



**ORANGE COUNTY PUBLIC SCHOOLS
BUILDING CODE COMPLIANCE OFFICE
CODE INTERPRETATION**

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Subject Title: Certificate of Occupancy Applicability
Applicable Code: Florida Building Code Sections 111 and 453.3.7
Date: August 7, 2020
Revised:

Question: When is a certificate of occupancy required for projects in existing buildings and when does a building “lose occupancy”?

Answer: Certificates of occupancy are required for existing buildings that have undergone renovations or remodeling.

Comment: While the term “lose occupancy” is not found in the FBC, the code does prohibit occupancy in a building that has undergone renovations or remodeling. Section 453.3.7 requires that new buildings, additions, renovations and remodeling shall not be occupied until the building has received a certificate of occupancy for compliance with codes that were in effect on the date of permit application. To better understand this provision you need to examine the definitions of renovation and remodeling. Section 453.5.13 and 14 define remodeling as “The changing of existing facilities by rearrangement of space and/or change of use. Renovation is defined as “The rejuvenating or upgrading of existing facilities by installation or replacement of materials and equipment.” FBC Section 111.5 provides for the issuance of Certificates of Completion for certain types of permits for a structure or system that would be released for use or connected to a utility system. This method of approval is commonly used for mechanical, plumbing and electrical work requiring permit issuance. Understanding that there are almost limitless variations of scope of work that can be proposed in existing buildings, common sense would dictate that if said SOW is for minor repairs, painting or similar types of work that would not apply to the provisions found in the mentioned remodeling or renovation definitions, a certificate of occupancy would not be required. It would be accurate to say that, with few exceptions, if a building permit is required based on SOW for a project, a certificate of occupancy would also be required.