full Partial Fire Alarm System? No Yes

AFFIDAVIT

I hereby certify that I have the authority to make the foregoing application and that the application to the best of my knowledge, is complete and correct and that the permitted construction will conform to the regulations in the Florida Building Code and the City of Cape Coral Code of Ordinances. I have read and understand the requirements of this application.

Date: _____

Signature of Contractor, Authorized Agent or Owner/Builder

STATE OF FLORIDA

COUNTY OF _____

(name of person making affidavit), affirmed and subscribed before me this _____ day of _____, 20____ Personally known Identification produced: _____

Signature of Notary Public-State of Florida

SEAL



Information and Instructions for Temporary Certificates of Occupancy

All new construction, both Residential and Commercial, will require a final Certificate of Occupancy. A Certificate of Occupancy (CO) will be issued when all construction is completed, and all building inspections are approved. In certain circumstances, a Temporary Certificate of Occupancy (TCO) may be approved when the majority of the construction is completed, and only minor issues remain.

Residential TCO - allows the homeowner to store furniture or occupy the home for a 30-calendar day period. The CO must be obtained within 30 calendar days from issuance of TCO. The notarized letter (Item 2) must indicate whether the TCO is to store furniture or for occupancy of the residence.

Commercial TCO – allows the occupant to occupy the space for the purposes of racking, merchandising, stocking, employee training, and placement of furniture. A TCO does not allow the company to conduct business.

Conditions of TCOs for Private Provider inspected permits begin on page 4.

Conditions of TCOs for City Inspected Permits

1. **Minimum processing time for applications (initial reviews) is three (3) business days.** Completed applications may be dropped off or emailed to the address above. Granting TCOs are based upon approval of all departments and agencies that reviewed and approved the original building permit applications. The fee for each TCO application is a non-refundable \$55, due and payable prior to processing.
2. A notarized letter (on company letterhead and signed by an officer of the company when requested by a licensed professional) stating the detailed reason for the TCO request must be provided. If the TCO request is from an owner-builder, the notarized letter must be signed by the applicant. The TCO reason must be for a specific and significant hardship. **TCO's will not be allowed for reasons of convenience.** A detailed description of the remaining work, and a reasonable estimate of the time frame for completion of 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 Cape Coral will not be held responsible in any form for any damage or liability as a result of the issuance of the TCO."
3. TCO's will only be considered when the structure is deemed to be safe to occupy prior to the issuance of a Certificate of Occupancy or Certificate of Completion. All required final inspections of structural, electrical, gas, plumbing, mechanical, and fire systems must be approved and in compliance with technical codes that were in effect at the time of permit issuance.
4. If applicable, backflow preventors must be installed, tested and approved prior to approval for TCO. If this is a new Single-Family Residence on Septic and/or Well, a TCO will not be approved until the septic tank permit and water test has been passed by the Florida Department of Health in Lee County.

5. All Department of Health issues must be complete (well and septic).
6. All fees must be paid in full.
7. Upon approval of the submitted TCO request documents, a structural C/O inspection, for the purpose of TCO will be conducted. An inspector will visit the site and inspect to ensure no life safety issues will be compromised by issuance of a TCO. Barring any administrative issue, which would preclude the issuance of a TCO, the inspector will report to the CO Desk CSR that the property is approved for a TCO as requested. For residential TCOs solid waste fees for current month will be added and must be paid prior to issuance of the TCO. The CO Desk CSR will prepare the TCO for signature by the Building Official and notify the permit holder when ready.
8. If issued, a TCO will be effective for a period of 30 calendar days only. An application for a commercial extension must be renewed by the applicant at least 3 business days prior to the current TCO's expiration date, and all fees must be paid. An extension request is not guaranteed to be approved. It is unlawful to occupy a building for purposes other than construction without a current TCO or CO. TCO extension requests must be in letter form and contain the outstanding items and time frames for completion. Failure to receive a TCO extension will result in a Code Compliance order, resulting in enforcement action including, but not limited to, daily running fines.
9. The fee for a TCO Extension request is a non-refundable \$55 per 30 calendar day period, due and payable prior to processing. All department holds must have been released. Renewal requests must include a letter containing the outstanding items and time frames for completion.
10. The building official is authorized to notify in writing, suspend or revoke a TCO or CO wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the Florida Building Code. Notification can be done by letter or electronic correspondence via email provided on the application.

The following additional requirements (as well as the Fire Inspection Requirements) listed below apply to commercial property:

1. The Engineer of Record must provide a letter, signed and sealed, certifying that the site is safe and ready for occupancy, is substantially complete, and that it complies with all applicable codes protecting the health, safety, and welfare of the public. He or she must indicate the reason for the request and the time frame for completion of all outstanding items. In phased projects, each phase must be able to "stand alone" in the event subsequent phases are never built.
2. Where applicable, a receipt of a letter of acceptance from the FDOT (Florida Department of Transportation) accepting work done in the State Right-Of-Way is required.
3. All construction debris must be removed from project site or barricaded for public safety.
4. All paving, grading, drainage, and traffic control devices must be complete, including stabilization of all earthen berms as a part of the perimeter buffer.
5. Perimeter plantings, including any structural wall or fence, as part of the landscape buffer must be 100% complete where non-residential use abuts residential uses.

6. Any asphalt drive and parking lot must be ready to the “final lift”. Concrete drive and parking lots must be complete. All traffic control striping must be complete, including painting for drives and parking (final thermoplastic to be applied upon completion of final lift of asphalt). All signs installed for traffic control and parking must be installed.
7. All life safety and Americans with Disabilities Act (ADA) requirements such as placement of sidewalks and handicap ramps must be completed, inspected, and passed.
8. All storm water facilities and outfall structures must be cleaned, free of debris, and must function.
9. All Utilities infrastructure must be complete, including all easements submitted for review, and all Capacity fees paid.
10. Zoning must have completed its review and signed off on the “as-built” drawing for Lighting Plan, Parking, Use and other compliance.
11. All code violations associated with the property must be resolved.

Fire Inspection Requirements:

All fire and life safety systems shall be inspected & operational prior to issuance of a Temporary Certificate of Occupancy. The Cape Coral Fire, Rescue, & Emergency Management Services Division of Life Safety can be contacted at 239-242-3264.

Conditions of TCOs for Private Provider Inspected Permits

1. **Minimum processing time for applications (initial reviews) is three (3) business days.** Completed applications must be emailed to CORequest@capecoral.net with the permit number in the subject line of the email. Granting TCOs are based upon approval of all departments and agencies that reviewed and approved the original building permit applications. The fee for each TCO application is a non-refundable \$55, due and payable prior to processing.
2. A notarized letter (on company letterhead and signed by an officer of the company when requested by a licensed professional) stating the detailed reason for the TCO request must be provided. If the TCO request is from an owner-builder, the notarized letter must be signed by the applicant. The TCO reason must be for a specific and significant hardship. **TCO's will not be allowed for reasons of convenience.** A detailed description of the remaining work, and a reasonable estimate and time frame for completion of 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 Cape Coral will not be held responsible in any form for any damage or liability as a result of the issuance of the TCO.”
3. The private provider compliance report along with the private provider final report card with any outstanding inspections listed but not signed off. If the building is not complete the private provider final report card will need to include a TCO inspection conducted by the private provider firm to ensure no life safety issues will be compromised by issuance of a TCO.
4. TCO's will only be considered when the structure is deemed to be safe to occupy prior to the issuance of a Certificate of Occupancy or Certificate of Completion. All required final inspections of structural, electrical, gas, plumbing, mechanical, and fire systems must be approved and in compliance with technical codes that were in effect at the time of permit issuance.

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