

Planning & Zoning Department  
Stormwater Department

## Guidance: Completion Agreement Process



A Completion Agreement may be entered between a property owner and the City of Goshen as stated in the Goshen Board of Public Works and Safety (BOW) Resolution 2021-29.

A Completion Agreement allows for the issuance of a Certificate of Occupancy (C of O) during cold season months when a project has passed its final building inspection, but final site requirements for the Stormwater Department and Planning & Zoning Department cannot yet be met due to adverse weather conditions. This legal agreement, signed by the Board of Works, may include a surety amount.<sup>1</sup>

### Completion Agreement Process Timeline:

1. Builder or property owner requests and schedules a final building inspection.
2. Property owners submit a Completion Agreement [Application](#) to the Goshen Stormwater Department.
  - a. [stormwater@goshencity.com](mailto:stormwater@goshencity.com) or 204 East Jefferson Street, Suite 1
  - b. **Applications may be submitted from the first Monday in November through the second Monday of March.<sup>2</sup>**
  - c. **Include any quotes obtained for labor and work to be completed. This figure will be used to validate the amount of the surety.**
3. Planning & Zoning and Stormwater Departments perform a site inspection to assess the project status and, if applicable, the surety amount. City Departments review final requirements with the property owner and a Completion Agreement is drafted.
  - a. **Items not completed upon time of scheduled inspection will be included in the agreement and surety amount.**
4. Project passes final building inspection.
5. Completion Agreement is finalized and provided to the property owner for review and signature.
6. Two (2) signed copies (both with original signatures) of the Agreement along with the appropriate surety (if applicable) are submitted to Engineering by the property owner.
  - a. **Signed agreements and applicable sureties must be submitted by 4 pm on the Monday before the Board of Works is to consider approval of a Completion Agreement (BOW meets every Thursday besides the 3<sup>rd</sup> Thursday of the month at 4pm). [Click here for the 2024 BOW calendar.](#)**
7. Upon the Board of Public Works and Safety's approval of the Completion Agreement, a Certificate of Occupancy may be obtained.
8. When final site requirements have been met as defined in the Completion Agreement, property owners must notify Goshen Engineering so follow-up inspections can be scheduled.
  - a. **Property owners must complete final site requirements by June 15.**
9. When inspectors determine a project site satisfactorily meets the requirements detailed in the Completion Agreement, the surety will be released.

<sup>1</sup> See next page for information on surety applicability and accepted types.

<sup>2</sup> During years with unusual weather, the Goshen Board of Public Works and Safety may extend the application timeline.

*Please note, because of processing time and the BOW schedule, **Certificate of Occupancy issuance can take anywhere from 4-5 days to several weeks after passing the Final Building inspection.** Please submit detailed applications early to ensure the process can be as short as possible.*

### Surety Applicability and Accepted Types

A surety is required if the cost of the remaining work to be completed is estimated by the City to be at least Two Thousand Dollars (\$2,000), or if the remaining work to be completed includes the installation of a driveway, parking lot, sidewalk, curbing or other hard surface improvements, regardless of cost.

#### Accepted Surety Methods

- Surety Bond
- Letter of Credit
  - must contain language found in the “Sample Irrevocable Letter of Credit” (available upon request)
  - must be printed on the Bank’s letterhead.
- Cash Bond
  - Can include Cashier’s or Corporate Check payable to “The City of Goshen”

*Note: checks will be cashed by the City and refunded upon adequate completion of work. If using a cash or check option, persons must complete a W-9 tax form to aid the refund process.*

#### Surety Release

- Line of Credit:
  - Goshen Legal sends letter releasing all interest in the line of credit. A copy of the letter will be provided to the property owner.
- Cash or Check:
  - Please plan for processing time. Requests by Wednesday at 4:00pm will typically result in a surety release by the end of the following week.