

780 CMR 120.0 CERTIFICATE OF OCCUPANCY

120.1 General: New buildings and structures: A *building* or *structure* hereafter shall not be used or occupied in whole or in part until the certificate of use and *occupancy* shall have been issued by the building commissioner or inspector of buildings or, when applicable, the state inspector. The certificate shall not be issued until all the work has been completed in accordance with the provisions of the approved permits and of the applicable codes for which a permit is required, except as provided in 780 CMR 120.3.

120.2 Buildings or structures hereafter altered: A *building* or *structure*, in whole or in part, altered to change from one *use group* to another; to a different use within the same *use group*; the fire grading; the maximum live load capacity; the *occupancy* load capacity shall not be occupied or used until the certificate shall have been issued certifying that the work has been completed in accordance with the provisions of the approved permits and of the applicable codes for which a permit is required. Any use or *occupancy*, which was not discontinued during the work of alteration, shall be discontinued within 30 days after the completion of the alteration unless the required certificate is issued.

120.3 Temporary occupancy: Upon the request of the holder of a permit, a temporary certificate of *occupancy* may be issued before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely prior to full completion of the *building* or *structure* without endangering life or public welfare. Any *occupancy* permitted to continue during the work shall be discontinued within 30 days after completion of the work unless a certificate of *occupancy* is issued by the building official.

120.4 Contents of certificate: When a *building* or *structure* is entitled thereto, the building official shall issue a certificate of *occupancy* within ten days after written application. Upon completion of the final inspection in accordance with 780 CMR 115.5 and correction of the violations and discrepancies, and compliance with 780 CMR 903.4, the certificate of *occupancy* shall be issued. The certificate of *occupancy* shall specify the following.

1. The edition of the code under which the permit was issued.
2. The *use group* and *occupancy*, in accordance with the provisions of 780 CMR 3.
3. The type of construction as defined in 780 CMR 6.
4. The occupant load per floor.
5. Any special stipulations and conditions of the building permit.

120.5 Posting structures:

120.5.1 Posted use and occupancy: A suitably designed placard approved by the building official shall be posted by the owner on all floors of every building and structure and part thereof designed for high hazard, storage, mercantile, factory and industrial or business use (use groups H, S, M, F and B) as defined in 780 CMR 3. Said placard shall be securely fastened to the building or structure in a readily visible place, stating: the use group, the fire grading, the live load and the occupancy load.

120.5.2 Posted occupancy load: A suitably designed placard approved by the building official shall be posted by the owner in every room where practicable of every building and structure and part thereof designed for use as a place of public assembly or as an institutional building for harboring people for penal, correctional, educational, medical or other care or treatment, or as residential buildings used for hotels, lodging houses, boarding houses, dormitory buildings, multiple family dwellings (use groups A, I, R-1 and R-2). Said placard shall designate the maximum occupancy load.

120.5.3 Replacement of posted signs: All posting signs shall be furnished by the owner and shall be of permanent design; they shall not be removed or defaced, and if lost, removed or defaced, shall be immediately replaced.

120.5.4 Periodic inspection for posting: The building official may periodically inspect all existing buildings and structures except one and two family dwellings for compliance with 780 CMR in respect to posting; or he may accept the report of such inspections from a qualified registered engineer or architect or others certified by the BBRS; and such inspections and reports shall specify any violation of the requirements of 780 CMR in respect to the posting of floor load, fire grading, occupancy load and use group of the building or structure.

780 CMR 121.0 UNSAFE STRUCTURES

121.1 General: The provisions of 780 CMR 121.0 are established by M.G.L. c. 143, §§ 6, 7, 8, 9 and 10.

121.2 Inspection: The building official immediately upon being informed by report or otherwise that a *building* or other *structure* or anything attached thereto or connected therewith is dangerous to life or limb or that any *building* in that city or town is unused, uninhabited or abandoned, and open to the weather, shall inspect the same; and he shall forthwith in writing notify the owner to remove it or make it safe if it appears to him to be dangerous, or to make it secure if it is unused, uninhabited or abandoned and open to the weather.