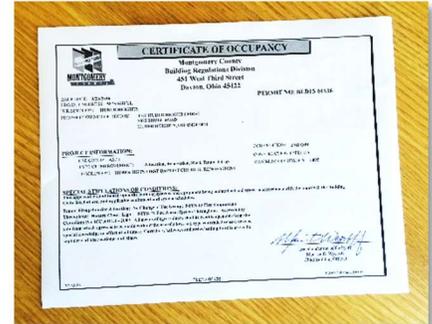


OBTAINING CERTIFICATES OF OCCUPANCY FOR EXISTING BUILDINGS

Montgomery County Building Regulations
451 West Third St, 10th Floor
Dayton, OH 45422
Phone: 937-225-4622 Fax: 937-225-6327

PROJECT SUCCESS CHECKLIST

In Ohio the owner of an existing building may request the issuance of a Certificate of Use and Occupancy. The building official shall issue a certificate of occupancy, **provided there are no violations of law or orders of the building official pending, and it is established after inspection and investigation that the alleged occupancy of the building or structure has heretofore existed. Please be aware that an existing building with proposed change of occupancy, alterations, or addition, is not qualified for this application.**



To ensure timely approval and inspection, this guide explains what needs to be submitted, and what needs to be inspected, by whom, and in what sequence.

WHO'S INVOLVED

You will need approvals from some or all of the following:

- **Zoning department** – Verifies the proposed use is a permitted use, even if it is a continuation of a previously approved use. They may need updated contact information.
- **The Building Department** – issues permits and inspects the building or space for conformance with the plans and checks the life safety features
- **The Fire Department** – Consults with the Building Department in the course of their inspection and investigation to determine that the historic occupancy is consistent with the request and that there are no unsafe conditions or outstanding violations of law.
- **Public Health – Dayton & Montgomery County** – they need to approve the re-establishment of any food service operation.

You can find out who to contact in each jurisdiction in Montgomery County at our website: [Montgomery County Business Services Building Regulations \(selectmcoho.com\)](http://selectmcoho.com)

SUBMITTING A PERMIT

Apply online at [Montgomery County Business Services Building Regulations \(selectmcoho.com\)](http://selectmcoho.com)

WHAT'S COVERED, AND WHAT'S EXEMPT

Example of what's included:

The certificate of use and occupancy can be requested for existing buildings, and for existing spaces within a building.

The current or proposed use of the existing building or space must be consistent with historic use of the structure.

FREQUENTLY ASKED QUESTIONS

What permits do I need if I'm just moving into an existing space, and doing no remodeling?

- **Continuation of existing uses.** To use a building in the same manner as previously approved, such as a dress shop occupying a former men's clothing store, and the former use had been legally approved, no new Certificate of Occupancy is needed. C.O.'s are issued for a specific use of a building or space, not a specific tenant, and do not expire if the use does not change.
- **Same overall use, but some specific changes in occupancy.** If any significant changes are proposed in how the spaces are used, even if the overall use remains the same, the changes must be approved by our department. Examples include converting offices into storage rooms (may require fire rated separations or fire sprinklers), or storage rooms to employee lounges (may require additional mechanical ventilation).
- **New use of an existing space.** Some proposed occupancies are considered a Change of Use and may increase the amount of people using the building enough that additional exits, toilet facilities, ventilation systems and fire suppression systems are required, such as locating a church in a space previously approved for business use. Also, when a new use goes in a building, specific code requirements for that use must be met, such as installing alarm systems in churches or daycare centers.
- **Same use, I think, but I can't prove it.** A variety of documentation approaches may be considered. Contact your design professional or our department if you have questions. Montgomery County maintains extensive permit approval records which are available to the public for research any time during normal business hours. Contact our office for details about our Records Research Policy.

WHAT NEEDS TO BE SUBMITTED FOR APPROVAL

- Zoning Certificate
- Site Plan
- Floor Plan
- List of Materials Stored (if applicable). See last page.

WHAT NEEDS TO BE SHOWN ON THE SITE PLAN

- Site plan to show the entire building (Site plan can be an aerial map from the Montgomery County Auditor's GIS Home Page)
- Parking spaces
- Sidewalks
- Curbs
- Ramps
- Accessible parking spaces
- Accessible route from accessible parking to building entrance.
- If the building has multiple tenants, indicate all building tenants.

WHAT NEEDS TO BE SHOWN ON THE FLOOR PLANS

- Building code information that includes proposed and existing occupancy and use classification, total building area, area of tenant, construction classification and occupant count. Indicate if the building has a sprinkler system and fire alarm system.
- Floor plan(s) shall be drawn to a scale (suggested 1/8"=1'-0" or 1/4"=1'-0")
- Show the entire floor plan/tenant space
- Dimension overall tenant space, all rooms and corridor/aisles
- Provide room names
- Fire extinguishers
- Exits (Doors with door swings and windows)
- Emergency lights and exit signs

- Electric panel, Water heater, HVAC equipment
- Plumbing fixtures (service sinks, drinking fountains, toilets, ...)
- Restroom grab bars
- Countertops and cabinets
- Furniture (Chairs, tables, retail shelving and fixtures)
- Indicate a 36-inch minimum wide accessible path.

DEFINITIONS

Ohio Building Code – Chapter 3 Occupancy and Use Classification

- (A-1, A-2, A-3, A-4, A-5) Assembly occupancies include, among others, a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social, or religious functions; recreation (indoor or outdoor), food or drink consumption or awaiting transportation.
- (B) Business occupancies include, among others, offices, barber and beauty shops, colleges and adult education.
- (E) Education occupancies include K-12 Schools, daycare with no children under 2-1/2 years of age.
- (F-1, F-2) Factory occupancies include, among others, the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as a Group H hazardous or Group S storage occupancy.
- (H-1, H-2, H-3, H-4, H-5) Hazardous occupancies include, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard.
- (I-1, I-2, I-3, I-4) Institutional occupancies include, among others, the use of a building or structure, or a portion thereof, in which care (personal, custodial, or medical) or supervision is provided to persons who are or are not incapable of self-preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted.
- (M) Mercantile occupancies include, among others, the use of a building or structure or a portion thereof for the display and sale of merchandise, and involve stocks of goods, wares, or merchandise incidental to such purposes and where the public has access.
- (R-1, R-2, R-3, R-4) Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes such as hotels/motels, apartment houses, dormitories, group homes, and assisted living facilities.
- (S-1, S-2) Storage occupancies include, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.
- (U) Utility buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy are to be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy.

Ohio Building Code – Chapter 6 Construction Classification

- Type I - Noncombustible, generally reinforced concrete beams and columns.
- Type II - Noncombustible, generally structural steel beams and columns. Walls may be reinforced concrete, masonry or metal studs.
- Type III - Noncombustible/combustible, generally masonry wall construction with wood floor and roof beams of wood trusses.
- Type IV - Heavy timber, generally large dimension wood beams and columns.
- Type V - Combustible, generally buildings constructed of dimensional lumber (2x) for walls, floors and roof rafters or wood trusses.

SUPPLEMENTAL INFORMATION THAT WILL BE HELPFUL

- Photographs of exterior and interior, labeled
- Construction date of the structure
- Existing construction documents where available.
- Evidence of historic use(s)

WHAT TYPICALLY NEEDS TO BE INSPECTED, AND BY WHOM

Copy of the Building Department permit and approved plans must be on jobsite for inspection

Z = Zoning

B = Building Inspection

F = Fire Inspection

H = Health Department

- | | |
|--|---|
| <input type="checkbox"/> Condition of site features – Z | <input type="checkbox"/> Exit signs and emergency lights – B, F |
| <input type="checkbox"/> Posted address on the structure – F, B | <input type="checkbox"/> Door hardware- B, F |
| <input type="checkbox"/> Authorized access must be provided to all areas of the structure, including basements and utility areas - B, F, H | <input type="checkbox"/> Sprinkler & fire alarm systems - F |
| <input type="checkbox"/> Checking for unsafe, unauthorized or unsanitary conditions – B, F, H | <input type="checkbox"/> Fire extinguishers - F |
| | <input type="checkbox"/> Having knowledgeable representatives of the owner at the building is helpful - ALL |