

TS-47 CERTIFICATES FOR PUBLIC USE

ROLES AND RESPONSIBILITIES

Territorial Authority

To determine procedures in regards to assessing premises which are to be used by the public and determine whether a certificate for public use should be issued.

Building Manager

To audit procedures around public use premises to ensure buildings are not permitted to be used or occupied and that the building consent authority is meeting legislative requirements in respect to premises intended for public use.

Building Officer

To assess applications and determine if premises are fit for public use.

Administration Officer

To record information as outlined in the policies and procedures to the required standard.

BACKGROUND

Public Use Buildings

- Section 362(A) provides interpretation of buildings that are intended to be open to members of the public or used by the public, and relates to all or part of a building.
- Public use buildings are considered to be open to the public, whether the public are admitted on payment or not.
- Section 363 provides that is an offence for a person who owns, occupies or controls premises that are used by the public, to use, or allow to be used, any part of a public use building that is affected by building work;
 - where a Building Consent has been issued for, or
 - where a Building Consent should have been required for that work.
- Section 363A provides for a Certificate of Public Use that can allow public use buildings to be used while the building work affects the building or part of it.
- A Certificate of Public Use may be used where building work in a public use building has not been completed to a stage that a Code Compliance Certificate can be issued


PROCEDURE

1. DETERMINE IF PREMISES ARE FOR PUBLIC USE

- 1.1 Application to be made on the prescribed form, along with supporting documentation.
- 1.2 Verify it is a public building.
- 1.3 Check documentation against checklist.
- 1.4 Inspect the building for public safety.
- 1.5 The TA can only issue a Certificate for Public Use when satisfied on reasonable grounds, that the Public can use the building safely. The TA may apply conditions to the Certificate.

2 RESTRICTIONS ON ISSUING A CERTIFICATE OF PUBLIC USE

- 2.1 Certificates of Public Use can only be issued for buildings where the Building Consent was granted on or after 31 March 2005.

	<p style="text-align: center;">Clutha District Council</p> <p style="text-align: center;">Building Consent Authority Manual</p>	Doc Ref	TS-47 Certificates for Public Use-NV
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- 2.2 For Building Consents issued prior to 31 March 2005, or where a Building Consent was required but not obtained before 31 March 2005, building owners have until 31 March 2010 to complete building works and obtain a Code Compliance Certificate or Certificate of Public Use and Certificate of Acceptance:
- Code Compliance Certificate (Building Consents), or
 - Certificate of Public Use and Certificate of Acceptance where the work required a building consent but the work was carried out without the required building consent (see Certificates of Acceptance TS-36)

NOTES

Certificate for Public Use Checklist