



## Occupant/Tenant Change-Out Bulletin

***You are moving into a vacant tenant space with a new business similar to the previous tenant and will not be performing any construction work; do you need a “building permit”?***

Yes, there are life safety requirements that must be approved before you can open for business. These life safety items are verified through a permit and inspection program administered through the **Development Service Center**, located at **161 South Charlotte Street**. The City of Asheville has streamlined this permit and inspection process to allow you to work with one inspector and complete only one form. You will be asked to complete a Commercial Application giving us information on the new business, certify you are performing no construction work, and pay a nominal inspection fee. After the permit is issued you must set up your space in the fashion it will be used; furniture, racks, displays etc. Once set up, you must schedule an inspection by calling **828-259-5946** the day before the date you desire an inspection. An Assistant Fire Marshal from the Asheville Fire Department will make an inspection. This inspection does not result in the issuance of a Certificate of Occupancy. If a Certificate of Occupancy is desired, additional inspections and fees apply. This Tenant Change out does not include ABC inspections.

This service is offered only for Tenant Change-Outs meeting the following criteria:

1. Like for Like Tenant – example: Business to Business
2. No Lapse in Occupancy- vacant less than 6 months
3. The building size and the proposed use(s) fall within the Level I classification
4. No Work (**other than painting**) is permitted - No flooring, moving walls, adding doors, reconfiguration of existing fixtures and furnishings, or construction of sales counter, etc.

The items listed below are the most common items the Assistant Fire Marshal will be looking for during inspection. Note that most items are maintenance or space set-up issues.

**Address & Tenant Identification:** Every building and business suite is required to post approved address numbers that are visible from the street and alley. The building address numbers shall be a minimum of six (6) inches in height and contrast with their background. The suite or room numbers shall be a minimum of four (4) inches in height and contrast with their background.

Spaces with a secondary exit to the exterior or exit corridor shall be provided with tenant identification by business name and suite address. Four (4) inch letters and numbers shall be posted on the exterior side of the secondary egress and shall be plainly legible and contrast with their background.

**Merchandise and Storage:** Storage, shelving, and displays cannot exceed 6 feet in height shall be anchored and braced against overturning.

**Aisle Clearance:** The minimum clear aisle width shall not be less than 36 inches.

**Exiting:** The maximum travel distance for a single exit space without exceptions is 75 feet and the maximum occupant load is 49 persons. Fixtures and displays shall be arranged so as not to create a “dead end” corridor more than 20 feet in length. Fixtures and displays of goods for sale to the public

shall be arranged so as to maintain free, immediate and unobstructed access to exits. Furnishings and other objects shall not be placed to obstruct exits, access to exits, or visibility of and to the exits.

**Exit Door Locks:** Exit doors shall be operable from the inside without the use of a key, special effort or knowledge. Keyed deadbolt locks are allowed by exception only.

**Exit signs and Emergency Lighting:** All must be functional when inspected.

**Fire Extinguishers:** Provide Multipurpose Dry Chemical type fire extinguishers with a minimum rating of 2A - 10B:C. Extinguishers shall be located on every floor or level. Maximum travel distance from any point in space or building cannot exceed 75 feet. Extinguishers shall be mounted on wall or installed in a listed cabinet no higher than 4 ft. above floor, plainly visible and readily accessible or signage shall be provided. Extinguishers shall not project more than 4 inches into any walking surface when mounted between 27 inches and 48 inches above the floor surface. They must bear a current inspection tag as well from a fire extinguisher company. Additional extinguishers are required in cooking facilities.

**Correction Orders:** This document is a guide and cannot be all inclusive. There may be other technical issues that are identified during the inspection process. Issuance of a permit under this program shall not prevent the City of Asheville from thereafter requiring correction of any violations of the Codes. Questions can be directed to 828-259-5441.

***If you find after you move in there are construction needs, you must reapply at the Development Service Center and disclose the proposed work, before doing any work. Working without a permit will result in fines and could delay the opening of your business.***



# TENANT CHANGE-OUT

- LIKE FOR LIKE TENANT
- NO LAPSE IN OCCUPANCY
- LEVEL I BUILDING
- NO WORK

Review Application

- 1) Confirm occupancy type is the same – example: Business to Business
- 2) If the space has been vacant for 6 months or more, plan review is required.
- 3) Check Buncombe County Tax Record to confirm the size of building falls within the *Level I* classification. This is the entire building SF, not just the tenant space. If located in a Level II or Level III Building, plan review is required.

Collect Fees & Issue Permit

This permit is only charged \$75 for the Fire Inspection plus a \$3 tech fee. If a Building Inspection is specifically requested or if a Certificate of Occupancy is requested then an additional \$78 shall be charged for the Building Inspection.

Schedule FIRE Inspection

PAC staff shall offer to schedule the Fire Inspection for the customer after reviewing the requirements identified in the Change-Out Bulletin with the customer. Otherwise, the customer should call 828-259-5946 the day before the date you desire an inspection.

Inspection

When the FMO performs the inspection they will verify all items identified in the Bulletin are in compliance. The FMO may disapprove the inspection if those items are not provided. The FMO may also issue a *Correction Order* and refer the customer back to the permit office if hazardous conditions or violations are present. The FMO may also elect to contact the Building Safety Commercial Inspection Coordinator to weigh in on concerns.

The Accela Record will close upon Final Release. A *Certificate of Occupancy* will not be issued unless specifically requested and a Building Inspection has been approved.

Update FireHouse

Upon completion of a passing inspection, the FMO shall update *FireHouse* to reflect the new tenant information, occupancy, and establish the routine inspection schedule. The FMO will re-visit the tenancy periodically (as scheduled) to verify all systems are being serviced as required and that the space remains in compliance.

#### NOTES:

1) The issuance of this permit shall not be construed as to address State or Federal requirements or regulations pertaining to the nature of the business. The tenant/operator shall be responsible for securing all required State and/or Federal approvals.

2) While the City of Asheville is not responsible for enforcing the American with Disabilities Act, it is your responsibility as a business owner to ensure barriers are removed for both your employees and your patrons. Visit the following website to learn more: <http://www.ada.gov/regs2010/smallbusiness/smallbusprimer2010.htm>

3) Muni-code ARTICLE I. - IN GENERAL Sec. 4-1. - Permit required. No person shall commence or proceed with the construction, reconstruction, alteration, repair, removal or demolition of any building or other structure, or any part thereof, without a written permit therefore from the building inspections division. Failure to obtain a such written permit shall constitute a violation of this article and subject the offender to a civil penalty in the amount of \$100.00 Please visit the Development Services Department to pull permits before beginning work.