



## News & Insights

### OMMA Rule Change re: Certificates of Compliance & Certificate of Occupancy - (Rules Eff. October 29, 2024)

December 17, 2024

By: [John M. Hickey](#)

#### Certificate of Compliance

The Certificate of Compliance must be issued by the political subdivision where the licensed premises is to be located.

Once a Certificate of Compliance is properly submitted showing full compliance, no additional certificate of compliance will be required for license renewal unless a change of use or occupancy occurs, or other change that would require additional inspection, licensure, or permitting by the state or municipality.

#### Certificate of Occupancy

All building permits and/or certificates of occupancy shall be issued by the Oklahoma State Fire Marshal or by the political subdivision with an authority having a jurisdiction agreement on file with the Oklahoma State Fire Marshal.

For the construction or alteration of any buildings or structures classified as occupancies under the building codes adopted by the Oklahoma Uniform Building Code Commission.

In all geographical areas where the applicable Certificate of Occupancy, Final Inspection Report, Site Plan and/or permits are not issued from and/or approved by local authorities, such documentation must be obtained from the Oklahoma Office of the State Fire Marshal.

Once a certificate of occupancy is issued by the Oklahoma State Fire Marshal or by the political subdivision with an authority having a jurisdiction agreement on file with the Oklahoma State Fire Marshal *and such certificate of occupancy has been submitted to the Authority* showing full compliance, a licensee shall only need to submit an affidavit for license renewal stating the premises continues to comply with zoning classifications, applicable municipal ordinances, and all applicable safety, electrical, fire, plumbing, waste, construction, and building specification codes.

An additional certificate of occupancy along with an affidavit shall be submitted *if a change of use or occupancy occurs*, or there is any change concerning the facility or location that would, by law, require additional inspection, licensure or permitting by the state or municipality. Licensees are responsible for

compliance with applicable state fire, building, and electrical codes and may be liable for all damage that results from noncompliance with state fire, building, and electrical codes to the extent authorized by law.

**For all commercial license applications submitted on or after June 14, 2024** that require a building permit and/or certificate of occupancy for licensure, applicants who submitted a full and complete application for a building permit and/or certificate of occupancy issued by the Oklahoma State Fire Marshal or the political subdivision with an authority having a jurisdiction agreement on file with the Oklahoma State Fire Marshal *prior to February 1, 2024* and while the same application remains under review by the State Fire Marshal or political subdivision, the applicant *may submit an attestation* on a form and in a manner prescribed by the Authority certifying that the applicant submitted a full and complete application for a building permit and/or certificate of occupancy prior to February 1, 2024, and that the same application remains under review by the Oklahoma State Fire Marshal or the political subdivision.

If you have any questions or concerns, please feel free to contact a member of our team.

## Attorneys

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- John M. Hickey

## Practices

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- Cannabis Law