

BUILDING CODE ACT
CONSOLIDATION OF BUILDING CODE REGULATIONS
R-009-2018
In force September 1, 2018

(Current to: September 6, 2018)

Note: see s.48 and 49 of R-009-2018 for transitional provisions.

AS AMENDED BY:

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of statutes can be ascertained from the *Revised Statutes of the Northwest Territories, 1988* and the Annual Volumes of the Statutes of the Northwest Territories (for statutes passed before April 1, 1999) and the Statutes of Nunavut (for statutes passed on or after April 1, 1999).

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

- c. means "chapter".
- CIF means "comes into force".
- NIF means "not in force".
- s. means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
- Sch. means "schedule".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.*)
- SI-013-2017 means the instrument registered as SI-013-2017 in 2017. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

- R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the *Revised Statutes of the Northwest Territories, 1988*.
- R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the Northwest Territories, 1988*. (*Note: The Supplement is in three volumes.*)
- S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
- S.Nu. 2011,c.15 means Chapter 15 of the 2011 Annual Volume of the Statutes of Nunavut.

BUILDING CODE REGULATIONS

Definitions

1. (1) In these regulations,

"approved form" means the relevant form approved under section 29 of the Act;
(*formule approuvée*)

"building", for greater certainty, includes part of a building; (*bâtiment*)

"building permit" means a permit for the purposes of construction; (*permis de construire*)

"constructor" means a person constructing a building, and includes a contractor and subcontractor; (*constructeur*)

"field review" means a review of construction at the project site and, where applicable, at locations where building components are fabricated for use at the project site; (*examen sur place*)

"occupancy permit" means a permit for the purposes of occupation; (*permis d'occupation*)

"Plumbing Code" means the National Plumbing Code adopted and incorporated under subsection 6(1), as modified under subsection 6(2); (*Code de la plomberie*)

"regulatory Codes" means the Code and the Plumbing Code. (*Codes réglementaires*)

Same

(2) Unless otherwise defined in the Act or these regulations, the defined terms in the regulatory Codes apply to these regulations.

Reference to these regulations

(3) For greater certainty, unless the context requires otherwise, a reference to these regulations includes a reference to the regulatory Codes.

Appointing authorized representative

2. (1) An owner may, in writing, appoint an authorized representative.

Revoking appointment of authorized representative

- (2) Where an owner revokes the appointment of an authorized representative,
- (a) the owner shall notify a building official in writing; and
 - (b) the revocation takes effect at the time a building official receives the notification.

Acting through authorized representative

(3) Where these regulations permit or require an owner to do something, the owner may do so either personally or through an authorized representative.

Actions of authorized representative binding

(4) An owner is bound by the actions of the owner's authorized representative under these regulations.

Requirement or direction to authorized representative

(5) Where these regulations provide that a building official may require or direct an owner to do something, the requirement or direction may be made to an authorized representative of the owner.

Effect of requirement or direction to authorized representative

(6) Where a requirement or direction is made to an authorized representative of an owner, it binds the owner as if it had been made to the owner personally.

Paramountcy

3. If there is any inconsistency between these regulations and a code or standard adopted under section 4 of the Act, these regulations prevail to the extent of the conflict.

Application of Act and regulations

- 4.** (1) The Act and these regulations do not apply to the following:
- (a) materials, systems and equipment regulated under the *Technical Standards and Safety Act*;
 - (b) mechanical or other equipment and appliances to which the regulatory Codes do not apply;
 - (c) sewerage, water, electrical, telephone or similar systems, not being part of a building, located in an area that has been dedicated or deeded for public use;
 - (d) flood control dams, hydroelectric dams, dams for the public water supply and related structures that are integral to them;
 - (e) buildings used exclusively for the extraction or processing of hydrocarbons;
 - (f) above or below ground bulk storage tanks to which neither Part 6 nor Part 9 of Division B of the Code apply;
 - (g) free-standing signs;
 - (h) fences;
 - (i) retaining walls or exterior steps that are neither attached to nor forming part of a building.

Poles and towers

(2) The Act and these regulations do not apply to the following, except with respect to the loads they exert on buildings:

- (a) public utility towers and poles; and
- (b) television, radio or other communication aerials and towers.

Exemption from permitting requirements

(3) Sections 9 to 41 of these regulations and sections 5 and 6 of the Act do not apply to the following:

- (a) subject to section 48, any building that lawfully existed on August 31, 2018;
- (b) subject to section 48, any construction that had lawfully commenced before September 1, 2018;

Construction in existing buildings

(4) For greater certainty, sections 9 to 41 of these regulations and section 5 and 6 of the Act apply to construction in an existing building that commences on or after September 1, 2018.

Traditional activities

(5) Sections 9 to 41 of these regulations and sections 5 and 6 of the Act do not apply to hunting camps, fishing camps and other similar buildings used for traditional Inuit activities that are not being used for, or intended to be used for, commercial purposes.

ADOPTION OF CODES

Adoption of National Building Code

5. (1) Subject to this section, the National Building Code of Canada 2015, first printing, as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, including all revisions, errata and corrections made before September 1, 2018, is adopted under paragraph 4(a) of the Act and incorporated into these regulations.

Modifications

(2) The Code adopted and incorporated under subsection (1) is modified for Nunavut as set out in Schedule 1.

Static adoption

(3) For greater certainty, the Code adopted and incorporated under subsection (1) is not adopted and incorporated as amended from time to time.

Adoption of National Plumbing Code

6. (1) Subject to this section, the National Plumbing Code of Canada 2015, first printing, as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, including all revisions, errata and corrections made before September 1, 2018, is adopted under paragraph 4(b) of the Act and incorporated into these regulations.

Modifications

(2) The National Plumbing Code adopted and incorporated under subsection (1) is modified for Nunavut as set out in Schedule 2.

Static adoption

(3) For greater certainty, the National Plumbing Code adopted and incorporated under subsection (1) is not adopted and incorporated as amended from time to time.

BUILDING OFFICIALS

Qualifications

7. (1) A person may only be appointed a building official if they are certified, licenced or qualified to perform some or all of the functions of a building official under the legislation of a province or other territory.

Restriction

(2) If a building official is only certified, licenced or qualified to perform some of the functions of a building official under the legislation of a province or other territory, the building official's appointment must indicate that they are only authorized to perform the same functions under the Act and these regulations.

Identification

8. (1) The Minister or the Minister's delegate shall issue each building official with an identification card containing the following:

- (a) the building official's
 - (i) name,
 - (ii) job title,
 - (iii) employer,
 - (iv) scope of authority, and
 - (v) photograph;
- (b) date of issue;
- (c) the name and signature of the Minister or the Minister's delegate.

Requirement to carry

(2) Every building official shall carry the identification card issued to them under this section while performing their functions.

Return of identification card

- (3) A building official shall return the identification card issued to them
- (a) if their employment is terminated;
 - (b) if the scope of their authority is changed; or
 - (c) at the request of the Minister or the Minister's delegate.

BUILDING PERMITS

General exemptions

9. (1) A building or occupancy permit is not required, but may be obtained, for
- (a) accessory buildings not greater than 20 square metres in area; or
 - (b) non-structural alterations and repairs where the value of construction is \$40,000 or less.

Additional fees

(2) Where a person applies for a building permit with respect to construction referred to in subsection (1), the person shall, in addition to the fees established for the permit, pay for actual travel, meal and accommodation costs of building officials for any on-site inspections performed with respect to the permit.

Historic building exemption

10. (1) Construction at historic places designated under the *Historical Resources Act* or the *Historic Sites and Monuments Act* (Canada) is exempt from the application of a requirement provided for in the regulatory Codes to the extent that, in the opinion of a building official, the exemption from the application of that requirement

- (a) is required to protect the integrity of the historical design of the historic place; and
- (b) would not be detrimental to the safety of any person.

Indication on permit

(2) Where a building official has determined that an exemption applies to construction under subsection (1), the building official shall indicate the exemption on the building permit.

Temporary building exemption

11. (1) Construction and occupancy of a temporary building, or the temporary occupancy or change in occupancy of an existing building, is exempt from the application of a requirement provided for in the regulatory Codes to the extent that, in the opinion of a building official, the exemption from the application of that requirement

- (a) is reasonable due to the temporary nature of the building or occupancy, and the nature of its occupancy;
- (b) would not be detrimental to the safety of any person.

Indication on permit

(2) Where a building official has determined that an exemption applies to a building under subsection (1), the building official shall

- (a) indicate the exemption on the permit;
- (b) indicate the period of validity of the permit on the permit.

Validity of permit

(3) A building or occupancy permit issued for a temporary building or temporary occupancy is valid for a period of up to 12 months and may be renewed in accordance with this section for further periods of up to 12 months each.

Exemption for emergency

12. (1) Subject to subsection (2), a building permit is not required to commence construction that is necessary to mitigate or eliminate an imminent and serious danger to persons or property.

Application for permit

(2) Where a person performs construction referred to in subsection (1) without a building permit, the person shall apply for a building permit for the construction as soon as reasonably practicable.

Solid fuel stoves and heaters

13. For greater certainty, the installation or alteration of a stove or heater that uses solid fuel, including a chimney or flue, including in a building described in subsection 9(1), requires a permit that specifically authorizes such installation or alteration.

Permit not an exemption

14. For greater certainty, the acceptance of drawings and specifications, the granting of a building permit and inspections by a building official do not exempt a person from complying with the Act, these regulations or any other permit.

Surveyor's certification

15. (1) A building official may require a person applying for or holding a building permit to supply documents or drawings certified correct, as defined in subsection 38(1) of the *Canada Lands Surveyors Regulations* (Canada), by a Canada Lands Surveyor, as defined in the *Canada Lands Surveyors Act* (Canada), showing the following:

- (a) the siting of all buildings, or parts of buildings, within the boundaries of the property on which the building subject to the permit is to be constructed;
- (b) the location of other buildings, or parts of buildings, on the property on which the building subject to the permit is to be constructed;
- (c) other information that the building official may require to verify that the construction will or has been carried out in accordance with the requirements of the Act and these regulations.

Requirement to provide

(2) Where a building official requires an owner holding a building permit to supply documents or drawings referred to in subsection (1), the person shall

- (a) supply the documents or drawings within the timeframe indicated by the building official; or
- (b) if the person has not supplied the documents and drawings within the timeframe indicated by the official, cease construction until the documents and drawings are supplied.

Compliance with by-laws

16. (1) Where a municipality has made a by-law under section 105 of the *Cities, Towns and Village Act* or section 105 of the *Hamlets Act*, its requirements with respect to construction in the municipality are incorporated into these regulations to the extent they do not conflict with these regulations.

Fees under by-laws

(2) Where a municipality has made a by-law under section 105 of the *Cities, Towns and Village Act* or section 105 of the *Hamlets Act* that provides for the charging of fees, those fees are to be determined and paid in accordance with the by-law and not in accordance with these regulations.

Value of construction

17. (1) Where a fee for a building permit is dependent on the value of construction, the building official may determine the value of construction.

Value of construction for partial building permit

(2) In the case of a partial building permit, the value of construction for the purposes of subsection (1) is determined on the basis of the value of the partial construction.

Fees not transferable or refundable

(3) Once a building permit has been issued, any fees paid are not transferable or refundable unless charged in error.

Contents of building permit application

18. (1) Subject to subsection (3), an application for a building permit must

- (a) be in the approved form;
- (b) be signed by the applicant;
- (c) state the name, address and telephone number and, where available, facsimile number and email address of
 - (i) the applicant, and
 - (ii) all constructors, architects and engineers that will perform work with respect to the permit;
- (d) identify and describe in detail the proposed construction and occupancy to be covered by the permit;
- (e) state the estimated value of the proposed construction;
- (f) be accompanied by two copies of the specifications and scaled drawings which include sufficient information and detail
 - (i) to show the site plan, and
 - (ii) to show that the proposed construction complies with the Act and these regulations;
- (g) in the case of a building referred to in section 39, be accompanied by evidence that the owner has retained engineers, or a combination of architects and engineers, required to perform field reviews of the construction under these regulations; and
- (h) be accompanied by the permit fee indicated under Schedule 3 for the permit.

Partial building permit

(2) An application for a partial building permit may be made, for the construction of a part of a building, if it otherwise complies with the requirements of the Act and these regulations.

Exemption

(3) A building official may exempt an applicant from a requirement under subsection (1).

Partial building permits

19. Where a building official issues a partial building permit, either on application or under paragraph 6(1.1)(b) of the Act, the building official shall provide no assurance that future amendments to the permit will be made, or a new permit issued, for construction not covered by the partial building permit.

Duration of building permit

20. (1) Unless revoked under section 6 of the Act, a building permit is in force

- (a) for five years from the day it is issued; and
- (b) during an extension granted under this section.

Application for extension

(2) An owner may apply to a building official to extend the validity of a building permit beyond the five-year period indicated in subsection (1).

Form of application for extension

(3) An application for an extension under subsection (2) must

- (a) be in the approved form; and
- (b) be signed by the applicant.

Extension

(4) A building official may, following an application under subsection (2), extend the validity of a building permit beyond the five-year period indicated in subsection (1) if they are satisfied that construction under the permit has substantially and actively occurred during at least the majority of the five-year period.

Period of extension

(5) When extending a permit under subsection (4), a building official shall indicate the period of the extension in writing.

Revoked permit

21. (1) Where a building permit has been revoked under subsection 6(3) of the Act, it cannot be reinstated, but a new permit may be applied for in accordance with section 18.

Necessary work

(2) Where a permit has been revoked under subsection 6(3) of the Act or is no longer in force, work necessary to make the building or site of construction safe may be completed without a permit.

Notice of suspension

22. (1) When construction under a permit is suspended or discontinued for a period of 60 days or more, the owner shall, no more than 60 days after construction was suspended or discontinued, notify a building official in writing of

- (a) the date construction was suspended or discontinued; and
- (b) the expected duration of the suspension or discontinuance.

Notice of recommencement

(2) When an owner intends to resume construction under a permit after a suspension or discontinuance of 60 days or more, the owner shall, on resumption or during the 30 days before resumption, notify a building official of the date of resumption in writing.

Updated notice

(3) When an owner does not resume construction under a permit on the date indicated in a notice under subsection (2), the owner shall

- (a) notify a building official in writing as soon as practicable of the failure to resume construction; and
- (b) provide a new notice under subsection (2) for the new date of resumption.

Variance

23. (1) A building permit does not allow construction that is at variance with the conditions of the permit or with the descriptions, drawings and specifications based on which the permit was issued, unless the variance has been approved in accordance with this section.

Application for variance

(2) An owner may apply to a building official for a variance by providing the following:

- (a) a detailed description of the proposed variance; and
- (b) an explanation of how the variance complies with the Act and these regulations.

Approval for variance

(3) A building official shall, in writing, approve a variance where they are satisfied that the building permit as varied complies with the Act and these regulations.

Alternative solution

24. (1) A building permit does not allow the use of an alternative solution, as described in the regulatory Codes, unless the alternative solution has been approved in accordance with this section.

Application for alternative solution

(2) An owner may apply to a building official to use an alternative solution, as described in the regulatory Codes, by providing the documentation required for the alternative solution under the regulatory Codes.

Approval for alternative solution

(3) A building official shall, in writing, approve an alternative solution where they are satisfied that the alternative solution

- (a) complies with the Act;
- (b) complies with these regulations; and
- (c) achieves at least the minimum level of performance required by the regulatory Codes.

Asbestos

25. No building permit shall be issued, and no variance or alternative solution approved, where any of the materials, systems or equipment to be used includes asbestos in any form.

OCCUPANCY PERMITS

Site grading or storm water drainage plan

26. (1) Prior to issuing an occupancy permit for a building, a building official may require an owner to submit a site grading or storm water drainage plan for the site of the building.

Approval of plan

(2) A building official shall approve a plan submitted under subsection (1) if it complies with the requirements of the Code.

Occupancy permit application

27. (1) An application for a building permit under subsection 18(1) is deemed to also be an application for an occupancy permit.

Additional documentation

(2) Prior to issuing an occupancy permit, a building official may require the owner to provide the following:

- (a) evidence that the site of the building has been graded in accordance with the site grading or storm water drainage plan approved under subsection 26(2), if any; and
- (b) copies of permits required for the materials, systems and equipment installed in the building under the *Technical Standards and Safety Act*.

Completion of construction required

(3) Subject to section 28, a building official may not issue an occupancy permit unless the construction of the building is complete.

Conditional occupancy permit

28. A building official may issue a conditional occupancy permit where the construction of the building is not yet complete, if

- (a) the construction is substantially completed;
- (b) all equipment and systems required by Parts 3 and 9 of Division B of the Code are installed and have been verified in accordance with the Code as complete and operational;
- (c) the construction yet to be completed does not and will not create an unsafe condition;
- (d) the owner has prepared a fire safety plan, where required by the National Fire Code of Canada adopted under the *Fire Safety Regulations*, that is acceptable to the Fire Marshal or Assistant Fire Marshal appointed under the *Fire Safety Act*;
- (e) the owner provides copies of permits required for the materials, systems and equipment installed in the building under the *Technical Standards and Safety Act*; and
- (f) the owner pays the permit fee indicated under Schedule 3 for the permit.

OBLIGATIONS OF OWNERS

Engagement of architects or engineers

29. Prior to construction of a building, an owner shall

- (a) retain an engineer, or an architect and an engineer, as required under these regulations to complete the design and field review of the building; and
- (b) provide a building official with letters of assurance for the design and field review of the building in the approved form.

Notices

30. An owner holding a building permit shall, as soon as practicable, provide a building official notice of the following in writing:

- (a) change in or termination of any of the following that occurs during the course of the construction:
 - (i) a constructor,
 - (ii) an architect or engineer performing any function required under these regulations;
- (b) change in ownership or change in the address of the owner that occurs prior to the issuance of an occupancy permit; and
- (c) intent to occupy any part of the building if it is to be occupied in stages.

Onsite documentation

- 31.** (1) An owner shall ensure that
- (a) the plans, specifications and related documents on which the issuance of a permit is based are available at the construction site for inspection by a building official during the hours when construction is being done at the site;
 - (b) the building permit, or a true copy of the building permit, is posted conspicuously at the construction site during the course of the construction; and
 - (c) a temporary occupancy permit issued under section 11, or a true copy of the temporary occupancy permit, is posted conspicuously at the construction site during the course of the occupancy.

Building official's notices

- (2) A building official may post the following at a construction site:
- (a) the building permit, or a true copy of the building permit, where the owner has failed to ensure it is posted conspicuously at the construction site;
 - (b) a temporary occupancy permit issued under section 11, or a true copy of the temporary occupancy permit, where the owner has failed to ensure it is posted conspicuously at the building;
 - (c) a copy of a notice of intent to revoke a permit given under subsection 6(4) of the Act;
 - (d) a copy of a decision to revoke a permit issued under subsection 6(5) of the Act.

Prohibition

(3) Except as authorized by a building official, no person shall alter, cover or remove a building permit, notice or decision posted at a construction site during the course of the construction.

Tests and inspection

- 32.** An owner shall
- (a) ensure that tests, inspections and field reviews necessary to prove compliance with the Act and these regulations are made; and
 - (b) as soon as practicable, file a copy of all required test, inspection and field review reports with a building official.

Damage to public property

33. Where public property is damaged as a result of construction, whether or not a permit is required, the owner responsible for the construction shall compensate the owner of the public property for the cost of repairing the damage.

Discontinuation of construction

34. Where an owner discontinues construction, including for reasons of bankruptcy or insolvency, the owner shall ensure that no unsafe condition remains at the construction site.

OBLIGATIONS OF OTHERS

Competence of architects and engineers

35. (1) Unless an architect or engineer is professionally competent in the type of work required, they shall not, for the purposes of these regulations,

- (a) design buildings or systems;
- (b) prepare, sign or seal plans, drawings and related documents; or
- (c) perform field reviews.

Letters of assurance

(2) An architect or engineer who designs a building or system shall

- (a) ensure the design complies with the Act and these regulations; and
- (b) provide a building official with letters of assurance in the approved form.

Field reviews

(3) An architect or engineer who undertakes a field review of a building or system

- (a) shall inspect the building at intervals appropriate to the stage of construction to determine general compliance with the design and permit; and
- (b) shall coordinate, with the owner and a building official, the review and acceptance of changes to the design for consistency with the intent of the permit, plans and specifications.

Materials, systems and equipment

36. A constructor shall ensure that all materials, systems and equipment used in construction comply with the Act and these regulations.

Public property

37. A constructor shall ensure that none of the following activities are undertaken on public property without the written consent of the public authority responsible for the property:

- (a) construction;
- (b) work related to safety measures under Part 8 of Division B of the Code;
- (c) storage of materials, systems or equipment.

Discontinuation of construction

38. Where a constructor discontinues construction, including for reasons of bankruptcy or insolvency, the constructor shall ensure that no unsafe condition remains at the construction site.

PROFESSIONAL INVOLVEMENT

Plans and specifications

39. (1) Plans, drawings and related documents submitted with a building permit application for a building of the following groups must be prepared, signed and sealed by engineers, or architects and engineers:

- (a) Group A (assembly occupancies);
- (b) Group B (care, treatment or detention occupancies);
- (c) Group C (residential occupancies), if the building area exceeds 600 m² or three storeys;
- (d) Group D (business and personal services occupancies), if the building area exceeds 600 m² or three storeys;
- (e) Group E (mercantile occupancies), if the building area exceeds 600 m² or three storeys;
- (f) Group F, Division 1 (high-hazard industrial occupancies);
- (g) Group F, Division 2 (medium-hazard industrial occupancies), if the building area exceeds 600 m² or three storeys;
- (h) Group F, Division 3 (low-hazard industrial occupancies), if the building area exceeds 600 m² or three storeys;
- (i) any other building covered by Part 4 of Division B of the Code.

Complex designs

(2) Where a building official is of the opinion that a proposed construction requires specialized knowledge, the building official may require that

- (a) plans, drawings and related documents be prepared, signed and sealed by an engineer, or an architect and an engineer; and
- (b) field reviews be performed by an engineer, or an architect and an engineer.

Professional competence

(3) The professional services referred to in subsections (1) and (2) must be provided by engineers, or an appropriate combination of architects and engineers, who have the necessary professional competence to provide the professional services.

Timing

(4) The provision of the plans, drawings and related documents referred to in subsection (2) may be

- (a) required prior to the issuance of a permit; or
- (b) made a condition of a permit, either upon issuance or at any time after issuance of a permit.

Automatic fire suppression systems

40. (1) If an automatic fire suppression system is to be installed in a building, the owner shall, prior to construction, submit to a building official evidence that an engineer has been retained to

- (a) design the system;

- (b) perform a field review of the system;
- (c) witness the testing of the system after installation; and
- (d) provide all required reports on the testing of the system.

Fire alarm systems

(2) If fire alarm system is to be installed in a building, the owner shall, prior to construction, submit evidence to a building official that an engineer has been retained to

- (a) design the system;
- (b) perform a field review of the system;
- (c) oversee verification of the system after installation; and
- (d) provide all required reports on the verification of the system.

Report

(3) An owner shall ensure that the reports referred to in paragraph (1)(d) and (2)(d) are provided to a building official.

ROUTINE INSPECTIONS

Definition

41. (1) In this section, “routine inspection” means review of work, either onsite or by a review of documents, performed at set stages of construction to verify compliance with the building permit, the Act and these regulations.

Routine inspections

(2) A building official may perform a routine inspection by any of the following means:

- (a) exercising the powers under section 7 of the Act;
- (b) an onsite visit at a construction site or manufacturing location;
- (c) a review of documents, if the owner agrees to provide the documents referred to in subsection (3).

Review of documents

(3) A review of documents under paragraph (2)(c) must include

- (a) a statutory declaration by the owner stating that construction has been completed in accordance with the Act and these regulations; and
- (b) any reports, photographs, video, letters of assurance and other information a building official considers necessary for the purposes of the review of documents.

Notification

(4) An owner shall notify a building official in accordance with the building permit at the completion of the following stages:

- (a) with respect to plumbing systems,
 - (i) exterior main water service and drainage system,
 - (ii) interior main water service and drainage system,

- (iii) interior drain, waste and venting system rough-ins,
 - (iv) completion prior to occupancy, and
 - (v) at any other stage for which notification is required under the conditions of the building permit;
- (b) with respect to other types of construction,
- (i) excavation and formwork,
 - (ii) footing and foundations,
 - (iii) structural framing,
 - (iv) insulation and air and vapour barriers,
 - (v) mechanical system rough-ins,
 - (vi) fire separations and closures,
 - (vii) life safety systems,
 - (viii) completion prior to occupancy, and
 - (ix) at any other stage for which notification is required under the conditions of the building permit.

Direction of building official

(5) A building official may direct an owner to halt construction, or include as a condition of a permit that construction be halted,

- (a) at any of the stages referred to in subsection (4); or
- (b) prior to construction, materials, systems or equipment being covered or enclosed.

Routine inspection

(6) Following a direction to halt construction under subsection (5), a building official shall

- (a) subject to subsection (8), perform a routine inspection of the construction; and
- (b) where the building official is satisfied that the routine inspection indicates that construction has been completed in compliance with the Act and these regulations, allow the owner to proceed with construction.

Prohibition

(7) An owner shall halt construction when required by the building permit or directed by a building official under subsection (5), and may not proceed with construction until allowed to do so under paragraph (6)(b).

Uncovering

(8) Where construction has not been halted as required by the building permit or directed by a building official under subsection (5), a building official may require the owner to have the construction uncovered or undone, at the owner's expense, prior to performing a routine inspection.

Inspections under Act

(9) For greater certainty, nothing in this section restricts the right of building officials to perform inspections under section 7 of the Act at any reasonable time.

REPORTING

Unsafe condition reports

42. (1) A building official may direct an owner to submit an incident report if an accident, failure, collapse or other unsafe condition causes, or has the potential to cause, injury or loss of life at a building, whether it is under construction or not.

Report

(2) When directed by a building official under subsection (1), an owner shall submit an incident report that includes the following information:

- (a) the name, address and telephone number and, where available, facsimile number and email address of
 - (i) the owner,
 - (ii) any architect or engineer who designed, inspected or performed field reviews of the building, and
 - (iii) the contractor who supervised the construction;
- (b) the name, if any, and address of the building;
- (c) a description of the incident;
- (d) a description of the remedial action being taken.

Investigations reports

43. A building official who conducts an investigation of a building or place shall submit a report to the chief building official containing or accompanied by the following:

- (a) the name, address and telephone number and, where available, facsimile number and email address of
 - (i) the owner,
 - (ii) any architect or engineer who was a subject of the investigation, and
 - (iii) the contractor who supervised the construction;
- (b) the name, if any, and address of the building or place;
- (c) a description of the alleged offence and the findings with respect to that offence;
- (d) any document, data or thing seized during the investigation; and
- (e) any other information, material or evidence that may be required for the purposes of prosecution or other enforcement action.

FORM, CONTENT AND SERVICE OF DOCUMENTS

Form and content

44. In addition to any requirement under the Act, a decision or order made by a building official or chief building official under the Act must

- (a) be legible;

- (b) state that it is a decision or order;
- (c) indicate
 - (i) the provision of the Act, these regulations or other binding instrument to which the decision or order relates,
 - (ii) the section of the Act that provides authority for the decision or order to be made,
 - (iii) in the case of an order, the deadline for compliance,
 - (iv) the name, address and telephone number and, where available, facsimile number and email address of the person or persons subject to the decision or order,
 - (v) the municipal address or legal description of the property on which the object of the decision or order is located,
 - (vi) the name of the building official or chief building official who has made the decision or order, and their employer,
 - (vii) the address, telephone and facsimile numbers, and email address of the chief building official;
- (d) provide instructions regarding
 - (i) where applicable, the procedure for requesting a review or reconsideration of the decision or order, or
 - (ii) where applicable, the procedure for applying to the Advisory Committee for a ruling respecting the decision; and
- (e) where applicable, include a notice indicating that non-compliance with the decision or order is an offence under the Act.

Service

45. (1) An order, decision, ruling or written notice made under the Act or these regulations must be served,

- (a) in the case of an individual other than a building official, by
 - (i) personal service,
 - (ii) leaving it for the individual with an adult at the individual's residence,
 - (iii) sending it, using a method that provides an acknowledgement of receipt by the individual to be notified, to the last known address of the individual, or
 - (iv) sending it, by facsimile, email or other form of electronic transmission that provides a record of transmission, to the individual's last known facsimile number or electronic address;
- (b) in the case of a corporation, by
 - (i) leaving it with a director, manager, president, chairperson or other officer of the corporation,
 - (ii) leaving it with an employee or agent of the corporation at the corporation's registered office,
 - (iii) sending it, using a method that provides an acknowledgement of receipt, to the corporation's registered office, or

- (iv) sending it by facsimile, email or other form of electronic transmission that provides a record of transmission, to the corporation's last known facsimile number or electronic address; or
- (c) in the case of a building official, by
 - (i) personal service,
 - (ii) sending it, using a method that provides an acknowledgement of receipt by the building official, to the official address of the building official, or
 - (iii) sending it by facsimile, email or other form of electronic transmission that provides a record of transmission, to the building official's official facsimile number or electronic address.

Deemed receipt

(2) Where an order, decision, ruling or written notice has been sent by a method that provides an acknowledgement of receipt under subparagraph (1)(a)(iii), (1)(b)(iii) or (1)(c)(ii), it shall be deemed to have been received no more than 15 days after it is sent.

Same

(3) Where an order, decision, ruling or written notice has been sent by facsimile, email or other form of electronic transmission under subsection (1), it shall be deemed to have been received no later than the end of the next business day following the day it was sent.

BUILDING ADVISORY COMMITTEE

Composition

46. In addition to the representative referred to in paragraph 23(2)(a) of the Act, the Advisory Committee is composed of

- (a) an architect, other than an employee as defined in the *Public Service Act*;
- (b) an engineer, other than an employee as defined in the *Public Service Act*;
- (c) a representative nominated by Nunavut Housing Corporation;
- (d) a representative nominated by Nunavut Tunngavik Incorporated;
- (e) a representative nominated by Nunavummi Disabilities Makinnasuaqtiit Society;
- (f) a representative nominated by the Northwest Territories and Nunavut Construction Association;
- (g) a representative nominated by the Nunavut Association of Municipal Administrators;
- (h) an individual, other than an employee as defined in the *Public Service Act*, with experience as a private developer of residential, commercial or institutional buildings in Nunavut;
- (i) up to four additional members, other than employees as defined in the *Public Service Act*, as the Minister considers appropriate.

Hearing notification

47. Upon receipt by the Chair of a notice of dispute filed under paragraph 17(2)(a) of the Act, the Committee

- (a) shall provide written notice of the time and date of the hearing of the application to the applicant and the official whose decision is subject to the application; and
- (b) may require the applicant or the official to provide additional information prior to the hearing.

TRANSITIONAL

48. (1) With respect to construction referred to in paragraph 4(3)(b), the following continue to apply:

- (a) section 5.1, paragraphs 23(1)(a) and (a.01), and subsections 23(2) to (4) of the *Fire Safety Act*, including any regulations made under those provisions, as they read on August 31, 2018;
- (b) by-laws made under section 105 of the *Hamlets Act* or section 105 of the *Cities, Towns and Villages Act*, as those by-laws and sections read on August 31, 2018.

(2) A building official may perform any of the functions of the Fire Marshal under section 5.1, paragraphs (23(1)(a) and (a.01), and subsections 23(2) to (4) of the *Fire Safety Act*, including any regulations made under those provisions, as they read on August 31, 2018.

49. Until the coming into force of section 58 of the *Technical Standards and Safety Act*,

- (a) a reference to that Act in these regulations is deemed to be a reference to the *Boilers and Pressure Vessels Act*, the *Electrical Protection Act*, and the *Gas Protection Act*;
- (b) a reference to a permit under that Act in these regulations is deemed to be a reference to the relevant type of final approval under the *Boilers and Pressure Vessels Act*, the *Electrical Protection Act*, or the *Gas Protection Act*.

COMMENCEMENT

Coming into force

50. These regulations come into force on September 1, 2018.

SCHEDULE 1

Subsection 5(2)

MODIFICATIONS TO NATIONAL BUILDING CODE

1. The National Building Code of Canada is modified for the purposes of the Act and these regulations in accordance with this Schedule.

2. Division A is modified as follows:

- (a) **Sentence 1.5.1.1.(2) is modified by deleting “(See Note A-2.1.1.2.(6).)” at the end of the sentence;**
- (b) **Sentence 2.1.1.2.(6) is struck out;**
- (c) **Sentence 2.2.1.1.(1) is modified by deleting everything after “OP4.4 – collapse of the *excavation*”;**
- (d) **Note A-2.1.1.2.(6) is deleted;**
- (e) **Sentence 3.2.1.1.(1) is modified by deleting functions F90 to F100.**

3. Division B is modified as follows:

- (a) **Table 1.3.1.2. is modified**
 - (i) **by deleting the following rows:**

AHAM	ANSI/AHAM RAC-1-1982	Room Air Conditioners	Table 9.36.3.10.
AHRI	ANSI/AHRI 210/240-2008	Performance Rating of Unitary Air-Conditioning and Air-Source Pump Equipment	Table 9.36.3.10.
AHRI	1060 (I-P)-2013	Performance Rating of Air-to-Air Exchangers for Energy Recovery Ventilation Equipment	9.36.3.8.(4)
AHRI	BTS-2000	Efficiency of Commercial Space Heating Boilers	Table 9.36.3.10.
ANSI/CSA	ANSI Z21.10.3-2013/CSA 4.3-2013	Gas-Fired Water Heaters, Volume III, Storage Water Heaters With Input Ratings Above 75,000 Btu Per Hour, Circulating and Instantaneous	Table 9.36.4.2.
ANSI/CSA	ANSI Z21.56-2013/CSA 4.7-2013	Gas-Fired Pool Heaters	Table 9.36.4.2.
ANSI/CSA	ANSI Z83.8-2013/CSA 2.6-2013	Gas Unit Heaters, Gas Packaged Heaters, Gas Utility Heaters and Gas-Fired Duct Furnaces	Table 9.36.3.10.
ASHRAE	2013	ASHRAE Handbook – Fundamentals	A-9.36.2.4.(1) Table A-9.36.2.4.(1)-D
ASHRAE	ANSI/ASHRAE 103-2007	Annual Fuel Utilization Efficiency of Residential Central Furnaces and Boilers	Table 9.36.3.10.

ASHRAE	ANSI/ASHRAE 140-2011	Evaluation of Building Energy Analysis Computer Programs	9.36.5.4.(8)
ASTM	C 177-13	Steady-State Heat Flux Measurements and Thermal Transmission Properties by Means of the Guarded-Hot-Plate Apparatus	9.36.2.2.(1)
ASTM	C 518-10	Steady-State Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus	9.36.2.2.(1)
ASTM	E 2357-11	Determining Air Leakage of Air Barrier Assemblies	9.36.2.9.(1) A-9.36.2.9.(1)
CCBFC	NRCC 38730	Model National Energy Code of Canada for Houses 1997	A-9.36.3.10.(1) A-9.36.4.2.(1)
CGSB	CAN/CGSB-149.10-M86	Determination of the Airtightness of Building Envelopes by the Fan Depressurization Method	9.36.5.10.(11) A-9.36.5.10.(11)
CSA	A277-08	Procedure for Factory Certification of Buildings	A-1.1.1.1.(2) ⁽⁴⁾
CSA	B140.12-03	Oil-Burning Equipment: Service Water Heaters for Domestic Hot Water, Space Heating, and Swimming Pools	Table 9.36.4.2.
CSA	CAN/CSA-B211-00	Energy Efficiency of Oil-Fired Storage Tank Water Heaters	Table 9.36.4.2.
CSA	B212-00	Energy Utilization Efficiencies of Oil-Fired Furnaces and Boilers	Table 9.36.3.10.
CSA	B415.1-10	Solid-Fuel-Burning Heating Appliances	Table 9.36.3.10.
CSA	CAN/CSA-C191-04	Performance of Electric Storage Tank Water Heaters for Domestic Hot Water Service	Table 9.36.4.2.
CSA	C368.1-14	Energy Performance of Room Air Conditioners	Table 9.36.3.10.
CSA	C656-14	Split-System and Single-Package Air Conditioners and Heat Pumps	Table 9.36.3.10.
CSA	CAN/CSA-C745-03	Energy Efficiency of Electric Storage Tank Water Heaters and Heat Pump Water Heaters	Table 9.36.4.2.
CSA	CAN/CSA-C746-06	Rating Large and Single Packaged Vertical Air Conditioners and Heat Pumps	Table 9.36.3.10.
CSA	C748-13	Direct-Expansion (DX) Ground-Source Heat Pumps	Table 9.36.3.10.
CSA	CAN/CSA-C749-07	Performance of Dehumidifiers	Table 9.36.3.10.
CSA	C828-13	Thermostats Used with Individual Room Electric Space Heating Devices	9.36.3.6.(3)
CSA	CAN/CSA-C13256-1-01	Water-Source Heat Pumps - Testing and Rating for Performance - Part 1: Water-to-Air and Brine-to-Air Heat Pumps (Adopted ISO 13256-1:1998, with Canadian Deviations)	Table 9.36.3.10.
CSA	CAN/CSA-C13256-2-01	Water-Source Heat Pumps - Testing and Rating for Performance - Part 2: Water-to-Water and Brine-to-Water Heat Pumps (Adopted ISO 13256-2:1998, with Canadian Deviations)	Table 9.36.3.10.

CSA	P.2-13	Measuring the Annual Fuel Utilization Efficiency of Residential Gas-Fired or Oil-Fired Furnaces and Boilers	Table 9.36.3.10.
CSA	CAN/CSA-P.3-04	Measuring Energy Consumption and Determining Efficiencies of Gas-Fired Storage Water Heaters	Table 9.36.4.2.
CSA	P.6-09	Measuring Thermal Efficiency of Gas-Fired Pool Heaters	Table 9.36.4.2.
CSA	CAN/CSA-P.7-10	Measuring Energy Loss of Gas-Fired Instantaneous Water Heaters	Table 9.36.4.2.
CSA	CAN/CSA-P.8-09	Thermal Efficiencies of Industrial and Commercial Gas-Fired Package Furnaces	Table 9.36.3.10.
CSA	CAN/CSA-P.9-11	Performance of Combined Space and Water Heating Systems (Combos)	9.36.3.10.(3) Table 9.36.3.10. Table 9.36.4.2. Table 9.36.5.15.-C
CSA	P.10-07	Performance of Integrated Mechanical Systems for Residential Heating and Ventilation	9.36.3.9.(2) Table 9.36.3.10. Table 9.36.4.2. Table 9.36.5.15.-C
CSA	CAN/CSA-P.11-07	Measuring Efficiency and Energy Consumption of Gas-Fired Unit Heaters	Table 9.36.3.10.
CSA	Z240 MH Series-09	Manufactured Homes	A-1.1.1.1.(2) ⁽⁴⁾
CSA	Z240.2.1-09	Structural Requirements for Manufactured Homes	A-1.1.1.1.(2)(4) 9.12.2.2.(6) 9.15.1.3.(1)
CSA	Z240.10.1-08	Site Preparation, Foundation, and Anchorage of Manufactured Homes	A-1.1.1.1.(2)(4), 9.15.1.3.(1), 9.23.6.3.(1)
CTI	STD-201RS-04	Certification of Water-Cooling Tower Thermal Performance	Table 9.36.3.10.
DOE	10 CFR, Part 430-2011	Energy, Energy Conservation Program for Consumer Products	Table 9.36.4.2.
DOE	10 CFR, Part 431-2011	Energy, Energy Efficiency Program for Certain Commercial and Industrial Equipment	Table 9.36.4.2.
EPA	40 CFR, Part 60-2008	Protection of Environment, Standards of Performance for New Stationary Sources	Table 9.36.3.10.
HVI	HVI Publication 911	Certified Home Ventilating Products Directory	A-9.36.3.9.(3)
ICC	400-2012	Design and Construction of Log Structures	9.36.2.2.(5) A-9.36.2.2.(5)
NFRC	100-2010	Determining Fenestration Product U-factors	9.36.2.2.(3)
NFRC	200-2010	Determining Fenestration Product Solar Heat Gain Coefficient and Visible Transmittance at Normal Incidence	9.36.2.2.(3)
UL	731-1995	Oil-Fired Unit Heaters	Table 9.36.3.10.
ULC	CAN/ULC-S712.1-10	Thermal Insulation - Light Density, Open Cell Spray Applied Semi-Rigid Polyurethane Foam - Material Specification	Table A-9.36.2.4.(1)-D

ULC	CAN/ULC-S742-11	Air Barrier Assemblies – Specification	9.36.2.9.(1) A-9.36.2.9.(1) A-9.36.2.10.(5)(b)
ULC	CAN/ULC-S770-09	Determination of Long-Term Thermal Resistance of Closed-Cell Thermal Insulating Foams	Table A-9.36.2.4.(1)-D
U.S. Congress	National Appliance Energy Conservation Act of 1987	National Appliance Energy Conservation Act of 1987	Table 9.36.4.2. Table 9.36.5.16.

(ii) by adding the following rows in order by Issuing Agency and Document Number:

CSA	A277-16	Procedure for certification of prefabricated buildings, modules, and panels	A-1.1.1.1.(2) ⁽⁴⁾ 9.1.3.1.(1)
CSA	Z240 MH Series-16	Manufactured Homes	A-1.1.1.1.(2) ⁽⁴⁾
CSA	Z240.2.1-16	Structural Requirements for Manufactured Homes	A-1.1.1.1.(2) ⁽⁴⁾ 9.1.3.1.(1) 9.12.2.2.(6) 9.15.1.3.(1)
CSA	Z240.10.1-16	Site Preparation, Foundation, and Anchorage of Manufactured Homes	A-1.1.1.1.(2)(4), 9.15.1.3.(1), 9.23.6.3.(1)

(iii) by deleting the following wherever they appear other than in the lines listed in subparagraph (i):

- (A) "7.1.2.1.(1)",
- (B) "9.36.1.3.(1)",
- (C) "9.36.1.3.(4)",
- (D) "9.36.2.2.(3)",
- (E) "9.36.2.2.(4)",
- (F) "9.36.2.9.(3)",
- (G) "9.36.3.1.(2)",
- (H) "9.36.3.11.(2)",
- (I) "9.36.4.1.(2)",
- (J) "9.36.4.3.(2)",
- (K) "A-9.36.1.3.",
- (L) "A-9.36.2.4.(1)",
- (M) "9.36.2.10.(1)",
- (N) "9.36.2.10.(6)",
- (O) "A-2.1.1.2(6)⁽⁴⁾"
- (P) "A-9.36.3.2.(1)",
- (Q) "A-9.36.3.2.(2)",
- (R) "A-9.36.3.4.(1)",
- (S) "A-9.36.3.10.(1)",
- (T) "A-9.36.3.2.(1)",
- (U) "A-9.36.3.4.(1)",
- (V) "A-9.36.4.2.(1)",
- (W) "A-9.36.5.2.",

- (X) "A-9.36.5.8.(5)",
- (Y) "A-9.36.5.15.(5)",
- (Z) "A-Table 9.36.2.7.-A",
- (AA) "Table A-9.36.2.4.(1)-D";
- (b) **Sentence 3.6.5.1.(1) is modified by deleting "**asbestos-cement";
- (c) **Sentence 6.2.1.7.(1) is modified by deleting "**in a form or in a location where asbestos fibres could enter the air supply system or return systems";
- (d) **Article 7.1.2.1. is deleted and replaced by:**

7.1.2.1. Conformance with Plumbing Code

1) Every plumbing system shall be designed and installed in conformance with the *Building Code Regulations* made under the *Building Code Act*, S.Nu. 2012,c.15, including the Plumbing Code as defined in and incorporated into those regulations.

- (e) **Table 7.2.1.1. is amended by deleting "National";**
- (f) **Article D-4.3.1. is modified by deleting "asbestos cement,";**
- (g) **the Table of Contents for Part 9 is modified by replacing "Energy Efficiency" with "Reserved";**
- (h) **the following is added after Article 9.1.2.1.:**

9.1.3. Site Assembled and Factory-Built Buildings and Components

9.1.3.1. Compliance with Code

- 1) Except as provided in Sentence (2), a manufactured *building* intended for *residential occupancy* is deemed to comply with this Code if it is designed and constructed in compliance with,
- a) CSA Z240.2.1, "Structural Requirements for Manufactured Homes", if the *building* is constructed in sections not wider than 4.88 m, or
 - b) CSA A277, "Procedure for certification of prefabricated buildings, modules, and panels".
- 2) The requirements of this Code shall apply to,
- a) *building* components designed and constructed outside the place of manufacture, and
 - b) site installation of such *buildings*.
- (i) **Sentence 9.7.2.2.(10) is deleted;**
 - (j) **Sentence 9.13.3.2.(2) is modified by**
 - (i) **deleting Clause (b), and**
 - (ii) **renumbering Clauses (c) to (n) as clauses (b) to (m);**
 - (k) **Article 9.19.1.2. is modified**
 - (i) **in Sentence (1) by replacing "Sentence (2)" with "Sentences (2) and (6)", and**
 - (ii) **by adding the following after Sentence (5):**

6) Alternative solutions to required vents shall be considered where the installation of vents and prevailing weather conditions would create the potential for wind-driven snow to accumulate in a space above an insulated ceiling.

- (l) **Article 9.25.1.1. is modified**
 - (i) **in Subclauses (2)(a)(i) and (ii) by deleting "and Section 9.36", and**
 - (ii) **in Sentence (3) by replacing "Sections 9.32., 9.33. and 9.36." with "Sections 9.32. and 9.33.";**
- (m) **Sentence 9.25.2.3.(6) is modified**
 - (i) **by deleting Clause (a), and**
 - (ii) **renumbering Clauses (b) and (c) as Clauses (a) and (b);**
- (n) **Table 9.26.3.1. is modified by deleting the following row:**

Asbestos-Cement Corrugated Sheets	1 in 4	No limit
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- (o) **Article 9.27.5.1. is modified**
 - (i) **in Sentence (1) by replacing "(6)" with "(4)", and**
 - (ii) **by deleting Sentences (5) and (6);**
- (p) **The French version of Table 9.27.5.4. is modified by deleting the following row:**

Bardeaux d'amiante-ciment	32	2	—
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- (q) **Sentence 9.27.5.3.(1) is modified by replacing "Sentences 9.27.5.1.(4) and (5)" with "Sentence 9.27.5.1.(4)";**
- (r) **Sentence 9.30.5.1.(1) is modified by deleting "vinyl-asbestos,";**
- (s) **Sentences 9.31.1.1.(4), 9.32.1.1.(4) and 9.33.1.1.(4) are deleted;**
- (t) **Sentence 9.33.4.8.(1) is modified by deleting "in a form or in a location where asbestos fibres could enter the air supply or return system";**
- (u) **Sentence 9.33.6.2.(1) is modified by deleting ", asbestos-cement";**
- (v) **Section 9.36. is deleted and replaced by:**

Section 9.36. Reserved

- (x) **Table 9.37.1.1. is modified by deleting everything after the following rows:**

9.35.4.3. Anchorage	
(1)	[F22-OS2.4,OS2.5]
	[F22-OP2.4,OP2.5]

- (y) **Note A-9.19.2.1.(1) is modified by deleting "See also Article 9.36.2.6.";**
- (z) **Notes A-9.36.1.1.(1) to A-9.36.5.15.(8) are deleted, including all Tables, Figures, and Examples.**

4. Division C is modified as follows:

- (a) **the Table of Contents for Part 2 is modified by replacing "Drawings, Specifications and Calculations for Energy Performance Compliance" with "Reserved";**
- (b) **Subsection 2.2.8. is deleted and replaced by:**
 - 2.2.8. Reserved**
 - (c) **Notes A-2.2.8.1.(1) and A-2.2.8.3.(2)(c)(i) are deleted.**

5. The Index is modified

- (a) **by deleting**
 - (i) **all references to**
 - (A) **a provision deleted and not replaced by this Schedule, and**
 - (B) **any provision of Section 9.36. of Division B and Subsection 2.2.8. of Division C, and**
 - (ii) **all entries for which all references are struck out under paragraph (a); and**
- (b) **by adding the following entries in alphabetical order:**
 - Modular construction, 9.1.3.1.
 - Manufactured building, 9.1.3.1.

SCHEDULE 2

Subsection 6(2)

MODIFICATIONS TO NATIONAL PLUMBING CODE

1. National Plumbing Code of Canada is modified for the purposes of the Act and these regulations in accordance with this Schedule.

2. Division B is modified as follows:

(a) Table 1.3.1.2 is modified by deleting the following rows:

CSA	CAN/CSA-B127.1-99	Asbestos Cement Drain, Waste and Vent Pipe and Pipe Fittings	2.2.5.1.(1) 2.2.6.3.(1) A-2.2.5., 2.2.6. and 2.2.7.
CSA	B127.2-M1977	Components for Use in Asbestos Cement Building Sewer Systems	2.2.6.3.(1)

2.2.5.1. (b) Article 2.2.5.1. is deleted and replaced by: Reserved

2.2.6.3. (c) Article 2.2.6.3. is deleted and replaced by: Reserved

(d) Table 2.3.4.5. is modified by

(i) deleting the following rows:

Asbestos-cement pipe	2 ⁽¹⁾	None
Asbestos-cement pipe that is ≤ 300 mm long between adjacent fittings	1	None

(ii) deleting the Notes;

(e) Sentence 2.3.5.2.(1) is modified by replacing "asbestos-cement drainage pipe or vitrified clay" with "vitrified clay drainage pipe";

(f) Table 2.8.1.1. is modified by replacing the rows in the first column below with the row in the second column as follows:

Rows to be deleted

2.2.5.1. Asbestos-Cement Pipe and Fittings	
(1)	[F20-OH2.1,OH2.4]
(2)	[F20-OP5]
2.2.6.3. Cast-Iron Fittings for Asbestos-Cement Drainage Pipe	
(1)	[F20-OH2.1,OH2.3]

Rows to be substituted

2.2.5.1. Reserved
2.2.6.3. Reserved

- (g) **Table A-2.2.5, A-2.2.6. and A-2.2.7 is modified by deleting the following rows:**

Asbestos-cement DWV pipe											
Type I Class 3 000, sizes 8-in. to 24-in.	CAN/CSA-B127.1	2.2.5.1(1)	P	P	P	P	P	N	N	N	N
Type II Class 4 000, sizes 3-in. to 24 in.		2.2.5.1(1)	P	P	P	P	P	N	N	N	N

- (h) **Figure A-2.3.3.9. is modified by deleting ", asbestos cement"; and**
- (i) **Figure A-2.3.5.2.(1) is modified by deleting "asbestos-cement or" wherever it appears.**

3. **The Index is modified by deleting**
- (a) **all references to Articles 2.2.5.1. and 2.2.6.3;**
 - (b) **all entries for which all references are deleted under paragraph (a).**

SCHEDULE 3

Paragraphs 18(1)(h) and 28(f)

PERMIT FEES

Type of permit	Fee
Building permit for the purpose of demolition	\$100
Building permit for any purpose other than demolition	\$100 plus 0.1% of the value of construction
Conditional occupancy permit	\$250
Occupancy permit other than a conditional occupancy permit	No fee