

Royal



Gazette

Part II Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 176/2014

Made: November 18, 2014

Filed: November 19, 2014

Nova Scotia Building Code Regulations

Order dated November 18, 2014

Regulations repealed and made by the Minister of Municipal Affairs
pursuant to Section 4 of the *Building Code Act***In the matter of Section 4 of Chapter 46 of the Revised Statutes
of Nova Scotia, 1989, the *Building Code Act*****- and -****In the matter of the repeal and replacement of
the *Nova Scotia Building Code Regulations*****Order**I, Mark Furey, Minister of Municipal Affairs for the Province of Nova Scotia, pursuant to Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*, effective January 31, 2015,

- (a) repeal the *Nova Scotia Building Code Regulations*, N.S. Reg. 330/2013, made by Order of the Minister of Labour and Advanced Education dated November 5, 2013; and
- (b) make new regulations respecting the Nova Scotia building code in the form set forth in the attached.

Dated and made at Halifax, Province of Nova Scotia, November 18, 2014.

Sgd.: *Mark Furey*
Honourable Mark Furey
Minister of Municipal Affairs**Schedule "A"****Regulations Respecting the Nova Scotia Building Code
made by the Minister of Municipal Affairs under Section 4 of
Chapter 46 of the Revised Statutes of Nova Scotia, 1989,
the *Building Code Act*****Part 1: Repeals, Interpretation, Scope, Definitions and Administration****1.1. Repeals, Adoption and Interpretation****1.1.1. Title, Repeals, and Effective Date****1.1.1.1. Title**These regulations may be cited as the *Nova Scotia Building Code Regulations*.**1.1.1.2. Repeal and Effective Dates**

- (1) The *Nova Scotia Building Code Regulations*, N.S. Reg. 330/2013, made by the Minister of Labour and Advanced Education on November 5, 2013, are repealed effective January 31, 2015.
- (2) These *Nova Scotia Building Code Regulations* made by the Minister of Municipal Affairs are effective on and after January 31, 2015.

1.1.2. Adoptions

1.1.2.1. Nova Scotia Building Code

- (1) These regulations adopt the *National Building Code of Canada, 2010*, including all revisions, errata and corrections to errata made by that body on or before December 31, 2013, which together with these regulations shall be known as the “Nova Scotia Building Code” and may be referred to as the “Code”.
- (2) Effective December 31, 2013, these regulations adopt the *National Energy Code of Canada for Buildings, 2011*, including all revisions, errata and corrections to errata made by that body on or before December 31, 2013, except for their application to buildings within the scope of Part 3 of the National Building Code, and incorporate these as part of the Nova Scotia Building Code.
- (3) Effective December 31, 2014, these regulations adopt the *National Energy Code of Canada for Buildings, 2011*, including all revisions, errata and corrections to errata made by that body on or before December 31, 2013, and incorporate these as part of the Nova Scotia Building Code.

1.1.3. Interpretation

1.1.3.1. Numbering System

- (1) These regulations have been prepared following the same decimal numbering system as used in the *Code*.
- (2) The first number indicates the Part of these regulations; the second, the Section in the Part; the third, the Subsection and the fourth, the Article in the Subsection. An Article may be further broken down into Sentences (indicated by numbers in brackets), and the Sentence further divided into Clauses and Subclauses. They are illustrated as follows:

A	Division
3	Part
3.5	Section
3.5.2.	Subsection
3.5.2.1.	Article
3.5.2.1.(2)	Sentence
3.5.2.1.(2)(a)	Clause
3.5.2.1.(2)(a)(i)	Subclause

- 1.1.3.2. **Schedules** The Schedules “A” through “A-9” inclusive, “B”, “C” and “D” form part of these regulations.

1.1.4. Nova Scotia Building Advisory Committee

1.1.4.1. Appointment of Nova Scotia Building Advisory Committee

- (1) The Minister may appoint to the Committee such number of members as the Minister determines, for such terms as may be specified in the appointments.
- (2) The Committee shall include
 - (a) a representative of the Fire Marshal for the Province,
 - (b) a representative appointed from among persons nominated by the Disabled Persons Commission,
 - (c) a representative of municipal government appointed from among persons nominated by the Executive of the Union of Nova Scotia Municipalities,
 - (d) a representative appointed from among persons nominated by the Executive of the Association of Professional Engineers of Nova Scotia,

- (e) a representative appointed from among persons nominated by the Executive of the Nova Scotia Association of Architects,
- (f) a representative appointed from among persons nominated by the Executive of the Nova Scotia Home Designers Association,
- (g) a representative appointed from among persons nominated by the Executive of the Association of Interior Designers of Nova Scotia,
- (h) a representative appointed from among persons nominated by the Executive of the Nova Scotia Home Builders Association,
- (i) a representative appointed from among persons nominated by the Executive of the Construction Association of Nova Scotia,
- (j) a representative appointed from among persons nominated by the Executive of the Nova Scotia Building Officials Association,
- (k) a representative appointed from among persons nominated by the Executive of the NS & PEI Regional Council of Carpenters, Millwrights & Allied Workers, who shall be a resident of Nova Scotia, and
- (l) up to 3 additional members, as selected by the Minister.

1.2 Scope and Application

1.2.1. Application

1.2.1.1. Scope

- (1) These regulations apply to the administration and enforcement of the *Building Code Act* in the design, construction, erection, placement and *occupancy* of new *buildings*, and the *alteration*, reconstruction, *demolition*, removal, relocation, *occupancy* and change of *occupancy* classification of existing *buildings* and to the work necessary to correct *unsafe conditions* in existing *buildings* reported to the *authority having jurisdiction* or observed during an inspection.
- (2) Any construction or condition that lawfully existed prior to the effective date of these regulations need not conform to these regulations provided that such construction or condition does not constitute an unsafe condition in the opinion of the authority having jurisdiction.
- (3) Construction pursuant to a building permit in effect prior to December 31, 2009, and still in effect, need not conform to these regulations provided that such construction conforms to the regulations in force on the date that the building permit was issued.
- (4) Where a *building* or any part thereof is altered, these regulations apply to the parts of the *building* that are altered.
- (5) Where the whole or any part of a *building* is relocated either within or into the area of jurisdiction of the *authority having jurisdiction* these regulations apply only to the parts of the *building* that are being altered or *constructed*.
- (6) When the whole or any part of a *building* is demolished, these regulations apply to the work involved in the *demolition* and to the work required to any parts remaining after *demolition* to the extent that deficiencies occurring or remaining after *demolition* require correction.
- (7) When a *building* is damaged by fire, earthquake or other cause, these regulations apply to the work necessary to reconstruct damaged portions of the *building*.
- (8) “Alternate Compliance Methods for Existing *Buildings*”, contained in Schedule “D” of these regulations, or a combination of the “Alternate Compliance Methods for Existing *Buildings*”, and the *Code*, may be used where a *building* existed prior to March 13, 1987, and
 - (a) the existing *building* is undergoing *construction* other than for a change of use, or

- (b) the existing *building* is undergoing *construction*, and where a change of *occupancy* classification results in an *occupancy* with a reduced fire hazard risk.
- (9) When a *heritage building* or part thereof is undergoing a change in *occupancy* classification, the *owner* may choose the “Alternate Compliance Methods for Existing *Buildings*” contained in Schedule “D” of these regulations, or a combination of the “Alternate Compliance Methods for Existing *Buildings*” and the *Code*.
- (10) When any *building* in a *Heritage Conservation District* is undergoing a change in occupancy classification, the *owner* may choose the “Alternate Compliance Methods for Existing *Buildings*” contained in Schedule “D” of these regulations, or a combination of the “Alternate Compliance Methods for Existing *Buildings*” and the *Code*.

1.2.1.2. Exemptions

- (1) The *Code* does not apply to:
 - (a) sewerage, water, electrical, telephone, rail or similar systems located above, below or on an area that has been dedicated or deeded for public use,
 - (b) public utility towers and poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to *buildings*,
 - (c) flood control, dams for public water supply, hydroelectric dams and their related structures (not excluding *buildings*),
 - (d) mechanical or other equipment and *appliances* not specifically regulated by the *Code*,
 - (e) above-ground or below-ground bulk storage tanks not regulated under Part 6 of the *Code*, or the National Farm Building Code of Canada,
 - (f) free-standing signs,
 - (g) fences,
 - (h) retaining walls or exterior steps not attached to, and forming part of, a *building's* construction,
 - (i) manufactured homes built to CSA Z240 MH Series Standard “Manufactured Homes”, except for
 - (i) the notifications required by Sentence 2.1.1.11.(1) where the *manufactured home* was constructed before January 1, 2010, and has not been structurally altered, or
 - (ii) the notifications required by Sentence 2.1.1.11.(1) and the requirements of Section 9.36. Energy Efficiency Measures where the *manufactured home* is constructed after December 31, 2009,
 (See Appendix Note A-1.2.1.2.(1)(i) and (j). NSBCR)
 - (j) modular homes certified to CAN/CSA-A277-08 “Procedure for Factory Certification of Buildings” as complying with the technical requirements of this *Code*, except for
 - (i) the notifications required by Sentence 2.1.1.11.(1) where the *modular home* was constructed before January 1, 2010, and has not been structurally altered, or
 - (ii) the notifications required by Sentence 2.1.1.11.(1) and the requirements of Section 9.36. Energy Efficiency Measures where the *modular home* is constructed after December 31, 2009.
 (See Appendix Note A-1.2.1.2.(1)(i) and (j). NSBCR)
- (2) Unless a municipality otherwise requires by by-law, or where regulations are in another enactment, the *Code* applies but a *building permit* is not required for
 - (a) accessory *buildings* not greater than 20 m² (215.2 ft.²) in area,
 - (b) except under Clause 1.2.1.2.(2)(c), interior and exterior non-structural material *alterations* and material repairs with a monetary value of \$5000.00 or less,
 - (c) replacement or installation of a new plumbing *fixture* that does not increase the hydraulic load of the drainage system or require alterations to an existing water distribution system or drainage system.

1.3 Definitions of Words and Phrases

1.3.1. Definitions

1.3.1.1. General Definitions contained in Section 2 of the *Building Code Act* also apply in these regulations.

1.3.1.2. Italicized Words The words and phrases defined in Article 1.1.3.2. of the *Code*, identified in these regulations in italics, also apply in these regulations unless otherwise defined.

1.3.1.3. Specific Definitions In these regulations the following definitions apply:

“Architect” means a member licensed to ~~practice~~ [practise] or licensee of the Nova Scotia Association of Architects.

“*Building Code Act*” or “Act” means Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*.

“Building Official” means a person appointed as an inspector pursuant to Section 5 of the Act.

“Camping accommodation” means any *building* within a campground that is intended to serve the public or is intended as rental accommodation for the travelling or vacationing public.

“Code” means the Nova Scotia *Building Code*.

“Construct” means to do anything in the erection, installation, extension, relocation, material *alteration* or material repair of a *building* and includes the installation of a factory-made *building* fabricated or moved from elsewhere.

“Demolition” means the doing of anything in the removal of a *building* or any material part thereof.

“Electric space heating” means an electric energy source that provides more than 10% of the heating capacity provided for a *building* and includes

- (a) electric resistance unitary baseboard heating,
- (b) electric resistance unitary cabinet heating,
- (c) electric resistance ceiling cable or floor cable heating,
- (d) electric resistance central furnace heating,
- (e) electric hot water space heating, and
- (f) air source heat pumps in combination with electric resistance backup heating.

“Field Review of Construction” means, and is limited to, the inspection of the construction work at intervals appropriate to the stage of construction, at the project site and where applicable at the fabrication location where *building* components are fabricated for use at the project site, that the *designer* in their professional discretion considers necessary to determine general compliance with the design drawings accepted by the *authority having jurisdiction* and all revisions thereto.

“*Field Review of Construction*” does not include the coordination, quality and performance of construction.

“Heritage *Building*” means a registered heritage property, registered under the *Heritage Property Act* by the Province or by a municipality.

“Heritage Conservation District” means a heritage conservation district designated by a municipality

in accordance with the *Heritage Property Act*.

“Interior Designer” means a member licensed to ~~practice~~ [practise] or a licensee of the Association of Interior Designers of Nova Scotia.

“Manufactured home” means a transportable, single- or multiple-section *dwelling unit* certified by an accredited certification body, as complying with the CAN/CSA Series Z240 Series “Manufactured Homes” at the time of manufacture, prior to placement on the site.

“Modular home” means a finished section or sections of a complete *dwelling unit* built in a factory for transport to the site for installation, and certified to CSA Standard A277-08 “Procedures for the Factory Certification of Buildings”, by an accredited certification body, at the time of manufacture, prior to placement on the site.

“National Building Code of Canada” means the National Building Code of Canada, 2010 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 53301, including all revisions, errata and corrections to errata made by that body on or before October 31, 2014.

“National Energy Code for Buildings” means the National Energy Code for Buildings 2011 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 53301, including all revisions, errata and corrections to errata made by that body on or before December 31, 2013.

“National Farm Building Code of Canada” means the National Farm Building Code of Canada, 1995 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 38732, including all revisions, errata and corrections to errata made by that body on or before October 31, 2014.

“National Plumbing Code of Canada” means the National Plumbing Code of Canada, 2010 as issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC No. 54435, including all revisions, errata and corrections to errata made by that body on or before October 31, 2014.

“Owner” includes a person controlling the property under consideration, and also *prima facie* the assessed *owner* of the property whose name appears on the assessment role prepared in accordance with the *Assessment Act*.

“Professional Engineer” means a member or licensee of the Association of Professional Engineers of Nova Scotia.

“Roofed accommodation” means a *building*, part of a *building*, or a group of *buildings* that is intended as rental accommodation for the travelling or vacationing public.

“Work” means any construction duty or function regulated by these regulations, carried out on or about a construction site or on, in, or about a *building* or part thereof.

1.4 Administration

1.4.1. Permits

1.4.1.1. General

- (1) A *permit* is required if work regulated by the *Code* is to be done.

- (2) The *authority having jurisdiction* may place a value on the cost of the work based on an accepted costing standard for the purpose of determining *permit* fees to be applicable.
- (3) The *authority having jurisdiction* may, if applicable, withhold a *building permit* until satisfied that there is a valid on-site sewage disposal system *permit* issued by the Department of the Environment for the construction of a *building* requiring a new *private sewage disposal system*.
- (4) The *authority having jurisdiction* may, if applicable, withhold an *occupancy permit*
 - (a) until satisfied that there is a valid electrical *permit* issued by the electrical *authority having jurisdiction*,
 - (b) until satisfied that the civic address is posted where a municipality has so provided by by-law, in accordance with Section 313 of the *Municipal Government Act*.
- (5) The *authority having jurisdiction* may, if applicable, withhold a *building permit* until satisfied that there is a valid “Minister’s Consent For Building and Access to Property” issued by the Department of Transportation and Infrastructure Renewal, under the *Public Highways Act*.
- (6) Where a municipality has so provided by by-law, the *authority having jurisdiction* may withhold the issuance of a *building permit* until satisfied that any and all applicable regulations of the *Heritage Property Act*, and the *Municipal Government Act*, including any *Land Use Bylaw*, *Subdivision Bylaw*, lot grading plan or Development Agreement, have been complied with and all required permits have been issued by the Development Officer.
- (7) Unless a municipality in accordance with Section 7 of the *Building Code Act* has provided other or additional regulations by by-law, an *occupancy permit* is required
 - (a) to allow the initial *occupancy* of a *building* or part thereof,
 - (b) when the *occupancy* classification of a *building* or part thereof is changed, or
 - (c) to allow partial *demolition* or *alteration* of a *building*.

1.4.1.2. Application To obtain a *permit* the *owner* shall file an application as prescribed by the *authority having jurisdiction*.

1.4.1.3. Required Information

- (1) Every *building permit* application as a minimum shall
 - (a) identify and describe in detail the work and *occupancy* to be covered by the *permit* for which application is made,
 - (b) describe the land by including where Nova Scotia property mapping exists the unique Parcel Identifier (PID) or where this mapping does not exist the assessment account number, and a description that will readily identify and locate the *building* lot,
 - (c) include plans and specifications as required by Division C, Subsection 2.2.2. of the *Code*,
 - (d) state the valuation of the proposed work and be accompanied by the required fee,
 - (e) state the names, addresses and telephone numbers of the *owner*, architect, *professional engineer*, or other *designer*, *constructor* and any inspection or testing agency that has been engaged to monitor the work or part of the work,
 - (f) describe any special *building* systems, materials and *appliances*, and
 - (g) such additional information as may be required by the *authority having jurisdiction*.

1.4.1.4. Letter of Undertaking when Professional Required to Design

The *owner* shall, along with the application referred to in Article 1.4.1.2., submit a letter of undertaking to the *authority having jurisdiction* for the *Field Review of Construction* when the *building*, or part thereof, has been designed within the Scope of Part 4 of the *Code* and as provided under 2.1.1.6. for Part 9 *buildings*.

1.4.1.5. Dimensional Tolerances If, in the opinion of the *authority having jurisdiction*, safety to life

will not be reduced and *barrier-free* design and access will not be adversely affected, an *authority having jurisdiction* may accept a minor variation, not more than 2%, in a dimension or measure given in the *Code*. (See Appendix A-1.4.1.5 NSBCR)

1.4.1.6. Deviations The *owner* shall not deviate, nor authorize a deviation, from the *Code*, or the conditions of a *permit*, without first obtaining permission in writing to do so from the *authority having jurisdiction*.

1.4.1.7. Land Survey In addition to Clause 1.4.1.3.(1)(c) the *owner*, if requested by the *authority having jurisdiction*, shall submit an up-to-date plan of survey or real property report, prepared by a registered Nova Scotia Land Surveyor, containing sufficient information regarding the site and the location of the *building*,

- (a) to establish before construction begins that the provisions of the *Code* related to the site and the location of the *building* will be complied with, and
- (b) to verify, upon completion of the work, compliance with all such provisions.

1.4.1.8. Responsibility for carrying out work The acceptance of drawings and specifications, the granting of a *permit*, and inspections made by the *authority having jurisdiction* shall not in any way relieve the *owner*, *owner's* agent, the *constructor*, the *architect*, the *professional engineer*, or the *designer*, of a *building* from their respective responsibility for carrying out the work or having it carried out in accordance with these regulations, including ensuring that the *occupancy* of the *building*, or any part thereof, is in accordance with the terms of the *permit*.

1.4.1.9. Inspection Exemption Modular and Manufactured Homes *Modular homes* and *manufactured homes* are subject to the notification for inspection required by sentence 2.1.1.11.(2) of these regulations, and are exempt for the work certified at the factory as complying with CAN/CSA Series Z240 Series "Manufactured Homes" or certified to CSA Standard A277-08 "Procedures for the Factory Certification of Buildings". (See Appendix Note A-1.2.1.2.(1)(i) and (j) NSBCR)

1.4.1.10. Site Grading The *authority having jurisdiction* may require an *owner* to have a *building* site graded in conformance with any storm drainage plan, prepared or accepted by the *authority having jurisdiction*, for the area in which the *building* is located.

1.4.1.11. Permission to Proceed in Part

- (1) The *authority having jurisdiction* may allow, at the risk of the *owner*, with conditions if necessary, to ensure conformance with the *Code*, the *owner* to proceed with *excavation* or construction of part of a *building* before the plans of the entire *building* have been submitted.
- (2) If the *authority having jurisdiction* allows *excavation* or construction of part of a *building* under Sentence (1), the *owner* shall submit all such plans and specifications as may be required in connection therewith by the *authority having jurisdiction*, including at a minimum, complete plans and specifications for the work that is authorized under sentence (1).
- (3) If an *owner* proceeds to excavate or *construct* part of a *building* under Sentences (1) and (2), the *owner* proceeds without assurance that the *excavation* or construction of other parts of the *building* will be allowed.

1.4.1.12. Temporary Building or Occupancy (see Appendix Note A-1.4.1.12.)

- (1) Notwithstanding anything contained elsewhere in these regulations, a permit for a temporary *building* or part thereof, or a temporary change of occupancy classification of an existing *building*, may be issued by the *authority having jurisdiction*, authorizing for a limited time only the erection and existence of a *building*, or part thereof, or for a temporary change of *occupancy* classification, for an *occupancy* that, because of its nature, will exist for a short time, under circumstances that warrant only selective compliance with the *Code*.

- (2) A *permit* for a temporary *building* or temporary change of *occupancy* classification shall state the date after which and the conditions under which the *permit* is no longer valid.
- (3) A *permit* for a temporary *building* or temporary change of *occupancy* classification may be extended provided permission in writing is granted by the *authority having jurisdiction*.
- (4) A *permit* for a temporary *building* or temporary change of *occupancy* classification shall be posted on the *building*.
- (5) A *permit* issued for a tent or temporary *air-supported structure*, shall be required to be renewed every 12 months.
- (6) A *permit* issued for a temporary change of *occupancy* classification shall be required to be renewed every 12 months.

Part 2: Responsibilities and Obligations

2.1 Obligations of Owner

2.1.1. General

2.1.1.1. Required *Permits* and Plans Review

- (1) Every *owner* shall obtain all required *permits* or approvals prior to commencing the work to which they relate.
- (2) Prior to the start of construction, an *owner* of a building or facility containing one of the following classes of occupancies must provide building plans for the construction or alteration of the building or facility to the Office of the Fire Marshal:
 - (a) an assembly occupancy (Group A) to which one or more of the following apply:
 - (i) it is more than 3 stories high including the stories below grade,
 - (ii) it has an area greater than 600 m²,
 - (iii) it is in a non-residential building that is used for a school, college or university and that has an occupant load of more than 40 persons,
 - (b) a care or detention occupancy (Group B),
 - (c) a residential occupancy (Group C) that is licensed or regulated under the *Homes for Special Care Act*, or
 - (d) a high hazard industrial occupancy (Group F, Division 1) that is more than 2 storeys high or has an area greater than 600 m².

2.1.1.2. Start-up Date Every *owner* shall give written notice to the *authority having jurisdiction* of the date on which the *owner* intends to begin work prior to commencing work on the *building* site.

2.1.1.3. Notice of Employees

- (1) Every *owner* shall, prior to commencing the work, give notice in writing to the *authority having jurisdiction* of the name, address and telephone number of
 - (a) the *constructor* or other person in charge of the work,
 - (b) the *designer* of the work,
 - (c) the *architect(s)*, *professional engineer(s)*, and prime consultant(s) performing the *Field Review of Construction(s)*, and
 - (d) any inspection or testing agency engaged to monitor the work or part of the work.
- (2) Every *owner* shall give notice in writing to the *authority having jurisdiction*
 - (a) as soon as any change in ownership or change in the address of the *owner* occurs prior to the issuance of an *occupancy permit*,

- (b) prior to occupying any portion of the *building* if it is to be occupied in stages, and
- (c) of any change in or termination of employment of a person referred to in Sentence (1) during the course of the construction, as soon as practical but not later than 72 hours after such change or termination occurs.

2.1.1.4. Plans at Site Every *owner* shall ensure that the plans, specifications and related documents on which the issuance of the *building permit* was based are available at the site of the work for inspection during working hours by the *authority having jurisdiction*, and that the *permit*, or true copy thereof, is posted conspicuously on the site during the entire execution of the work.

2.1.1.5. Professional Design and Review The *owner* who undertakes to *construct* or have *constructed* a *building* or part thereof within the scope of Part 4 of the *Code* shall,

- (a) ensure that an *architect, professional engineer, or interior designer*, as required, are appointed to undertake the design of the *building* or part thereof, and
- (b) complete and submit a letter of undertaking in the form specified in Schedule “A” for the *Field Review of Construction* of such *buildings*.

2.1.1.6. Design Regulations for Structural Components Where the dimensions of a structural component are not provided in Part 9 of the *Code* for use in a *building* within the scope of that Part, and such dimensions are to be determined on the basis of calculation, testing or other means of evaluation, the *owner* shall

- (a) ensure that a *professional engineer* is appointed to undertake the design of the structural component, and
- (b) when required by the *authority having jurisdiction*, complete and submit a letter of undertaking in the form specified in Schedule “A” for the *Field Review of Construction* for this structural component.

2.1.1.7. Site Conditions, Size, or Complexity Requiring Professional Design and Inspection Where the site conditions, the size or complexity of a *building*, part of a *building* or *building* component warrant, the *authority having jurisdiction* may require the *owner* to file a Letter of Undertaking and have appropriate Field Review of Construction letters submitted as deemed necessary.

2.1.1.8. Design Regulations for Sprinklered Building

- (1) Where a *building* is required or intended to be *sprinklered*, the *owner* shall
 - (a) ensure that a *professional engineer* is appointed to undertake the design of the sprinkler system, and
 - (b) complete and submit a Letter of Undertaking in the form specified in Schedule “A” of the *Field Review of Construction*.
- (2) Where the *alteration* of an existing *building* requires changes to an existing sprinkler system, the *authority having jurisdiction* may waive compliance with Clauses 2.1.1.8.(1), (a) and (b). Where Clauses 2.1.1.8.(1), (a) and (b) are waived, the design documents and test results conducted on the system, required under the provincial maintenance regulations made under the *Fire Safety Act* must be filed with the *authority having jurisdiction*.

2.1.1.9. Alteration to Property Boundary or Ground Elevation No *owner* or person hired by the *owner* shall allow the ground elevations or the property boundaries of a *building* lot to be changed so as to place a *building* or part thereof in contravention of these regulations, unless the *building* or part thereof is so altered, after obtaining the necessary *permit*, that no contravention will occur as a result of the change of the property boundary or grades.

2.1.1.10. Right of Entry Every *owner* shall allow the *authority having jurisdiction* to enter any *building* or premises at any reasonable time for the purpose of administering and enforcing these regulations in accordance with the provisions of subsections 10(1), 10(2), and 10(3) of the *Building Code Act*.

2.1.1.11. Notification for Inspection and Certification of Field Review of Construction

- (1) The *owner* of a *building* being *constructed* under the scope of Part 9 of the Code shall notify the *authority having jurisdiction* to inspect for compliance with the *Code* at the following stages of construction:
- (a) footings in place,
 - (b) subfloor plumbing,
 - (c) subfloor and foundation insulation,
 - (d) pre-backfill,
 - (e) except for *manufactured and modular homes*
 - (i) the framing, roof, and plumbing and mechanical systems,
 - (ii) insulation and vapour barrier before wall framing is covered, and
 - (f) for *manufactured and modular homes*,
 - (i) superstructure installation and anchorage systems,
 - (ii) foundation insulation and vapour barrier before wall framing is covered, and plumbing connections below the first floor, and
 - (g) before occupancy.
- (See Appendix Notes A-2.1.1.11.(1) and (2) and A-1.2.1.2.(1)(i) and (j) NSBCR)
- (2) The *owner* of a *building* being *constructed* outside the scope of Part 9 of the Code shall notify the *authority having jurisdiction* to inspect for compliance with the *Code*
- (a) of the intent to undertake construction that will be inspected and will be reviewed as per the appropriate Letter of Undertaking required by Article 2.1.1.5., 2.1.1.6., or 2.1.1.7.,
 - (b) of intent to cover construction that has been ordered to be inspected by the *authority having jurisdiction* before covering,
 - (c) at intervals deemed necessary by the *authority having jurisdiction* based on the complexity of the *building*, and
 - (d) when construction has been completed so that a final inspection can be made.
- (See Appendix Note A-2.1.1.11.(3) NSBCR)

2.1.1.12. Occupancy Prior to Completion Should the *owner* require *occupancy* to occur prior to the completion of all work the *owner* shall apply for the *occupancy permit* and shall ensure that no *unsafe condition* exists or will exist because of the work being undertaken or not completed.

2.1.1.13. Test or Inspections to Prove Compliance Every *owner* shall make, or have made at their own expense, the tests or inspections necessary to prove compliance with these regulations and shall promptly file a copy of all such test or inspection reports with the *authority having jurisdiction*.

2.1.1.14. Repairs to Public Property Every *owner* is responsible for the cost of repair of any damage to public property or works located therein that may occur as a result of undertaking work for which a *permit* was or was not required.

2.1.1.15. Discontinuation of Work Every *owner* who is unable to continue work owing to bankruptcy or other cause is responsible, before leaving the site of the work, for ensuring that no *unsafe condition* remains at the site.

2.2 Obligations of Professional

2.2.1. General

2.2.1.1. Design The *architect, professional engineer or interior designer* who undertakes to design a *building* or part thereof shall do so in accordance with their respective statutes and bylaws to ensure that the design meets the intent of the *Code*.

2.2.1.2. Field Review of Construction The *architect(s), professional engineer(s) or interior*

designer(s) who undertakes the *Field Review of Construction* shall do so in accordance with their respective statutes and bylaws, and shall

- (a) inspect the *building* at intervals appropriate to the stage of construction to determine general compliance with design referred to in Article 2.2.1.1.,
- (b) coordinate with the *authority having jurisdiction* the review of changes to the design documents for consistency with the intent of the plans and specifications,
- (c) file with the *authority having jurisdiction* the Certification of *Field Review of Construction*.

2.3 Obligations of Constructor

2.3.1. General

2.3.1.1. Construction Safety Regulations Every *constructor* shall ensure that all construction safety requirements of the Department of Labour and Advanced Education, Occupational Health and Safety Division, are complied with.

2.3.1.2. Work on Public Property Every *constructor* is responsible for ensuring that no *excavation* or other work is undertaken on public property, and that no *building* is erected or materials stored in whole or in part therein without approval having first been obtained in writing from the appropriate government authority.

2.3.1.3. Responsibilities for the Work Undertaken

- (1) Every *constructor* is responsible jointly and severally with the *owner* for all and any work actually undertaken.
- (2) Every *constructor* who is unable to continue work owing to bankruptcy or other cause is responsible, before leaving the site of the work, for ensuring that no *unsafe condition* remains at the site.

2.3.1.4. Owner Deemed to be constructor Where the work for which a *permit* is issued is not under the control of a *constructor*, the *owner* shall be deemed to be the *constructor* and shall accept the responsibilities and obligations of a *constructor*.

2.3.1.5. Materials, Systems, to Comply with Code Every *constructor* shall ensure that all materials, systems, equipment, used in the construction, *alteration*, reconstruction or renovation of a *building* meet the provisions of the *Code* for the work undertaken.

2.4 Obligation of Authority having Jurisdiction

2.4.1. Qualifications of Building Officials

2.4.1.1. Appointment A person appointed or eligible to be appointed by a municipality as a *building official* shall

- (a) hold a valid diploma from the Nova Scotia Building Code Training and Certification Board, and
- (b) be a member in good standing of the Nova Scotia Building Officials Association.

2.4.1.2. Administration and Enforcement of the *Building Code Act* and Regulations

- (1) *Building Officials* are required to administer and enforce the provisions of the *Building Code Act* and regulations.
- (2) *Building Officials* may only administer and enforce the provisions of the *Building Code Act* and regulations within the scope for which they hold a valid diploma from the Nova Scotia Building Code Training and Certification Board.

2.4.2. General

2.4.2.1. Administration and Enforcement The *authority having jurisdiction* shall administer and enforce these Regulations.

2.4.2.2. Copies of Applications, Inspections, and Tests The *authority having jurisdiction* shall keep copies of all applications received, *permits* and orders issued, inspections and tests made and of all papers and documents connected with the administration of these regulations for such time as is required by law.

2.4.2.3. Notices and Orders The *authority having jurisdiction* shall issue, in writing, such notices or orders as may be necessary to inform the *owner* where a contravention of these regulations has been observed. Such notices or orders may specify any remedial or other measures that are required to meet the regulations in accordance with the provisions of Section 12 of the Act. Where the *authority having jurisdiction* issues such written notice or order, a copy shall be retained by the *authority having jurisdiction* and a copy shall be sent to

- (a) the *owner*, by regular mail, at the address given on the *permit* application,
- (b) the *designer, architect* or *professional engineer* by regular mail, at the address given on the *permit* application,
- (c) the *constructor*, by regular mail, or if the *constructor* is present during the inspection, may be given to the *constructor*.

2.4.2.4. Responding to Code Inquiries The *authority having jurisdiction* shall answer such relevant questions as may be reasonable with respect to the provisions of these regulations when requested to do so, but shall refrain from assisting in the laying out of any work and from acting in the capacity of a *designer*.

2.4.2.5. Authority having Jurisdiction to Issue Permits The *authority having jurisdiction* shall issue a *building permit* or an *occupancy permit* to the *owner* when, to the best of *authority having jurisdiction's* knowledge, the applicable conditions, as set forth in these regulations, have been met.

2.4.2.6. Safety Regulations The *authority having jurisdiction* shall, when inspecting *building* sites and structures, comply with the safety regulations made pursuant to the *Occupational Health and Safety Act*, Department of Labour and Advanced Education, Province of Nova Scotia.

2.4.2.7. Duty to inform owner of plans review requirement

The *authority having jurisdiction* shall inform the *owner* that prior to the start of construction, an *owner* of a building or facility containing one of the following classes of occupancies must provide building plans for the construction or alteration of the building or facility to the Office of the Fire Marshal:

- (a) an assembly occupancy (Group A) that is one or more of the following:
 - (i) is more than 3 stories high including the stories below grade,
 - (ii) has an area greater than 600 m²,
 - (iii) is in a non-residential building that is used for a school, college or university and that has an occupant load of more than 40 persons,
- (b) a care or detention occupancy (Group B),
- (c) a residential occupancy (Group C) that is licensed or regulated under the *Homes for Special Care Act*, or
- (d) a high-hazard industrial occupancy (Group F, Division 1) that is more than 2 stories high or has an area greater than 600 m².

2.5 Powers of Authority having Jurisdiction

2.5.1. General

2.5.1.1. Right to Enter Property The *authority having jurisdiction* may enter and inspect any *building* or premises at any reasonable time for the purpose of administering or enforcing these regulations

in accordance with the provisions of subsections 10(1), 10(2), and 10(3) of the *Building Code Act*.

2.5.1.2. Orders

- (1) The *authority having jurisdiction* is empowered to order
- (a) a person who contravenes these regulations to comply with them within the time period that may be specified,
 - (b) work to stop on the *building* or any part thereof if such work is proceeding in contravention of these regulations, or if there is deemed to be an *unsafe condition*,
 - (c) the removal of any unauthorized encroachment on public property,
 - (d) the removal of any *building* or part thereof constructed in contravention of these regulations,
 - (e) the cessation of any *occupancy* in contravention of these regulations,
 - (f) the cessation of any *occupancy* if any *unsafe condition* exists because of work being undertaken or not completed,
 - (g) correction of any *unsafe condition*, and
 - (h) the *owner* to uncover and replace at their own expense
 - (i) work that has been ordered to be done pursuant to an order issued by the *authority having jurisdiction* and that has been covered without being inspected, and
 - (ii) work for which notification to inspect is required to be given pursuant to Article 2.1.1.11., and where uncovering the work is necessary to determine compliance with the *Code*.

2.5.1.3. Tests Required to Prove Compliance The *authority having jurisdiction* may direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the *owner*, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation condition meets these regulations.

2.5.1.4. Reports Regarding Failure or Potential Failure The *authority having jurisdiction* may require the *owner* or the *owner's* representative, where any failure occurs that causes or has the potential to cause injury or loss of life, to submit a report stating the nature and details of the failure and the name and addresses of the *constructor*.

2.5.1.5. Conditional Building or Occupancy Permit

- (1) The *authority having jurisdiction* may issue a *building* or *occupancy permit* conditional upon
- (a) the submission of additional information not available at the time where such information is of such a nature that withholding of the *permit* until the information becomes available would be unreasonable,
 - (b) completion of such work that is incomplete at the time of inspection, where the application is of such a nature that no *unsafe condition* exists and that withholding of the *permit* would be unreasonable.

2.5.1.6. Refuse to Issue Permit

- (1) The *authority having jurisdiction* may refuse to issue any *permit*
- (a) whenever information submitted is inadequate to determine compliance with the provisions of these regulations,
 - (b) whenever incorrect information is found to have been submitted,
 - (c) that would authorize any *building* work or *occupancy* that would not be permitted by these regulations, or
 - (d) that would be prohibited by any other Act, regulation or bylaw.

2.5.1.7. Revoke a Permit

- (1) The *authority having jurisdiction* may revoke a *permit* by written notice to the *permit* holder if
- (a) there is contravention of any condition under which the *permit* was issued,
 - (b) the *permit* was issued in error, or

- (c) the *permit* was issued on the basis of incorrect information.

2.5.1.8. Occupancy Prior to Completion The *authority having jurisdiction* may issue an *occupancy permit*, subject to compliance with provisions to safeguard persons in or about the premises, to allow the *occupancy* of a *building* or part thereof for the accepted use, prior to commencement or completion of the construction or *demolition* work.

2.5.1.9. Provide Reasons for Refusal The *authority having jurisdiction* shall provide the reasons for refusal to grant a *permit*, when requested to do so.

Part 3: Amendments to National Codes

3.1 Amendments Made to Division[s] A, B and C of the National Building Code of Canada, the National Energy Code of Canada, and the National Plumbing Code of Canada

3.1.1. Amendments

3.1.1.1. Definition of *Owner* deleted and replaced. The definition of “*owner*” in Section 1.4 (Part 1, Division A), of the National Building Code of Canada is deleted and replaced herein with the definition of “*owner*” in Article 1.3.1.3. of these regulations.

3.1.1.2. Sentence 1.1.1.1.(2) (Part 1, Division A) amended. Sentence 1.1.1.1.(2) (Part 1, Division A) of the National Building Code of Canada is amended by deleting sentence (2) and substituting the following:

Sentence 1.1.1.1.(2)

Except as provided by Clauses 1.2.1.2.(1)(i) and (j) of this regulation, the *Code* applies to both site-assembled, and factory built buildings. (See Appendix Note[s] A-1.2.1.2.(1)(i) and (j) NSBCR)

3.1.1.3. Article 1.3.3.2. (Part 1, Division A) amended. Article 1.3.3.2. (Part 1, Division A) of the National Building Code of Canada is amended by adding new Sentence 1.3.3.2.(2) (Part 1, Division A):

Sentence 1.3.3.2.(2)

Except as provided in Sentence 1.1.1.1.(3) (Part 1, Division A) and Clause[s] 9.10.1.2.(12)(b) and (c) (NSBCR), Articles 3.2.2.18. and 3.2.2.44. to 3.2.2.53. inclusive (Part 3, Division B), apply to all buildings used for major occupancies classified as Group C, residential occupancies exceeding 300 m² in building area. (See 3.1.1.19. and Appendix A-1.3.3.2.(2) NSBCR)

3.1.1.4. Article 1.3.1.2. (Part 1, Division B) Applicable Editions amended. Article 1.3.1.2. (Part 1, Division B) of the National Building Code of Canada is deleted and replaced with the following:

1.3.1.2

- (1) Except as provided under sentence (2), where documents are referenced in this Code, they shall be the editions designated in Table 1.3.1.2. (Part 1, Division B) except those documents designated under the following Acts and regulations of the Province of Nova Scotia in which case the edition so referenced shall be deemed to be in force:
- (a) *Technical Safety Act* and Sections 4 (boiler and pressure equipment standards) and 6 (fuel safety standards) of the *Technical Safety Standards Regulations*,
 - (b) *Elevators and Lifts Act* and *Elevators and Lifts General Regulations*, or as that Act and regulation[s] are replaced by the *Technical Safety Act* and *Technical Safety Standards Regulations*,
 - (c) *Electrical Installation and Inspection Act* and *Electrical Code Regulations*, or as that Act and regulation[s] are replaced by the *Technical Safety Act* and *Technical Safety*

Standards Regulations.

(See Appendix note A-3.1.1.4. NSBCR)

- (2) Where amendments to documents adopted by this Code apply, these amendments shall apply to the particular provisions of those documents adopted by the above Acts and regulations unless amended by this regulation.

3.1.1.5. Sentence 1.3.1.2.(1) (Part 1, Division B) of the National Building Code of Canada is amended by adding to Table 1.3.1.2. the following:

Issuing Agency	Document Number	Title of Document	Code Reference
ULC	CAN/ULC-S545	Standard for Residential Fire Warning System Control Units	9.10.19.3.(1)
ULC	CAN/ULC-S319-05	Electronic Access Control Systems	3.4.6.15.(4)(f)(ii) 3.4.6.15.(4)(i)

3.1.1.6. Sentence 3.1.5.22.(1) (Part 3, Division B) of the National Building Code of Canada is added:

3.1.5.22. Combustible Solar Collector Systems

- (1) A combustible solar collector system is permitted to be installed above the roof of a building required to be of noncombustible construction.

3.1.1.7. Table 3.2.2.49. (Part 3, Division B) deleted and replaced. Table 3.2.2.49. (Part 3, Division B) of the National Building Code of Canada is deleted and replaced with:

**Table 3.2.2.49.
Maximum Building Area, Group C, up to 3 Storeys**

No. of Storeys	Maximum Area, m ²		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	2400	3000	3600
2	1200	1500	1800
3	800	1000	1200

3.1.1.8. Table 3.2.2.51. (Part 3, Division B) deleted and replaced. Table 3.2.2.51. (Part 3, Division B) of the National Building Code of Canada is deleted and replaced with:

**Table 3.2.2.51.
Maximum Building Area, Group C, up to 3 Storeys, Increased Area**

No. of Storeys	Maximum Area, m ²		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	1200	1500	1800
2	600	750	900
3	400	500	600

3.1.1.9. Table 3.2.2.52. (Part 3, Division B) deleted and replaced. Table 3.2.2.52. (Part 3, Division B) of the National Building Code of Canada is deleted and replaced with:

**Table 3.2.2.52.
Maximum Building Area, Group C, up to 3 Storeys**

No. of Storeys	Maximum Area, m ²		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	900	1120	1350
2	450	560	675
3	300	375	450

3.1.1.10. Article 3.2.2.55. Group D, up to 6 Storeys (Part 3, Division B) deleted and replaced.

Article 3.2.2.55. Group D, up to 6 Storeys (Part 3, Division B) of the National Building Code of Canada is deleted and replaced with:

3.2.2.55.

- (1) A building classified as Group D is permitted to conform to Sentence (2) provided
- it is not more than 3 storeys in building height, and
 - it has a building area not more than the value in Table 3.2.2.55.

**Table 3.2.2.55.
Maximum Building Area, Group D, up to 3 Storeys**

No. of Storeys	Maximum Area, m ²		
	Facing 1 Street	Facing 2 Streets	Facing 3 Streets
1	not limited	not limited	not limited
2	7200	not limited	not limited
3	4800	6000	7200

- (2) The building referred to in Sentence (1) shall be of noncombustible construction, and
- floor assemblies shall be fire separations with a fire-resistance rating not less than 1 h,
 - mezzanines shall have a fire-resistance rating not less than 1 h,
 - roof assemblies shall have a fire-resistance rating not less than 1 h, except that in a building not more than 1 storey in building height this requirement is waived, and
 - loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the supported assembly.

3.1.1.11. Section 3.2. (Part 3, Division B) amended. Section 3.2. (Part 3, Division B) of the National Building Code of Canada is amended by adding Article 3.2.2.89. "Alternate Compliance Methods For Existing Buildings":

Article 3.2.2.89. Alternate Compliance Methods For Existing Buildings

- (1) Scope
- (2) **Application.** The Alternate Compliance Methods for Existing Buildings contained in Schedule "D" of these regulations are hereby adopted and may be used in accordance with Sentences 1.2.1.1.(8), (9), and (10) of these regulations.

3.1.1.12. Sentence 3.3.1.13.(3) (Part 3, Division B) deleted and replaced.

Sentence 3.3.1.13.(3) (Part 3, Division B) [of the] National Building Code of Canada is deleted and replaced with:

- 3.3.1.13.(3)** Except as permitted by Sentence (4) or ~~Subclause~~ [Clause] 3.4.6.16.(4)(f), door release hardware shall be operable by one hand and the door shall be openable with not more than one releasing operation. (See also Sentence 3.8.3.3.(3).)

3.1.1.13. Sentence 3.4.6.16.(4) (Part 3, Division B) deleted and replaced.

Sentence 3.4.6.16.(4) (Part 3, Division B) of the National Building Code of Canada is deleted and replaced

with:

3.4.6.16.(4) Electromagnetic locks that do not incorporate latches, pins or other similar devices to keep the door in the closed position are permitted to be installed on exit doors, other than doors leading directly from a high-hazard industrial occupancy, provided all of the following are met:

- (a) the building is equipped with a fire alarm system,
- (b) the locking device, and all similar devices in the access to exit leading to the exit door, release upon actuation of the fire alarm signal from the building fire alarm system,
- (c) the locking device releases immediately upon loss of power controlling the electromagnetic locking mechanism and its associated auxiliary controls,
- (d) the locking device releases immediately upon actuation of a manually operated switch readily accessible only to authorized personnel,
- (e) except as allowed by Clauses (f) and (m), a force of not more than 90 N applied to the door opening hardware initiates an irreversible process that will release the locking device within 15 s and not relock until the door has been opened,
- (f) in an occupancy classification Group B, Division 2 or Group B, Division 3 located in a building, or part thereof, licensed by the Province of Nova Scotia, the locking device on exit doors or doors in a means of egress, is permitted to be released by
 - (i) a force of not more than 90 N applied to the door opening hardware that initiates an irreversible process that will release the locking device within 15 s, and not relock until the door has been opened, or
 - (ii) activating a blue manual pull station, installed in close proximity to the door, and not relock until the door has been opened.

(See Appendix Note NSBCR A-3.4.6.15.(4)(f) [*sic*])

- (g) upon release, the locking device must be reset manually by the actuation of the switch referred to in Clause (d),
- (h) a legible sign is permanently mounted
 - (i) for a locking device release in Clause (e) or Subclause (f)(i), on the exit door to indicate that the locking device will release within 15 s of applying pressure to the door-opening hardware,
 - (ii) for a locking device release in Subclause (f)(ii), on the exit door or door in a means of egress to indicate that the locking device will release by actuating the blue manual pull station,
- (i) devices installed under Subclause (f)(ii) shall conform with CAN/ULC-S319-05 “Electronic Access Control Systems”,
- (j) the total time delay for all electromagnetic locks in any path of egress to release is not more than 15 s,
- (k) where a bypass switch is installed to allow testing of the fire alarm system, actuation of the switch
 - (i) can prevent the release of the locking device during the test, and
 - (ii) causes an audible and visual signal to be indicated at the fire alarm annunciator panel required by Article 3.2.4.9. and at the monitoring station specified in Sentence 3.2.4.8.(4),
- (l) emergency lighting is provided at each door, and
- (m) where they are installed on doors providing emergency crossover access to floor areas from exit stairs in accordance with Article 3.4.6.18.,
 - (i) the locking device releases immediately upon the operation of a manual station for the fire alarm system located on the wall on the exit stair side not more than 600 mm from the door, and
 - (ii) a legible sign with the words “re-entry door unlocked by fire alarm” in letters at least 25 mm high with a stroke of at least 5 mm is permanently mounted on the door on the exit-stair side.

(See Appendix A.)

3.1.1.14. Article 3.4.6.18. Emergency Access to Floor Areas deleted and replaced. Article 3.4.6.18. Emergency Crossover Access to Floor Areas is deleted and replaced with:

3.4.6.18. Emergency Crossover Access to Floor Areas

- (1) In a building more than 6 storeys in building height, except as permitted in Sentence (2), doors providing access to floor areas from exit stairs shall not have locking devices to prevent entry into any floor area from which the travel distance up or down to an unlocked door is more than 2 storeys.
- (2) Doors referred to in Sentence (1) are permitted to be equipped with electromagnetic locks, provided they comply with Sentence 3.4.6.16.(4).
- (3) Doors referred to in Sentence (1) shall be identified by a sign on the stairway side to indicate that they are openable from that side.
- (4) Locked doors intended to prevent entry into a floor area from an exit stair shall
 - (a) be identified by a sign on the stairway side to indicate the location of the nearest unlocked door in each direction of travel, and
 - (b) be openable with a master key that fits all locking devices and is kept in a designated location accessible to firefighters or be provided with a wired glass panel not less than 0.0645 m² in area and located not more than 300 mm from the door opening hardware.
- (5) Where there is access to floor areas through unlocked doors as required by Sentence (1) or through doors permitted to have electromagnetic locks in accordance with Sentence (2), it shall be possible for a person entering the floor area to have access through unlocked doors within the floor area to at least one other exit.

3.1.1.15. Barrier-Free Design Section 3.8. (Part 3, Division B) deleted and replaced. Section 3.8. (Part 3, Division B) of the National Building Code of Canada is deleted and replaced with the Section 3.8 “Barrier-Free Design” contained in Schedule “C” of these regulations.

3.1.1.16. Section 9.1. General (Part 9, Division B) amended. Section 9.1. (Part 9, Division B) of the National Building Code of Canada is amended by adding Sentence 9.1.1.1.(2):

- (2) The Alternate Compliance Methods for Existing Buildings contained in Schedule “D” of these regulations are hereby adopted and may be used in accordance with Sentences 1.2.1.1.(8), (9), and (10) of these regulations.

3.1.1.17. Barrier-Free Design. Sentence 9.5.2.1.(1) (Part 9, Division B) deleted and replaced. Sentence 9.5.2.1.(1) (Part 9, Division B) of the National Building Code of Canada is deleted and replaced by the following sentence:

- (1) Subject to Article 3.8.1.1. of this regulation every *building* shall be designed in conformance with Section 3.8.

3.1.1.18. Exception for Apartment Buildings Article 9.5.2.3. (Part 9, Division B) deleted. Article 9.5.2.3., Exception for Apartment Buildings (Part 9, Division B) of the National Building Code of Canada is deleted.

3.1.1.19. Article 9.10.1.3. amended. Article 9.10.1.3. Items under Part 3 Jurisdiction is amended by adding:

- 9.10.1.3.(12)(a)** Except as provided in Sentence 1.1.1.1.(3) (Part 1, Division A), and as provided in Clause[s] 9.10.1.3.(12)(b) and (c), Articles 3.2.2.18. and 3.2.2.44 to 3.2.2.53, inclusive (Part 3,

Division B) apply to all buildings used for major occupancies classified as Group C, residential occupancies exceeding 300 m² in building area or greater than 3 storeys in building height. ([See] Appendix A-1.3.3.2.(2) NSBCR)

9.10.1.3.(12)(b) Single detached dwelling units are exempt.

9.10.1.3.(12)(c) A residential building containing two dwelling units, with a building area of less than 600 m² or not more than 3 storeys building height is exempt.

3.1.1.20. Article 9.10.19.4. (Part 9, Division B) Power Supply amended.

Article 9.10.19.4. (Part 9, Division B) of the National Building Code of Canada is deleted and replaced with:

9.10.19.4.

- (1) Except as provided in Sentences (2), (3) and (4), smoke alarms described in Article 9.10.19.1. shall
 - (a) be installed with permanent connections to an electrical circuit (see A-3.2.4.21.(6)(a) in Appendix A),
 - (b) have no disconnect switch between the overcurrent device and the smoke alarm, and
 - (c) in case the regular power supply to the smoke alarm is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the smoke alarm for a period of no less than 7 days in the normal condition, followed by 4 minutes of alarm.
- (2) In a single dwelling unit, smoke alarms may be installed
 - (a) as a component of a household fire warning system which includes a certified control unit that meets the applicable requirements of ULC-S545 “Standard for Residential Fire Warning System Control Units”, and
 - (b) in case the regular power supply to the control unit is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the control unit for a period of no less than 7 days in the normal condition, followed by 4 minutes of alarm.
- (3) Where the building is not supplied with electric power, smoke alarms are permitted to be battery-operated.
- (4) Suites of residential occupancy are permitted to be equipped with smoke detectors in lieu of smoke alarms, provided the smoke detectors
 - (a) are capable of independently sounding audible signals within the individual suites,
 - (b) except as permitted in Sentence (5), are installed in conformance with CAN/ULC-S524, “Installation of Fire Alarm Systems”, and
 - (c) form part of the fire alarm system.(See A-3.2.4.21.(7) in Appendix A.)
- (5) Smoke detectors permitted to be installed in lieu of smoke alarms as stated in Sentence (4) are permitted to sound localized alarms within individual *suites*, and need not sound an alarm throughout the rest of the *building*.

3.1.1.21. Replace Article 9.25.3.2. (Part 9, Division B) Air Barrier System Properties (See Appendix A, Division B A-9.25.3.2. NBC). Article 9.25.3.2. (Part 9 Division B), Air Barrier System, is deleted and replaced with:

- (1) Sheet and panel type materials intended to provide the principal resistance to air leakage shall have an air leakage characteristic not greater than $0.02 \text{ L}/(\text{s}\cdot\text{m}^2)$ measured at a differential of 75 Pa.
- (2) Where polyethylene sheet is used to provide airtightness in the air barrier system, it shall conform to CAN/CGSB-51.34-M, "Vapour Barrier, Polyethylene Sheet for Use in Building Construction".

3.1.1.22. Sentence 9.27.2.2.(5) (Part 9, Division B) amended. Sentence 9.27.2.2.(5) is amended by replacing the comma after the word break with a period and deleting the balance of the sentence including deletion of Clauses 9.27.2.2.(5)(a) and (b) and the reference to Appendix C for information on the moisture index.

3.1.1.23. Article 9.32.3.6. (Part 9, Division B, Volume 1) deleted. Article 9.32.3.6. (Part 9, Division B, Volume 1) is deleted and Appendix Note A-9.32.3.6.(Appendix A, Division B, Volume 2) is deleted.

3.1.1.24. Article 9.36.1.3. amended. Article 9.36.1.3. is amended by adding "(See Appendix NSBCR A-9.36.1.3.1.)".

3.1.1.25. Sentence 9.36.1.3.(1) deleted and replaced. Sentence 9.36.1.3.(1) is deleted and replaced with:

- (1) Except as provided in Sentences (2) to (6), buildings shall comply with
 - (a) the prescriptive or trade-off requirements in Subsections 9.36.2. to 9.36.4. and shall meet the requirements for climatic Zone 6,
 - (b) the performance requirements in subsection 9.36.5. based on the climatic data for where the building is located, or
 - (c) the NECB.

3.1.1.26. Article 9.36.1.3. amended. Article 9.36.1.3. is amended by adding Sentence 9.36.1.3.(6) as follows:

- (6) Section 9.36. does not apply to
 - (a) farm buildings,
 - (b) buildings intended primarily for manufacturing or commercial or industrial processing,
 - (c) non-heating season, or intermittently occupied buildings,
(See Appendix A, Division B A-9.1.1.1.(1) NBC)
 - (d) heritage buildings.

3.1.1.27. Sentence 9.36.2.7.(1) amended. Sentence 9.36.2.7.(1) is deleted and replaced by:

- (1) Except as provided in Sentences (2) to (9) and Article 9.36.2.11., fenestration and doors shall have an overall thermal transmittance (U-value) not greater than, or an Energy Rating not less than the values listed in Table 9.36.2.7.A. for the applicable heating degree day category. (See Appendix A, NBC)

3.1.1.28. Article 9.36.2.7. amended. Article 9.36.2.7. is amended by adding new Sentence 9.36.2.7.(9) as follows:

- (9) Thermal characteristic of fenestrations and doors protected by storm windows or storm doors need not comply with efficiencies specified in Table 9.36.2.7.A. or Table 9.36.2.7.C.

3.1.1.29. Table 3.9.1.1. is amended by replacing functional statement 3.8.3.17. and adding functional statement 3.8.3.18.

3.8.3.17 Sleeping Units in Roofed Accommodations	
3.8.3.17.(1)	F 74-OA2
3.8.3.17.(2)	F 74-OA2
3.8.3.17.(3)	F 74-OA2
3.8.3.18 Suites of Residential Occupancies Required to be Barrier-Free	
3.8.3.18.(1)	F 73-OA1, F 74-OA2
3.8.3.18.(2)	F 73-OA1, F 74-OA2
3.8.3.18.(3)	F 73-OA1, F 74-OA2
3.8.3.18.(4)	F 73-OA1, F 74-OA2

3.1.1.30. Division A and NPC 2.2 Objectives added. Add the following objective to Division A Sentence 2.2.1.1.(1) (See Appendix Note NSBCR A-3.1.1.24.):

OR Resource Conservation

An objective of this Code is to limit the probability that, as a result of the design or construction of a building, a natural resource will be exposed to an unacceptable risk of depletion or the capacity of the infrastructure supporting the use of the resource will be exposed to an unacceptable risk of being exceeded.

OR1 Water Conservation

An objective of this Code is to limit the probability that, as a result of the design or construction of a building, water resources will be exposed to an unacceptable risk of depletion or the capacity of the water supply, treatment and disposal infrastructure will be exposed to an unacceptable risk of being exceeded, caused by the consumption of water.

3.1.1.31. Division A and NPC 3.2 Functional Statement added. Add the following functional statement to Division A, Sentence 3.2.1.1.(1):

F 130 To limit excessive water consumption.

3.1.1.32. Article 2.4.9.1. No Reduction in Size replaced. In Article 2.4.9.1. of the National Plumbing Code of Canada, Division B, Sentence (1) is deleted and replaced and Sentences (2) and (3) are added, as follows:

2.4.9.1. No Reduction in Size

- (1) Except as permitted in Sentence (3), no drainage pipe that is of minimum size required by this Part for the purpose for which it is installed shall be so connected as to drain to other drainage pipe of lesser size.
- (2) Where a building drain connects to a stack through a wall or floor, the drain shall retain its full size through the wall or floor.
- (3) A sanitary drainage pipe may be connected to a pre-engineered waste water heat recovery system that incorporates piping of a lesser size than required by Sentence (1) provided that it does not convey sewage
 - (a) from a sanitary unit, or
 - (b) that contains solids.

3.1.1.33. Article 2.6.1.8. Solar Domestic Hot Water Systems In the National Building Code of Canada Division B replaced. Article 2.6.1.8. Solar Domestic Hot Water Systems In the National Building Code of Canada Division B is replaced with:

2.6.1.8. Solar Domestic Hot Water Systems

- (1) Except as provided in Sentence (2), a system for solar heating of potable water shall be installed in accordance with good engineering practice.
- (2) Systems for solar heating of potable water in residential occupancies shall be installed in conformance with CAN/CSA-F383, "Installation Code for Solar Domestic Hot Water Systems".

3.1.1.34. Subsection 2.6.4. Water Efficiency added. Subsection 2.6.4. Water Efficiency is added in the National Plumbing Code of Canada as follows:

2.6.4. Water Efficiency**2.6.4.1. Water Supply Fittings**

- (1) The flow rates of fittings that supply water to a fixture shall not exceed the maximum flow rates at the test pressures listed for that fitting in Table 2.6.4.1.
- (2) Sentence (1) does not apply to a fixture located in a heritage building.

**Table 2.6.4.1. Maximum Flow Rates for Water Supply Fittings
Forming Part of Sentence 2.6.4.1.(1)**

Fitting	Maximum Flow, L/min	Test Pressure, kPa
Lavatory Faucet	8.35	413
Kitchen Faucet	8.35	413
Shower Heads	9.5	550
Column 1	2	3

2.6.4.2. Plumbing Fixtures

- (1) Water closets and urinals shall be certified to CAN/CSA-B45.0, "General Requirements for Plumbing Fixtures".
- (2) The flush cycle for each fixture that is a water closet or urinal and that is installed as a replacement for a fixture in a building that existed before the 1st day of January 2010 shall not exceed the maximum flush cycle listed for that fixture in Table 2.6.4.2.A.

**Table 2.6.4.2.A. Maximum Flush Cycles for Sanitary Fixtures
Forming Part of Sentence 2.6.4.2.(2)**

Fixture	Litres
Water Closet (Tank Type)	13.25
Water Closet (Direct Flush)	13.25
Urinal (Tank Type)	5.68(1)
Urinal (Direct Flush)	5.68(1)
Column 1	2

Notes to Table 2.6.4.2.A.

- (1) Urinals equipped with automatic flushing devices shall be controlled to prevent unnecessary flush cycles during *building* down time.
- (3) Except as provided in Sentence (2) the flush cycle for each fixture that is a water closet or urinal shall not exceed the maximum flush cycle listed for that fixture in Table 2.6.4.2.B.

**Table 2.6.4.2.B. Maximum Flush Cycles for Sanitary Fixtures
Forming Part of Sentence 2.6.4.2.(3)**

Fixture	Litres
Water Closet (Tank Type)	6
Water Closet (Direct Flush)	6
Urinal (Tank Type)	3.8(1)
Urinal (Direct Flush)	3.8(1)
Column 1	2

Notes to Table 2.6.4.2.B.

(1) Urinals equipped with automatic flushing devices shall be controlled to prevent unnecessary flush cycles during *building* down time.

- (4) Urinals which utilize water-free technology and conform to CSA-B45 “Plumbing Fixtures Series” may be substituted under 2.6.4.2.(1).
- (5) Sentences (2) and (3) do not apply to a fixture located in a heritage building, care or detention occupancy or passenger station.

3.1.1.35. Sentence 3.7.2.1. (1) Plumbing and Drainage Systems amended. The National Building Code of Canada (Part 3, Division B), Sentence 3.7.2.1.(1) is deleted and replaced as follows:

3.7.2.1. Plumbing and Drainage Systems

- (1) Except under clause 3.7.2.2.(5)(b), if the installation of a sanitary drainage system is not possible because of the absence of a water supply, sanitary privies, chemical closets or other means for the disposal of human waste shall be provided.

3.1.1.36. Sentence 3.7.2.2.(5) Water Closets amended. The National Building Code of Canada (Part 3, Division B), Sentence 3.7.2.2.(5) is deleted and replaced as follows:

3.7.2.2.(5) Water Closets

- (a) Urinals are permitted to be substituted for two-thirds of the number of water closets required by this Article for males, except that if only 2 water closets are required for males, one urinal is permitted to be substituted for one of the water closets.
- (b) Where urinals are permitted they may be of a type that utilizes water-free technology and shall conform to CSA-B45 “Plumbing Fixtures Series”.

3.1.1.37. Sentence 1.1.2.1. (Part 1, Division B) National Energy Code of Canada amended. Sentence 1.1.2.1. (Part 1, Division B) National Energy Code of Canada is deleted and replaced as follows:

- (1) Buildings shall comply with
- (a) the prescriptive or trade requirements stated in Parts 3 to Part 7 and shall meet the requirements for climatic Zone 6, or
- (b) the performance requirements stated in Part 8.

3.1.1.38. Appendix Notes. The Appendix Notes to the National Building Code of Canada edition apply as appendix notes to the Code and the amendments made by these regulations unless specifically replaced or amended herein.

Schedule "A"
Letter of Undertaking
Confirmation of Commitment by Owner
to the Municipal Authority Having Jurisdiction
Field Review of Construction

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas *architects, interior designers, and professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction	Date
Address	

Dear

Authority Having Jurisdiction

Re:

Address of Project
Name of Project
Legal Description of Project

I (the owner) submit this Letter of Undertaking to the authority having jurisdiction along with a completed application for a *building* permit.

The undersigned has appointed an *architect(s), professional engineer(s), interior designer(s), or designer(s), or prime consultant(s)* to undertake, as required in Articles 2.1.1.5. and 2.1.1.6. of the regulations, the Field Review of Construction and I have attached to this Letter of Undertaking

(check appropriate boxes)

- Field Review of Construction Commitment Certificates completed by me or the prime consultant appointed by me to coordinate the Field Review of Construction.

- Field Review of Construction Commitment Certificates (identified below) completed by individual designers appointed by me to perform the Field Review of Construction for the applicable discipline(s).
- shall forward Field Review of Construction Commitment Certificates for those not yet appointed.

(Initial the disciplines that apply to this project. All disciplines will not necessarily be employed on every project)

- Building Design Interior Design Structural Plumbing
- Mechanical Electrical Geotechnical Fire Suppression System
- Resource Conservation- Energy

I shall notify the authority having jurisdiction if the *architect, interior designer, or professional engineer*, named in the attached “Review of Construction Commitment Certificate(s)” ceases, for whatever reason, to provide the Field Review of Construction for this *building* and shall appoint another *architect, interior designer, or professional engineer* immediately so that the Field Review of Construction will continue uninterrupted.

This notice and the necessary Field Review of Construction Commitment Certificates shall be forwarded to the authority having jurisdiction as soon as practical, but not later than 72 hours after the change in an individual responsible occurs, if the contract for Field Review of Construction is terminated at any time during construction.

Signature of Owner	Date	
Print name		
Address	Postal Code	
Phone	Fax	E-mail

**Schedule “A-1”
Field Review of Construction
Inspection Commitment Certificate
Prime Consultant**

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the “Act” applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects, interior designers, and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the architect, interior designer, professional engineer or designer appointed by the owner as prime consultant to coordinate the Field Review of Construction for the above-referenced project.

I hereby certify as prime consultant for this project that I will coordinate the Field Review of Construction for the following disciplines which I have checked and initialed.

- Building Design
- Interior Design
- Structural
- Plumbing
- Mechanical
- Electrical
- Geotechnical
- Fire Suppression System
- Resource Conservation- Energy

I attach for your review the Field Review of Construction Inspection Commitment Certificates for each above-marked and initialed discipline completed by an appropriate professional for each discipline, or shall forward the Field Review of Commitment Certificate for those not yet appointed.

I, and professionals who have completed the various Field Review of Construction Inspection Commitment Certificates, will perform the Field Review of Construction.

I also certify that

- 1) I will coordinate the review of shop drawings;
- 2) I will coordinate the review of changes to the design documents; and
- 3) I will complete or have completed by the appropriate professional the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the coordination of the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the Engineering Profession Act, the Interior Designers Act, or the Architects Act.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

E-mail

If a design professional affix below the seal of the licensed *Architect, Interior Designer, or Professional Engineer* or in accordance with provincial legislation

If not a design professional this document must be signed by the person appointed as the Prime Consultant.

Schedule "A-2"
Field Review of Construction
Inspection Commitment Certificate
Building Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a building;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects, and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of buildings;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these buildings be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction

Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the architect, or professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the *Building DESIGN* aspects of the project, which are within Parts 3 and 5 of the Building Code and Part 3 of the National Energy Code of Canada for Buildings, and as shown in design documents submitted to the authority having jurisdiction but do not include areas of work referred to in certificates A-3 to A-8 inclusive.

I hereby certify for the *Building Design Requirements* that

- 1) I will review the shop drawings relevant to this certificate to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the design documents relevant to this certificate to ensure that the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the coordination of the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Architects Act* or *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

E-mail

Affix below the seal of the <i>Architect</i> or licensed <i>Professional Engineer</i> in accordance with provincial legislation.
--

Schedule "A-3"

Field Review of Construction Inspection Commitment Certificate Structural Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects, and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction	Date
Address	

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the STRUCTURAL DESIGN requirements.

I hereby certify for the Structural Design Requirements that

- 1) I will review the structural shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the structural design drawings to determine that the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

 Print Name

 Signature

 Initials Sample

 Print Name of Firm or Company

 Print Address

 Print Municipality

 Postal Code

 Telephone

 Fax

 E-mail

Affix below the seal of the licensed <i>Professional Engineer</i> in accordance with provincial legislation.

Schedule "A-4"
Field Review of Construction Inspection Commitment Certificate
Mechanical Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction	Date
-------------------------------	------

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the MECHANICAL DESIGN aspects of this project, which are within Part 6 of the Building Code and Parts 5 and 6 of the National Energy Code of Canada for Buildings.

I hereby certify for the Mechanical Design Requirements that

- 1) I will review the mechanical shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the mechanical design documents to ensure that the applicable professional engineer(s) determines whether the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

E-mail

Affix below the seal of the licensed <i>Professional Engineer</i> in accordance with provincial legislation.

Schedule "A-5"
Field Review of Construction Inspection Commitment Certificate
Electrical Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in

conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the ELECTRICAL DESIGN aspects of this project, which are within Part 1 of the Canadian Electrical Code and Parts 4 and 7 of the National Energy Code of Canada for Buildings.

I hereby certify for the Electrical Design Requirements that

- 1) I will review the electrical shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the electrical design documents to ensure that the applicable professional engineer(s) determines whether the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Affix below the seal of the licensed *Professional Engineer* in accordance with provincial legislation.

I hereby certify for the Fire Suppression Systems Design Requirements that

- 1) I will review the fire suppression systems shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the fire suppression systems design documents to ensure that the applicable professional engineer(s) determines whether the changes conform to the Code;
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit;
- 4) I will file a copy of this form, a copy of the shop drawings, and specifications for the fire suppression system, and a copy of the appropriate contractor’s material and test certificate for the system, as required by sentence 3.2.5.13.(1) of the Code, with the Office of the Fire Marshal. I shall forward proof of receipt for each of the documents filed, issued by the Office of the Fire Marshal, to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

e-mail

Affix below the seal of the licensed *Professional Engineer* in accordance with provincial legislation.

Schedule “A-7”
Field Review of Construction Inspection Commitment Certificate
Geotechnical Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the “Act” applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects and professional engineers are required by their respective statutes, regulations, and

bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

 Authority Having Jurisdiction

 Date

 Address

Dear

 Authority Having Jurisdiction
Re:

 Address of Project

 Name of Project

 Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the GEOTECHNICAL (PERMANENT) DESIGN requirements.

I hereby certify for the Geotechnical (Permanent) Systems Design Requirements that

- 1) I will review the Geotechnical shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the Geotechnical design documents to ensure that the applicable professional engineer(s) determines whether the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

E-mail

Affix below the seal of the licensed
Professional Engineer in
accordance with provincial
legislation.

Schedule "A-8"
Field Review of Construction Inspection Commitment Certificate
Plumbing Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas architects and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction

Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the PLUMBING DESIGN requirements.

I hereby certify for the Plumbing Design Requirements that

- 1) I will review the plumbing shop drawings to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the plumbing design documents to ensure that the applicable professional engineer(s) determines whether the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name		
Signature	Initials Sample	
Print Name of Firm or Company		
Print Address		
Print Municipality	Postal Code	
Telephone	Fax	E-mail

Affix below the seal of the licensed *Professional Engineer* in accordance with provincial legislation.

Schedule "A-9"
Field Review of Construction Inspection Commitment Certificate
Interior Design Requirements

Preamble

Whereas the *Building Code Act*, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a *building*;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments as the Nova Scotia Building Code, requiring compliance with the *Nova Scotia Building Code* in the construction or demolition of *buildings*;

And Whereas *architects, interior designers, and professional engineers* are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of *buildings*;

And Whereas Part 2 of the *Nova Scotia Building Code* requires professionals to design *buildings* in conformance with the minimum standards of the *Nova Scotia Building Code* with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these *buildings* be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction	Date
Address	

Dear

Authority Having Jurisdiction

Re:

Address of Project
Name of Project
Legal Description of Project

This is to advise that I am the *interior designer* appointed by the owner or prime consultant to perform the Field Review of Construction for the INTERIOR DESIGN requirements.

I hereby certify for the interior design requirements that

- 1) I will review the shop drawings relevant to this certificate to determine general compliance with the design documents, however, the party producing the shop drawings remains responsible for the design expressed therein;
- 2) I will coordinate the review of changes to the design documents relevant to this certificate to ensure that the changes conform to the Code; and
- 3) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Interior Designers Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

E-mail

Affix below the seal of the Registered *Interior Designer* in accordance with provincial legislation, where applicable.

Schedule "A-10"
Field Review of Construction
Inspection Commitment Certificate
Resource Conservation Measures–Energy

Preamble

Whereas the Building Code Act, R.S.N.S. 1989, Chapter 46, hereinafter referred to as the "Act" applies to the construction or demolition of a building;

And Whereas the Minister of Municipal Affairs has by regulation adopted the National Building Code and the National Energy Code of Canada for Buildings, with amendments, as the Nova Scotia Building Code, requiring compliance with it as adopted for the construction or demolition of buildings;

And Whereas architects, interior designers, and professional engineers are required by their respective statutes, regulations, and bylaws, to ensure the general public of competent standards and ethical conduct in the design of buildings;

And Whereas Part 2 of the Nova Scotia Building Code requires professionals to design buildings in conformance with the minimum standards of the Nova Scotia Building Code with sufficient drawings and documents to show how these standards have been met;

And Whereas Part 2 of the regulations made pursuant to the Act, requires that these buildings be inspected at intervals appropriate to the stage of construction to determine general compliance with the design drawings accepted by the authority having jurisdiction and all revisions thereto;

To:

Authority Having Jurisdiction

Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

This is to advise that I am the architect or the professional engineer appointed by the owner or prime consultant to perform the Field Review of Construction for the Resource Conservation Measures–Energy requirements.

I hereby certify for the Resource Conservation Measures Requirements–Energy that

- 1) I will comply with the requirements of Division C of the National Building Code and the National Energy Code of Canada for Buildings;
- 2) I will review the energy shop drawings to determine general compliance with the design documents; however, the party producing the shop drawings remains responsible for the design expressed therein;
- 3) I will coordinate the review of changes to the energy design documents to ensure that the changes conform to the Code;
- 4) Where the size and complexity of the design has been identified, I will coordinate additional areas of review as deemed appropriate in consultation with the authority having jurisdiction and;
- 5) I will complete the Certification of Field Review of Construction and return it to the authority having jurisdiction prior to requesting the occupancy permit.

Please be advised that I may delegate some or all of my duties associated with the Field Review of Construction to another person employed by me or my firm where it is consistent with prudent professional practice to do so. The functions will however be performed under my supervision in accordance with the *Engineering Profession Act* or the *Nova Scotia Architects Act*.

The undersigned shall notify the authority having jurisdiction, in writing as soon as practical, but not later than 72 hours after the event, if the contract for Field Review of Construction is terminated at any time during construction.

Sign and affix below the seal of the Architect or licensed Professional Engineer in accordance with provincial legislation.

Print Name

Signature

Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality

Postal Code

Telephone

Fax

E-mail

Affix below the seal of the licensed *Professional Engineer* or *Architect* in accordance with provincial legislation, where applicable.

Schedule "A-11"
Certification of Field Review of Construction

NOTE: This letter must be signed by a licensed Architect, Interior Designer, or Professional Engineer as appropriate in accordance with provincial legislation and must be submitted after completion of the project but before the occupancy permit is issued. A separate letter must be submitted by each architect, interior designer, or professional engineer hired by the owner or prime consultant.

To:

Authority Having Jurisdiction Date

Address

Dear

Authority Having Jurisdiction

Re:

Address of Project

Name of Project

Legal Description of Project

I hereby certify that I have fulfilled my obligations for Field Review of Construction as defined in the Letter of Undertaking and the Inspection Commitment Certificate, and advise that I have reviewed the work at intervals appropriate, to determine general compliance with the design and all revisions thereto as accepted by the authority having jurisdiction for the following disciplines, which I have checked and initialed.

- Building Design, Interior Design, Structural, Plumbing, Mechanical, Electrical, Geotechnical, Fire Suppression System, Resource Conservation- Energy

Print Name

Signature Initials Sample

Print Name of Firm or Company

Print Address

Print Municipality Postal Code

Telephone Fax e-mail

Affix below the seal of the licensed Architect, Interior Designer, or Professional Engineer in accordance with provincial legislation, where applicable.

Schedule “B”
Design Data for Selected Locations in Nova Scotia

It is not practical to list design values for all municipalities in Nova Scotia, in Appendix C of the National Building Code of Canada, Table C-2 Design Data for Selected Locations in Canada.

Design values for locations not listed can be obtained by writing to the Atmospheric Environment Service, Environment Canada, 4905 Dufferin Street, Downsview, Ontario M3H 5T4 or by contacting (416) 739-4365.

Seismic values for those not listed may be obtained through the Natural Resources Canada Website at www.earthquakescanada.ca, or by writing to the Geological Survey of Canada, 7 Observatory Crescent, Ottawa, ON, K1A 0Y3.

Schedule “C”
Barrier-Free Design

As amended by Article 3.1.1.15. of these regulations, Section 3.8 Barrier-Free Design of the Code is replaced with the following:

3.8 Barrier-Free Design

3.8.1. General (See Appendix Note 3.8.1. NSBCR)

3.8.1.1. Application

- (1) The requirements of this Section apply to all *buildings*, except
 - (a) houses on their own lot, other than those houses used as roofed accommodation for not more than 10 persons including the owner and the owner’s family and that meet the requirements of Sentence (5),
 - (b) semi-detached, houses with *secondary suites*, duplexes, triplexes, townhouses, row houses, boarding houses, and rooming houses,
 - (c) *buildings* of Group F, Division 1 major occupancy,
 - (d) *buildings* that are not intended to be occupied on a daily or full time basis, including automatic telephone exchanges, pumphouses, and substations,
 - (e) industrial occupancies with an operation that is not adaptable to barrier-free design, and
 - (f) fire, rescue, and emergency response facilities intended to house vehicles and their crews. (See Appendix Note A-3.8.1.1.(1)(f) NSBCR)
- (2) In camping accommodation where sleeping accommodations are provided, and in roofed accommodation one sleeping unit conforming to Article 3.8.3.17. shall be provided for every 20 sleeping units or part thereof.
- (3) In roofed accommodation, when a fire alarm system is required by Subsection 3.2.4. (Part 3, Division B) or Subsection 9.10.18. (Part 9, Division B) NBC, at least one sleeping unit for every 20 sleeping units or part thereof, other than those required in Sentence 3.8.1.1.(2), shall be provided with a warning system that shall conform to Article 3.2.4.19. Visual Signals (Part 3, Division B).
- (4) Every floor area to which a barrier-free path of travel is required to provide access, shall conform to Article 3.3.1.7. (Part 3, Division B), Protection on Floor Areas with a Barrier-Free Path of Travel.
- (5) Where an alteration on the entrance level is made to a dwelling unit used as roofed accommodation to add sleeping accommodation, all of the following shall be provided:
 - (a) one sleeping unit conforming to Article 3.8.3.17.,
 - (b) a barrier-free entrance designed in accordance with Article 3.8.3.3.,
 - (c) a barrier-free path of travel conforming to Article 3.8.1.3., and

- (d) one parking stall for each required sleeping unit under this Sentence conforming with Sentence 3.8.2.2.(5).
- (6) Except as exempt by Clause 3.8.1.1.(1)(a), in *care* or *residential occupancies* of multiple *suites*, one unit conforming to Article 3.8.3.18. shall be provided for every 20 units or part thereof. (See Appendix A-3.8.1.1.(6) NSBCR)

3.8.1.2. Entrances (See Appendix A, Division B, A-3.8.1.2. NBC)

- (1) In addition to the barrier-free entrances required by Sentence (2), not less than 50% of the pedestrian entrances of a *building* referred to in Sentence 3.8.1.1.(1) shall be barrier-free and shall lead from
 - (a) the outdoors at sidewalk level, or
 - (b) a ramp that conforms to Article 3.8.3.4. and leads from a sidewalk.
- (2) A suite of assembly occupancy, business and personal services occupancy or mercantile occupancy that is located in the first storey of a *building*, or in a storey to which a barrier-free path of travel is provided, and that is completely separated from the remainder of the *building* so that there is no access to the remainder of the *building*, shall have at least one barrier-free entrance.
- (3) A barrier-free entrance required by Sentence (1) or (2) shall be designed in accordance with Article 3.8.3.3.
- (4) At a barrier-free entrance that includes more than one doorway, only one of the doorways is required to be designed in accordance with the requirements of Article 3.8.3.3.
- (5) If a walkway or pedestrian bridge connects two barrier-free storeys in different *buildings*, the path of travel from one storey to the other storey by means of a walkway or bridge shall be barrier-free.
- (6) Where a principal entrance to a *building* of residential occupancy is equipped with a security door system,
 - (a) both visual and audible signals shall be used to indicate when the door lock is released, and
 - (b) where there are more than 20 suites a closed-circuit visual monitoring system shall be provided capable of connection to individual suites.
- (7) Where a house is required to conform to the requirements of Sentence 3.8.1.1.(5) such house shall provide one barrier-free entrance in conformance with Sentence (1).

3.8.1.3. Barrier-Free Path of Travel

- (1) Except as required by Sentence 3.8.3.2.(1), or as permitted by Article 3.8.3.3. for doorways, the unobstructed width of a *barrier-free* path of travel shall be not less than 920 mm.
- (2) Interior and exterior walking surfaces that are within a barrier-free path of travel shall
 - (a) have no opening that will permit the passage of a sphere more than 13 mm diam,
 - (b) have any elongated openings oriented approximately perpendicular to the direction of travel,
 - (c) be stable, firm and slip-resistant,
 - (d) be bevelled at a maximum slope of 1 in 2 at changes in level not more than 13 mm, and
 - (e) be provided with sloped floors or ramps at changes in level more than 13 mm.
- (3) A barrier-free path of travel is permitted to include ramps, passenger elevators, inclined moving walks, or passenger-elevating devices to overcome a difference in level.
- (4) The width of a barrier-free path of travel that is more than 30 m long shall be increased to not less than 1500 mm for a length of 1500 mm at intervals not exceeding 30 m.

3.8.1.4. Storeys Served by Escalators

- (1) In a *building* in which an escalator or inclined moving walk provides access to any floor level above or below the entrance floor level, an interior barrier-free path of travel shall be provided to that floor level.
(See Appendix A, Division B, A-3.8.1.4.(1) NBC)
- (2) The route from the escalator or inclined moving walk to the barrier-free path of travel from floor to floor required by Sentence (1) shall be clearly indicated by appropriate signs.

3.8.1.5. Controls

- (1) Except as required by Sentence [Article] 3.5.2.1. (NBC Division B) for elevators, controls for the operation of *building* services or safety devices, including electrical switches, thermostats and intercom switches, intended to be operated by the occupant and located in or adjacent to a barrier-free path of travel shall be accessible to a person in a wheelchair, operable with one hand, and mounted between 400 mm and 1200 mm above the floor.

3.8.2. Occupancy Requirements**3.8.2.1. Areas Requiring a Barrier-Free Path of Travel** (See Appendix A-3.8.2.1. NSBCR)

- (1) Except as permitted by Sentence (2), a *barrier-free* path of travel from the entrances required by Sentences 3.8.1.2.(1) and (2) to be *barrier-free* shall be provided throughout and within all normally occupied floor areas of each of the following:
 - (a) the entrance *storey*,
 - (b) each *storey* exceeding 600 m² in area, and
 - (c) each *storey* served by a passenger elevator, escalator, inclined moving walk, or a passenger-elevating device.
(See Article 3.3.1.7. Protection on Floor Areas with a Barrier-Free Path of Travel (Part 3, Division B) for additional requirements for floor areas above or below the first storey to which a barrier-free path of travel is required.)
- (2) A barrier-free path of travel for persons in wheelchairs is not required
 - (a) to service rooms,
 - (b) to elevator machine rooms,
 - (c) to janitors' rooms,
 - (d) to service spaces,
 - (e) to crawl spaces,
 - (f) to attic or roof spaces,
 - (g) to floor levels not served by a passenger elevator, a passenger-elevating device, an escalator, or an inclined moving walk,
 - (h) to high hazard industrial occupancies,
 - (i) within portions of a floor area with fixed seats in an assembly occupancy where those portions are not part of the barrier-free path of travel to spaces designated for wheelchair use,
 - (j) within floor levels of a *suite of care* or *residential occupancy* that are not at the same level as the entry level to the suite,
 - (k) within a *suite of care* or *residential occupancy* unless required by Sentence 3.8.1.1.(6), or
 - (l) within those parts of a floor area that are not at the same level as the entry level, provided amenities and uses provided on any raised or sunken level are accessible on the entry level by means of a barrier-free path of travel.
- (3) In an assembly occupancy, the number of spaces designated for wheelchair use within rooms or areas with fixed seats shall conform to Table 3.8.2.1. (See also Article 3.8.3.6. for additional requirements.)

Table 3.8.2.1. Designated Wheelchair Spaces

Number of Fixed Seats in Seating Area	Number of Spaces Required for Wheelchairs
2–100	2
101–200	3
201–300	4
301–400	5
401–500	6
501–900	7
901–1300	8
1301–1700	9
each increment of up to 400 seats in excess of 1700	one additional space

3.8.2.2. Access to Parking Areas

- (1) If exterior parking is provided, a barrier-free path of travel shall be provided between the exterior parking area and a barrier-free entrance conforming to Article 3.8.1.2. (See Appendix A, Division B, A-3.8.1.2. NBC)
- (2) If a passenger elevator serves one or more indoor parking levels, a barrier-free path of travel shall be provided between at least one parking level and all other parts of the *building* required to be provided with barrier-free access in accordance with Article 3.8.2.1.
- (3) If an exterior passenger loading zone is provided, it shall have
 - (a) an access aisle not less than 1500 mm wide and 6000 mm long adjacent and parallel to the vehicle pull-up space,
 - (b) a curb ramp conforming to [Sentence] 3.8.3.2(2), where there are curbs between the access aisle and the vehicle pull-up space, and
 - (c) a clear height not less than 2750 mm at the pull-up space and along the vehicle access and egress routes.
- (4) Where on-site parking is provided, parking stalls for use by disabled persons shall be provided as follows:
 - (a) as designated by Table 3.8.2.2.,
 - (b) one parking stall shall be provided for each viewing position required in assembly occupancies in Sentence 3.8.2.1.(3) or
 - (c) one parking stall shall be provided for each barrier-free residential suite.

Table 3.8.2.2. Designated Parking Stalls

Number of Parking Stalls	Number of Designated Stalls Required for Wheelchairs
2–15	1
16–45	2
46–100	3
101–200	4
201–300	5
301–400	6
401–500	7
501–900	8
901–1300	9
1301–1700	10
each increment of up to 400 stalls in excess of 1700	one additional space

- (5) Parking stalls for use by persons with physical disabilities shall
 - (a) be not less than 2400 mm wide and provided on one side with an access aisle not less than 1500 mm wide (if more than one parking space is provided for persons with physical disabilities, a single access aisle can serve two adjacent parking stalls), and if parallel parking stalls shall be not less than 7000 mm long,
 - (b) have a firm, slip-resistant and level surface of asphalt, concrete or compacted gravel,
 - (c) be located close to an entrance required to conform to Article 3.8.1.2., but not exceeding 50 m from the entrance,
 - (d) be clearly marked as being for the use of persons with physical disabilities, and
 - (e) be identified by a sign located not less than 1500 mm above ground level in conformance with the *Motor Vehicle Act* of Nova Scotia traffic sign regulations.

3.8.2.3. Washrooms Required to be Barrier-Free

(See Appendix A, Division B, A-3.8.2.3. NBC)

- (1) Except as permitted by Sentence (2), a washroom in a storey to which a barrier-free path of travel is required in accordance with Article 3.8.2.1., shall be barrier-free in accordance with the appropriate requirements in Articles 3.8.3.8. to 3.8.3.13.
- (2) A washroom need not conform to the requirements of Sentence (1) provided
 - (a) it is located within a suite of *care* or *residential occupancies*, except where required by [Sentence] 3.8.1.1.(6), or
 - (b) other barrier-free washrooms are provided on the same floor area within 45 m.
- (3) In a *building* in which water closets are required in accordance with Subsection 3.7.2., one or more barrier-free water closets shall be provided in the entrance storey, unless
 - (a) a barrier-free path of travel is provided to barrier-free water closets elsewhere in the *building*, or
 - (b) the water closets required by Subsection 3.7.2. are for dwelling units only.
- (4) In any washroom containing not more than three water closets, one of the water closet stalls may be replaced by a universal toilet room conforming to Article 3.8.3.12. (See Appendix Note A-3.8.2.3. NSBCR).
- (5) In any washroom containing 4 or more water closets at least one of the water closet stalls shall conform to ~~Articles~~ [Sentence] 3.8.3.8.(1).
- (6) A universal toilet room conforming to Article 3.8.3.12. is permitted to be substituted for one water closet stall required by Sentence (5), in lieu of facilities for disabled persons in washrooms used by the general public. (See Appendix Note A-3.8.2.3. NSBCR).
- (7) Where alterations are made to existing *buildings* a universal toilet room conforming to Article 3.8.3.12. is permitted to be provided in lieu of facilities for disabled persons in washrooms used by the general public.

3.8.3. Design Standards

3.8.3.1. Accessibility Signs

- (1) Signs incorporating the international symbol of accessibility for persons with physical disabilities shall be installed to indicate the location of a barrier-free entrance. (See Appendix A, Division B, A-3.8.3.1.(1) to (3) NBC)
- (2) A teletypewriter (TTY/TDD) phone, washroom, shower, elevator or parking space designed to be barrier-free shall be identified by a sign consisting of the international symbol of accessibility for persons with physical disabilities and by appropriate graphic or written directions to indicate clearly

the type of facility available. (See Appendix A, Division B, A-3.8.3.1.(1) to (3) NBC)

- (3) If a washroom is not designed to accommodate persons with physical disabilities in a storey to which a barrier-free path of travel is required, signs shall be provided to indicate the location of barrier-free facilities. (See Appendix A, Division B, A-3.8.3.1.(1) to (3) NBC)
- (4) Signs incorporating the symbol of accessibility for persons with hearing disabilities shall be installed to indicate the location of facilities for persons with hearing disabilities. (See Appendix A, Division B, A-3.8.3.1(4) to (3) NBC)

3.8.3.2. Exterior Walks

- (1) Exterior walks that form part of a barrier-free path of travel shall
 - (a) be not less than 1100 mm wide, and
 - (b) have a level area conforming to Clause 3.8.3.4.(1)(c) adjacent to each entrance doorway.
- (2) A curb ramp shall have
 - (a) a minimum width of 1200 mm
 - (b) a maximum slope of 1 in 12
 - (c) flared sides with a maximum slope of 1 in 10. (See Appendix Note A-3.8.3.2. NSBCR)

3.8.3.3. Doorways and Doors

- (1) Every doorway that is located in a barrier-free path of travel shall have a clear width not less than 800 mm when the door is in the open position. (See Appendix A, Division B, A-3.8.3.3.(1) NBC)
- (2) Door operating devices shall be of a design that does not require tight grasping and twisting of the wrist as the only means of operation. (See Appendix A, Division B, A-3.8.3.3.(3) NBC)
- (3) A threshold for a doorway referred to in Sentences (1) or (2) shall not be more than 13 mm higher than the finished floor surface and shall be bevelled to facilitate the passage of wheelchairs.
- (4) Except as permitted by Sentences (5) and (11), every door that provides a barrier-free path of travel through an entrance referred to in Article 3.8.1.2., including the interior doors of a vestibule where provided, shall be equipped with a power door operator if the entrance serves any of the following:
 - (a) a hotel,
 - (b) a *building* of Group B, Division 2 major occupancy,
 - (c) a *building* of Group B, Division 3 major occupancy with more than ten residents, or
 - (d) a *building* that is more than 500 m² in building area and contains one of the following occupancies:
 - (i) an *assembly occupancy*,
 - (ii) a *business and personal services occupancy*, or
 - (iii) a *mercantile occupancy*.(See Appendix A, Division B A-3.8.3.3.(5) NBC)
- (5) The requirements of Sentence 3-8-3-3:(4) do not apply to an individual suite having an area less than 500 m² in a *building* having only suites of assembly occupancy, business and personal services occupancy or mercantile occupancy if the suite is completely separated from the remainder of the *building* so that there is no access to the remainder of the *building*.
- (6) Except as permitted by Sentence 3-8-3-3:(7) and except for a door with a power door operator, a closer for a door in a barrier-free path of travel shall be designed to permit the door to open when the force applied to the handle, push plate or latch-releasing device is not more than
 - (a) 38 N in the case of an exterior door, or
 - (b) 22 N in the case of an interior door.

- (7) Sentence 3.8.3.3(6) does not apply to a door at the entrance to a dwelling unit, or where greater forces are required in order to close and latch the door against the prevailing difference in air pressure on opposite sides of the door. (See Appendix A, Division B, A-3.8.3.3.(8) NBC)
- (8) Except for a door at the entrance to a dwelling unit, a closer for an interior door in a barrier-free path of travel shall have a closing period of not less than 3 s measured from when the door is in an open position of 70° to the doorway, to when the door reaches a point 75 mm from the closed position, measured from the leading edge of the latch side of the door. (See Appendix A, Division B, A-3.8.3.3.(9) NBC)
- (9) Unless equipped for power door operation, a door in a barrier-free path of travel shall have a clear space on the latch side extending the height of the doorway and not less than
 - (a) 600 mm beyond the edge of the door opening if the door swings toward the approach side, and
 - (b) 300 mm beyond the edge of the door opening if the door swings away from the approach side.(See Appendix A, Division B, A-3.8.3.3.(10) NBC)
- (10) A vestibule located in a barrier-free path of travel shall be arranged to allow the movement of wheelchairs between doors and shall provide a distance between 2 doors in series of not less than 1200 mm plus the width of any door that swings into the space in the path of travel from one door to another.
- (11) Only the active leaf in a multiple leaf door in a barrier-free path of travel need conform to the requirements of this Article.
- (12) Except as provided in Clause 3.8.3.4.(1)(c), the floor surface on each side of a door in a barrier-free path of travel shall be level within a rectangular area
 - (a) as wide as the door plus the clearance on the latch side required by Sentence 3.8.3.3.(9), and
 - (b) whose dimension perpendicular to the closed door is not less than the width of the barrier-free path of travel but need not exceed 1500 mm.
- (13) The power door operator required by Sentence (4) shall function for passage in both directions through the door.
- (14) Where a power door operator is required at least one leaf in each set of doors in the barrier-free path of travel through a vestibule shall meet the requirements. (See Appendix A-3.8.3.3.(14) NSBCR)
- (15) Doorways in a path of travel to and into at least one bathroom within a *suite of care* or *residential occupancy* shall have a clear width of not less than 800 mm when the door is in the open position.

3.8.3.4. Ramps

- (1) A ramp located in a barrier-free path of travel shall
 - (a) have a clear width of not less than 870 mm,
 - (b) have a slope not more than 1 in 12 (See Appendix A, Division B, A-3.8.3.4.(1)(b) NBC),
 - (c) have a level area not less than 1500 by 1500 mm at the top and bottom and at intermediate levels of a ramp leading to a door, so that on the latch side the level area extends not less than
 - (i) 600 mm beyond the edge of the door opening where the door opens towards the ramp, or
 - (ii) 300 mm beyond the edge of the door opening where the door opens away from the ramp(See Appendix A, Division B, A-3.8.3.4.(1)(c) NBC),
 - (d) have a level area not less than 1200 mm long and at least the same width as the ramp
 - (i) at intervals not more than 9 m along its length, and
 - (ii) where there is an abrupt change in the direction of the ramp, and
 - (e) except as permitted by Sentence (2), be equipped with handrails and guards conforming to Articles 3.4.6.5. and 3.4.6.6.

- (2) The requirement for handrails in Clause ~~3.8.3.4~~(1)(e) does not apply to a ramp serving as an aisle for fixed seating.
- (3) Floors or walks in a barrier-free path of travel having a slope steeper than 1 in 20 shall be designed as ramps.

3.8.3.5. Passenger-elevating Device

- (1) A passenger-elevating device referred to in ~~Sentence~~ [Clause] 3.8.2.1.(1)(c) shall conform to CSA B355, "Lifts for Persons with Physical Disabilities".

3.8.3.6. Spaces in Seating Area

- (1) Spaces designated for wheelchair use referred to in Sentence 3.8.2.1.(3) shall be
 - (a) clear and level, or level with removable seats,
 - (b) not less than 900 mm wide and 1525 mm long to permit a wheelchair to enter from a side approach and 1220 mm long where the wheelchair enters from the front or rear of the space,
 - (c) arranged so that at least 2 designated spaces are side by side,
 - (d) located adjoining a barrier-free path of travel without infringing on egress from any row of seating or any aisle requirements, and
 - (e) situated, as part of the designated seating plan, to provide a choice of viewing location and a clear view of the event taking place.

3.8.3.7. Assistive Listening Devices

(See Appendix A, Division B, A-3.8.3.7. NBC)

- (1) Except as permitted in Sentence (2), in *buildings* of assembly occupancy, all classrooms, auditoria, meeting rooms, churches or places of worship, and theatres with an area of more than 100 m², and all courtrooms shall be equipped with an assistive listening system encompassing the entire seating area.
- (2) Where the assistive listening system required in Sentence (1) is an induction loop system, only half the seating area in the room need be encompassed.

3.8.3.8. Water Closet Stalls

- (1) At least one water closet stall or enclosure in a room or space required by Article 3.8.2.3. to be barrier-free shall
 - (a) be not less than 1500 mm wide by 1500 mm deep,
 - (b) be equipped with a door which shall
 - (i) be capable of being latched from the inside,
 - (ii) provide a clear opening not less than 800 mm wide with the door in the open position,
 - (iii) swing outward, unless sufficient room is provided within the stall or enclosure to permit the door to be closed without interfering with the wheelchair (See Appendix A, Division B, Volume 2, A-3.8.3.8.(1)(b)(iii) NBC)
 - (iv) be provided on the inside with a door pull not less than 140 mm long located so that its midpoint is not less than 200 mm and not more than 300 mm from the hinged side of the door and not less than 900 mm and not more than 1000 mm above the floor (See Appendix A, Division B, A-3.8.3.8.(1)(b)(iv) NBC), and
 - (v) be provided with a door pull on the outside, near the latch side of the door, (See Appendix A, Division B A-3.8.3.8.(1)(b)(iii) NBC)
 - (c) have a water closet located so that its centre line is 460 mm from the wall with the grab bar and 1030 mm from any obstruction on the other side wall,
 - (d) be equipped with grab bars which shall
 - (i) be mounted horizontally on the side wall closest to the water closet and shall extend not less than 450 mm in both directions from the most forward point of the water closet (See Appendix A, Division B, A-3.8.3.8.(1)(d)(i) NBC),
 - (ii) be mounted horizontally on the wall behind the water closet, extending not less than 600 mm and centred on the toilet bowl, if the water closet does not have an attached

- water tank,
- (iii) be mounted not less than 840 mm and not more than 920 mm above the floor,
- (iv) be installed to resist a load of not less than 1.3 kN applied vertically or horizontally,
- (v) be not less than 30 mm and not more than 40 mm in diameter, and
- (vi) have a clearance of not less than 35 mm and not more than 45 mm from the wall,
- (e) be equipped with a coat hook mounted not more than 1200 mm above the floor on a side wall and projecting not more than 50 mm from the wall, and
- (f) have a clearance of not less than 1700 mm between the outside of the stall face and the face of an in-swinging washroom door and 1400 mm between the outside of the stall face and any wall-mounted fixture.

3.8.3.9. Water Closets

(See Appendix A, Division B, A-3.8.3.9.(1) NBC)

- (1) A water closet for a person with physical disabilities shall
 - (a) be equipped with a seat located at not less than 400 mm and not more than 460 mm above the floor,
 - (b) be equipped with hand-operated flushing controls that are easily accessible to a wheelchair user or be automatically operable,
 - (c) be equipped with a seat lid or other back support,
 - (d) not have a spring-actuated seat,
 - (e) be located so that its centre line is 460 mm from the wall with the grab bar and 1030 mm from any obstruction on the other side wall, and
 - (f) be equipped with grab bars in accordance with Clause 3.8.3.8(1)(d).
 (See Appendix Note A-3.8.3.9.NSBCR)

3.8.3.10. Urinals

- (1) If urinals are provided in a barrier-free washroom, at least one urinal shall be
 - (a) wall mounted, with the rim located between 488 mm and 512 mm above the floor, or
 - (b) floor mounted, with the rim level with the finished floor.
 (See Appendix Note A-3.8.3.10. NSBCR)
- (2) The urinal described in Sentence (1) shall have
 - (a) a clear width of approach of 800 mm centred on the urinal,
 - (b) no step in front, and
 - (c) installed on each side a vertically mounted grab bar that is not less than 300 mm long, with its centreline 1000 mm above the floor, and located not more than 380 mm from the centreline of the urinal.

3.8.3.11. Lavatories

(See Appendix A, Division B, A-3.8.3.11.(1)(c) and (d) NBC)

- (1) A barrier-free washroom shall be provided with a lavatory that shall
 - (a) be located so that the distance between the centreline of the lavatory and the side wall is not less than 460 mm,
 - (b) have a rim height not more than 865 mm above the floor,
 - (c) have a clearance beneath the lavatory not less than
 - (i) 760 mm wide,
 - (ii) 735 mm high at the front edge,
 - (iii) 685 mm high at a point 205 mm back from the front edge, and
 - (iv) 230 mm high over the distance from a point 280 mm to a point 430 mm back from the front edge,
 - (d) have insulated pipes where they would otherwise present a burn hazard,
 - (e) have soap dispensers located close to the lavatory, not more than 1200 mm above the floor, and accessible to persons in wheelchairs, and
 - (f) have towel dispensers or other hand drying equipment located not more than 1200 mm above

the floor in an area that is accessible to persons in wheelchairs.

- (2) If mirrors are provided in a barrier-free washroom, at least one mirror shall be
- (a) mounted with its bottom edge not more than 1000 mm above the floor, or
 - (b) be inclined to the vertical to be usable by a person in a wheelchair.

3.8.3.12. Universal Toilet Room

(See NBC 3.7.2. (Part 3, Division B) and (See Appendix A, Division B, A-3.8.3.12. NBC)

- (1) A universal toilet room shall
- (a) be served by a barrier-free path of travel,
 - (b) have a door capable of being locked from the inside and released from the outside in case of emergency and that has
 - (i) a graspable latch-operating mechanism located not less than 900 mm and not more than 900 mm above the floor,
 - (ii) on an outward-swinging door, a door pull not less than 140 mm long located on the inside so that its midpoint is not less than 200 mm and not more than 300 mm from the hinged side of the door and not less than 900 mm and not more than 1000 mm above the floor, and
(See Appendix A, Division B, A-3.8.3.8.(1)(b)(iv) NBC)
 - (iii) on an outward-swinging door, a door closer, spring hinges or gravity hinges, so that the door closes automatically,
 - (c) have one lavatory conforming to Article 3.8.3.11.,
 - (d) have one water closet conforming to the requirements of Article 3.8.3.9. located so that its centre line is 460 mm from the wall with the grab bar and 1030 mm from any obstruction on the other side wall,
 - (e) have grab bars conforming to Clause 3.8.3.8.(1)(d),
 - (f) have no internal dimension between walls less than 1700 mm,
 - (g) have a coat hook conforming to Clause 3.8.3.8.(1)(e) and a shelf located not more than 1200 mm above the floor,
 - (h) be designed to permit a wheelchair to back in alongside the water closet in the space referred to in Clause (d), and
 - (i) be designed to permit a wheelchair to turn in an open space that has a diameter not less than 1500 mm.

3.8.3.13. Showers and Bathtubs

(See Appendix A, Division B, A-3.8.3.13.(1)(b) and (f) NBC)

- (1) Except within a *suite of care* or *residential occupancy*, if showers are provided in a *building*, at least one shower stall in each group of showers shall be barrier-free and shall
- (a) be not less than 1500 mm wide and 762 mm deep,
 - (b) have a clear floor space at the entrance to the shower not less than 900 mm deep and the same width as the shower, except that fixtures are permitted to project into that space provided they do not restrict access to the shower,
 - (c) have a slip-resistant floor surface,
 - (d) have a bevelled threshold not more than 13 mm higher than the finished floor,
 - (e) have a hinged seat that is not spring loaded, or a fixed seat that shall be
 - (i) not less than 450 mm wide and 400 mm deep,
 - (ii) mounted approximately 450 mm above the floor, and
 - (iii) designed to carry a minimum load of 1.3 kN,
 - (f) have a horizontal grab bar conforming to Subclauses 3.8.3.8.(1)(d)(iv), (v) and (vi) that shall be
 - (i) not less than 900 mm long,
 - (ii) mounted approximately 850 mm above the floor, and
 - (iii) located on the wall opposite the entrance to the shower so that not less than 300 mm of its length is at one side of the seat, (See Appendix A, Division B, A-3.8.3.13.(1)(f)

- NBC),
- (g) have a pressure-equalizing or thermostatic mixing valve controlled by a lever or other device operable with a closed fist from the seated position,
 - (h) have a hand-held shower head with not less than 1500 mm of flexible hose located so that it can be reached from the seated position and equipped with a support so that it can operate as a fixed shower head, and
 - (i) have fully recessed soap holders that can be reached from the seated position.
- (2) If individual shower stalls are provided for use by residents and patients in *buildings* of Group B, Division 2 institutional occupancy, they shall conform to the requirements of Clauses (1)(a) to (i) except where
- (a) common showers are provided in conformance with Clauses (1)(a) to (i), or
 - (b) common bath tubs equipped with hoist mechanisms to accommodate residents and patients are available.
- (3) If a bathtub is installed in a suite of residential occupancy required to be barrier-free, the bathtub and entrance to the bathtub shall
- (a) comply with the dimensions of Clauses 3.8.3.13(1)(a) and (b),
 - (b) conform to Article 3.7.2.9.,
 - (c) be equipped with a hand-held shower head and controls conforming to Clause 3.8.3.13(1)(h) but with a hose 1800 mm long, and
 - (d) have grab bars that are
 - (i) 1200 mm long, located vertically at the end of the bathtub that is adjacent to the clear floor space, with the lower end between 180 mm and 280 mm above the bathtub rim,
 - (ii) 1200 mm long located horizontally along the length of the bathtub located 180 mm to 280 mm above the bathtub rim.
 - (iii) be installed to resist a load of not less than 1.3 kN applied vertically or horizontally,
 - (iv) be not less than 30 mm and not more than 40 mm in diameter, and
 - (v) have a clearance of not less than 35 mm and not more than 45 mm from the wall.

3.8.3.14. Counters

(See Appendix A, Division B, A-3.8.3.14.(1) NBC)

- (1) Every counter more than 2 m long, at which the public is served, shall have at least one barrier-free section not less than 760 mm long centred over the knee space required by Sentence (3).
- (2) A barrier-free counter surface shall be not more than 865 mm above the floor.
- (3) Except as permitted by Sentence (4), knee space beneath each side of a barrier-free counter intended to be used as a work surface shall be not less than
 - (a) 760 mm wide,
 - (b) 685 mm high, and
 - (c) 485 mm deep.
- (4) A counter that is used in a cafeteria or one that performs a similar function in which movement takes place parallel to the counter need not have knee space underneath the counter.

3.8.3.15. Shelves or Counters for Telephones and TTY/TDD Telephone Services (See Appendix A, Division B, A-3.8.3.15. NBC)

- (1) If built-in shelves or counters are provided for public telephones, they shall be level and shall
 - (a) be not less than 305 mm deep, and
 - (b) have, for each telephone provided, a clear space not less than 250 mm wide having no obstruction within 250 mm above the surface.
- (2) The top surface of a section of the shelf or counter described in Sentence (1) serving at least one

telephone shall be not more than 865 mm above the floor.

- (3) If a wall-hung telephone is provided above the shelf or counter section described in Sentence (2), it shall be located so that the receiver and coin slot are not more than 1200 mm above the floor.
- (4) Where public telephones are provided, at least one telephone shall be provided with a variable volume control on the receiver.
- (5) At least one built-in teletypewriter telephone (TTY/TDD) shall be provided and located in a publicly accessible location where
 - (a) four or more public access telephones are provided, including interior and exterior locations, or
 - (b) the *building area* exceeds 600 m² in a Group A, Group B, Group D, Group E occupancy, or in a hotel or motel, or
 - (c) a hotel or motel is required by Sentence 3.8.1.1.(2) to provide a barrier-free suite, or
 - (d) a tourist cabin is required by Sentence 3.8.1.1.(2) to provide barrier-free suites, unless a portable unit is available for use.
(See Appendix A-3.8.3.15.(5)(d) NSBCR)
- (6) Where public telephones are provided, at least one electrical receptacle shall be provided within 500 mm of one of the public telephones.

3.8.3.16. Drinking Fountains

- (1) If drinking fountains are provided, at least one shall be barrier-free and shall
 - (a) have a spout located near the front of the unit not more than 915 mm above the floor, and
 - (b) be equipped with controls that are easily operable from a wheelchair using one hand with a force of not more than 22 N or be automatically operable.

3.8.3.17. Sleeping Units in Roofed Accommodation

- (1) Where sleeping units suites conforming to this Article are required by Sentence 3.8.1.1.(2), they shall have
 - (a) sufficient space to provide a turning area of not less than 1500 mm diameter on one side of a bed,
 - (b) sufficient space to provide clearance of not less than 900 mm to allow for functional use of units by persons in wheelchairs,
 - (c) an accessible balcony where balconies are provided,
 - (d) at least one closet that provides
 - (i) a minimum clear opening of 900 mm,
 - (ii) clothes hanger rods located at a height of 1200 mm, and
 - (iii) at least one shelf located at a height of 1370 mm,
 - (e) light switches, thermostats and other controls that are specifically provided for use by the occupant mounted not more than 1200 mm above the floor,
 - (f) electrical receptacles located between 455 mm and 550 mm above the finished floor,
 - (g) a GFI outlet located not more than 1200 mm above the floor,
 - (h) an accessible bathroom that shall be designed to provide manoeuvring space up to each type of fixture required to be usable by persons in a wheelchair conforming to the following:
 - (i) a floor space of not less than 3.7 m² with no dimension less than 1700 mm when the door swings out and 4.0 m² with no dimension less than 1800 mm when the door swings in,
 - (ii) fixtures located to provide maximum manoeuvrability for persons in wheelchairs,
 - (iii) grab bars conforming to Clause 3.8.3.8.(1)(d),
 - (iv) a coat hook conforming to Clause 3.8.3.8.(1)(e),
 - (v) a water closet conforming to Article 3.8.3.9.,
 - (vi) at least one lavatory conforming to Article 3.8.3.11,

- (i) washroom accessories conforming to Clause 3.8.3.11.(1)(f), and
 - (j) a lock on the entrance door that is operable with one hand.
- (2) If a bathtub is installed in a sleeping unit, required to be barrier-free, the bathtub and entrance to the bathtub shall
- (a) comply with the dimensions of Clauses 3.8.3.13.(1)(a) and (b),
 - (b) be equipped with a hand-held shower head and controls conforming to Clause 3.8.3.13(1)(h), but with a hose 1800 mm long, and
 - (c) have grab bars that
 - (i) are 1200 mm long, located vertically at the end of the bathtub that is adjacent to the clear floor space, with the lower end between 180 mm and 280 mm above the bathtub rim,
 - (ii) are 1200 mm long located horizontally along the length of the bathtub located 180 mm to 280 mm above the bathtub rim,
 - (iii) are installed to resist a load of not less than 1.3 kN applied vertically or horizontally,
 - (iv) are not less than 30 mm and not more than 40 mm in diameter, and
 - (v) have a clearance of not less than 35 mm and not more than 45 mm from the wall.
- (3) If a shower is installed within a sleeping unit, required to be barrier-free at least one shower stall shall be barrier-free and shall
- (a) be not less than 1500 mm wide and 900 mm deep,
 - (b) have a clear floor space at the entrance to the shower not less than 900 mm deep and the same width as the shower, except that fixtures are permitted to project into that space provided they do not restrict access to the shower (See Appendix A, Division B, A-3.8.3.13.(1)(b) NBC),
 - (c) have a slip-resistant floor surface,
 - (d) have a bevelled threshold not more than 13 mm higher than the finished floor,
 - (e) have a hinged seat that is not spring-loaded or a fixed seat that shall be
 - (i) not less than 450 mm wide and 400 mm deep,
 - (ii) mounted approximately 450 mm above the floor, and
 - (iii) designed to carry a minimum load of 1.3 kN,
 - (f) have a horizontal grab bar that shall be
 - (i) not less than 900 mm long,
 - (ii) mounted approximately 850 mm above the floor, and
 - (iii) located on the wall opposite the entrance to the shower so that not less than 300 mm of its length is at one side of the seat,
 - (iv) be installed to resist a load of not less than 1.3 kN applied vertically or horizontally,
 - (v) be not less than 30 mm and not more than 40 mm in diameter, and
 - (vi) have a clearance of not less than 35 mm and not more than 45 mm from the wall,
 - (g) have a pressure-equalizing or thermostatic mixing valve controlled by a lever or other device operable with a closed fist from the seated position,
 - (h) have a hand-held shower head with not less than 1500 mm of flexible hose located so that it can be reached from the seated position and equipped with a support so that it can operate as a fixed shower head, and
 - (i) have fully recessed soap holders that can be reached from the seated position.

3.8.3.18. Suites of Care and Residential Occupancies to Be Barrier-free

General

- (1) Where a *suite of care* or *residential occupancy* is required by Sentence 3.8.1.1.(6) to provide barrier-free access it shall be served by
- (a) entrances in accordance with Article 3.8.1.2.,
 - (b) a barrier-free path of travel to, into, and throughout each required suite in accordance with Article 3.8.1.3.,
 - (c) an accessible balcony if required in accordance with NBC 3.3.1.7. 1.(c) Part 3, Division B, and
 - (d) barrier-free controls for the operation of *building* services or safety devices, including electrical switches, thermostats and intercom switches, that are accessible to a person in a

wheelchair, operable with one hand, and mounted not more than 1200 mm above the floor and electrical receptacles that are located between 400 mm and 550 mm above the finished floor, except as required by clause 3.8.3.18.(3)(f) (bathroom) and subclause 3.8.3.18.(4)(c)(v) (kitchen).

Sleeping Area

- (2) Where a *suite of residential occupancy* is required by Sentence 3.8.1.1.(6) to provide barrier-free access it shall contain at least one sleeping area with
- (a) a minimum floor area of 12.25 m²,
 - (b) a least one horizontal room dimension not less than 3.35 m, and
 - (c) at least one closet that provides
 - (i) a minimum clear opening of 900 mm,
 - (ii) clothes hanger rods located at a height of 1200 mm, and
 - (iii) at least one shelf located at a height of 1370 mm.

Bathroom

- (3) Where a *suite of care or residential occupancy* is required by Sentence 3.8.1.1.(6) to provide barrier-free access, a minimum of one accessible bathroom shall be provided with
- (a) a floor space of not less than 3.7 m² with no dimension less than 1700 mm when the door swings out and 4.0 m² with no dimension less than 1800 mm when the door swings in,
 - (b) a water closet conforming to Article 3.8.3.9.,
 - (c) a lavatory conforming to Article 3.8.3.11.,
 - (d) where a shower is provided, a shower conforming to Clauses 3.8.3.13.(1)(a) to (i),
 - (e) where a tub is provided, a tub conforming to Clauses 3.8.3.13.(3)(a) to (d), and
 - (f) a GFI razor outlet located not more than 1200 mm above the floor.

Kitchen

- (4) Where a *suite of care or residential occupancy* is required by Sentence 3.8.1.1.(6) to provide barrier-free access the kitchen shall have
- (a) a minimum 1200 mm clearance between counters and all opposing base cabinets, counter tops, appliances, or walls except in a U-shaped kitchen the minimum distance shall be 1500 mm,
 - (b) a minimum clear floor space 750 mm x 1200 mm at each
 - (i) range,
 - (ii) cooktop,
 - (iii) oven,
 - (iv) refrigerator/freezer,
 - (v) dishwasher, and
 - (vi) other major appliance,
 - (c) a minimum of one work surface that
 - (i) is 750 mm wide x 600 mm deep,
 - (ii) is 810 mm to 860 mm above the floor,
 - (iii) has a clear floor area 750 mm by 1200 mm, which may extend 480 mm under the work surface,
 - (iv) has a knee space a minimum of 750 mm wide, 480 mm deep, and 680 high, and
 - (v) has a minimum of one electrical receptacle located at the front or side of the work surface,
 - (d) base cabinets with a minimum toe space 150 mm deep and 230 mm high,
 - (e) sinks
 - (i) mounted with the rim between 810 mm and 860 mm above the floor,
 - (ii) with a knee space a minimum of 750 mm wide, 250 mm deep, and a toe space 750 mm wide 230 mm deep and 230 mm high,
 - (iii) with a clear floor area 750 mm by 1200 mm, which may extend 480 mm under the work surface,
 - (iv) with faucets equipped with lever handles, and

- (v) with insulated hot water and drain pipes where they may abut required clear space,
- (f) where upper cabinets are provided, an upper cabinet with a minimum of one shelf not more than 1200 mm above the floor,
- (g) storage cabinet doors and drawers
 - (i) with handles that are easily graspable, and
 - (ii) mounted at the top of base cabinets and bottom of upper cabinets,
- (h) all controls in compliance with Clause 3.8.3.18.(1)(d) except as required by subclause 3.8.3.18.(4)(c)(v).

Schedule “D”
Alternate Compliance Methods for Existing Buildings

No.	Code Requirement	Alternate Compliance Method
1	Fire Separations 3.1.3.1. (Part 3, Division B) and Table 3.1.3.1. (Part 3, Division B); 9.10.9. (Part 9, Division B) 2 h fire separation required between some major occupancies.	Except for F1 occupancies, 1 h fire separation is acceptable, if the <i>building</i> is fully sprinklered.
2	Fire Separations 3.1.3. (Part 3, Division B) and Table 3.1.3.1. (Part 3, Division B); 9.10.9. (Part 9, Division B) 1 h fire separation required between some major occupancies.	1/2 h fire separation is acceptable if the <i>building</i> is fully sprinklered.
3	Noncombustible Construction 3.1.5. (Part 3, Division B) and 9.10.6.1. (Part 9, Division B) All materials used in noncombustible construction must be noncombustible unless otherwise permitted.	<ol style="list-style-type: none"> 1. Roofs may be of combustible construction provided the <i>building</i> is fully sprinklered. 2. Up to 10% gross floor area to a maximum of 10% of any one floor area may be of combustible construction provided the <i>building</i> is fully sprinklered.
4	Fire-resistance Rating 3.1.7.1.(1) (Part 3, Division B); 9.10.3.1. (Part 9, Division B) Where a material, assembly of materials or structural member is required to have a fire resistance rating it shall be tested in accordance with CAN/ULC-S101.	A fire-resistance rating may also be used based on <ol style="list-style-type: none"> (a) HUD No. 8 Guideline on Fire Ratings of Archaic Materials and Assemblies (b) Fire Endurance of Protected Steel Columns and Beams, DBR Technical Paper No. 194 (c) Fire Endurance of Unit Masonry Walls, DBR Technical Paper No. 207 (d) Fire Endurance of Light-Framed and Miscellaneous Assemblies, DBR Technical Paper No. 222
5	Rating of Supporting Construction 3.1.7.5. (Part 3, Division B); 9.10.8.3. (Part 9, Division B) Supporting assemblies to have fire resistance rating at least equivalent to that of the supported floor.	Heavy timber construction is permitted to have a fire resistance rating less than would be required by the Code provided the <i>building</i> <ol style="list-style-type: none"> (a) is fully sprinklered, and (b) does not exceed 5 storeys in <i>building height</i>.

6	<p>Continuity of Fire Separations 3.1.8.3.(1) (Part 3, Division B) and (2); 9.10.9.2. (Part 9, Division B) Fire separations are required to be continuous above the ceiling space.</p>	<p>Fire separations are not required to be continuous above the ceiling space where</p> <ul style="list-style-type: none"> (a) the ceiling space is noncombustible construction, (b) both fire compartments are sprinklered, or (c) the ceiling has a minimum rating of 30 minutes.
7	<p>Wired Glass 3.1.8.5.(1) (Part 3, Division B) and 3.1.8.14.(2) (Part 3, Division B); 9.10.13.1. (Part 9, Division B) and 9.10.13.5. (Part 9, Division B) 6 mm wired glass in steel frame required in fire separations.</p>	<p>For fixed transoms or sidelights, 6 mm wired glass fixed to a wood frame of at least 50 mm thickness with steel stops is permitted in a required fire separation.</p>
8	<p>Mezzanines 3.2.1.1.(3) to (6) (Part 3, Division B); 9.10.4.1. (Part 9, Division B) Mezzanines enclosing more than 10% above the horizontal plane are considered as storey in <i>building height</i>.</p>	<p>Mezzanines may enclose up to 20% above the horizontal plane and not be considered a storey in <i>building height</i> if the <i>building</i> is fully sprinklered.</p>
9	<p><i>Building Height</i> 3.2.2.22. to 3.2.2.88. (Part 3, Division B) Noncombustible construction required for <i>buildings</i> over 4 storeys in <i>building height</i>.</p>	<p><i>Buildings</i> may be of combustible construction up to 5 storeys provided</p> <ul style="list-style-type: none"> (a) the <i>building</i> is fully sprinklered, (b) the <i>building</i> contains Group C, D, E, F2 or F3 occupancies, and (c) floor assemblies are of heavy timber construction.
10	<p>Spatial Separation 3.2.3. (Part 3, Division B); 9.10.14. (Part 9, Division B) The maximum area of unprotected openings.</p>	<p>The area of unprotected opening is not limited provided</p> <ul style="list-style-type: none"> (a) the exterior walls have a interior thermo barrier of 12.7 mm thick gypsum board, or lath and plaster in good condition, (b) the limiting distance is a minimum 1 m, (c) the entire <i>building</i> has a supervised sprinkler system in conformance with Sentence 3.2.4.9.(2), (Part 3, Division B) and (d) the sprinkler system is connected to the fire department in conformance with Sentence 3.2.4.7.(4). (Part 3, Division B)
11	<p>Construction of Exposing <i>Building Face</i> 3.2.3.7. (Part 3, Division B); 9.10.14.5. and 9.10.15.5. (Part 9, Division B) The exposing <i>building face</i> is required to have a fire resistance rating and/or be of noncombustible construction.</p>	<p>Exposing <i>building face</i> is not required to have a fire resistance rating if the <i>building</i> is fully sprinklered. Also, the exposing <i>building face</i> is not required to be of noncombustible construction if it is protected by an exterior sprinkler system conforming to NFPA 13 and has a thermo barrier as specified in No. 10(a) of these compliance tables.</p>
12	<p>Roof Covering Rating 3.1.15.2. (Part 3, Division B) Class A, B or C roof covering in conformance with CAN/ULC-S107 required.</p>	<p>For existing roofs not covered by a Class A, B or C roofing a manually operated deluge system in accordance with NFPA 13 is permitted.</p>

13	<p>Interconnected Floor Space 3.2.8. (Part 3, Division B); 9.10.13(6) (Part 9, Division B)</p> <p>Openings that are not protected by shafts or closures shall be protected in conformance with Section 3.2. (Part 3, Division B) or Sentence 9.10.1.3.(6) (Part 9, Division B)</p>	<p>An open stair in <i>buildings</i> of maximum 3 storeys in <i>building height</i> need not comply with Subsection 3.2.8. (Part 3, Division B) provided</p> <ul style="list-style-type: none"> (a) it is not a required exit stair, (b) the <i>building</i> contains a Group C or D occupancy, (c) the <i>building</i> is fully sprinklered with fast-response sprinklers, (d) corridors opening into the interconnected floor space are separated from the interconnected floor space by a fire separation with the rating required for the corridor, and (e) smoke detectors are installed in the rooms opening into the interconnected floor space.
14	<p>Separation of Suites 3.3.1.1. (Part 3, Division B); 9.10.9.13. and 9.10.9.14. (Part 9, Division B)</p> <p>Suites are required to be separated from adjoining suites by 3/4 h or 1 h rated fire separations.</p>	<p>Existing 1/2 h fire separations are acceptable in fully sprinklered <i>buildings</i> not exceeding 5 storeys in <i>building height</i>.</p>
15	<p>Corridor Fire Separation 3.3.1.4. (Part 3, Division B); 9.10.9.15. (Part 9, Division B)</p> <p>Public corridors are required to be separated from the remainder of the <i>building</i> by a fire separation having a fire resistance rating of at least 3/4 h.</p>	<p>Existing corridors with 1/2 h fire resistance ratings, are acceptable in residential occupancies provided the <i>building</i></p> <ul style="list-style-type: none"> (a) does not exceed 5 storeys in <i>building height</i>, and (b) is fully sprinklered with fast-response sprinklers.
16	<p>Corridor Width 3.3.1.9. and 3.4.3.1. (Part 3, Division B); 9.9.3.3. (Part 9, Division B)</p> <p>Public corridors and exit corridors are permitted to have a minimum width of 1100 mm.</p>	<p>Public corridors and exit corridors are permitted with a minimum width of 800 mm provided</p> <ul style="list-style-type: none"> (a) the occupant load of the <i>building</i> is maximum 20 people, and (b) the <i>building</i> does not exceed 3 storeys in <i>building height</i>.
17	<p>Door Swing 3.3.1.11. and 3.4.6.12. (Part 3, Division B); 9.9.6.5. (Part 9, Division B)</p> <p>Doors required to swing in the direction of exit travel.</p>	<p>2nd egress door from a room is not required to swing in the direction of exit travel provided</p> <ul style="list-style-type: none"> (a) the <i>building</i> is fully sprinklered and the system is supervised in conformance with Sentence 3.2.4.9.(2), (Part 3, Division B) and (b) the occupant load of the <i>building</i> is maximum 100 people.
18	<p>Stairs, Ramps, Handrails and Guards 3.3.1.14., 3.3.1.16., 3.3.1.18., 3.4.6.4 to 3.4.6.9. (Part 3, Division B); 9.8. (Part 9, Division B)</p>	<p>Existing conditions that do not comply fully with the requirements are permitted if they do not create a hazardous condition and are acceptable to the authority having jurisdiction.</p>
19	<p>Transparent Doors and Panels 3.3.1.19. (Part 3, Division B); 9.6.1.4 (Part 9, Division B)</p> <p>Glass in doors and sidelights are required to be protected by guards and to be safety glass.</p>	<p>Existing glass or transparent panels that do not comply fully with the requirements are permitted if sufficiently discernible or guards are provided in hazardous situations.</p>

20	<p>Dead-end Corridors 3.3.1.9.(7) (Part 3, Division B); 9.9.7.3. (Part 9, Division B) Dead-end corridors are permitted to a maximum length of 6 m.</p>	<ol style="list-style-type: none"> 1. Dead-end corridors are permitted to a maximum length of 10 m in Group C occupancies provided <ol style="list-style-type: none"> (a) the <i>building</i> is fully sprinklered with fast-response sprinklers, and (b) smoke detectors are installed in the corridor system. 2. Dead-end corridors are permitted to a maximum of 15 m in length in Group D, E, F2 and F3 occupancies provided <ol style="list-style-type: none"> (a) the <i>building</i> is fully sprinklered with fast-response sprinklers, and (b) smoke detectors are installed in the corridor system.
21	<p>Exits 3.4.2.1. (Part 3, Division B); 9.9.8.2. (Part 9, Division B) Floor areas shall be served by not fewer than 2 exits except as permitted by [Sentence] 3.4.2.1.(2) (Part 3, Division B).</p>	<p>Floor areas may be served by a single exit within the limits of [Sentence] 3.4.2.1.(2) (Part 3, Division B) provided</p> <ol style="list-style-type: none"> (a) the <i>building</i> does not exceed 3 storeys in <i>building height</i>, (b) the <i>building</i> is fully sprinklered with fast-response sprinklers, and (c) the <i>building</i> contains an approved fire alarm system with smoke detectors located in accordance with sentence [Article] 3.2.4.11. (Part 3, Division B)
22	<p>Reduction of Exit Width 3.4.3.3.(2) (Part 3, Division B); 9.9.6.1. (Part 9, Division B) Swinging doors in their swing shall not reduce the effective width of exit stairs and landings to less than 750 mm.</p>	<p>Existing swinging doors in their swing are permitted to reduce the effective width of exit stairs and landings to a minimum of 550 mm provided</p> <ol style="list-style-type: none"> (a) they serve Group C or D occupancies, (b) the <i>building</i> does not exceed 5 storeys in <i>building height</i>, and (c) the <i>building</i> is fully sprinklered.
23	<p>Fire Separation of Exits 3.4.4.1. (Part 3, Division B); 9.9.4. (Part 9, Division B) Exits are required to be separated from the remainder of the floor area by a fire separation having a fire-resistance rating of not less than 3/4 h.</p>	<ol style="list-style-type: none"> 1. Existing fire separations of 1/2 h are acceptable provided the <i>building</i> is fully sprinklered with fast-response sprinklers and does not exceed 3 storeys in <i>building height</i>. 2. <i>Buildings</i> not exceeding 5 storeys in <i>building height</i> may have exits that are separated by a 3/4 h fire separation provided the <i>building</i> is fully sprinklered.
24	<p>Exits Through Lobbies 3.4.4.2. (Part 3, Division B); 9.9.8.5. (Part 9, Division B) Rooms adjacent to the lobby are required to be separated by a fire separation.</p>	<p>Rooms adjacent to the lobby are not required to be separated by a fire separation provided</p> <ol style="list-style-type: none"> (a) the floor area is sprinklered with fast-response sprinklers, and (b) smoke detectors are installed in the adjacent rooms.
25	<p>Rooms Opening into an Exit 3.4.4.4.(7) (Part 3, Division B); 9.9.5.9. (Part 9, Division B) Service rooms and ancillary rooms are not permitted to open directly into an exit.</p>	<p>Service rooms and ancillary rooms may open directly into an exit provided</p> <ol style="list-style-type: none"> (a) the <i>building</i> is fully sprinklered, (b) the room is sprinklered with fast-response sprinklers,

		<p>(c) the door assembly has a fire protection rating of at least 20 min.,</p> <p>(d) the <i>building</i> does not exceed 3 storeys in <i>building height</i>, and</p> <p>(e) weatherstripping is installed on the door to prevent the passage of smoke.</p>
26	<p>Illumination of Exit Signs 3.4.5.1.(3) (Part 3, Division B); 9.9.11.3(3) and (4) (Part 9, Division B) Exit signs are required to be illuminated continuously while the <i>building</i> is occupied.</p>	<p>In provincial or municipal designated heritage <i>buildings</i> where exit signage may compromise historic appearances or authenticity of displays, exit signs may be installed to light only in an emergency condition, such as by the fire alarm system or because of power failure.</p>
27	<p>Clearance from Exit Doors 3.4.6.11.(1) (Part 3, Division B); 9.9.6.6. (Part 9, Division B) Stair risers shall not be closer than 300 mm from an exit door.</p>	<p>Except as permitted in Sentences 3.4.6.10.(2) or 9.9.6.6.(2), existing exit doors shall not extend beyond the first riser.</p>
28	<p>Fire Escapes 3.4.7. (Part 3, Division B); 9.9.2.1. (Part 9, Division B) Fire escapes are required to conform to Article [Subsection] 3.4.7. (Part 3, Division B, Volume 1).</p>	<p>Existing fire escapes that do not completely conform to Article 3.4.7.1. are acceptable provided</p> <p>(a) they are acceptable to the authority having jurisdiction and</p> <p>(b) the <i>building</i> is fully sprinklered.</p>
29	<p>Fire Escape Construction 3.4.7.2. (Part 3, Division B); 9.9.2.1. (Part 9, Division B).</p>	<p>Existing combustible fire escapes are permitted if the <i>building</i> is permitted to be of combustible construction by Part 3 (Part 3, Division B), Part 9 (Part 9, Division B) or by these Compliance Tables.</p>
30	<p>Protection of Fire Escapes 3.4.7.4. (Part 3, Division B); 9.9.2.1. (Part 9, Division B) Openings in the exterior wall adjacent to the fire escape are required to be protected by closures.</p>	<p>Existing openings in the exterior wall adjacent to the fire escape are not required to be protected by closures provided</p> <p>(a) the <i>building</i> is fully sprinklered, and</p> <p>(b) a sprinkler head is located within 1.5 m of the opening required to be protected by Article 3.4.7.4. (Part 3, Division B)</p>
31	<p>Vertical Service Space 3.6.3.1. (Part 3, Division B) Vertical service spaces are required to be separated from the adjacent floor area by a rated fire separation.</p>	<p>Existing vertical service spaces that do not completely conform to the rated fire separation requirements are acceptable provided the <i>building</i> is fully sprinklered.</p>
32	<p>Height and Area of Rooms 3.7.1. (Part 3, Division B); 9.5. (Part 9, Division B) The height and area of rooms are required to comply to minimum dimension requirements.</p>	<p>Existing rooms are not required to comply to the minimum dimension requirements of Subsection 3.7.1. (Part 3, Division B) or Section 9.5. (Part 9, Division B).</p>

33	Window Areas 9.9.10 (Part 9, Division B) Windows in dwelling units are required to comply to minimum dimensions.	Existing windows are not required to comply with the minimum dimensions of Article 9.7.1.2. (Part 9, Division B).
34	Washrooms Required to be Barrier-Free 3.8.2.3.(1) NSBCR Except as permitted by Sentence (2), a washroom in a storey to which a barrier-free path of travel is required in accordance with Article 3.8.2.1., shall be barrier-free in accordance with the appropriate requirements in Articles 3.8.3.8. to 3.8.3.13. NSBCR	Except in Assembly occupancies and Group D Business and personal services occupancies intended to offer medical or therapeutic services, a barrier-free washroom need not be provided in an existing <i>building</i> with a <i>building area</i> less than 120 m ² .
35	Entrances 3.8.1.2.(1) NSBCR In addition to the barrier-free entrances required by Sentence (2), not less than 50% of the pedestrian entrances of a <i>building</i> referred to in Sentence 3.8.1.1.(1) shall be barrier-free and shall lead from (a) the outdoors at sidewalk level, or (b) a ramp that conforms to Article 3.8.3.4. and leads from a sidewalk.	Where an existing <i>building</i> has (a) a <i>building area</i> less than 120 m ² , (1292 sq. ft.), and (b) a slope from the entrance level floor at the entrance door to a street or public way greater than 1 in 10, and (c) no entrance more than 1 m to the property line, and (d) no possible alternate access to an entrance from a street or public way, (See Appendix Note No. 35) the owner may use a stair with (a) a maximum rise of 150 mm (6"), (b) a minimum run of 280 mm (11"), (c) tactile landings, (d) contrasting colour nosings, and (e) an unobstructed width of 1 m.
36	Mechanical Systems Part 6 and Part 7.	Existing mechanical systems in <i>buildings</i> are not required to fully comply to the requirements of Parts 6 or 7 provided (a) it is not an unsafe condition and (b) it is acceptable to the authority having jurisdiction.

N.S. Reg. 177/2014

Made: November 5, 2014

Filed: November 19, 2014

Schedule 1—General Regulations

Order dated November 5, 2014

Amendment to regulations made by the Natural Products Marketing Council
pursuant to Section 9 of the *Dairy Industry Act***Natural Products Marketing Council**

I certify that the Natural Products Marketing Council, pursuant to Section 9 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at its meeting on November 5, 2014, carried a motion to amend Schedule 1—General Regulations, N.S. Reg. 198/89, made by the Nova Scotia Dairy Commission on August 11, 1989, in the manner set forth in the attached Schedule “A”, effective on and after December 1, 2014.

Signed at Truro, in the County of Colchester, Nova Scotia on November 6, 2014.

Natural Products Marketing Council

per: sgd.: *E.A. Crouse*

Elizabeth A. Crouse

General Manager

Schedule "A"

**Amendment to Schedule 1–General Regulations
made by the Natural Products Marketing Council
under Section 9 of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Clause 22(1)(b) of Schedule 1–General Regulations, N.S. Reg. 198/89, made by the Nova Scotia Dairy Commission on August 11, 1989, is amended by

(a) renumbering subclauses (xiii) to (xvii) as subclauses (xiv) to (xviii), respectively; and

(b) adding the following subclause immediately after subclause (xii):

(xiii) 237 ml

N.S. Reg. 178/2014

Made: November 13, 2014

Approved: November 13, 2014

Filed: November 19, 2014

Milk Pricing Regulations

Order dated November 13, 2014

Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clauses 15(1)(b) and (g) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

**Amendment to the *Milk Pricing Regulations*
made under the *Dairy Industry Act***

I certify that on November 13, 2014, the Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, as delegated by clause 2(1)(b) of the *Delegation of Powers to Dairy Farmers of Nova Scotia Regulations*, N.S. Reg. 136/2001, and pursuant to clause 15(1)(g) of the *Dairy Industry Act*, carried a motion to amend the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, in the manner set forth in the attached Schedule "A", effective on and after February 1, 2015.

Signed at Truro, in the County of Colchester, Nova Scotia on November 13, 2014.

Dairy Farmers of Nova Scotia

per: sgd.: *Brian Cameron*

Brian Cameron

General Manager

Approved by the Natural Products Marketing Council at Truro, in the County of Colchester, Nova Scotia on November 13, 2014.

Natural Products Marketing Council

per: sgd.: *E. A. Crouse*
Elizabeth A. Crouse, P.Ag.
General Manager

Schedule "A"

**Amendment to the *Milk Pricing Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clauses 14(1)(c) and 15(1)(g) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Section 3 of the *Milk Pricing Regulations*, N.S. Reg. 84/2008, made by the Dairy Farmers of Nova Scotia on September 21, 2007, and approved by the Natural Products Marketing Council on February 12, 2008, is amended by repealing subsection 3(1) and substituting the following subsection:

- 3 (1)** Milk processors in the Province must pay, on an F.O.B. plant basis, the prices of milk components set out in the following table for each class of milk specified:

Component Prices for Classes of Milk				
Class of Milk	Butterfat (\$ per kg)	Protein (\$ per kg)	Other Solids (\$ per kg)	Solids-Non-Fat (\$ per hl)
1(a)	7.0125			74.3900
1(b)	7.0125			60.9000
1(c)	85% of the BF and SNF values for Class 1(a) or Class 1(b), as applicable			
2(a)	7.9104	6.0303	6.0303	
2(b)	7.9104	6.0303	6.0303	
3(a)	7.9104	14.0932	0.8855	
3(b)	7.9104	13.6390	0.8855	
3(c)	7.9104	14.0932	0.8855	
4(a)	7.9104	5.4739	5.4739	
4(b)	7.9104	5.5825	5.5825	
4(c)	85% of the Class 4(a) component values			
4(d)	7.9104	5.4739	5.4739	

N.S. Reg. 179/2014

Made: November 21, 2014

Filed: November 21, 2014

Air Quality Regulations

Order in Council 2014-469 dated November 21, 2014
Amendment to regulations made by the Governor in Council
pursuant to Sections 25 and 112 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment dated October 28, 2014, and pursuant to Sections 25 and 112 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to amend the *Air Quality Regulations*, N.S. Reg. 28/2005, made by the Governor in Council by Order in Council 2005-87 dated February 25, 2005, to incorporate new air pollution limits and local protection measures relating to sodium dioxide, nitrogen oxides and mercury, and to provide for a Mercury Recovery Plan, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after January 1, 2015.

Schedule "A"

**Amendment to the *Air Quality Regulations*
made by the Governor in Council under Sections 25 and 112
of Chapter 1 of the Acts, 1994-95,
the *Environment Act***

- 1 Section 2 of the *Air Quality Regulations*, N.S. Reg. 28/2005, made by the Governor in Council by Order in Council 2005-87 dated February 25, 2005, is amended by
 - (a) adding the following clauses immediately after clause (fa):
 - (fb) "mercury diversion" means the diversion of mercury-containing products from the environment to earn credit in accordance with these regulations;
 - (fc) "mercury diversion plan" means an annual plan for mercury diversion required by Section 7D;
 - (fd) "mercury diversion report" means an annual report required by Section 7F on mercury diversion carried out in the previous calendar year;
 - (b) striking out the period at the end of clause (g) and substituting a semicolon; and
 - (c) adding the following clause immediately after clause (g):
 - (h) "Mercury Diversion Standard" means the Mercury Diversion Standard published by the Department, as supplemented, amended, added to, replaced or superseded.
- 2 Subsection 6(1) of the regulations is amended by
 - (a) striking out the period at the end of clause (d) and substituting a semicolon; and
 - (b) adding the following clauses immediately after clause (d):
 - (e) effective January 1, 2025, 62 625 t;
 - (f) effective January 1, 2030, 54 625 t.

- 3 (1) Subsection 7C(1) of the regulations is amended by relettering clause (a) as clause (aa) and adding the following clause immediately before clause (aa):
- (a) “total diverted mercury” means the aggregate of the quantities of diverted mercury reported in a person’s mercury diversion reports for the calendar years beginning with 2015 and ending with and including 2020, and for which the Minister approves credits under Section 7G;
- (2) Subsection 7C(2) of the regulations is repealed and the following subsection substituted:
- (2) If the annual emissions of mercury exceed 65 kg in any or all of calendar years 2010, 2011, 2012 and 2013, the person responsible must, by December 31, 2020, compensate for the total excess emissions by either or a combination of the following methods, so that total reduced emissions plus total diverted mercury equals or exceeds total excess emissions:
- (a) reducing annual emissions from each coal-fired thermal power generating unit to a level below 65 kg;
- (b) mercury diversion.
- 4 The regulations are further amended by adding the following Sections and headings immediately following Section 7C:

Mercury diversion plan

- 7D (1)** A person who proposes to divert mercury under clause 7C(2)(b) must submit an annual written plan for the diversion to the Minister for approval
- (a) before beginning any mercury diversion activities, for the year 2015; and
- (b) on or before October 31 of the previous calendar year, for the years 2016 to 2020.
- (2) A proposed mercury diversion plan must include at least all of the following:
- (a) a statement of the total credits that are intended to be claimed for mercury diversion during the calendar year;
- (b) the proposed types of mercury-containing products to be diverted for credit, the proposed diversion methods to be used for each type of product, and the proposed source of each type of product;
- (c) a forecast of the quantity of each type of product to be diverted during the calendar year.
- (3) No later than 30 days after the date a proposed mercury diversion plan is submitted to the Minister, the Minister must, in writing, approve or reject the proposed plan or request further information from the proponent.
- (4) No later than 15 days after the date of a request from the Minister under subsection (3) for further information, the proponent must submit the requested information in writing, and on receipt of the information the Minister has a further 15 days to approve or reject the proposed mercury diversion plan.

Mercury diversion credits

- 7E (1)** Mercury diversion to be claimed for credit must be calculated and claimed in accordance with the Mercury Diversion Standard for approval by the Minister under Section 7G.

- (2) No mercury diversion credit may be given to a person for any of the following:
- (a) mercury diverted outside the Province;
 - (b) mercury diverted from products that are imported into the Province solely for the purpose of mercury diversion;
 - (c) mercury diverted before the later of January 1, 2015, or the approval of the person's annual plan for 2015;
 - (d) mercury diverted after December 31, 2020.

Annual mercury diversion report

- 7F** (1) In this Section, "verifier" means an independent third party that has all of the following qualifications:
- (a) accounting and financial auditing expertise;
 - (b) engineering and environmental assessment expertise.
- (2) A person who diverts mercury for credit under clause 7C(2)(b) in the year 2015 or any subsequent calendar year must submit a mercury diversion report to the Minister no later than March 31 of the following year.
- (3) A mercury diversion report must include at least all of the following information about the credits being claimed for mercury diverted during the calendar year covered by the report:
- (a) a summary of the total credits claimed;
 - (b) the type of products diverted for credit, the diversion methods used for each product and the source of each type of product;
 - (c) a summary of the quantity of each type of product diverted;
 - (d) a report by a verifier certifying to a reasonable level of assurance that the credits claimed and reported have been accurately calculated using the appropriate method;
 - (e) any additional information the Minister requires.
- (4) For the purpose of a verifier's report required by clause (3)(d), a person who submits a mercury diversion report must
- (a) provide the verifier with any information or documentation required for the report; and
 - (b) allow the verifier to access any facility owned or operated by the person to do any of the following:
 - (i) collect information used to calculate the diversion credits,
 - (ii) collect and examine documents related to any diversion activities, diversion methods or calculation of credits,
 - (iii) collect any additional information the verifier considers necessary.

Ministerial review and approval

- 7G (1)** No later than 30 days after receiving a mercury diversion report, the Minister must review the report and decide whether to approve the credits claimed in the report.
- (2)** The Minister may approve none, part or all of the credits claimed in a mercury diversion report.

5 Section 1 of Schedule C to the regulations is amended by repealing subsections (5) and (6) and substituting the following subsections:

- (5) From January 1, 2015, until December 31, 2019, the total emissions of sulphur dioxide from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not exceed, in the aggregate, 304 500 t.
- (6) Beginning January 1, 2015, and in each calendar year after that, the annual emissions of sulphur dioxide from any fossil-fuel-fired thermal generating unit owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 42 775 t.
- (7) Beginning January 1, 2020, and in each calendar year after that, the annual emissions of sulphur dioxide from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 36 250 t.
- (8) From January 1, 2021, until December 31, 2024, the total emissions of sulphur dioxide from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not exceed, in the aggregate, 136 000 t.
- (9) Beginning January 1, 2020, and in each calendar year after that, the annual emissions of sulphur dioxide from any fossil-fuel-fired thermal generating unit owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 17 760 t.
- (10) Beginning January 1, 2025, and in each calendar year after that, the annual emissions of sulphur dioxide from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 28 000 t.
- (11) Beginning January 1, 2025, and in each calendar year after that, the annual emissions of sulphur dioxide from any fossil-fuel-fired thermal generating unit owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 13 720 t.
- (12) From January 1, 2026, until December 31, 2029, the total emissions of sulphur dioxide from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not exceed, in the aggregate, 104 000 t.
- (13) Beginning January 1, 2030, and in each calendar year after that, the annual emissions of sulphur dioxide from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 20 000 t.

- (14) Beginning January 1, 2030, and in each calendar year after that, the annual emissions of sulphur dioxide from any fossil-fuel-fired thermal generating unit owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 9800 t.
- 6 Section 2 of Schedule C to the regulations is amended by repealing subsections (1A) and (1B) and substituting the following subsections:
- (1A) From January 1, 2015, until December 31, 2019, the total emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not exceed, in the aggregate, 96 140 t.
- (1B) Beginning January 1, 2015, and in each calendar year after that, the annual emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 21 365 t.
- (1C) Beginning January 1, 2020, and in each calendar year after that, the annual emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 14 955 t.
- (1D) From January 1, 2021, until December 31, 2024, the total emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not exceed, in the aggregate, 56 000 t.
- (1E) Beginning January 1, 2025, and in each calendar year after that, the annual emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 11 500 t.
- (1F) From January 1, 2026, until December 31, 2029, the total emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not exceed, in the aggregate, 44 000 t.
- (1G) Beginning January 1, 2030, and in each calendar year after that, the annual emissions of nitrogen oxides (NOx) from fossil-fuel-fired thermal generating stations owned or operated by Nova Scotia Power Incorporated and affiliated companies must not in the calendar year exceed, in the aggregate, 8800 t.
- 7 Section 3 of Schedule C to the regulations is amended by adding the following subsection immediately after subsection (4):
- (4A) Beginning January 1, 2030, and in each calendar year after that, the annual emissions of mercury from units in place and state as of October 11, 2006, within the coal-fired thermal power generating units referred to in subsection (1) must not in the calendar year exceed, in the aggregate, 30 kg.

N.S. Reg. 180/2014

Made: November 20, 2014

Filed: November 21, 2014

Prescribed Petroleum Products Prices

Order dated November 20, 2014
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-14-48****In the Matter of the *Petroleum Products Pricing Act*****- and -****In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations*****Before:** Peter W. Gurnham, Q.C., Chair**Order**

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended November 19, 2014, are:

Grade 1 Regular gasoline	64.7¢ per litre
Ultra-low-sulfur diesel oil	72.5¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	64.7¢ per litre
Grade 2	67.7¢ per litre
Grade 3	70.7¢ per litre
Ultra-low-sulfur diesel oil	72.5[¢] per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	minus 1.2¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.9¢ per litre

And whereas a winter blending adjustment of plus 5.1¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., November 21, 2014.

Dated at Halifax, Nova Scotia, this 20th day of November, 2014.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on November 21, 2014**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	70.7	10.0	15.5	96.2	116.2	118.2	116.2	999.9
Mid-Grade Unleaded	73.7	10.0	15.5	99.2	119.6	121.7	119.6	999.9
Premium Unleaded	76.7	10.0	15.5	102.2	123.0	125.1	123.0	999.9
Ultra-Low-Sulfur Diesel	83.8	4.0	15.4	103.2	124.2	126.3	124.2	999.9
Zone 2								
Regular Unleaded	71.2	10.0	15.5	96.7	116.7	118.8	116.7	999.9
Mid-Grade Unleaded	74.2	10.0	15.5	99.7	120.2	122.2	120.2	999.9
Premium Unleaded	77.2	10.0	15.5	102.7	123.6	125.7	123.6	999.9
Ultra-Low-Sulfur Diesel	84.3	4.0	15.4	103.7	124.8	126.8	124.8	999.9
Zone 3								
Regular Unleaded	71.6	10.0	15.5	97.1	117.2	119.3	117.2	999.9
Mid-Grade Unleaded	74.6	10.0	15.5	100.1	120.6	122.7	120.6	999.9
Premium Unleaded	77.6	10.0	15.5	103.1	124.1	126.2	124.1	999.9
Ultra-Low-Sulfur Diesel	84.7	4.0	15.4	104.1	125.2	127.3	125.2	999.9
Zone 4								
Regular Unleaded	71.7	10.0	15.5	97.2	117.3	119.4	117.3	999.9
Mid-Grade Unleaded	74.7	10.0	15.5	100.2	120.8	122.8	120.8	999.9
Premium Unleaded	77.7	10.0	15.5	103.2	124.2	126.3	124.2	999.9
Ultra-Low-Sulfur Diesel	84.8	4.0	15.4	104.2	125.4	127.4	125.4	999.9
Zone 5								
Regular Unleaded	71.7	10.0	15.5	97.2	117.3	119.4	117.3	999.9
Mid-Grade Unleaded	74.7	10.0	15.5	100.2	120.8	122.8	120.8	999.9
Premium Unleaded	77.7	10.0	15.5	103.2	124.2	126.3	124.2	999.9
Ultra-Low-Sulfur Diesel	84.8	4.0	15.4	104.2	125.4	127.4	125.4	999.9
Zone 6								
Regular Unleaded	72.4	10.0	15.5	97.9	118.1	120.2	118.1	999.9
Mid-Grade Unleaded	75.4	10.0	15.5	100.9	121.6	123.6	121.6	999.9
Premium Unleaded	78.4	10.0	15.5	103.9	125.0	127.1	125.0	999.9
Ultra-Low-Sulfur Diesel	85.5	4.0	15.4	104.9	126.2	128.2	126.2	999.9

N.S. Reg. 181/2014

Made: November 17, 2014

Filed: November 25, 2014

Winter Parking Regulations

Order dated November 17, 2014

Regulations made by the Provincial Traffic Authority
pursuant to subsection 202(1) of the *Motor Vehicle Act***In the Matter of subsection 202(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act*****-and-****In the Matter of an Order respecting Winter Parking of Vehicles
made by the Provincial Traffic Authority pursuant to
subsection 202(1) of the *Motor Vehicle Act*****Order**

I, Michael Croft, Provincial Traffic Authority, hereby make regulations pursuant to subsection 202(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, respecting a prohibition on parking vehicles in the form set forth in Schedule "A" attached hereto.

Dated and made at Halifax, in the Halifax Regional Municipality, Nova Scotia, this 17th day of November, 2014.

Sgd.: *M. Croft*

Michael Croft, P. Eng.

Provincial Traffic Authority for the Province of Nova Scotia

Schedule "A"**Regulations respecting the Winter Parking Ban
made by the Provincial Traffic Authority under subsection 202(1) of
Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act*****Citation**

1 These regulations may be cited as the *Winter Parking Ban Regulations*.

Application

2 These regulations apply to any highway that is subject to the *Public Highways Act*.

Limitation on parking

3 Notwithstanding that certain traffic signs have been erected which may permit motor vehicles to park or stand upon sections of highway during the hours stated thereon, no owner, driver or person having control or custody of any vehicle shall park such vehicle upon any highway in Appendix A or any highway in the communities listed in Appendix A:

- (a) between the hours of one o'clock in the forenoon and six o'clock in the forenoon;
- (b) in such a manner as to hinder, inconvenience or prevent the removal of snow or ice from such highway unless it is attended by a person authorized and capable of operating it on a highway;
or

- (c) from one hour after any snow storm has commenced to two hours after such snow storm has stopped.

Determination of boundary

4 For the purposes of these regulations, the boundaries of a community shall be determined in accordance with Geographical Names Program established by the Government of Nova Scotia.

Exception

5 Section 3 shall not apply to:

- (a) a motor vehicle that is
- (i) registered to a physician who is registered under the *Medical Act*,
 - (ii) parked reasonably near the physician's office or residence, and
 - (iii) immediately available to the physician for professional calls;
- (b) a motor vehicle parked by a physician who is registered under the *Medical Act* if
- (i) the physician is engaged in his occupation, and
 - (ii) the motor vehicle is parked in reasonable proximity to the location where the physician is engaged in his occupation;
- (c) a motor vehicle registered to a police department, the Royal Canadian Mounted Police or the Canadian Armed Forces;
- (d) a commercial vehicle parked by a driver for the purpose of loading or unloading merchandise; or
- (e) a motor vehicle registered to a public utility as defined in the *Public Utilities Act* that is parked reasonably near the residence of its driver and immediately available for emergency calls.

Effective dates

6 These regulations are effective December 15, 2014, to and including March 31, 2015.

Appendix "A"

Annapolis County

Aldred Rd.	Elm St.
Amina Dr.	Empire St.
Anna Ct.	First Ave.
Balcom Cres.	Geiger Dr.
Baxter Ave.	Granville Rd. From Mills Mountain Road to
Beech St.	Bingay Lane (North Street)
Birch Dr.	Granville Ferry
Bonavista Dr.	Hemlock Dr.
Brookside Dr/Pine Grove Crescent	Hillcrest Ave.
Chipman Dr.	Krista Dr.
Clementsport Road	Kyle Ave.
Colonial Dr.	Lorcon St.
Cook Ave	M and R Street
Dodd St.	Main St., Meadowvale

Annapolis County (cont.)

Maple Ave.
 Martyn Cres.
 Michael Ave.
 Nictaux Falls Road
 Nictaux Road
 Oak Dr.
 Old Runway Dr.
 Orchard Drive
 Penny Lane
 Pine Ct.
 Pine Dr.
 Pleasant St.
 Pond Dr.
 Poplar Dr.
 Rogers Rd.
 Route 201, Nictaux
 Route 201, Bridgetown/Carleton Corner
 Second Ave.

Seth Dr.
 South Street
 Sunset Lane, Nictaux
 Tasha Dr.
 Taylor Drive, Nictaux
 Torbrook Road
 Trunk 10, Nictaux
 Trunk 10, Nictaux Falls
 Trunk 1, Paradise
 Trunk 10, Springfield
 Valley Rd.
 Vendora Dr.
 Village of Lawrencetown
 Village of Bear River
 Village Rd.
 Wanda Lynn Dr.
 Welton Lane
 Willow Ave.

Antigonish County

Chisholm Drive
 Church Street Extension
 Grandview Drive
 Heritage Drive
 Duncan MacIsaac Rd.
 Mountain View Drive
 Ponderosa Drive

Sylvan Valley Lane
 Sylvan Valley Road
 Tamara Drive
 Trinity Lane
 West River Cross Road
 Whisper Avenue
 Wild Horse Drive

Cape Breton County

Cape Breton Regional Municipality

Colchester County

Bass River
 Belmont
 Brookfield
 Brookside
 Camden
 Central Onslow
 Central North River
 Debert
 Economy
 Five Islands
 Great Village
 Greenfield
 Harmony
 Hilden

Londonderry
 Lower Onslow
 Lower Truro
 Masstown
 Murray Siding
 North River
 Old Halifax Road
 Onslow
 Salmon River
 Truro Heights
 Upper Onslow
 Valley
 Bible Hill
 Tatamagouche

Cumberland County

Athol Road
 Biggs Drive, East Amherst
 Birchwood Place
 Brookside Dr.

D'Orsay Rd.
 Harmony Heights
 Hillcrest St.
 Joggins

Cumberland County (cont.)

Maccan
Meadow Park Dr.
Village of River Hebert

Village of Pugwash
Wallace

Digby County

Francis Drive
Lighthouse Rd. (Digby/Bay View)
Marshalltown Rd. from the western intersection with
Highway 101 easterly 300 m.
Trunk 1, Metegan
Trunk 1, Comeauville
Trunk 1, Church Point

Trunk 1, Saulnierville
Village of Freeport
Village of Weymouth
Village of Sandy Cove
Village of Westport
Village of Bear River

Guysborough County

Village of Guysborough

Village of Sherbrooke

Halifax Regional Municipality

Antrim
Bayside
Bear Cove
Beaverbank
Black Point
Blind Bay
Boutilliers Point
Brookside
Carrolls Corner
Chaswood
Chezzetcook
Conrod Settlement
Cooks Brook
Dean
Dutch Settlement
East Chezzetcook
East Dover
East Jeddore
East Lawrencetown
East Pennant
East Petpeswick
East Preston
East Ship Harbour
Elderbank
Elmsdale
Elmsvale
Fall River
Five Island Lake
French Village
Gaetz Brook
Glen Haven
Glen Margaret
Goodwood
Grand Desert
Grand Lake
Hacketts Cove

Halibut Bay
Harrietsfield
Hatchet Lake
Head of Chezzetcook
Head of Jeddore
Head of St. Margarets Bay
Herring Cove
Hubbards
Indian Harbour
Ingramport
Ketch Harbour
Lake Echo
Lake Egmont
Lake Charlotte
Lantz
Lawrencetown
Lewis Lake
Lower East Chezzetcook
Lower Prospect
Lower Tantallon
Lower Three Fathom Harbour
Lower West Jeddore
McGraths Cove
Meaghers Grant
Middle Musquodoboit
Middle Porters Lake
Middle Village
Mineville
Moser River
Musquodoboit Harbour
Myers Point
Oakfield
Oldham
Ostrea Lake
Peggys Cove
Pleasant Point

Halifax Regional Municipality (cont.)

Porters Lake
 Port Dufferin
 Portuguese Cove
 Prospect
 Prospect Bay
 Queensland
 Salmon River Bridge
 Sambro
 Seabright
 Seaforth
 Shad Bay
 Sheet Harbour
 Sheldrake Lake
 Ship Harbour
 Smith Settlement
 Tangier
 Tantallon

Hants County

Brooklyn
 Currys Corner
 East Uniacke
 Ellershouse
 Elmsdale
 Enfield
 Etter Settlement
 Falmouth
 Five Mile Plains
 Garlands Crossing

Inverness County

Charles MacLean Road
 Chéticamp
 Church Street
 Davis Dr.
 Grant St.
 Hilltop Dr.

Kings County

Aldershot
 Alice Dr.
 Auburn
 Blomidon Crescent
 Brandywine Dr.
 Brookside Cres.
 Cambridge
 Centreville
 Coldbrook
 Davlyn Dr.
 Dyke View Rd.
 Elizabeth Dr.
 Folease Park Dr.
 Fred Thomas Road from Rt. 341 north 0.5 km

Terence Bay
 Three Fathom Harbour
 Upper Lakeville
 Upper Lawrencetown
 Upper Musquodoboit
 Upper Sackville
 Upper Tantallon
 Watt Section
 Wellington
 West Chezzetcook
 West Dover
 West Jeddore
 West Lawrencetown
 West Pennant
 West Petpeswick
 Whites Lake
 Williamswood

Lantz
 Lower Nine Mile River
 Martock
 Milford
 Mt. Uniacke
 Newport Station
 St. Croix
 Shubenacadie
 South Uniacke
 Three Mile Plains

Kings Road
 Lovers Lane
 Mabou
 MacKenzie Ct.
 Village of Port Hastings
 Village of Inverness

Glooscap Lane
 Grand Pré
 Greenwich
 Hants Border
 Harry Dr.
 Kimberley Dr.
 Kingsport
 LeMarchant Dr.
 Merrit Dr.
 Montgomery Dr.
 Morris Cres.
 Murray St.
 North Kentville
 North Alton

Kings County (cont.)

Novawood Dr.
 Pine Street, White Rock
 Poplar Grove
 Poplar Dr., Highbury
 River Dr.
 Rosalind Dr.
 Stream Ave.
 Sunset Dr.
 Village of Kingston

Lunenburg

Village of Chester
 Western Shore
 Village of New Germany

Richmond County

Village of St. Peter's

Village of New Minas
 Village of Aylesford
 Village of Canning
 Village of Cornwallis Square
 Village of Greenwood
 Village of Port Williams
 Wayne Rd.
 Windermere Dr.

Queens County

Village of Brooklyn

Victoria County

Village of Baddeck

N.S. Reg. 182/2014

Made: November 27, 2014

Filed: November 27, 2014

Standards of Care for Cats and Dogs Regulations

Order dated November 27, 2014

Regulations made by the Minister responsible for the *Animal Protection Act*
 pursuant to Section 39 of the *Animal Protection Act*

Order

**In the matter of Chapter 33 of the Acts of 2008,
 the *Animal Protection Act***

and

**In the matter of regulations respecting standards of care for cats and dogs
 made pursuant to Section 39 of the *Animal Protection Act*
 by the Minister responsible for the administration of the Act**

I, Keith Colwell, Minister responsible for the administration of Chapter 33 of the Acts of 2008, the *Animal Protection Act* ("the Act"), pursuant to Section 39 of the Act, hereby make regulations respecting standards of care for cats and dogs in the form attached as Schedule "A", effective on and after the date that Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, is proclaimed in force.

Dated and made at Halifax Regional Municipality, Halifax County, Province of Nova Scotia on November 27, 2014.

Sgd.: *Keith Colwell*

Honourable Keith Colwell

Minister responsible for the administration of the *Animal Protection Act*

Schedule "A"**Regulations Respecting Standards of Care for Cats and Dogs
made by the Minister responsible for the
administration of the *Animal Protection Act*
under Section 39 of Chapter 33 of the Acts of 2008,
the *Animal Protection Act*****Citation**

1 These regulations may be cited as the *Standards of Care for Cats and Dogs Regulations*.

Application of these regulations

- 2** (1) Except as provided in subsection (2), these regulations apply to every owner or caretaker of a cat or dog.
- (2) These regulations do not apply with respect to a cat or dog that is being cared for at a veterinarian facility in any of the categories set out in Section 70 of the *Veterinary Medical Regulations* made under the *Veterinary Medical Act*.

Definitions

3 In these regulations,

“Act” means the *Animal Protection Act*;

“animal” means a cat or a dog;

“pen” means an outdoor enclosure used to confine an animal by means of a fence, wall or natural structure in order to prevent the animal from leaving a property;

“shelter” means a structure, such as a dog house, shed, hangar, barn or garage, or part of such a structure, to which an animal has access;

“tether” means a rope or similar material that is attached on one end to the neck, head or body of an animal for restraint or control and is affixed at the other end to a stationary object.

General standards of care

- 4** (1) For the purposes of clause 2(2)(a) of the Act,
- (a) water is adequate if it meets all of the following criteria:
- (i) it is clean, fresh, potable, unfrozen water of a drinkable temperature,
- (ii) it is accessible by an animal in sufficient volume, taking into account the weather and temperature, to maintain normal hydration for the age, species, condition, size and type of the animal, or in a volume prescribed by a veterinarian;
- (b) food is adequate if it meets all of the following criteria:
- (i) it is accessible to an animal in sufficient quantities and nutritive value to enable the animal to maintain healthy growth and a healthy body weight for the age, breed, condition and size of the animal, or in quantities or nutritive value prescribed by a veterinarian,

- (ii) it is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, or at intervals prescribed by a veterinarian.
- (2) An animal's owner or caretaker must ensure that a receptacle or container that is intended for providing food or water to the animal is usable and designed and placed in a manner that prevents spillage, injury and contamination.
- (3) An animal's owner or caretaker must ensure that the animal receives regular grooming and claw care.
- (4) An animal's owner or caretaker must ensure that a collar or restraining device that is used on the animal meets all of the following requirements:
 - (a) it must be well-fitted;
 - (b) it must be appropriate to the age and size of the animal;
 - (c) it must not hamper the animal's ability to breathe;
 - (d) it must not cause trauma or injury to the animal.

Standards of care for animals outdoors

- 5** (1) An animal's owner or caretaker must ensure that an area in which the animal is being kept outdoors meets all of the following requirements:
- (a) the area must provide protection from inclement weather to which the animal could otherwise be exposed and that could cause the animal to be in distress;
 - (b) shade must be accessible to the animal at all times within the area;
 - (c) the area must be clean and free from excess excrement.
- (2) In deciding whether protection from inclement weather is required under clause (1)(a), an animal's owner or caretaker must consider all of the following to determine the animal's ability to adapt to weather conditions:
- (a) the animal's age;
 - (b) the animal's health;
 - (c) the animal's breed;
 - (d) the animal's ability to adapt to the heat or cold;
 - (e) the animal's coat;
 - (f) the outdoor temperature;
 - (g) the inclement weather that the animal could be exposed to.

Standards of care for shelters

- 6** (1) An animal's owner or caretaker must ensure that the animal has continuous access to a shelter if the animal is kept outdoors

- (a) for more than 12 hours at a time; or
 - (b) in any weather conditions that could cause the animal to be in distress.
- (2) In deciding whether protection from weather conditions is required under clause (1)(b), an animal's owner or caretaker must consider all of the following to determine the animal's ability to adapt to weather conditions:
- (a) the animal's age;
 - (b) the animal's health;
 - (c) the animal's breed;
 - (d) the animal's ability to adapt to the heat or cold;
 - (e) the animal's coat;
 - (f) the outdoor temperature;
 - (g) the inclement weather that the animal could be exposed to.
- (3) An animal's owner or caretaker must ensure that a shelter required by this Section meets all of the following requirements:
- (a) it must not present a risk to the health or safety of the animal;
 - (b) it must be accessible to the animal;
 - (c) it must provide protection from inclement weather;
 - (d) it must be sufficiently ventilated to prevent the accumulation of moisture and odours;
 - (e) it must have flooring and bedding that is clean and dry and sufficient to provide adequate insulation from inclement weather;
 - (f) if it is a dog shelter, its ceiling height must be at least 5 cm greater than the height of the dog in a sitting position measured from the top of the dog's head to the ground;
 - (g) its sleeping area must allow for the animal to easily turn around and lie down.

Standards of care for pens

- 7 (1) An animal's owner or caretaker must ensure that a pen used for the animal meets all of the following requirements:
- (a) it must be designed and located to prevent injury or distress to the animal;
 - (b) it must have a clean, dry place, free from excessive excrement, where the animal can lie down;
 - (c) it must be kept in good repair.
- (2) If more than 1 animal is kept in a pen, the animals' owner or caretaker must ensure that the pen has an area large enough to provide the animals with adequate space for all of the following:

- (a) feeding, resting, urinating and defecating;
 - (b) engaging in species-typical behaviours and maintaining adequate social distances.
- (3) An animal's owner or caretaker must ensure that the animal is not left in a pen unsupervised for more than 12 consecutive hours.
- (4) If an animal is kept in a pen for longer than 12 consecutive hours in any 24-hour period, the animal's owner or caretaker must ensure that the animal has time out of the pen during that same 24-hour period to allow for exercise, socialization and protection from inclement weather.

Standards of care for tethering

- 8 (1) An animal's owner or caretaker may tether the animal for only up to 12 hours in any 24-hour period.
- (2) If an animal has been tethered for 12 consecutive hours, the owner or caretaker of the animal must untether the animal for 12 consecutive hours before tethering the animal again.
- (3) An animal's owner or caretaker must ensure that the minimum length of a tether used on the animal is the greater of
- (a) 5 m; and
 - (b) 5 times the length of the animal, as measured from the tip of its nose to the base of its tail.
- (4) In addition to the length requirement of subsection (3), an animal's owner or caretaker must ensure that a tether used on the animal meets all of the following requirements:
- (a) it must allow the animal to reach its food and water and a clean, dry, place to lie down in a shaded area or shelter, if required by these regulations;
 - (b) it must allow the animal to move in a manner that is safe and, except by the length of the tether, is unrestricted;
 - (c) it must be configured to prevent the animal from doing any of the following:
 - (i) becoming entangled with other objects or animals,
 - (ii) moving over an edge, such as the edge of a wall or stairway, in a manner that could result in strangulation or injury of the animal;
 - (d) it must not cause discomfort for the animal because of its type or weight.

Standards of care for transporting animals

- 9 (1) A person must not transport an animal in the trunk of a motor vehicle.
- (2) Subsection (1) does not apply to a motor vehicle, such as a station wagon, passenger van, sport-utility vehicle or hatchback model, that does not have a closed area as its main storage compartment.
- (3) A person must not transport an animal in a motor vehicle outside the passenger compartment unless the animal is confined or secured
- (a) in a container that meets the requirements of subsection (4); and

- (b) in a manner that prevents the animal from experiencing injury or distress, falling off the vehicle or otherwise injuring itself or causing a hazard to other vehicles.
- (4) A container that is used to transport an animal in a motor vehicle outside the passenger compartment must meet all of the following requirements:
- (a) it must be constructed to prevent an animal from escaping;
 - (b) it must be constructed to allow the animal to have good footing, protection from inclement weather and adequate ventilation;
 - (c) it must be durable and kept in good repair;
 - (d) it must be large enough to enable the animal to turn around normally, to stand and sit erect and to lie in a natural position;
 - (e) it must be secured to the motor vehicle.
- (5) A person must not leave or confine an animal in any unattended motor vehicle or enclosed container under any conditions that could endanger the health or well-being of the animal or any circumstances that could reasonably be expected to cause distress or death to the animal, including any of the following:
- (a) heat;
 - (b) cold;
 - (c) lack of adequate ventilation;
 - (d) lack of food or water.
- (6) An inspector or peace officer may remove an animal from a motor vehicle or other enclosed container if the animal's safety appears to be in immediate danger from any of the conditions or circumstances referred to in subsection (5).
- (7) An inspector or peace officer who removes an animal from a motor vehicle must take it to an animal shelter or other place of safekeeping or, if the inspector or peace officer considers it necessary, to a veterinary hospital for treatment.
- (8) An inspector or peace officer is authorized to take all steps that are reasonably necessary to remove an animal from a motor vehicle or other enclosed container, including breaking into the motor vehicle, after a reasonable effort to locate the owner or other person responsible has been made.
- (9) An inspector or peace officer who removes an animal from a motor vehicle must leave a written notice bearing his or her name and title, and the address of the location where the animal can be claimed, in a secure and conspicuous location on or within the motor vehicle.
- (10) Subject to the Act, an animal that has been removed from a motor vehicle or enclosed container by an inspector or peace officer may be claimed by the owner only after payment of any charges that have accrued for the maintenance, care, medical treatment or impoundment of the animal.
- (11) This Section does not affect in any way existing liabilities or immunities under the Act, or create any new immunities or liabilities.

Certificate of health on sale of animal

- 10** (1) In this Section, “certificate of health” means the veterinarian’s certificate of good health required by subsection 21(6) of the Act on the sale of an animal.
- (2) A certificate of health must be in Form A.
- (3) A certificate of health is valid for only 1 animal.
- (4) A certificate of health is valid for 6 months from the date it is issued and is valid for only 1 sale.

Form A: Veterinary Certificate of Health for Cats and Dogs

**Province of Nova Scotia
Veterinary Certificate of Health for Cats and Dogs**

Veterinarian		Date	
Veterinary clinic		Current owner	
Veterinary clinic address		Current owner address	
Animal name	Species	Sex	
Date of birth	Breed	Colour	
Microchip number (if applicable)	Distinguishing markings		
Reproductive status:	Intact	Spay/neuter	Unknown

Physical Exam Findings:

Temperature _____ Heart rate _____ Respiratory rate _____ Mucous membranes _____ Capillary refill time _____ Weight _____

	Normal	Abnormal	If abnormal, explain (using back of sheet if necessary)
General appearance			
Oral			
Teeth			
Eyes			
Ears			
Heart			
Respiratory			
Lymph nodes			
Abdominal palpation			
Gastrointestinal			
Skin			
Musculature			
Skeletal			
Other observations/ recommended treatments			

I have examined this animal on (insert date) _____ and noted above my observations based on this physical examination. I have not conducted any tests beyond a physical examination. My examination relied in part on information from the owner, which cannot be warranted as to accuracy. This Veterinary Certificate of Health indicates the health status of this animal on the date of the examination, based on my physical examination. It is not intended to be relied

on to predict the future health of this animal, including any conditions that may arise after the date of examination or that were not detectable on physical examination. This Certificate cannot be relied on as a guarantee or warranty, express or implied, respecting this animal's health.

X

Signature of licensed veterinarian

N.S. Reg. 183/2014

Made: November 27, 2014

Filed: November 28, 2014

Prescribed Petroleum Products Prices

Order dated November 27, 2014
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order

NSUARB-GAS-W-14-49

In the Matter of the *Petroleum Products Pricing Act*

- and -

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Kulvinder S. Dhillon, P. Eng., Member

Order

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board ("Board") considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision, 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended November 26, 2014, are:

Grade 1 Regular gasoline	63.6¢ per litre
Ultra-low-sulfur diesel oil	71.7¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	63.6¢ per litre
Grade 2	66.6¢ per litre

Grade 3	69.6¢ per litre
Ultra-low-sulfur diesel oil	71.7¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	minus 1.6¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.9¢ per litre

And whereas a winter blending adjustment of plus 6.4¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., November 28, 2014.

Dated at Halifax, Nova Scotia, this 27th day of November, 2014.

Sgd: Elaine Wagner

Clerk of the Board

Schedule “A”

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on November 28, 2014**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	69.1	10.0	15.5	94.6	114.3	116.4	114.3	999.9
Mid-Grade Unleaded	72.1	10.0	15.5	97.6	117.8	119.8	117.8	999.9
Premium Unleaded	75.1	10.0	15.5	100.6	121.2	123.3	121.2	999.9
Ultra-Low-Sulfur Diesel	84.4	4.0	15.4	103.8	124.9	127.0	124.9	999.9
Zone 2								
Regular Unleaded	69.6	10.0	15.5	95.1	114.9	117.0	114.9	999.9
Mid-Grade Unleaded	72.6	10.0	15.5	98.1	118.3	120.4	118.3	999.9
Premium Unleaded	75.6	10.0	15.5	101.1	121.8	123.9	121.8	999.9
Ultra-Low-Sulfur Diesel	84.9	4.0	15.4	104.3	125.5	127.5	125.5	999.9
Zone 3								
Regular Unleaded	70.0	10.0	15.5	95.5	115.3	117.4	115.3	999.9
Mid-Grade Unleaded	73.0	10.0	15.5	98.5	118.8	120.9	118.8	999.9
Premium Unleaded	76.0	10.0	15.5	101.5	122.2	124.3	122.2	999.9
Ultra-Low-Sulfur Diesel	85.3	4.0	15.4	104.7	125.9	128.0	125.9	999.9
Zone 4								
Regular Unleaded	70.1	10.0	15.5	95.6	115.5	117.5	115.5	999.9
Mid-Grade Unleaded	73.1	10.0	15.5	98.6	118.9	121.0	118.9	999.9
Premium Unleaded	76.1	10.0	15.5	101.6	122.4	124.4	122.4	999.9
Ultra-Low-Sulfur Diesel	85.4	4.0	15.4	104.8	126.0	128.1	126.0	999.9

Zone 5								
Regular Unleaded	70.1	10.0	15.5	95.6	115.5	117.5	115.5	999.9
Mid-Grade Unleaded	73.1	10.0	15.5	98.6	118.9	121.0	118.9	999.9
Premium Unleaded	76.1	10.0	15.5	101.6	122.4	124.4	122.4	999.9
Ultra-Low-Sulfur Diesel	85.4	4.0	15.4	104.8	126.0	128.1	126.0	999.9
Zone 6								
Regular Unleaded	70.8	10.0	15.5	96.3	116.3	118.3	116.3	999.9
Mid-Grade Unleaded	73.8	10.0	15.5	99.3	119.7	121.8	119.7	999.9
Premium Unleaded	76.8	10.0	15.5	102.3	123.2	125.2	123.2	999.9
Ultra-Low-Sulfur Diesel	86.1	4.0	15.4	105.5	126.8	128.9	126.8	999.9

N.S. Reg. 184/2014

Made: November 27, 2014

Filed: December 2, 2014

Petroleum Resources Regulations

Order in Council 2014-477 dated November 27, 2014
 Amendment to regulations made by the Governor in Council
 pursuant to Section 27 of the *Petroleum Resources Act*

The Governor in Council on the report and recommendation of the Minister of Energy dated November 24, 2014, and pursuant to Section 27 of Chapter 342 of the Revised Statutes of Nova Scotia, 1989, the *Petroleum Resources Act*, is pleased to amend the *Petroleum Resources Regulations*, N.S. Reg. 178/85, made by the Governor in Council by Order in Council 85-1180 dated October 29, 1985, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after November 27, 2014.

Schedule "A"

**Amendment to the *Petroleum Resources Regulations*
 made by the Governor in Council pursuant to Section 27 of
 Chapter 342 of the Revised Statutes of Nova Scotia, 1989,
 the *Petroleum Resources Act***

- 1 The *Petroleum Resources Regulations*, N.S. Reg. 178/85, made by the Governor in Council by Order in Council ~~1985-1180~~ [85-1180] dated October 29, 1985, are amended by adding the following Section immediately after Section 79:

79A Where the holder of a coal gas exploration agreement also holds a special lease for coal granted under Section 22 of the *Mineral Resources Act*, and where the Minister permits, the coal gas exploration agreement confers upon the agreement holder the exclusive right to explore for coal gas on the specified lands and the exclusive right to apply for a coal gas production agreement for those lands.

- 2 The regulations are further amended by adding the following Sections immediately after Section 83:

83A (1) Notwithstanding Sections 81 and 83, but subject to subsection (2), the Minister at any time may renew a coal gas exploration agreement for not more than two successive terms of not more than six years each where the agreement holder

(a) also holds a special lease for coal granted under Section 22 of the *Mineral Resources*

Act; and

(b) has complied with all statutory and contractual provisions and conditions of

(i) the coal gas exploration agreement, and

(ii) the special lease referred to in clause (a).

(2) A renewal of a coal gas exploration agreement granted under Section 83 before the coming into force of this Section counts as one of the two renewals that may be granted under subsection (1).

83B On renewing a coal gas exploration agreement under Section 83A, the Minister may do any of the following:

(a) impose any terms and conditions that the Minister deems appropriate;

(b) accept a work program or its equivalent that was created for the agreement holder's special lease for coal as a substitute for a work program required by clause 78(b).

N.S. Reg. 185/2014

Made: December 2, 2014

Filed: December 2, 2014

Proclamation, S. 14, S.N.S. 2013, c. 8 and S. 8, S.N.S. 2014, c. 40

Order in Council 2014-481 dated December 2, 2014

Proclamation made by the Governor in Council

pursuant to Section 14 of the *Protection of Animal Welfare and Security Act*

and Section 8 of *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture dated November 26, 2014:

(a) pursuant to Section 14 of Chapter 8 of the Acts of 2013, the *Protection of Animal Welfare and Security Act*, is pleased to order and declare by proclamation that Chapter 8 of the Acts of 2013, the *Protection of Animal Welfare and Security Act*, do come into force on and not before December 2, 2014; and

(b) pursuant to Section 8 of Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, is pleased to order and declare by proclamation that Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, do come into force on and not before December 2, 2014.

PROVINCE OF NOVA SCOTIA

sgd: **J. J. Grant**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 14 of Chapter 8 of the Acts of 2013, the *Protection of Animal Welfare and Security Act*, it is enacted as follows:

- 14** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS in and by Section 8 of Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, it is enacted as follows:

- 8** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 8 of the Acts of 2013, the *Protection of Animal Welfare and Security Act*, and Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, do come into force on and not before December 2, 2014;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 8 of the Acts of 2013, the *Protection of Animal Welfare and Security Act*, and Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, do come into force on and not before December 2, 2014, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour Brigadier-General, the Honourable J. J. Grant (Retired), Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 2nd day of December in the year of Our Lord two thousand and fourteen and in the sixty-third year of Our Reign.

BY COMMAND:

sgd: Lena Metlege Diab
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 186/2014

Made: December 2, 2014

Filed: December 2, 2014

Proclamation, S. 25, S.N.S. 2013, c. 16

Order in Council 2014-483 dated December 2, 2014

Proclamation made by the Governor in Council

pursuant to Section 25 of *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*

The Governor in Council on the report and recommendation of the Minister of Energy and the Minister of Labour and Advanced Education dated November 18, 2014, and pursuant to Section 25 of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, are [is] pleased to order and declare by proclamation that:

- (a) Section 23 of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, do come into force on and not before December 3, 2014; and
- (b) the remainder of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, do come into force on and not before December 31, 2014.

PROVINCE OF NOVA SCOTIA

sgd: J. J. Grant

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

~~AND~~ WHEREAS in and by Section 25 of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, it is enacted as follows:

25 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 23 of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, do come into force on and not before December 3, 2014, and the remainder of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, do come into force on and not before December 31, 2014;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Section 23 of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, do come into force on and not before December 3, 2014, and the remainder of Chapter 16 of the Acts of 2013, *An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources*

Accord Implementation (Nova Scotia) Act, do come into force on and not before December 31, 2014, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour Brigadier-General, the Honourable J. J. Grant (Retired), Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 2nd day of December in the year of Our Lord two thousand and fourteen and in the sixty-third year of Our Reign.

BY COMMAND:

sgd: Lena Metlege Diab
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 187/2014

Made: December 4, 2014

Filed: December 4, 2014

Summary Offence Tickets Regulations

Order dated December 4, 2014
Amendment to regulations made by the Attorney General and Minister of Justice
pursuant to Section 8 of the *Summary Proceedings Act*

Order

**Made under Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989,
the *Summary Proceedings Act***

I, Lena Metlege Diab, Attorney General and Minister of Justice for the Province of Nova Scotia, pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, hereby

- (a) amend the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, to designate certain offences under the *Animal Protection Act* and its regulations as summary offence ticket offences in the manner set forth in the attached Schedule "A"; and
- (b) order and direct that the penalty to be entered on a summons in respect of an offence set out in amendments to the schedules to the *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, as set forth in the attached Schedule "A", is the amount of the out of court settlement set out opposite the description for the offence, and includes the charge provided for in, and in accordance with, Sections 8 and 9 of the Act.

This Order is effective on and after the date that Chapter 40 of the Acts of 2014, *An Act to Amend Chapter 33 of the Acts of 2008, the Animal Protection Act*, is proclaimed in force.

Dated and made December 4, 2014 at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd.: *Lena M. Diab*

Honourable Lena Metlege Diab

Attorney General and Minister of Justice

Schedule "A"

**Amendment to the Summary Offence Tickets Regulations
made by the Attorney General and Minister of Justice pursuant to Section 8
of Chapter 450 of the Revised Statutes of Nova Scotia, 1989,
the Summary Proceedings Act**

The *Summary Offence Tickets Regulations*, N.S. Reg. 281/2011, made by order of the Attorney General and Minister of Justice dated October 4, 2011, are amended by adding the following Schedules immediately after Schedule 40:

Schedule 41 Animal Protection Act

Offence	Section	Out of Court Settlement
1 Owner or owner's representative (specify) failing to accompany inspector or peace officer (specify) as requested	18AA(2)	\$233.95
2 Interfering with or obstructing person exercising powers under Act or regulations (specify)	18B(1)	\$406.45
3 Failing to provide information to inspector or peace officer (specify)	18B(2)	\$233.95
4 Providing false information to inspector or peace officer (specify)	18B(2)	\$233.95
5 Owner failing to comply with direction made under Act or regulations (specify)	18D	\$233.95
6 Owner failing to assist as required for purpose of entering, inspecting, examining or inquiring about place (specify)	18D	\$233.95
7 Causing animal to be in distress	21(1)	
first offence		\$406.45
second or subsequent offence		\$693.95
8 Selling cat or dog without veterinary certificate	21(6)	
first offence		\$233.95
second or subsequent offence		\$406.45
9 Owner or person in charge (specify) of animal failing to provide animal with adequate food and water	22(a)	\$406.45
10 Owner or person in charge (specify) of animal failing to provide animal with adequate medical attention	22(b)	\$406.45
11 Owner or person in charge (specify) of animal failing to protect animal from injurious heat or cold (specify)	22(c)	\$406.45

12	Owner or person in charge (specify) of animal keeping animal in inadequate space, unsanitary conditions or inadequate conditions or without opportunity for exercise (specify)	22(d)	\$406.45
13	Owner of, person in charge of or person within (specify) premises failing to assist inspector or peace officer (specify)	23(9)	\$233.95
14	Owner of, person in charge of or person within (specify) premises failing to furnish inspector or peace officer (specify) with information required	23(9)	\$233.95
15	Failing to stop vehicle or vessel or keep vehicle or vessel stopped (specify) at request of inspector or peace officer (specify)	23(10)	\$233.95
16	Contravening Act or regulations (specify)	35(1)	\$233.95

Schedule 41A
Regulations under the *Animal Protection Act*

Offence	Section	Out of Court Settlement	
Standards of Care for Cats and Dogs Regulations			
1	Owner or caretaker (specify) of animal tethering animal in contravention of regulations	8	\$406.45
2	Leaving animal in unattended motor vehicle in conditions that could cause distress	9(5)	\$693.95
3	Leaving animal in enclosed container in conditions that could cause distress	9(5)	\$693.95