

# BOCONEO

BUILDING OFFICIALS CONFERENCE OF NORTH EAST OHIO



APRIL, 2026

## BOCONEO Officers

### President

Jim Urankar  
Safebuilt

### First Vice President

Dan Perno  
Highland Heights

### Second Vice President

Mark Patterson  
Safebuilt

### Secretary/Webmaster

Monica Ferrante  
Mayfield Heights

### Treasurer

Jim Decker  
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### Education Chairmen

Dan Perno  
Highland Heights

### Cooperating Member

### Past President

Dale Steppenbacker  
Twinsburg

## President's Message

As we enter the 2026 calendar year, our continued focus remains on consistency, collaboration, and sound, code-based decision-making throughout Northeast Ohio. Certificates of Occupancy remain one of the most common—and most critical—areas of enforcement across our jurisdictions.

### Building Safety Month

Building Safety Month is an international campaign observed each May to promote awareness of building safety. This year's theme, "Built to Last" encourages active participation from all jurisdictions. We strongly encourage all Building Departments to get involved. A great first step is to visit the ICC website and work with your local municipality to adopt an official proclamation recognizing Building Safety Month. If you need assistance or a sample proclamation, please contact a Board Member.

<https://www.iccsafe.org/advocacy/building-safety-month/building-safety-month/>

### Annual Golf Outing

Please save the date for our Annual Golf Outing on Friday, July 31, 2026, to be held at Rolling Green Golf Club. Registration materials and sponsorship opportunities are available on the BOCONEO website. We are committed to making this event another success and encourage all members to support the outing by participating and securing hole sponsors.

### In-Person Meetings

If you have registered for an upcoming in-person meeting and later find that you are unable to attend, please notify the Board so your spot can be reassigned. A simple email to [boconeo@gmail.com](mailto:boconeo@gmail.com) is sufficient.

**Wednesday, April 15, 1:00-4:00**

***lunch at noon***

**Existing Buildings with Robert Schutz**  
**3 hours - all certifications**

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**REGISTER**

**ROUNDTABLES via WEBEX**  
**9:00 am (1 hour)**

**Tuesday, 4/14, Building Official**  
**Wednesday, 4/15, Plans Examiner**  
**Thursday, 4/16, Plumbing**  
**Friday, 4/17, Electric**



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## *President's Message*

### **2025 John Kornik Memorial Scholarship Awards**

We extend our sincere appreciation to the 2025 Scholarship Committee for their time and dedication in reviewing applications and selecting this year's recipients:

- Dave Hocevar – Village of South Russell
- Monica Ferrante – Mayfield Heights
- Allison Lesniak – Geauga County
- Doreen Eppich – Geauga County
- Jim Decker – SafeBuilt

Scholarship recipients will be invited to attend BOCONEO's in-person educational session in May.

### **Membership Dues**

Membership renewal and new member applications are available on the BOCONEO website. Please note that all members—including retired members—must submit an application annually. Dues are payable January 1 and are considered late after March 1 st , 2026. We kindly ask that you submit your dues promptly to maintain active membership status.

### **EXISTING BUILDING OCCUPANCYS**

Certificate of Occupancy (CO)

When a Certificate of Occupancy is Missing or Never Issued

Introduction:

For buildings that never received a CO because they predate modern CO requirements, Ohio law (especially the Ohio Building Code's "existing buildings" provisions) generally frames the issue as an administrative verification problem: if an existing building has been lawfully occupied and there are no pending orders/violations, the code contemplates continued use and allows the owner to request issuance of a CO for an existing building after inspection and investigation.

Continued...



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## *President's Message*

For genuinely “lost” CO documents (i.e., a CO once issued but the owner or the building department cannot locate the record), the most practical statewide remedy is typically to pursue an “existing building” CO through the authority having jurisdiction (local certified building department or the state). The Ohio Department of Commerce’s application materials (DIC 3019) operationalize this by requiring proof of longstanding use (e.g., utility bills, lease, insurance documentation), a recent fire safety inspection showing no outstanding orders, and floor plans, among other items.

A Certificate of Occupancy is verification, not redesign. Existing buildings are not required to meet new code unless a change of use or hazard exists. Any denial must include written adjudication orders, code citations, and appeal rights to ensure due process. Across Ohio, Building Officials frequently encounter structures where a Certificate of Occupancy (CO) was never issued or cannot be located. This raises an important question: Can a CO be issued today—and if so, how?

### **2026 Practical Application:**

If a Certificate of Occupancy is missing but historical occupancy can be verified, the Building Official shall issue a Certificate of Occupancy after inspection. If occupancy cannot be verified, the situation may be treated as an unapproved occupancy or change of use requiring compliance with the current Ohio Building Code.

### **Understanding the Law:**

OBC Section 111.1 requires a CO prior to occupancy. OBC Section 111.4 allows issuance for existing buildings if the occupancy can be verified, there are no violations, and no serious hazard exists.

### **The Key Question:**

Can the original occupancy be proven? This determines the entire process.



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## *President's Message*

### **EXISTING BUILDING OCCUPANCYS**

Two Guideline Paths for Approval of an Existing Occupancy

#### **Path A – Existing Occupancy Can Be Proven (OBC 111.4):**

1. Written request from owner
2. The building owner must provide proof of use with one of the following:
  - a) Archived COs
  - b) Fire department records
  - c) Tax records
  - d) Utility records
  - e) Business licenses
  - f) Lease agreements
  - g) Historical aerials/maps
  - h) Health department approvals
  - i) Building and fire inspections
  - j) Corrected violations
  - k) Issue CO

#### **Path B – Occupancy Cannot Be Proven or Has Changed:**

##### **Change of occupancy identified:**

1. The occupancy cannot be proven to exist for a period of at minimum for two years or the building has been vacant or was a white box.
2. Change of use or change of occupancy is more hazardous than the originally approved occupancy
3. Serious hazards present
4. Unapproved construction

##### **Construction Documents Required:**

- Permit application required
- Sealed drawings
- Full plan review
- Inspections and approvals
- Issue new CO



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## *President's Message*

### **Certificate of Occupancy (CO)**

#### **When a Certificate of Occupancy is Missing or Never Issued**

#### **Understanding the Law**

OBC Section 111.1 requires a CO prior to occupancy. OBC Section 111.4 allows issuance for existing buildings if the occupancy can be verified, there are no violations, and no serious hazard exists.

#### **111.1 Approval required to occupy**

No building or structure, in whole or in part, may be used or occupied until the building official has issued an approval in the form of a certificate of occupancy or certificate of completion in compliance with this section.

#### **111.4 Existing buildings**

Upon written request from the owner of an existing building or structure, 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 previously existed. This code does not require the removal, alteration or abandonment of, or prevent the continuance of, the occupancy of a lawfully existing building or structure, unless such use is deemed to endanger public safety and welfare.

#### **OFC Section 102.3**

The State Fire Marshal (SFM) added language in 2026 OFC Section 102.3 to clarify that: Buildings or portions of buildings shall not be occupied where work has been performed without required permits or approvals, when such permits/approvals are required by law.

#### **Ohio Case Law Guidance Legal Authority Supporting CO Requirements**

Fifth Column, LLC v. Village of Valley View

Practical Takeaway:

- Court upheld requirement for Certificate of Occupancy prior to business operation
- Confirms occupancy without a CO is unlawful

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### **City of Springdale v. Ohio Board of Building Standards**

- Confirms Ohio Building Code is controlling statewide
- Local jurisdictions must enforce CO requirements

Practical Takeaway: A Building Official cannot legally allow occupancy that does not comply with the Ohio Building Code, even if local pressure or past practice suggests otherwise.

### **N. Canton v. CF Homes, LLC (2025-Ohio-522)**

- Upholds inspection and enforcement authority tied to occupancy
- Supports verification prior to issuing CO

Practical Takeaway: Per N. Canton v. CF Homes, LLC (2025-Ohio-522), municipalities have authority to require inspection and verification of code compliance prior to occupancy and issuance of a Certificate of Occupancy.



Jim Urankar  
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## Treasurer Report

For the month of March Checking:

Starting Balance: \$30,386.77

Checks: \$2,854.86 (\$2,720 Trevi, \$134.86 Alfredo's)

Debits: \$178.63 (\$27.54 CISCO March, \$27.54 CISCO April, \$123.55 Oak & Embers)

Deposits/Credits: \$4,360

End Balance: \$31,713.28

For the month of March Money Market:

Starting Balance: \$76,716.05

Interest: \$0.65

End Balance: \$76,716.70

For the Month of March Scholarship:

Starting Balance: \$100.00

Checks/Debits: \$0.00

Deposit: \$296.58

End Balance: \$396.58

As of April 05, 2026, checking has \$32,312.50.

Respectfully submitted:

James E. Decker, Jr.  
BOCONEO Treasurer-2026  
April 5, 2026



Jim Decker  
Treasurer



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## *1st Vice President/Education Report*

As we approach Spring, we approach a time of renewal...a time of growth.

Our industry is currently in dire need of more qualified code professionals.

If you are reading this, you already have a leg up on the competition.

Let's embrace this time of growth and push ourselves to be better. Let's take those exams for the next certifications. Let's challenge ourselves to achieve the next level.

Look, nobody is going to push you but you.

If you want to obtain something you've never had, you must do something you've never done.

There is nobody else to blame for you leaving \$10,000, \$20,000, or more on the table because you've allowed yourself to become comfortable.

Consistency is KEY!

Give yourself at least one hour a day to study the material.

Take at least one practice exam every day.

Do this for 30 to 60 days.

Get yourself to where you are consistently scoring an 85% – 90% on your practice exams and you will pass the ICC exam.

DO NOT BE AFRAID OF FAILING A TEST!!

Ultimately, a test is to spotlight what we don't know.

Failure means you tried!

Do NOT gauge your success by someone else's results or timeline.

Again, consistency is key.

Come On, You GOT THIS!

Remember, the trick is not memorizing the exams, the trick is learning how to navigate through the code books.

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## *1st Vice President/Education Report*

Having said all that, below are some websites for practice exams.

Keep in mind, ICC no longer offers 2018 Exams, so use 2021 and 2024 code books and exams.

England Training Division <https://www.ibcode.com/>

Building Code Masters <https://www.buildingcodemasters.com/>

Building Code Pros <https://buildingcodepros.com/2024-icc-exam-prep/>

ICC <https://www.iccsafe.org/professional-development/education/study-guides/>

Udemy

<https://www.udemy.com/courses/search/?src=ukw&q=Building+Inspector+Exams>

Quizlet <https://quizlet.com/search?query=icc-building-inspector&type=all>

There are also videos on YouTube.

Don't be afraid to organize a study group, meet at a library and pool your resources. Study together with flashcards.

I will mention it at the Building Official Round Table and at our In-Person Class, if you've taken your exams and have the books and would be willing to sell them or loan them out, please let us at BOCONEO know via email.

Conversely, if you need books and/or flash cards, we can put your name on that list as well with your contact information.

We will put up the list on each month's outgoing email blast and newsletter.

A very wise man once told me, "I can explain it to you, but I cannot understand it for you."

Now is the time, invest in yourself and your future!

Dan Perno CBO-MCP  
Education Chairman  
1<sup>st</sup> Vice President

