



Board of Commissioners

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Portage County Building Department

Non-Residential Commercial / Industrial Buildings

Floodplain Administration

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Change of Occupancy / Use or Missing Certificate of Occupancy

Policy – Procedure – Application

Policy . . .

Chapter 34 of the Ohio Building Code, 2024 edition:

- **Section 3408.1 Conformance.** No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies, unless such building is made to comply with the requirements of this code for such a division or group of occupancies. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.
- **Section 3408.2 Certificate of Occupancy.** A certificate of occupancy shall be issued where it has been determined that the requirements of Section 3408 have been met, there are no outstanding orders, and it has been determined that no serious hazards exist.

Notes . . .

- *If the owner / applicant is planning any physical changes to the building, including but not limited to alterations, additions, or other changes; please refer to the Building Dept information document under the Commercial Section titled "Policy, Application, Plan Review, Permit, Guidelines", which can be found on the Building Dept web page.*
- *If the owner / applicant is not planning any physical changes, please read on.*

Required Procedure . . .

- Obtain local approval for the type of business to be housed in the existing building through the Township or Village Zoning Department (*Change of Occupancy / Use only*).
- Submit a copy of the Zoning Approval along with the "Application for Change of Occupancy", to the Building Dept. Be certain to accurately complete all sections on the application and include the fees as stated.
- Submit a copy of the previously issued Certificate of Occupancy for the existing building, or provide a detailed and dimensioned floor plan of the building, including each and every room and their intended use, and any fixed or moveable details, such as counters, booths tables, etc. This is required to calculate the number of occupants that the building can hold. Having this prepared by a licensed Ohio Design Professional (architect or engineer), where they have also provided the occupant design load calculations, will help expedite the process and provide the applicant with an accurate record of their building.
- After receipt, the required special inspections will occur as early as the next business day, or at a date requested by the applicant.
- Upon completion of the inspections, and if any serious hazards exist, the owner / applicant will receive a determination letter from the Building Official that will indicate the serious hazards, or any other limiting conditions, and the required remedies associated with each, including further efforts and/ or applications.
- Upon satisfactory completion of all requirements – a Certificate of Occupancy will be issued.

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