

**City of Chicago  
Department of Buildings**

**RULES AND REGULATIONS  
for  
CERTIFICATES OF OCCUPANCY**

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**City of Chicago  
Richard M. Daley  
Mayor**

**Richard Monocchio  
Commissioner**

BY AUTHORITY VESTED IN THE COMMISSIONER OF BUILDINGS PURSUANT TO THE GENERAL PROVISION OF SECTION 2-22-040 (4) AND THE SPECIFIC PROVISION OF SECTION 13-36-040 OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES AND REGULATIONS REGARDING CERTIFICATES OF OCCUPANCY ARE ADOPTED HEREIN.

By Order of the Commissioner:

Regulation #xx-xx  
Adopted this date:

[Month] xx, 2009

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Richard Monocchio  
Commissioner

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**CITY OF CHICAGO  
DEPARTMENT OF BUILDINGS  
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**Rule 1. Definitions.**

For the purpose of these Rules, the following definitions shall apply:

- (a) "Applicant" means any owner of a building, or any permit holder for the construction or alteration of a building, that applies for the issuance of a certificate of occupancy for such building.
- (b) "Building" has the meaning ascribed to the term in Section 13-4-010 of the Code.
- (c) "Class A-1, single family dwellings," "Class A-2, multiple dwellings," "Class B, institutional units," "Class C-1, large assembly units," "Class C-2, small assembly units," "Class C-3, schools," "Class D, open air assembly units," "Class E, business units," "Class F, mercantile units," "Class G-1, low hazard industrial units," "Class G-2, moderate hazard industrial units," "Class H-1, low-hazard storage units," "Class H-2, moderate-hazard storage units," "Class H-3, garages," "Class I, hazardous use units," "Class J, miscellaneous buildings and structures," and "mixed occupancy" have the meanings ascribed to the terms in chapter 13-56 of the Code.
- (d) "Code" means the Municipal Code of Chicago.
- (e) "Commissioner" means the commissioner of the Department of Buildings of the City of Chicago.
- (f) "Department" means the Department of Buildings of the City of Chicago.
- (g) "Floor area" means the floor space enclosed by exterior walls, fire-walls or a combination of these structural elements, including the space occupied by the exterior walls or fire-walls.
- (h) "Major renovation or alteration" means any renovation or alteration that (1) results in a change of occupancy classification, as occupancy classifications are defined in chapter 13-56 of the Code; (2) replaces a central HVAC system with individual HVAC system that serves individual units; (3) relocates or reconfigures the exit stairwells of a building; or (4) changes or reconfigures the number of individual dwelling units or the distribution of individual dwelling units on any floor of a building except when the owner of two adjacent dwelling units combines such units into a single dwelling unit.
- (i) "Parking facility" has the meaning ascribed to the term in Section 13-96-890 of the Code.

**Rule 2. Certificate of occupancy, required.**

None of the following types of buildings which (i) are newly constructed or (ii) have undergone major renovation or alteration, shall be occupied until the commissioner issues a certificate of occupancy:

- (a) Class A-2, multiple dwellings of four or more units;
- (b) Class B, institutional units;
- (c) Class C-1, large assembly units;
- (d) Class C-2, small assembly units, having a capacity of more than 100 occupants or if used for any activity that requires a liquor license;
- (e) Class C-3, schools;
- (f) Class D, open air assembly units, if the Department determines that certificate of occupancy is required at the time of building permit issuance;
- (g) Class E, business units consisting of 10,000 square feet or more floor area;
- (h) Class F, mercantile units consisting of 10,000 square feet or more floor area;
- (i) Class G-1, low hazard industrial units consisting of 10,000 square feet or more floor area;
- (j) Class G-2, moderate hazard industrial units;
- (k) Class H-1, low hazard storage units consisting of 10,000 square feet or more floor area;
- (l) Class H-2, moderate-hazard storage units consisting of 10,000 square feet or more floor area;
- (m) Class H-3, garages consisting of 10,000 square feet or more floor area;
- (n) Class I, hazardous use units;
- (o) Parking facilities consisting of 10,000 square feet or more floor area; and
- (p) Mixed occupancy buildings consisting of three or more dwelling units or 10,000 square feet or more floor area.

**Rule 3. Certificate of occupancy application and issuance.** (a) The owner of any newly constructed, altered or modified building, or the permit holder for the construction, alteration or modification of any building, which shall not be occupied until a certificate of occupancy is issued by the commissioner, shall obtain a certificate of occupancy from the commissioner before occupying, or before causing others to occupy such building. The application for a certificate of occupancy shall be in writing on a form provided by the Department and it shall contain all the information required in such form. The application may be submitted in an electronic format as prescribed by the Commissioner.

(b) Upon receipt of a completed application, the Department shall schedule a certificate of occupancy inspection and notify the applicant. If the applicant wants to change or cancel a scheduled appointment, the applicant must notify the Department at least two business days prior to the appointment.

(c) The Department shall send the application for a certificate of occupancy to the Fire Department and to the Department of Zoning and Land Use Planning. The Department shall not issue a certificate of occupancy without receiving a written approval for such occupancy from the Fire Department and the Department of Zoning and Land Use Planning.

(d) The commissioner shall not issue a certificate of occupancy for any applicant if, after conducting a certificate of occupancy inspection, the commissioner determines that the building or portion thereof does not conform to the general, special and structural requirements of the Code applicable to such building.

**Rule 4. Certificate of occupancy inspection.**

Any applicant or the authorized representative of the applicant shall:

- (a) be present at the time of the scheduled certificate of occupancy inspection;
- (b) make sure that a representative for any technical trade is present at the inspection, if requested by the department;
- (c) make available at the inspection the full set of stamped permit plans and any technical document approved by the department;
- (d) make sure that all rooms and spaces required to be inspected can be accessed; and
- (e) provide all equipment required by the Department to undertake the inspection, including but not limited to, ladders, safety equipment, and lighting.

**Rule 5. Reinspection fee.**

A reinspection fee, as provided in section 13-20-051 of the Code, shall be assessed whenever any scheduled certificate of occupancy inspection cannot take place because of the absence of, or other action or inaction by, the building's owner or permit holder. The reinspection fee shall be paid to the director of revenue before a certificate of occupancy is issued.

**Rule 6. Enforcement.**

These Certificate of Occupancy Rules and Regulations shall be enforced by the Department. Nothing herein contained shall be construed to replace the independent certificate of occupancy inspection which is conducted by the Department of Zoning and Land Use Planning in accordance with the Chicago Zoning Ordinance.

**Rule 7. Attachment A.**

Attachment A duplicates the contents of some of these Rules in a tabular format and it is attached to these Rules for the sake of convenience. In case of any conflict between the language of these Rules and Attachment A, the Rules shall prevail.

**Attachment A**  
**Certificate of Occupancy Table**

Occupancy Classification	New Construction	Major Renovation or Alteration
Class A, Residential Units		
Class A-1. Single-Family Dwellings	No	No
Class A-2. Multiple Dwellings (3 or fewer dwelling units)	No	No
Class A-2. Multiple Dwellings (4 or more dwelling units)	Yes	Yes
Class B, Institutional Units (all sizes)	Yes	Yes
Class C, Assembly Units.		
Class C-1. Large Assembly Units	Yes	Yes
Class C-2. Small Assembly Units (101-300 occupants)	Yes	Yes
Class C-2. Small Assembly Units (with liquor license)	Yes	Yes
Class C-3. Schools (all sizes)	Yes	Yes
Class D, Open Air Assembly Units *	*	*
Class E, Business Units (less than 10,000 S.F.)	No	No
Class E, Business Units (10,000 S.F. or more)	Yes	Yes
Class F, Mercantile Units (less than 10,000 S.F.)	No	No
Class F, Mercantile Units (10,000 S.F. or more)	Yes	Yes
Class G, Industrial Units		
Class G-1. Low Hazard Industrial Units (less than 10,000 S.F.)	No	No
Class G-1. Low Hazard Industrial Units (10,000 S.F. or more)	Yes	Yes
Class G-2. Moderate Hazard Industrial Units (all sizes)	Yes	Yes
Class H, Storage Units		
Class H-1. Low Hazard Storage Units (less than 10,000 S.F.)	No	No
Class H-1. Low Hazard Storage Units (10,000 S.F. or more.)	Yes	Yes
Class H-2. Moderate Hazard Storage Units (less than 10,000 S.F.)	No	No
Class H-2. Moderate Hazard Storage Units (10,000 S.F. or more)	Yes	Yes
Class H-3. Garages (less than 10,000 S.F.)	No	No

Class H-3. Garages (10,000 S.F. or more)	Yes	Yes
Class I, Hazardous Use Units (all sizes)	Yes	Yes
Class J, miscellaneous buildings and structure		
Parking facilities (less than 10,000 S.F.)	No	No
Parking facilities (10,000 S.F. or more)	Yes	Yes
Other Class J, miscellaneous buildings and structures.	No	No
Mixed Occupancy Buildings (less than 10,000 S.F. with 2 or fewer dwelling units)	No	No
Mixed Occupancy Buildings (less than 10,000 S.F. with 3 or more dwelling units)	Yes	Yes
Mixed Occupancy Buildings (10,000 S.F. or more)	Yes	Yes

**Note:-** For the purpose of this Attachment A, “major renovation or alteration” means any renovation or alteration that

- (1) results in a change of occupancy classification, as occupancy classifications are defined in chapter 13-56 of the Code;
- (2) replaces a central HVAC system with individual HVAC system that serves individual units;
- (3) relocates or reconfigures the exit stairwells of a building; or
- (4) changes or reconfigures the number of individual dwelling units or the distribution of individual dwelling units on any floor of a building except when the owner of two adjacent dwelling units combines such units into a single dwelling unit.

\*The Department of Buildings determines certificate of occupancy requirement regarding Class D, Open Air Assembly Units, at the time of the issuance of a building permit for the construction or renovation of such units.