

CERTIFICATE OF OCCUPANCY

Pursuant to §16.26B.110.1 Use and Occupancy of the Maui County Code, “No building, structure, or portion thereof shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Exception: Group R, Division 3 one and two family dwellings and Group U Occupancies.” Also, a certificate of occupancy will not be issued to structures approved and constructed as building shells.

Pursuant to §16.26B.110.6 Violations of the Maui County Code, “If any portion of a structure is occupied prior to obtaining a certificate of occupancy when a certificate of occupancy is required, the building official shall collect a \$1,000 fine prior to issuing the certificate. This shall not limit the ability of the department to avail itself of any other remedies available by law.”

Pursuant to §16.26B.105.3.3 (5) Plan Review Waiver of the Maui County Code, “If the structure is occupied prior to obtaining a release from the non-occupancy agreement, the building permit applicant shall pay a \$1,000 fine prior to the building official issuing a release from the agreement.” **Release letters** will be issued for plan review waiver building permits for repairs to commercial buildings, and for structures with Group R, Division 3 and Group U Occupancies, while certificates of occupancy will be issued for most plan review waiver building permits for commercial projects.

Pursuant to §16.26B.110.2 (12) Certificate Issued of the Maui County Code, “. . . A fee as set forth in the annual budget shall be paid prior to issuance of any certificate of occupancy.” The issuance fee for a certificate of occupancy is \$50, effective July 1, 2008, and is to be made payable to COUNTY OF MAUI.

A certificate of occupancy may be obtained upon compliance with building and associated permit requirements, or code compliance verified by miscellaneous inspections if a building permit is not required. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

Checklist for applying for a Certificate of Occupancy:

1. Completed Application for Certificate of Occupancy.
2. A location map on 8 ½ " x 11" size paper. **When the application is approved and the certificate of occupancy issued, the map will be copied onto the back of the certificate.*

For a new building:	The map shall include the current Tax Map Key and placement of all existing and proposed structure(s) on the property, clearly identified.
For a unit or space within a building:	Same as above, except the unit or space within the building is to be clearly identified.
3. For a Certificate of Occupancy by miscellaneous inspections, include the following:
 - A. A scaled and detailed floor plan(s) of area(s) to be inspected on 8 ½ " x 11" size paper, in addition to the above.
 - B. A notarized letter of authorization from the fee owner or property management, or a copy of the executed lease agreement.
 - C. \$204 miscellaneous inspection fee, payable to COUNTY OF MAUI.
 - D. If applying for Department of Health or Department of Human Services Clearance, please provide a copy of the State Application or License.

For further information, please contact the Building Permit Office at (808) 270-7250, or by email at Building.permits@mauicounty.gov . Office hours are 8:00 a.m. to 4:00 p.m. , Monday through Friday, (HST).