

**CITY OF SANDY OAKS, TEXAS**

**ORDINANCE NO. 2025-248**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS ESTABLISHING CERTIFICATES OF OCCUPANCY**

**WHEREAS**, the City of Sandy Oaks, Texas is a Type A general law municipality incorporated and governed by Chapter 22 of the Local Government Code; and

**WHEREAS**, pursuant to the Texas Local Government Code, the City Council has the general authority to adopt and publish an ordinance or police regulation that is for the good government, peace or order of the municipality and is necessary or proper for the carrying out a power granted by law to the municipality; and

**WHEREAS**, the City Council finds the City has commercial building codes regulating and governing conditions and maintenance of all property, commercial buildings, and commercial structures and desires to protect the public health and safety of its citizens pursuant to Texas Local Government Code Chapter 54 the City Council by establishing regulations for certificates of occupancies;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS, THAT:**

**SECTION 1. LEGISLATIVE FINDINGS.** The City Council of the City of Sandy Oaks finds that the above foregoing recitals are true and correct and are hereby incorporated for all purposes as official findings of the City Council of the City of Sandy Oaks.

**SECTION 2. PURPOSE AND ENACTMENT.** Regulations are hereby prescribed for requirements and procedures of certificates of occupancy for the use of any commercial building hereafter erected or structurally altered; change in ownership, occupant, or name of the business; change in use of an existing commercial building from the prior usage; or change in the use of land to use of a different use for the purpose of determining compliance requirements and that the commercial building or proposed use of a commercial building or land complies with all the commercial building and health laws and ordinances.

**SECTION 3. CERTIFICATES OF OCCUPANCY AND COMPLIANCE**

- A. General. No vacant land shall be occupied or used, except for agricultural uses, no commercial building hereafter erected or structurally altered shall be occupied or used, no change of ownership, occupant, or name of the business, and no change of use of a commercial building or commercial structure from its prior use shall be used until a certificate of occupancy is issued by the Building Official, the City Administrator or designee.
- B. Procedure for Certificate of Occupancy. Written application for a certificate of occupancy for a new commercial building or for an existing commercial building which is to be altered shall be made at the time as the application for the building permit for such commercial

building and include the applicable fee as adopted by the City's Master Fee Schedule in effect. For changes in ownership, occupant, or name of the business, applications shall be made prior to the new owner, occupant or name of the business occupies the commercial building. Said certificate shall be issued after the Building Official, the City Administrator, or designee, orders the commercial building or commercial structure inspected and finds no violations of the provisions of this Ordinance or other regulations which are enforced by the City of Sandy Oaks. For new commercial buildings or commercial structures, said certificate may not be issued by the Building Official, the City Administrator, or designee, until after the erection or alteration of such commercial building or part thereof has been completed in conformity with the provisions of this Ordinance.

- C. Contents. A Certificate of Occupancy shall contain the following: (1) building permit number; (2) the address of the commercial building; (3) the name and address of the owner; (4) a description of that portion of the commercial building for which the certificate is issued; (5) a statement that the described portion of the commercial building has been inspected for compliance requirements and that the commercial building or proposed use of a commercial building or land complies with all the commercial building and health laws and ordinances, and with the provisions of these regulations; (6) the name of the person issuing the certificate, i.e., the Building Official, City Administrator, or authorized designee; (7) the use(s) allowed; (8) maximum number of persons/occupants; and (9) issue date of Certificate of Occupancy.
- D. Posting. The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official, City Administrator, or designee.
- E. Record keeping. A record of all certificates shall be kept on file in the office of the City Secretary, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the commercial building affected.
- F. Revocation. The Building Official, the City Administrator, or designee, may, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of this Ordinance whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the commercial building or commercial structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this Ordinance or any other codes or regulations adopted by the City, and any amendments thereto.
- G. Reoccupancy. Uses which are reoccupying an existing space or commercial building (i.e., no structural modifications) must comply with all the commercial building and health laws and ordinances, and with the provisions of these regulations, and with other applicable codes.
- H. Temporary Certificate of Occupancy. Pending the issuance of a certificate of occupancy, a temporary certificate of occupancy may be issued by the Building Official, City Administrator, or designee for the period not exceeding six months during the completion of alterations or during partial occupancy of a commercial building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the city relating to the use or occupancy of the premises, or any other matter covered by this chapter, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately ensure



the safety of the occupants.

**SECTION 4. PENALTY.** Any person or corporation violating or failing to comply with any provisions of this chapter shall be fined, upon conviction, not less than \$10, nor more than \$2,000, and each day any violation or non-compliance continues, shall constitute a separate offense.

**SECTION 5. REPEAL OF CONFLICTING ORDINANCES.** All City ordinances or parts of ordinances inconsistent or in conflict herewith, to the extent of such inconsistency or conflict, are hereby repealed.

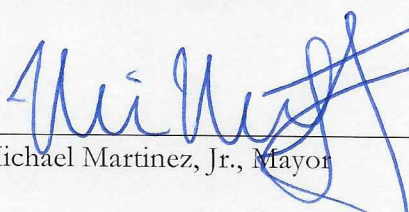
**SECTION 6. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase clause sentence paragraph or section.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its publication as required by section 52.011 of the Local Government Code.

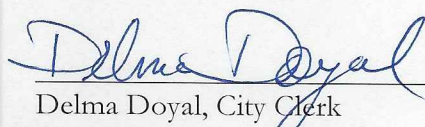
**SECTION 8. PUBLICATION.** The City Clerk is hereby authorized and directed to publish the caption of this Ordinance together with the penalty provision contained therein the manner and for the length of time prescribed by law.

PASSED, APPROVED AND ADOPTED THIS 13th day of March 2025.

CITY OF SANDY OAKS, TEXAS

  
\_\_\_\_\_  
Michael Martinez, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Delma Doyal, City Clerk



## OVERVIEW

### BUILDING SAFETY INSPECTION CERTIFICATE OF OCCUPANCY APPLICATION

A Certificate of Occupancy is required of all commercial establishments and must be applied for prior to occupancy of the space. A new certificate is required in all such instances: a business is relocated, occupancy type or use is changed, the name of a business is changed, or ownership is changed. Ownership changes include selling the businesses to another sole proprietor, selling the business to another franchisee, or selling the business to another corporate entity, **Certificates of Occupancy are not transferable from one person to another or from one entity to another.** It is highly recommended that each applicant contact the City Secretary to verify zoning prior to completing this application and the required attachments.

Prior to obtaining a Certificate of Occupancy, a Building Safety Inspection is required of the premises you are registering and can be scheduled with a 48-hour notice upon receipt of your application. The inspection is conducted by the Fire Marshal, and if applicable, the Health Official. This inspection ensures that the current mechanical, electrical, plumbing, building, and health codes meet the minimum requirements set forth by the International Code Council and provide for the health, safety, and welfare of the general public.

**The fee for the Certificate of Occupancy inspection is \$425.**

**All Applicants:** Staff is required to determine that each business entity has the proper documentation and zoning to conduct business in the city, county and state. To that end, each sole proprietor or corporate entity will need to provide documentation with this application.

**Every application must be accompanied with the following documents:**

1. A copy of the assumed name or DBA document issued by Bexar County
2. A copy of the notice from the State of Texas issuing the Texas Identification Number (TIN)
3. A copy of the Sales and Use Tax Permit issued by the State
4. A copy of the confirmation page for the purchase of the Knox Box by suite, if applicable. [www.KnoxBox.com](http://www.KnoxBox.com)

Note: The name on all the documents must be the same. If it is a corporate name and a DBA, the documents should include both. For example, ABC Corporation: DBA XYZ Store. The Texas Sales and Use Tax Permit must be for the business location in Sandy Oaks.

In addition to the documents listed above, some professions are required to have licensing through agencies of the State of Texas. The agencies can include, but are not limited to, the Texas Department of Licensing and Regulation, the Texas Department of Health and Human Services, and the Texas Alcoholic Beverage Commission, to name a few agencies. Applicants must include a copy of the State issued licenses.

**Food & Beverage Establishments/Mobile Vendors:** Any business or mobile vendor that intends to sell or serve food, beverages, or alcohol beverages must complete the Food and Beverage Application as well.

If you have any questions, please call the City Secretary at (210) 607-0834

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Permit Number



# APPLICATION

## BUILDING SAFETY INSPECTION CERTIFICATE OF OCCUPANCY APPLICATION

The following is an application for Certificate of Occupancy. **The fee for a certificate is \$425.00.** Certificates are valid for the duration of the registered business.

Prior to obtaining a Certificate of Occupancy, a Building Safety Inspection is required of the premises you are registering and can be scheduled with a 48-hour notice upon receipt of your application. The inspection is conducted by the Fire Marshal. This inspection ensures that the current mechanical, electrical, and plumbing, meet the minimum requirements set forth by the International Code Council and provide for the health, safety, and welfare of the general public. If you have any questions, please call the City Secretary at (210) 607-0834.

You may mail this application(s), attachments, and the fee (payable to the City of Sandy Oaks) to the City Secretary, 22870 Priest Rd, Sandy Oaks, Texas 78112 or deliver your application to City Hall, 22870 Priest Rd., Sandy Oaks, Texas 78112. A receipt and the original certificate will be mailed to the store location in Sandy Oaks.

**Please answer all of the following:**

1. New Building \_\_\_\_ Existing Building \_\_\_\_ Square footage (floor area) \_\_\_\_\_ Construction Type \_\_\_\_\_  
No. of Bathrooms \_\_\_\_\_
2. Name of Business \_\_\_\_\_ Business Phone \_\_\_\_\_  
Address of Property Where Business will be located in UC \_\_\_\_\_
3. Name of Business Owner \_\_\_\_\_  
Business Owner's Email \_\_\_\_\_
4. Business Owner's home/Corporate address (in case of emergency) \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Home/Corporate Phone \_\_\_\_\_ Alternate Phone \_\_\_\_\_
5. Proposed Use of Property/Type of Business \_\_\_\_\_
6. Past Use of Property \_\_\_\_\_
7. Building Owner's Name: \_\_\_\_\_  
Building Owner's Phone \_\_\_\_\_ Alternate Phone \_\_\_\_\_
8. Does property require any repairs or alterations? \_\_\_\_ Yes \_\_\_\_ No If YES, has building permit been issued? \_\_\_\_\_

\_\_\_\_\_  
Permit Number

9. Who will be responsible for carrying the electrical service for this business? Property owner or Business owner (circle one).
10. Will you be installing or changing any signs on the premises?  Yes  No
11. I understand that no signs will be installed or altered without first obtaining necessary sign regulations and permits.
12. Do you have an alarm at your business?  Yes  No. If yes, what type (Indicate **all** that apply)  
 Fire  Burglar  Robbery.
13. Have you applied for your alarm permit(s)?  Yes  No. If no, please apply for alarm permits at the Police Department.
14. I understand and agree that the use of the property is limited to item #6 and no repairs, alterations, or remodeling will begin without first obtaining necessary permits.
15. I understand that **all** utilities in the building, electrical, gas, and water must be on prior to the inspections being scheduled. Additional permits and/or fees may be applicable in some instances.
16. I have attached copies of the required documentation and attachments as outlined in the Overview of Certificate of Occupancy Inspection/Certificate of Occupancy.
17. I understand that a Knox Box is required for each suite and that it is my responsibility to insure a Knox Box is present and that a key to each suite is provided to the Fire Department. [WWW.KnoxBox.com](http://WWW.KnoxBox.com)
18. I understand that no Certificate of Occupancy shall be issued until such time that all required documentation has been provided. All inspections will be scheduled at the time payment for the permit is received.

**By signing this document, I hereby understand and verify, to the best of my ability, that all of the information contained herein, and within the required attachments, is true and correct.**

**Signature of Business Owner\*** \_\_\_\_\_ **Date** \_\_\_\_\_

\*If the person signing this document is not the owner of the business/corporation, the owner of the business/corporation must provide a letter, on company letterhead, naming the person(s) who are authorized to sign on behalf of the owner.

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Permit Number

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**FOR OFFICE USE ONLY**  
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Zoning District \_\_\_\_\_ Permitted Use? \_\_\_\_\_ Conditional Use? \_\_\_\_\_ Existing Non-Conforming Use? \_\_\_\_\_

Occupant Load \_\_\_\_\_ C of O # \_\_\_\_\_

Building Official Approval \_\_\_\_\_

Date of Issuance \_\_\_\_\_

Attachment Verification:

- A copy of the assumed name or DBA document issued by Bexar County
- A copy of the notice from the State of Texas issuing the Texas Identification Number (TIN)
- A copy of the Sales and Use Tax Permit issued by the State
- A copy of any State licensing
- Food & Beverage License Application, if applicable
- A copy of the confirmation page for the Knox Box purchase per suite, if applicable.  
WWW.KnoxBox.com
- Other: \_\_\_\_\_

\_\_\_\_\_  
Permit Number