

TOWNSHIP OF HOWELL

DEPARTMENT OF COMMUNITY DEVELOPMENT & LAND USE

4567 Route 9 North, 2nd Floor
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Howell, NJ 07731-0580

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Certificate of Continued Occupancy

INSTRUCTIONS AND GENERAL PROCEDURES

The following description provides a general overview of the process for obtaining a CCO and the reasons for doing so. A CCO is a four (4) step review that the Department uses to ensure the continuity of our zoning ordinances and the safety of our residents and commercial tenants. Anytime a new business will occupy tenant space in an existing commercial building or if there is a transfer of ownership of the building or business, a CCO is required prior to occupancy.

A CCO requires a review and sign-off from three (3) Divisions within our Department. The first step is for the Division of Land Use to review the proposed zoning use of the business to ensure it conforms to the allowed uses in the zone. The second step is for the Division of Engineering to determine if the sewer discharge is connected to public sewer or if a connection is required or if the property is not in the sewer service area. The third step is for the Division of Uniform Construction Code (Building Department) to determine if the construction of the building (i.e. wood frame, brick, fireproof, etc.) meets the UCC requirements based on the use (assembly, business, institution, etc.). Finally the Building Department will come to the tenant space and review the structure for conformity to codes, life safety issues and any other building aspects that may affect the safety of our residents and commercial tenants. Once all four (4) steps are complete and any issues are resolved, the tenant will be issued a CCO.

REASONING AND SAMPLE PROBLEMS THAT MAY ARISE

The following should give the applicant a better understanding of the specifics and reasons for each review. The Division of Land Use will begin the overall process by reviewing the letter of intended use provided by the applicant. This letter must be written on company letterhead and must provide a description of the proposed use of the space. This will allow us to make a determination that the proposed business meets the use requirements for the zone the property is located within. We will cross check the previous approvals from the planning or zoning board to make sure that the proposed business will not violate any special conditions. If the intended business use is not permitted within the zone, the application will be denied and the applicant will have to make an application to the Zoning Board of Adjustment for a use variance.

Another reason that an application may be denied is that the proposed change in use of the business is permitted in the zone, but the change triggers ancillary details such as additional parking requirements. A perfect example would be changing a bank into a restaurant. Both may be permitted in a certain zone, but the restaurant requires additional parking stalls based on the number of seats and they are not provided on the site. The applicant would be denied and directed to the Planning Board to make a Site Plan application to expand the parking lot. However if the proposed tenant is a permitted use and the parking or any requirements will not be affected, the Division of Land Use will approve the application and the package will move to the next Division.

The Division of Engineering will start their review of the CCO application once the Division of Land Use has approved it. This Division is specifically looking for the sewer connections to the property. If the building is still on a septic system but sanitary sewer mains were installed in front of the property, the property owner will be required to hook up to the sanitary sewer main. The Division will give a reasonable timeframe to do so to avoid any delay to the prospective tenant, however failure to connect

within the required timeframe will result in the CCO being rescinded, the tenant must vacate the premises and the property owner will be fined \$500 per day. If no sanitary sewer mains are present, the Division will require a septic inspection and approval letter from the Monmouth County Board of Health. If the property is served by a well, the Division will require an approval letter from the Monmouth County Board of Health based on water test results obtained by a NJDEP certified lab contracted by the property owner. If the property is served by a public water system, no additional approval is required. Once all the outside agency approvals are obtained, the Division of Engineering will then approve the application and the package will move to the next step.

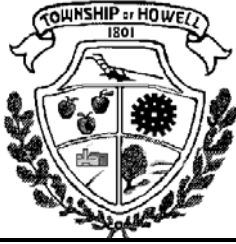
The Division of Uniform Construction Code (aka the “Building Department”) will perform the final two (2) steps in the process of obtaining a CCO. First, the Division will review the application and past history of the property. They are specifically looking for the “use” of the business based on the International Building Code (IBC). For example, changing the use from a bank to a restaurant will change the IBC use from a “Business Group B” to an “Assembly Group A-2”. This will require a change to the occupancy load based upon the square footage (s.f.) of the space. In addition, this may require additional fireproofing, means of egress, number of exit lights, etc. Typically, a change like this would also require a “Tenant Fit-Up” application from the Department which would include architectural plans, building tech sheets and additional fees. Also if the new tenant requires any work to the outside of the facility, i.e. parking lot resurfacing, lighting, ramps, etc. then a Site Plan application may be required. If no major changes to the interior or exterior are required, then the application would be approved and moved onto the final step which would be field inspections by this Division.

Keep in mind that any prospective business that will involve food and/or drink must be inspected by the Monmouth County Board of Health. The applicant shall make a separate application to the County, have an inspection performed and obtain a Retail Food Handlers License. Once this license is obtained, the applicant must register with the Howell Township Clerk’s Office. The Board of Health application and Clerk registration can be done concurrently while the CCO application is under review. The applicant must bring copies of both to the Department prior to the issuance of a CCO. (Wholesale Food Handlers must receive State Department of Health approval prior to issuance of a CCO.)

The final step in the four (4) step process is the field inspection work by the Building Department. Once the paperwork has been approved by the Building Department, a representative will call you to schedule the inspections. An inspector from each sub-code; building, electric, fire & plumbing will come out to your business to review your structure for safety and conformity to the building codes. We cannot give you the exact time that they will arrive as your inspection is part of our inspector’s total workload for the day. However we can guarantee that all four (4) inspectors will be there the same day between the hours of 9:00 am and 3:30 pm. A representative for the business must be on site in order for the inspectors to gain entry to the property. Failure to permit access will cause the inspector to cancel and you must call for a new inspection which may not occur for up to twenty (20) days.

Depending on the proposed use of the space, additional certifications from independent contractors or testing companies may be required. They include but may not be limited to: fire alarm, sprinkler, backflow preventer, boiler, elevator and kitchen hood certifications. Please provide a copy of these along with the application to prevent any delay in the issuance of a CCO. If everything in the field is reviewed and approved, a CCO will be issued and a representative from the office will call you to pick up the package.

This is a general overview of the process to apply for a Certificate of Continued Occupancy. This overview should not be considered all-inclusive and it is the responsibility of the applicant to follow all rules and regulations of the Township. If you have any questions or need additional information, please contact the office at the numbers listed above.



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CERTIFICATE OF CONTINUED OCCUPANCY APPLICATION

DATE RECEIVED: _____ FEE AMOUNT PAID: _____

RECEIVED BY: _____ PROJECT #: _____

ZONING APP. #: _____ ENGINEERING APP. #: _____

NON-UCC PERMIT #: _____ NON-UCC CONTROL #: _____

(Items above to be filled out by the Township)

(Please Print)

Date Prepared: _____ Zone: _____

Block(s): _____ Lot(s): _____

Site Address: _____

Suite: _____ Plaza/Mall: _____

Existing Tenant Business Name: _____

Existing Tenant Use: _____

Proposed Tenant Business Name: _____

Proposed Tenant Use: _____

Description of Proposed Use: _____

Name of Property Owner: _____
(Please Print) (Please Sign)

Owner Address: _____

Phone #: _____ Email: _____

Name of Proposed Tenant: _____
(Please Print) (Please Sign)

Applicant Address: _____

Phone #: _____ Email: _____

CERTIFICATE OF CONTINUED OCCUPANCY APPROVALS

The following information is to be filled out by the Township – Official Use Only

Project Number: _____ Block(s): _____ Lot(s): _____

Site Address: _____ Suite: _____ Plaza/Mall: _____

Proposed Tenant Business Name: _____

Division of Land Use

The application for a CCO from the Division of Land Use is hereby: Approved Denied

Notes or Special Conditions: _____

_____ Zoning App #: _____

Land Use Official: _____ Date: _____

Division of Engineering

The application for a CCO from the Division of Engineering is hereby: Approved Denied

Property is currently: Connected to sewer Exempt (Sewer not Available)

Not connected to sewer but sewer is available – Mandatory Hookup

Located in New Jersey American or Aqua Source Sewer service area

Notes or Special Conditions: _____

_____ Engineering App #: _____

Engineering Official: _____ Date: _____

Division of Uniform Construction Code (Bldg Dept.)

The application for a CCO from the Building Department has two parts:

Part 1 – Building Subcode Review: Approved Denied

Notes or Special Conditions: _____

Building Sub-Code Official: _____ Date: _____

Part 2 – Fire Subcode Review: Approved Denied

Notes or Special Conditions: _____

Fire Sub-Code Official: _____ Date: _____