



Department of Commerce

Division of Industrial Compliance & Labor
John R. Kasich, Governor
David Goodman, Director

Bureau Policy for Change of Occupancy Plan Submission

❖ Introduction:

- Occasionally we receive inquiries regarding change of occupancy plan submission requirements. The code provisions in chapter 34 OBC are somewhat unclear about exactly what the procedures and plan submission requirements are. This policy is generated to give a general guideline for the change of use approval procedures and required documentation.

❖ Code Requirements and References:

- Section 3402.1 OBC** defines change of occupancy as “a change in the **purpose or level of activity** within a structure that involves a change in application of the requirements of the code”.

Not only the change of use and occupancy but also a change in the level of activity while maintaining the same use group will constitute the “change of occupancy”. **A change in the level of activity may include increased occupant loads, increased path of travel to the means of egress, or additional required equipment or systems etc., that will raise the level of hazard based on life and/or fire risk.**

- Section 3406.1 OBC** states “no change of occupancy shall be made to any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless building is made to comply with the requirements of this code for such division or group of occupancy. **Subject to the approval of the building official,** the use or occupancy of existing buildings shall be allowed to be changed and the building is allowed to be occupied for the purpose of 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 building.

❖ Plan submission and fee requirements:

Based on the above code sections, the building official has determined that the following documentation and procedures are required for a change of occupancy plan submission:

- Application form:
Complete and submit the “Ohio Application for Building Plan Approval” (DIC 3016).
- Plan requirements:
 - Submit **three (3) sets** of construction drawings sealed by an Ohio registered design professional(s).
 - For existing buildings **without proposed alterations**, drawings shall show at a minimum the existing and proposed use group designations, construction type, existing floor plan with new room names, occupant loads, required means of egress components, existing electrical panel and load information for the new use group, existing mechanical system and equipment, existing plumbing fixtures, and existing fire protection systems, etc.
 - For existing buildings **with alterations**, in addition to the requirements in item #2 above, drawings shall also show alteration details for each scope of work in the building.

- A walk-in plan review appointment can be scheduled for change of occupancy approvals. Call Woody Nelson at the Division of Industrial Compliance at (614) 644-2622 to schedule an appointment.
- Approval fees: Plan review and inspection fees shall be charged as follows:
 - For existing buildings **without alterations**:
 1. \$250 processing fee for **each trade** applicable to the building,
 2. The square footage fee shall be based on the minimum 100 square feet for **each trade** applicable to the building,
 3. \$65 fee for certificate of use and occupancy
 4. \$3.25 fee for Ohio Board of Building Standards
 - For existing buildings **with alterations**:
 1. \$250 processing fee for **each trade** applicable to the building.
 2. A basic square footage fee times the actual square footage of floor area involved in the alteration for **each trade** applicable to the building,
 3. \$65 fee for certificate of use and occupancy,
 4. \$3.25 fee for Ohio Board of Building Standards
- Inspections:

Regardless if the application included alterations or not, the applicant must call for inspection for each trade applicable to the building. Inspectors shall verify that the existing and altered building components are in compliance with the approved plans and applicable building codes for the proposed new use group(s).

- **Special clarification:**

For change of occupancy in existing building, the property owner may wish to occupy the existing building for the new use group without any alterations. However, in view of many fire and life safety issues concerning the change of occupancy, the building official has determined that the existing building components shall be evaluated, verified, and drawings prepared by an Ohio registered design professional. These plans shall be submitted to DIC for review and approval for all change of occupancy applications **regardless** if the new use occupancy is more or less hazardous than the existing use occupancy. Because of the complexity of verifying code compliance in existing buildings, the analysis and drawing preparation **cannot be performed by the owner or their contractors**. This information must be verified and submitted by an Ohio registered design professional in accordance with section 106.2.1 OBC.

Please note that once the plan review process is completed, the building official may determine that alterations are required to bring the existing building components up to the current code requirements. Many times these changes may not be anticipated. **It is highly recommended to consult with the building official prior to purchasing or leasing a building or tenant space.**

DIRECTIONS FOR COMPLETING OHIO APPLICATION FOR BUILDING PLAN APPROVAL

In accordance with Ohio Administrative Code (OAC) Chapter 4101:1-1-06, pursuant to Ohio Revised Code (ORC) Section 3791.04, before beginning the construction, erection or manufacture of any building for which construction documents are required, including all industrialized units, the owner shall submit three (3) copies of construction drawings to this division for approval. Two (2) additional sets of plans are required when we have jurisdiction for the Plumbing and/or medical gas. The construction documents shall be accompanied with the application form and attached worksheets. The construction documents shall be prepared by a registered design professional pursuant to OAC 4101:1-1-06.3.4. An examination and inspection fee will be assessed at the time of submittal as outlined in OAC 4101:1-1-08.2.

Application Directions: Complete page one of the application and attached worksheets as outlined below. All boxes, 1 through 23, must be completed in full or the application will be returned. Send this completed form along with all required documents to “Ohio Department of Commerce, Division of Industrial Compliance, Bureau of Building Code Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068-9009”

1. Check all boxes that apply to the proposed project. If you wish to apply for phased approval for the project, check the proper box for the phased approval and submit the phased plan approval work sheet with this application.
2. List the County where the proposed project is located. ***Also, indicate if special inspections are required for this project in accordance with the provisions in section 1704 OBC. The project design professional shall evaluate the project regarding the required special inspection work items in accordance with section 1704 OBC. If special inspections are required per section 1704 OBC, obtain the special inspection statement form from the State Bureau of Building Code Compliance and submit the completed form for review immediately.***
3. In order to establish the proper building department jurisdiction, please check yes or no.
4. Please respond in order to comply with federal law regarding proposed construction within a flood plain.
5. Enter the number of sheets included in one set of your drawings.
6. Refer to Ohio Building Code (OBC) Chapter 2 for definitions.
7. ***If this project is submitted as a continuation of a preliminary plan review before, please provide the CPA number for the preliminary plan review.***
8. List any previous or related Certificate of Plan Approval (CPA) number(s) associated with this submission.
9. List exact title of project or name of business. For inspection purposes provide specific address and location including tenant space, building floor number, suite numbers, crossroads, landmarks or any other directional guidelines.
10. Provide owner name, their address, telephone, and a contact person.
11. Provide submitter name, their address, and telephone. All correspondence will be sent to the submitter.
12. According to the OBC Section 106.2 the design professionals must be identified by completing all information including their Ohio registration number.
13. Refer to OBC Chapter 6 for Types of Construction.
14. Provide current use group and occupancy type if submission is for an existing building. Otherwise, show N/A and move on to 14.
15. Transcribe from plans or refer to OBC 302.1 for the new use group and occupancy type.
16. Provide total cost of construction work covered in scope of project shown in box 1.
17. Provide the structural, electrical, mechanical, or Industrialized Units square footages.
18. Provide the lineal footage of fence, underground service, or other non-square footage submissions.
19. If sprinkler is checked in box No. 1, list the area that covers the installation of the sprinkler system only.
20. If project includes alarm devices, show the total number of devices included in the project.
21. Total fees due calculated from corresponding fee worksheets.
22. Please check the method of payment.
23. In order to rescind a standing adjudication order and to stop further legal proceedings, list the number found on the order.
24. Application cannot be processed without the name of the owner or agent for the owner.
25. For DIC office use only.

Once the plans have been examined and approved, a Certificate of Plan Approval will be issued to the owner along with two sets of construction documents. One of the sets of construction documents must remain at the job site at all times during construction pursuant to OAC 4101:1-1-06.3.1. Inspections can be obtained from the Division of Construction Compliance by calling the dispatch center at least one day prior to the inspection. The dispatch phone number is (800) 822-3208. Once all inspections have been obtained a final Certificate of Occupancy will be issued pursuant to OAC 4101:1-1-10.1.

WORKSHEET FOR FEES TO BE PAID

Special Note: See attached instruction sheet regarding the allowed number of inspections covered under the fees listed below. Additional inspection fees will be required when the actual number of inspections exceeds the allowed number for each scope of work.

** Round up all lineal and square footage figures to the next 100 feet

BUILDING GENERAL FEES	
A. \$250.00 Processing Fee	\$
B. \$9.50 per 100 Square Feet** (Ex. if 103 sq ft, round to 200 sq ft)	\$
C. \$9.50 per 100 Lineal Feet** (Ex. fences, if 103 lineal ft, round to 200 lineal ft)	\$
MECHANICAL FEES	
A. \$250.00 Processing Fee	\$
B. \$5.75 per 100 Square Feet** (Ex. if 103 sq ft, round to 200 sq ft)	\$
ELECTRICAL FEES	
A. \$250.00 Processing Fee	\$
B. \$5.75 per 100 Square Feet** (Ex. if 103 sq ft, round to 200 sq ft)	\$
C. \$5.75 per 100 Lineal Feet** (Ex. Site light wires or conduits, if 103 lineal ft, round to 200 lineal ft)	\$
FIRE ALARM FEES	
A. \$250.00 Processing Fee	\$
B. \$5.75 per Alarm Device	\$
SPRINKLER FEES	
A. \$250.00 Processing Fee	\$
B. \$5.75 per 100 Square Feet** (Ex. if 103 sq ft, round to 200 sq ft)	\$
INDUSTRIALIZED UNIT FEES	
A. \$200.00 Processing Fee	\$
B. \$1.75 per 100 Square Feet** (Ex. if 103 sq ft, round to 200 sq ft. These Industrialized Unit fees are only required if you are placing an approved Board of Building Standards Industrialized Unit at a commercial or industrial site for the first time. Otherwise, ignore this fee box.)	\$
CERTIFICATE OF USE AND OCCUPANCY FEE (108.8 OBC)	\$ 65.00
SUB TOTAL	\$
BOARD OF BUILDING STANDARDS (BBS) FEE	\$ 3.25
TOTAL (transfer this amount to Total Fees to be Paid on the front side of this application)	\$
Make fee check payable to: Treasurer, State of Ohio	

Fees are due when plans are submitted. If you have fee related questions when completing this worksheet, call 1-800-523-3581.

** Lineal and square footage figures rounded up to the next 100-square/lineal feet.

OFFICIAL USE ONLY	
Additional Fees Due	\$
Refund Due	\$

State of Ohio, Bureau of Building Code Compliance

Inspections: (Excluding plumbing and medical gas permits)

The fees provided for in Table 115.2 of the Ohio Building Code (OBC) will include only the following number of inspections per scope of work:

Total Square/Linear Footage	Maximum Number of Inspections included in permit fees
0-2,500	5 per each scope of work
2,501-10,000	6 per each scope of work
10,001-20,000	9 per each scope of work
20,001-30,000	10 per each scope of work
> 30,000	Add 1 inspection per each additional 10,000 s.f.

If a project requires more inspections than the maximum set forth above for the square/linear footage, then each additional inspection will be considered a re-inspection and subject to the charge of **\$150 per re-inspection fee** as set forth in OBC § 115.6.

Examples:

- The permit fees for a 5,200 square feet new restaurant building construction with sprinkler and fire alarm systems will include a total of **6 inspections** for **each scope of work**.
 - The scope of work is defined in the fee worksheet as “**Building General (Structural)**”, “**Mechanical**”, “**Electrical**”, “**Fire Alarm**”, “**Sprinkler**” and “**Industrialized Units**”.
 - For example, the 6 allowed inspections for building general (structural) shall be the sum of inspection for each work item such as footing/foundation, slab, interior rough, interior finish, structural above ceiling, final inspection, etc. The same for each scope of work.
 - Any **unused** number of allowed inspections for one scope of work **can not** be transferred to be used for another scope of work.
 - It is the **contractor** and the **owner’s responsibility** to make necessary arrangements for the actual number of the required inspections per code.
 - If the number of actual inspections exceeds the allowed number for each scope of work, additional inspection fees will be charged accordingly.
 - **No certificate of use and occupancy will be issued at the completion of the project if there is any outstanding additional inspection fee.**

Changes After Final Approval

According to section 115.2.4 OBC, if changes are made to construction documents after final plan approval has been issued and it requires resubmission, the review and approval of the changes will be subject to a \$250 Processing Fee and a \$100/hour fee for construction document examination by a Plans Examiner. If an inspection cannot be completed due to changes that have not been approved by a plans examiner, an additional \$150 re-inspection fee per section 115.6 OBC will be required **regardless of the allowed number of inspections has been used up or not.**