



CITY OF MIDDLETON

1103 W. Main Street, Middleton, ID 83644
208-585-3133
www.middleton.id.gov

DEPARTMENT OF BUILDING SAFETY

COMMERCIAL CERTIFICATE OF OCCUPANCY ONLY PERMIT

and NEW TENANT VERIFICATION

NOTE: A Certificate of Occupancy is required for all tenants occupying a commercial space. A Certificate of Occupancy is required to be obtained prior to opening the doors for business.

Commercial Occupancy and Use classifications are subject to the regulations contained in the 2018 IBC, 2018 IEBC and Planning and Zoning regulations of the City of Middleton. This application is specifically for a commercial business moving into an existing building/space of the same occupancy classification and no proposed alterations, remodel or improvements are being made to the existing space. This application also applies when commercial tenants are the first to occupy an approved new building or tenant space; when occupancy of record has not been previously established; and where no code-required improvements or alterations are required for the new tenant occupancy. A Tenant Improvement Permit is required for existing buildings not previously occupied and for work to finish and convert a building shell from Certificate of Completion to Certificate of Occupancy. A Commercial Building Permit is required for any new construction, remodel, additions, alterations and changes of occupancy per IBC 105.1 and 111.1.

Occupancy Only Request and Occupancy Verification: Where work that is exempt from a building permit per IBC/IEBC Section 105.2 is to occur and a commercial tenant lacks a Certificate of Occupancy, desires to obtain a Certificate of Occupancy for their business or when required to obtain a Certificate of Occupancy from the City, the Department of Building Safety shall review the permit application for verification of the proposed occupancy and use classification. Site inspection is required in order to issue a new Certificate of Occupancy. A fee shall be charged in accordance with Middleton's Building Fee Schedule for services to establish and issue the new Certificate of Occupancy. Existing tenants who undergo only a change in ownership or name of business need not apply where no changes to operational use and occupancy will occur and therefore no increase in level of risk or hazard has been made.

Reviewing Departments and Agencies:

The following approvals are required to be completed prior to issuance of a Certificate of Occupancy:

- Planning & Zoning - *Review*
- Building Department - *Review and Inspection*
- Fire Department - Middleton or Caldwell Dist. - *Review and Inspection*
- Southwest District Health (Food Storage/Food Service) - *Review and Inspection*

Fee: A fee of \$75 will be assessed for this process.

Planning & Zoning: Verifies the proposed use classification is compatible with the current Zoning of the property. Ensures no other entitlements are necessary from the Planning and Zoning Department. Reviews for new business commercial signage and application requirements for new Commercial Sign permits.

Floor Plan/Lease Plan and Building Information: A min. 8 ½x11 floor plan and/or lease plan in PDF form is required to be submitted for review. Plan details to include tenant space location within the building. All dimensional rooms and spaces identified within the proposed occupied building or tenant space. Identification of all available exits

and means of egress components, accessible routes and building elements, doors and directional swing, location of exit signs, emergency lighting, and fire extinguishers. Accessible restroom locations. Permanent fixtures, furniture and equipment locations. Building fire sprinklers and/or fire alarm installations. Description of prior business use and occupancy classification, description of new proposed business use and occupancy classification.

Street Address, Contact Information and Business Registration. Applicant contact information must be provided. The applicant or authorized agent must sign the application. Provide the name and address of the owner of the indicated property or the owner's authorized representative. Include Tenant and Business name with registration number as required by Idaho Secretary of State.

Note: After review of the application, it may be deemed necessary that the proposed use and occupancy will require a Tenant Improvement permit due to the new business occupancy, change in use designation, or change of occupancy classification.

Owner/Tenant Responsibility: Know the requirements prior to signing a lease or purchasing a property. Each application and approval process, such as a conditional use permit, or building permit, are subject to different and potential required improvements and associated timeframes.

International Building Code/International Existing Building Code - 2018 Edition. The State of Idaho adopts a new version of the International Building Code every three years. The IBC requires that a building be reviewed and updated for any change of occupancy and to ensure existing structures are built to standards to safely sustain the new tenant use and requested occupancy.

IBC 102.6 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Existing Building Code... or the International Fire Code.

102.6.1 Buildings not previously occupied.

A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of this code...as applicable, for new construction or with any current permit for such occupancy.

102.6.2 Buildings previously occupied.

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Fire Code...or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

IBC 105.1 Permits

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

IBC 111.1 Change of occupancy.

A building or structure shall not be used or occupied, and a change of occupancy of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2

[EB] 106.3 Examination of documents

The code official shall examine or cause to be examined the submittal documents and shall ascertain by such examinations whether the construction or occupancy indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Inspection Requests:

- Fire Department - Middleton or Caldwell Dist.
*Requested in Citizenserve Portal (Separate Portals for each District)
- Middleton Building Dept.
*Requested in Citizenserve Portal
*Note: Building inspection requests submitted prior to 4:00 pm will be scheduled for next business day.
- Southwest District Health: 13307 Miami Lane Caldwell, Idaho 83607 Ph: (208) 455-5300

Site Inspections: Any immediate code deficiencies or safety hazards identified during the inspections must be corrected before a permanent Certificate of Occupancy can be issued. If approved by Fire and Building inspectors, Temporary Occupancy may be issued to allow occupancy while non-life safety issues are being corrected.