



Request for Temporary CO

Development Services Department
777 B Street Hayward, CA 94541
510.583.4140

TEMPORARY CERTIFICATE OF OCCUPANCY

If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the project is completed, a Temporary Certificate of Occupancy (TCO) may be issued prior to the completion of the entire building or structure.

- **PLEASE NOTE: Approval from the Hayward Fire Dept. is required before TCO can be considered.**
- **Processing of the TCO request may take up to 4 weeks.**
- **All requests are processed on a case-by-case basis after completion of the following items:**
 1. A processing and review fee of **\$588** shall be paid upon submittal of this TCO application.
 2. All outstanding fees related to the project are to be paid in full.
 3. Electrical systems shall be completed and safe.
 4. Elevators shall have State Fire Marshal approval of safety components and certification.
 5. Disabled access features shall be substantially compliant. An accessible route shall be in place.
 6. Approval from Alameda County Health Department if required based on scope of work.
 7. Planning requirements complete
 8. Landscape - see attached form.
 9. Fire Department TCO requirements are met – see attached Hayward Fire Department form.

The following business or resident is requesting Temporary Occupancy at the following noted location effective on _____ (*Effective Date*) and expire at 12:00 noon on _____ (*End Date*).

BUSINESS NAME or RESIDENT NAME: _____

PERMIT APPLICATION NUMBER: _____

ADDRESS: _____

REASON FOR TCO REQUEST: _____



CERTIFICATE OF DEPOSIT

For Required Landscape Improvements for Issuance of Temporary Certificate of Occupancy

Certificate of Deposit (CD) shall be made by the Applicant **unless provided with a copy of fully executed Performance Bond for all improvements including landscape improvements**, and both the Applicant and the City names shall appear and must be connected by the word “and.”: **“City of Hayward and Purchaser’s Name”**

Required Submittals to the City when requesting a Temporary Certificate of Occupancy:

1. A confirmation letter from a manager of the institute where CD account is created to the City’s Landscape Architect stating account number, account amount, project address, building permit number, and purchaser’s name. The CD amount shall be equal to the full contract amount to complete landscape and irrigation improvements as shown on the approved plans. The letter shall state clearly that the account shall not be released without a written letter of release from the City of Hayward.
2. A copy of the CD account information showing the account type, account number, account amount and purchaser’s name.
3. A copy of the signed contract with landscape contractor/general contractor showing the contract amount for completing the work in conformance with the approved landscape and irrigation plans. The contract shall include reference information such as project name and address, client, project description and scope of work.

CD shall be released upon full acceptance of landscape improvements by the City Landscape Architect. A letter of release will be issued to the issuing bank with a copy to the building permit applicant/purchaser.

There shall be no financial benefit to the building permit applicant/purchaser if the work doesn’t get completed; however, the CD will allow the City to complete the work.



HAYWARD FIRE DEPARTMENT MINIMUM SAFETY REQUIREMENTS FOR OCCUPANCY

Hayward Fire Department minimum standards for Occupancy. ***All fire and life safety systems and components shall be installed per approved plans, tested, fully functional and trouble free prior to applying for occupancy through the City of Hayward Building Department. The Hayward Building Official is the issuer of certificate of occupancy.***

California Fire Code, Chapter 9, Section 901.5.1- Occupancy: *It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and approved.*

For purposes of this document, acceptance of required fire and life safety systems are defined as follows:

Fire Prevention

- Fire Access Roads and Doors
- Underground Fire Lines and Hydrants
- Exit Signs and Emergency Lighting
- Automatic Fire Suppression System(s)
- Fire Alarm System
- Suppression and Alarm Systems shall have Current Certification(s) and Active Monitoring
- F.A.C.P., Riser & Electrical Room Signage
- Emergency Voice Alarm Communications
- Emergency Responder Communication Coverage (Field test must be witnessed by ALCO Radio Specialist)
- Fire pump(s)
- Building Address
- Fire Extinguishers
- General Exiting
- Smoke Detectors in HVAC
- Smoke and Fire Dampers
- Rated Fire Barriers and Walls
- Emergency Action Plan
- Rack or Floor Storage shall not be over Approved Storage Height or Dimensions
- Elevator State Certification (must be completed prior to alarm final)
- Knox Box and/or auto gate key switches
- All open Fire permits must be finalized

Requests to consider temporary alternatives that provide equivalent levels of protection shall be reviewed and approved by the Fire Marshal or designee. Sufficient time shall be provided for the review process. Additional fees may be required to cover the additional time to review, inspect and monitor projects.

Example:

Fire Alarm Monitoring: An approved fire watch may be used, for a short period of time, in lieu of fire alarm *monitoring*, provided the fire watch meets established protocol. The Fire Marshal shall determine the number and area of coverage for fire watch personnel.

Hazardous Materials

In addition to the minimum fire and life safety system(s) installation, the following need to be in place prior to bringing hazardous materials onto the site or into the building:

- Rate Fire Barriers, Walls, and Related Penetrations
- Spill Control and Secondary Containment Mechanisms
- Specialized Fire Protection or Detection Equipment
- Hazardous Materials Detection System(s) Interconnected and Functioning
- Localized Alarm Systems Interconnected and Functioning
- Vehicle Crash Protection
- Exhaust Ventilation, Monitoring and Abatement Devices Operational
- Emergency Power Systems
- NFPA Placards, Labeling and Related Identification Systems in Place
- California Environmental Reporting System (CERS)/Business Plan Submittals
- Annual Permit Application
- Emergency Fire Department Information Boxes
- Other Mitigation Measures Specific to the Facility or Tool Installation (i.e., Emergency Power Off (EPO) devices or automatic shut-off valves)
- Spill Prevention, Control and Countermeasure (SPCC) Plans
- Seismic Anchoring and Restraints of Hazardous Materials Vessels and Equipment
- Hazardous Materials shall be below Maximum Allowable Quantities (MAQs)
- All Third-Party Evaluations Completed

Please note that if the site or facility is subject to the California Accidental Release Prevention (CalARP) Program requirements, the Government Code Section 65850.2 specifies that a complete Risk Management Plan (RMP) shall be submitted to the administering agency prior to the issuance of certificate of occupancy.

Requests to consider temporary alternatives that provide equivalent levels of protection shall be independently reviewed and approved by the Fire Marshal and/or the Hazardous Materials Program Coordinator. Sufficient time shall be provided for the review process. Additional fees may be required to cover the additional time to review, inspect and monitor projects where conditioned occupancy is issued.

For More Information Contact the Hayward Fire Department at (510) 583-4900

Or visit our website at:

<https://www.hayward-ca.gov/fire-department>

