

KALAMAZOO AREA BUILDING AUTHORITY
RESOLUTION ESTABLISHING
TEMPORARY CERTIFICATE OF OCCUPANCY POLICY

October 13, 2014

WHEREAS, the issuance of temporary certificates of occupancy is discretionary and not mandatory under the Michigan State Construction Code.; and

WHEREAS, the delay in completion of residential structures can have negative impacts upon surrounding property owners and surrounding properties; and

WHEREAS, the delay in completion of residential structures can result in difficulties for local municipalities in areas of housing code enforcement and tax assessment; and

WHEREAS, issuing temporary certificates of occupancy may result in risk to the inhabitants of the structure; and

WHEREAS, the Kalamazoo Area Building Authority Board wishes to establish a policy outlining the circumstances under which temporary certificates of occupancy may be issued by the Building Official.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that temporary certificates of occupancy may be issued by the Building Official provided that the following conditions are met:

1. The structure is substantially complete.

“Substantially complete” means that all major systems – plumbing, electrical, mechanical/HVAC, and sewer/septic systems are installed and approved in accordance with the plans submitted.

2. The structure may be occupied safely.

“Occupied safely” means that adequate means of ingress and egress are in place – stairs and handrails are properly installed – lighting, heating and plumbing are complete with no open wiring.

3. The temporary certificate of occupancy will be issued for a period not longer than six weeks. The applicant must post bond or provide a cash surety in the amount of \$1,000, which can be called by KABA should the applicant fail to complete the structure during the period of the temporary certificate of occupancy.

4. The local unit of government will be notified of any request for a temporary certificate of occupancy, and a representative of the local unit shall accompany KABA staff on the inspection made before the same is issued pursuant to this policy and provide a specific date upon which the structure will be complete, and the temporary certificate of occupancy will cease.

A motion was made by Ann Nieuwenhuis seconded by George Cochran to adopt the foregoing Resolution.

Upon roll-call vote, the following voted “AYE”:

Lee Larson, George Cochran, Ann Nieuwenhuis, Barney Martlew
and Carol DeHaan

The following voted "NAY": None

Abstained: None

The Board Chairman declared the motion carried, and the Resolution duly adopted.



Lee Larson

CERTIFICATE

Deborah L. Everett, the duly elected and acting Secretary of the Kalamazoo Area Building Authority, hereby certifies that the foregoing is a true and correct copy of an Excerpt of the Minutes of a special meeting of the Kalamazoo Area Building Authority Board held on October 13, 2014, at which a quorum was present.



Deborah L. Everett