
	BUILDING DEVELOPMENT POLICIES AND PROCEDURES COMMERCIAL	Effective Date: April 25, 2019
		Supersedes Policy Dated: November 12, 2015
	2.4 Joint Occupancy Evaluation Program	Issued by: Eric M. Mays, P.E.  Building Official

OVERVIEW



The Joint Occupancy Evaluation (JOE) Program has been developed to help facilitate the issuance of an Occupancy Letter or a new Certificate of Occupancy for an existing commercial tenant space when no alterations are proposed/required prior to occupancy. Based on the Program's criteria, a proposed project will be assigned one of the following categories:

1. Not Eligible – The Building Code safety requirements are complex and require a Tenant Layout Plan/Permit Application. The project will require plan review, permitting and approved inspections prior to the issuance of a Certificate of Occupancy.
2. JOE Level 1 – An Occupancy Letter is issued to the new tenant, and the Fire Marshal's Office will conduct a Fire Prevention Inspection after the tenant has opened their business. The proposed project is the same Building Code Use Group as the previous tenant, is not a Change of Use and:
 - a. A Certificate of Occupancy was previously issued.
 - b. The proposed project does not include any of the following Building Code Use Groups: Business (B) Group Patient Treatment, Hair/Nail Salons and Restaurants; Assembly Group Restaurants (A-2); Factory Group (F-1); Storage Group Motor Vehicle Repair (S-1).
3. JOE Level 2 – A Certificate of Occupancy is issued to the new tenant. A JOE Safety Inspection is conducted by Building Development and the Fire Marshal's Office in lieu of requiring a Tenant Layout Plan/Permit Application. All safety deficiencies must be corrected prior to the issuance of the Certificate of Occupancy. The proposed project is the same Building Use Group or is an approved Change of Use allowed by the Program and:
 - a. A Certificate of Occupancy was previously issued; or
 - b. There is no record of a Certificate of Occupancy, and the previous/current tenant occupied the space prior to January 1, 2005.

DEFINITIONS:

Alteration: Any construction or renovation to an existing structure other than a repair or addition. Examples include adding/relocating/upgrading: walls, plumbing, electrical work, and mechanical appliances/ducts/equipment (including cooking equipment).

Change of Use: A change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of the code.

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1. Tenant Projects - Not Eligible

The following tenant projects in existing structures are not eligible for the JOE Program and the projects will need to be submitted for tenant layout review, approval, inspections and permitting:

- Alterations are proposed / required prior to occupancy
- Change of Use, unless specifically addressed in this policy
- New patient treatment rooms
- New hair salons
- New nail salons
- Structures four (4) or more stories in height with a single tenant
- Shell Buildings (refer to [Policy 1.5 Commercial Partial Permitting Process for Shell Buildings](#))
- Tenant space without any previously issued Certificate of Occupancy, unless specifically addressed in this policy

2. Tenant Projects – JOE Level 1



Zoning Occupancy Permit Approval and Certificate of Occupancy Previously Issued

The JOE Level 1 is typically a counter approval, and a safety inspection is not conducted prior to occupancy. The Fire Marshal’s Office will conduct a Fire Prevention Inspection after the tenant has opened their business.

The new tenant is the same Building Code Use Group as the previous tenant, and there are no alterations proposed /required. (Note: Cosmetic improvements, such as the installation of floor coverings or painting are allowed.) The following uses are excluded from the JOE Level 1: Business Group Patient Treatment, Hair/Nail Salons and Restaurants; Assembly Group Restaurants (A-2); Factory Group (F-1); Storage Group Motor Vehicle Repair (S-1).

Building Development will conduct an administrative record evaluation. If a Certificate of Occupancy was previously issued and the proposed occupancy classification is consistent with that Certificate of Occupancy, Building Development will issue an Occupancy Letter to the applicant acknowledging that a new Certificate of Occupancy is not required and a safety inspection will not be required. Open and abandoned permit case information will be noted on the letter and must be resolved within 90 days of issuance of Occupancy Letter.

If the applicant requests a new Certificate of Occupancy, the Virginia Uniform Statewide Building Code mandates that a safety inspection be conducted, and the project will be placed in the JOE Level 2 category.

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3. Tenant Projects – JOE Level 2

Zoning Occupancy Permit Approval, No alterations are proposed/required prior to occupancy and one of the following:



- a. **Uses not approved as a JOE Level 1**
- b. **Change of Use allowed by JOE Program**
- c. **No Certificate of Occupancy, previous tenant occupied prior to January 1, 2005**
- d. **Safety Inspection requested by tenant approved as a JOE Level 1**

Building Development will conduct an administrative record evaluation and determine if a coordination meeting is required with the tenant. Additionally, if there are open or abandoned permits associated with the tenant space, the permits must be resolved prior to continuing with the JOE Program. Building Development and Fire Marshal’s Office will conduct a JOE Safety Inspection. Work needed to correct any discovered safety violations may require additional permits and final inspections for the new work prior to the JOE Final Inspection approval. A list of [Commonly Found Safety Violations in Existing Tenant Spaces and Buildings](#) is available to assist the customer.

If the scope of corrective work is extensive and exceeds that of a typical County safety inspection, the Building Official may require that a Virginia Registered Design Professional (VRDP), an appropriately Licensed Contractor, or Master Tradesman conduct a complete safety inspection. The VRDP, Licensed Contractor, or Master Tradesman will be required to submit a report to the Building Official with recommendations for review and approval prior to the commencement of work. If the scope of corrective work necessitates the enlistment of a VRDP or other consultants, the project may become ineligible to participate in the JOE Program and will be required to be submitted through the Tenant Layout Plan/Permit Process.



JOE Level 2 includes the following:

- No Change of Use: Business Group Patient Treatment, Hair/Nail Salons and Restaurants; Assembly Group Restaurants (A-2); Factory Group (F-1); Storage Group Motor Vehicle Repair (S-1)
- No previous Certificate of Occupancy Issued to Business, Mercantile or Storage Group (NOTE: The previous/current tenant occupied the space prior to January 1, 2005)
- Assembly Group to Business Group
- Assembly Group to Mercantile Group when fire suppression is not required
- Assembly (A-1) or (A-2) Group to Assembly (A-3) Group
- Business Group to Storage Group when fire suppression is not required
- Mercantile Group to Business Group
- Mercantile Group to Assembly (A-3) Group with a calculated occupant load of less than 1 person per 30 square feet
- Mercantile Group to Storage Group (excluding high pile and rack storage)

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Attachments/Hyperlinks:

- [Joint Occupancy Evaluation \(JOE\) Permit Application \(Commercial\)](http://www.pwcgov.org/eBuildingDevelopmentForms/forms/JOEPermitApplication.pdf)
{ www.pwcgov.org/eBuildingDevelopmentForms/forms/JOEPermitApplication.pdf }
- [Commonly Found Safety Violations in Existing Tenant Spaces and Buildings](http://www.pwcgov.org/government/dept/development/bd/Documents/CH0001.pdf)
{ www.pwcgov.org/government/dept/development/bd/Documents/CH0001.pdf }
- [Building Development Fee Schedule](http://www.pwcgov.org/BDDFeeSchedule)
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The following outlines the process steps for the JOE Program:

STEP	Agency	ACTION
<i>Step 1</i> Review JOE Program Policy	Early Assistance Desk or PWC Internet	Obtain and review this Policy (2.4 JOE Program) . Obtain, review, and complete the JOE Permit Application
<i>Step 2</i> Q-Matic Routing	Early Assistance Desk	Obtain Q-Matic ticket for routing for Steps 3 thru 5.
<i>Step 3</i> Address Verification	GIS (Mapping)	Obtain the address verification.
<i>Step 4</i> Zoning Approval	Planning/Zoning	Obtain the Zoning Approval and pay applicable Zoning fees.
<i>Step 5</i> JOE Permit Application	Building Permits	Submit JOE Permit Application with a copy of the Zoning Approval obtained in step 4 and the appropriate fees. For a project that does not require a safety inspection, the applicant will pay the non-refundable building application fee, and the Building Permits staff will issue the Occupancy Letter if the JOE Permit Application and the historical records are consistent. For a project that requires a safety inspection, the applicant will pay the non-refundable building application fee, the appropriate safety inspection fees, and the Certificate of Occupancy fee. If the quality control review is approved, the JOE Permit Application will be routed to Building Code Enforcement (BCE).
<i>Step 6</i> Coordination Meeting (if required)	BCE	BCE staff will review all documentation and confirm the project is eligible for the JOE Program. If the JOE Permit Application is denied, the applicant will be notified by telephone of the reason(s) for denial. If a coordination meeting is required, BCE will contact the tenant.
<i>Step 7</i> Safety Inspection (if required)	BCE and Fire Marshal's Office (FMO)	If the JOE Permit Application is approved and a JOE Safety Inspection is not required, BCE will issue an approval letter. If the JOE Permit Application is approved and a JOE Safety Inspection is required, BCE staff will contact the applicant to schedule the inspection that will be conducted by BCE and FMO staffs. <i>(Please also see a list of Commonly Found Safety Violations)</i>
<i>Step 8</i> Certificate of Occupancy (if requested or required)	Permits	After approval of a required JOE Safety Inspection, the applicant will be notified to obtain the Certificate of Occupancy. The Certificate of Occupancy will be issued, provided there are no outstanding fees.