

**Temporary Certificate of Compliance / Occupancy**  
Haywood County Fairgrounds Arena Building

On January 4, 2011, I asked Bruce Crawford, Director, **Haywood County Building Inspections**, to inspect the Certificate of Occupancy for the Fairgrounds Arena Building. He indicated "The building is under a Temporary Certificate of Occupancy, for which (he indicated) there is no time limit or expiration date, it can be extended indefinitely. The building was started in 2004, completed in 2006, and the fire system was installed in 2007. There was a horse show prior to the fire system being installed, but the Fire Marshall was present."

From the North Carolina General Statutes:

**§ 160A-423. Certificates of compliance.**

At the conclusion of all work done under a permit, the appropriate inspector shall make a final inspection, and if he finds that the completed work complies with all applicable State and local laws and with the terms of the permit, he shall issue a certificate of compliance. No new building or part thereof may be occupied, and no addition or enlargement of an existing building may be occupied, and no existing building that has been altered or moved may be occupied, until the inspection department has issued a certificate of compliance. **A temporary certificate of compliance may be issued permitting occupancy for a stated period of specified portions of the building that the inspector finds may safely be occupied prior to final completion of the entire building.** Violation of this section shall constitute a Class 1 misdemeanor. (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 66; 1993, c. 539, s. 1092; 1994, Ex. Sess., c. 24, s. 14©.)

From the informal interpretation of the North Carolina Department of Insurance,

GS 153A-363 and 160A-423 state:

**"A temporary certificate of compliance may be issued permitting occupancy for a stated period of specified portions of the building that the inspector finds may safely be occupied before completion of the entire building."**

A temporary certificate of compliance is typically used on multi-story or large commercial buildings. When work is completed to a point where an area can be safely occupied, the inspector may issue a temporary certificate of compliance. **The temporary certificate of compliance must be in writing and must state the period of time for which it is valid. The temporary certificate of compliance must list all the Code items that remain to be completed. A temporary certificate of compliance should not be used to allow occupancy of an entire building when the building does not comply with all portions of the Code or other ordinances related to the work.**

**On or before the expiration date, the inspector must return to the site to verify that the Code items have been corrected. If the corrections have not been made, the inspector has the option of extending the temporary certificate of compliance or beginning one of the remedies discussed in the sections on administrative remedies or judicial enforcement to get the corrections made.**

The following page is what I received when I requested the Certificate of Compliance for the Fairgrounds Arena Building January 11, 2011. There is/was no mention of uncompleted ADA components (American Disability Act), you know, like wheel chair access and stuff like that.

Monroe A. Miller Jr.



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**JAN 11 2011**

**Temporary Certificate of Compliance / Occupancy**

This is to certify that the Haywood County Agriculture & Activity Center Arena has been inspected by the Haywood County Inspections Department and has been determined to be safe for occupancy. A final certificate of compliance / occupancy will be issued upon completion of the rest room facilities. The structure may be occupied based solely on the occupancy classification listed below.

Owner: Haywood County Agriculture & Activity Center

Address: Crabtree Rd.

Waynesville, NC 28785

Occupancy: Assembly: A-5

Building Contractor: Buncombe Construction

Permit Number: 04-229

Inspector (all trades): J. Bruce Crawford *J. Bruce Crawford*

Date: 6/1/2006

Building Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

Electrical Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

Plumbing Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

Mechanical Inspector: \_\_\_\_\_

Date: \_\_\_\_\_