



COMMUNITY DEVELOPMENT DEPARTMENT

CO and Temporary CO Policy

Occupancy and use of a structure within the City of Aspen requires a Certificate of Occupancy issued by the Chief Building Official. Projects must obtain all final inspections and all final approvals from review agencies with jurisdiction prior to requesting a final inspection from the Building Department. Only projects passing their final inspections shall receive a Certificate of Occupancy from the Chief Building Official.

The City of Aspen, at its sole discretion, may consider a request for and issue a Temporary Certificate of Occupancy. Only projects meeting the following criteria in a clear, unambiguous manner shall be considered for a Temporary Certificate of Occupancy.

- The project does not have any pending compliance or enforcement matters, no outstanding change orders, and no outstanding fees. All agencies with jurisdiction over the improvements have authorized issuance of either a Certificate of Occupancy or a Temporary Certificate of Occupancy.
- The building and surrounding property is compliant with all life/safety and property protection standards of the City including those within the International Building Codes, International Fire Codes, the City of Aspen Land Use Code, the City of Aspen Urban Runoff Management Plan, and as represented to be in compliance with all applicable Ordinances in the approved plan documents. This requires installation of all drainage infrastructure, completion of fine grading, site stabilization and completion of all-weather surfaces for all entryways and pedestrian ways. All Right-of-Way work must be completed, inspected, and 2-year probationary acceptance signed off by the City of Aspen. This includes all utility improvements, sidewalks, curb and gutter, and asphalt being complete.
- The applicant is prohibited from completing the project by unavoidable circumstances. An example of an acceptable circumstance is when an applicant cannot implement final landscaping due to seasonal conditions.
- The OWNER has completed a Temporary Certificate of Occupancy agreement.
- The OWNER has posted all required completion bonds.

A Temporary Certificate of Occupancy shall not be issued for ordinary circumstances or practical complexities associated with construction, such as:

- Delays caused by normal logistics, such as weather, labor, holidays, financing, legal, permitting, inspections, change order processing by both client, contractor and the City of Aspen, or similar predictable or unpredictable complexity.
- Missed deadlines.
- A client who relies on contractual dates that are not met.

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- A Temporary Certificate of Occupancy shall not be issued unless all life/safety and property protection standards of the City have been met, including final inspection and approval by the Aspen Fire Protection District.

Temporary Certificates of Occupancy are only valid for a limited time period, as shall be stated on the Certificate. TCOs shall not be extended. The City of Aspen reserves its right to administer and enforce this policy, to seek remedy through the Aspen Municipal Court and to prohibit unauthorized use or occupancy of a property or structure to the extent permitted by law.

Upon complete submission of a Temporary Certificate of Occupancy Request the review may take up to 10 business days.

Acknowledgment:

I (contractor of record - print name) _____ understand this policy. I understand that a Temporary Certificate of Occupancy is only available in certain very limited situations and that if my project does not qualify I will not receive a TCO. In addition, I will not allow or advise my client to occupy the property or structure until all required inspections and approvals have been granted and a CO or TCO, as applicable, has been obtained. I will advise my client of this policy.

Contractor signature: _____ Date: _____

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Temporary Certificate of Occupancy Agreement

The International Building and Residential Codes require a Certificate of Occupancy be issued before a building is used or occupied. The codes also allow, in very limited circumstances, a Temporary Certificate of Occupancy be issued when a portion of the building or property is safe to occupy but before all of the work covered by the permit is complete. The Temporary Certificate of Occupancy is referenced in the Aspen Municipal Code Title 8 Sections 8.16.020 and 8.20.010. This agreement must be signed by the property owner or Attorney representing the property owner prior to issuance of a Temporary Certificate of Occupancy.

Subject Property: _____

Temporary Certificate of Occupancy Expiration date: _____

I, the property owner, understand and agree as follows:

- This property is not in compliance with one or more City of Aspen development regulations and has not received one of more required final inspections.
- I have read and understand the specific conditions referenced in the CO and TCO Policy.
- I have paid for the TCO as prescribed by City of Aspen Municipal Code Section 2.12.100.
- I have posted completion bonds if required by the City of Aspen.
- I understand that unless a final Certificate of Occupancy is issued, occupancy of this property after the dated stated above constitutes a violation of the City of Aspen Municipal Code Sections 8.16.020, 8.20.010. Violations will be enforced according to City of Aspen Municipal Code Section 2.02.120 regarding enforcement of City regulations.

Owner signature: _____ date: _____

Owner printed name: _____

or,

Attorney signature: _____ date: _____

Attorney printed name: _____

Reviewed Date: _____ Approved Date: _____

Chief Building Official: _____



THE CITY OF ASPEN

Request for Temporary Certificate of Occupancy

Property Address:	
Permit Number:	
Requested By:	
Phone:	Email:

Initial:

- Project has been built to approved plans.
- If required; Utility as-builts or financial security has been submitted and approved.
- Required Engineering documents have been submitted and approved.
- Grading is complete.
- Site has been stabilized.
- Fire suppression/alarm system is completed, inspected and approved.
- Project is in compliance with the City of Aspen carbon monoxide ordinance.
- The areas of occupancy and all ingress/egress components comply with the applicable codes and will be free of construction debris, materials, equipment and construction personnel for the duration of the temporary occupancy.
- Minimum facilities are substantially complete including a functioning kitchen, restroom and sleeping area.
- Mechanical, electrical, and plumbing systems have been completed, inspected and approved for the area of occupancy.
- If required; a date has been provided and approved when the landscaping will be fully installed and irrigated.
- If required; a date has been provided and approved of when the tree mitigation will be completed.
- Performance/cash bonds have been submitted.
- All citations have been paid or are scheduled in Court.
- All outstanding fees have been paid in full.
- Signed temporary certificate of occupancy agreement attached.

I understand if any items above are deemed incomplete, this request will be rejected and a new request must be submitted when the outstanding item has been completed.

Signature

Date