



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

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## Policy Memorandum – ADMIN 111

**To:** Building Division Staff  
**From:** Samir Ghosn  
Deputy Community Development Director/Chief Building Official  
**Effective Date:** **March 10, 2020** (*Original Effective Date: August 1, 2012 / Revised: October 30, 2009 / June 10, 2009 / November 17, 2004 / February 21, 2001 / Supersedes CAC 110.2*)  
**Regarding:** **Certificate of Occupancy**

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Section 111 of the Newport Beach Administrative Code requires a Certificate of Occupancy be issued for a building after the Chief Building Official determines it is in compliance with the approved drawings meeting the California Building Codes and the Newport Beach Municipal Code and other laws or Policies enforced by the Building Division.

A Certificate of Occupancy will be issued for the following:

1. New residential dwelling.
2. Office Tenant improvement or restaurant tenant improvement regardless of occupancy classification. (*See Footnote 1.*)
3. Tenant improvement for a space which contains an assembly room with an occupant load of 50 persons or more. (*See Footnote 1.*)
4. For mercantile tenant improvement, occupancy group "M." (*See Footnote 1.*)
5. Change of use or occupancy.
6. Alteration to an assembly tenant space when the occupants load changes. In this case, a new certificate will be limited to specifying the new occupant load of 50 or more and will reference the original certificate of occupancy.
7. When an addition or alteration is made to a commercial use structure for which a prior certificate of occupancy has been issued.
8. Residential and nonresidential additions or alterations located in any Very High Fire Hazard Severity Zone (VHFHSZ).
9. Telecom Facilities (a 30-day Temporary Certificate of Occupancy may be issued until a radio frequency report is submitted to the Planning Division for review)

When the Building Division receives a request to generate a Certificate of Occupancy for an existing commercial establishment where no new construction work has been done and the original Certificate of Occupancy is not on file or has incomplete information, the following procedure shall be followed:

The request shall be made to the Principal Building Inspector or his/her designee in his absence. The designated building inspector will research the City records to recreate the original Certificate of Occupancy. Where the Certificate of Occupancy on file is deemed incomplete, a copy of it shall be used to fill out any missing information.

Where a certificate of occupancy is not found in the records, a new certificate will be generated based on the codes in effect at the time of construction and using any information the City have on file about occupant load, etc. In either case, the newly generated Certificate of Occupancy will be marked "duplicate" with the original date signifying the initial final inspection date on the permit record.

**Footnote 1:**

*A Certificate of Occupancy will be issued for the first tenant improvement in items 2, 3, 4 above and for subsequent tenant improvements which will increase or decrease the area of the tenant space or occupant load.*