



**DEPARTMENT OF PERMITS AND INSPECTIONS
COMMERCIAL REINSPECTIONS PROCEDURE**

PURPOSE – To provide guidelines in the issuance of commercial reinspection permits as required in section 7-103 (d) of the Code of Portsmouth or change of accounts.

Commercial Reinspections are intended to provide inspections of commercial property which have been vacant for over 90 days and are being occupied by a new tenant, or owner, or by the same tenant or owner if the nature of the property use is not changing. These inspections are mandatory to assure the safety of the tenant and the public.

Commercial reinspection permits must be applied for in person at the Department of Permits and Inspections. Cost of the permit is \$100.00, payable at the time of application.

A change of account whereas the use is not changing and the space has been vacant for less than 90 days, does not require a fee or inspection.

Guidelines – When there is a change of occupancy, use group or a change within the occupancy group that requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation, or sanitation, **a permit and a new Certificate of Occupancy is required**. The Building Official or his designee may waive this requirement and deem a Commercial Reinspection appropriate if a greater degree of code compliance, as noted above, is not required. In this case, the following guidelines are to be followed in the issuance of a commercial reinspection permit:

1. The Zoning Division should first review the application to determine if the location is zoned appropriately for the proposed use, and if a site plan is required. Zoning must also check to be sure a business license is approved.
2. Commercial Reinspections are required when EITHER of the following applies.
 - a. When deemed appropriate by the Building Official, even if there is a change of occupancy, use group, or a change within the occupancy group provided a greater degree of code compliance is not required OR;
 - b. When the property is vacant for 90 days or longer
3. Commercial Reinspections ARE NOT required when ALL of the following apply:
 - a. When it is a change of account only, AND
 - b. When there is no change of use group, AND
 - c. When there is continuous occupancy or when the space has been vacant for less than 90 days.

4. Minor Space: When only a small office area is involved with no electrical, mechanical or plumbing equipment, the property may be exempt from an inspection AT THE DISCRETION OF THE BUILDING OFFICIAL OR HIS DESIGNEE. In this case, a waiver letter will be granted and provided to the applicant.
5. Places of Assembly: Applicants for commercial reinspections for places of assembly (restaurants, theaters, nightclubs, churches, etc.) shall be referred to the Building Official to determine whether plans may be needed. (Plans must include a floor plan showing dimensions, exit doors, door swing, restrooms, Room identification, equipment and furniture in order to determine occupant load.)

Procedure – The following procedure is to be utilized in the issuance of a commercial reinspection permit:

- a. A Commercial Reinspection Application is to be filled out after the Zoning Division has granted approval for the use, by the new construction staff, based on information provided by the applicant. Much of this information may be found by accessing Real Estate Assessor information, previous building permit information, or previous Certificates of Occupancy. The Building Official or his designee will determine the occupancy load of the building (number of persons who can safely occupy at one time), use group and construction type. A detailed, dimensioned, scaled, and labeled floor plan of the entire space to be occupied is required. Plans must include a floor plan showing dimensions, exit doors, door swing, restrooms, Room identification, equipment and furniture in order to determine occupant load
- b. The application, checklist, and procedure, is to be discussed with the owner/tenant. The applicable paperwork is to be available to all inspectors, both in the office and on site for their approval or rejection and remarks on the day of the inspection. Owners/tenants may specify the day of the inspection. All inspections will be made between 2 p.m. and 4 p.m. on the day of the inspection or as otherwise agreed to with the applicant. The need for sign permits for all signs should be brought up at this time.
- c. Upon issuance of the Commercial Reinspection document, the Fire Prevention Bureau and Public Utilities – Water Quality are to be contacted by e-mail and phone, respectively. The Health Department is to be contacted by email for all food establishments.
- d. Once compliance is achieved, the applicant is to be issued a Certificate of Occupancy. Zoning must complete a Business License Clearance, to be taken to the Commissioner of Revenue by the applicant for business license issuance. The Zoning office is responsible for providing a copy of the Business License Clearance to the Commissioner of Revenue.

Action – This procedure is revised on: 2/1/2021