



## 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.
- 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.

The fee for a TCO is 7.5% of the Building Permit Fee, with a maximum of \$5,000.00.

Temporary Certificates of Occupancy are only valid for a limited time, 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.