

FILED

Date: September 20, 2024

Jane Newton
Registrar of Regulations
Province of Nova Scotia

**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 amendments to
the *Nova Scotia Building Code Regulations***

Order

I, John Lohr, Minister of Municipal Affairs and Housing 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*, hereby

- (a) amend the *Nova Scotia Building Code Regulations*, N.S. Reg. 198/2024, made by order of the Minister of Municipal Affairs and Housing dated September 20, 2024, to move to Tier 2 of the *National Building Code of Canada 2020*, in the manner set forth in the attached Schedule “A” effective on and after April 1, 2026;
- (b) amend the *Nova Scotia Building Code Regulations*, N.S. Reg. 198/2024, made by order of the Minister of Municipal Affairs and Housing dated September 20, 2024, to move to Tier 2 of the *National Energy Code of Canada for Buildings 2020* and to Tier 3 of the *National Building Code of Canada 2020*, in the manner set forth in the attached Schedule “B” effective on and after April 1, 2027; and
- (c) amend the *Nova Scotia Building Code Regulations*, N.S. Reg. 198/2024, made by order of the Minister of Municipal Affairs and Housing dated September 20, 2024, to move to Tier 3 of the *National Energy Code of Canada for Buildings 2020*, in the manner set forth in the attached Schedule “C” effective on and after April 1, 2029.

Dated and made September 20, 2024, at Halifax Regional Municipality, Province of Nova Scotia.



Honourable John Lohr
Minister of Municipal Affairs and Housing

Schedule “B”

Amendment to the *Nova Scotia Building Code Regulations* made by the Minister of Municipal Affairs and Housing under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code*

- 1 Section 88 of Part 3 of the *Nova Scotia Building Code Regulations*, N.S. Reg. 198/2024, made by order of the Minister of Municipal Affairs and Housing dated September 20, 2024, is repealed and the following Section substituted:

Sentence 9.36.1.3.(1) (Compliance and Application) replaced

88 Sentence 9.36.1.3.(1) (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

- 1) Except as provided in Sentences (2) to (6), *buildings* shall comply with one of the following:
 - a) RESERVED,
 - b) RESERVED,
 - c) the tiered performance requirements based on the climatic data for where the *building* is located for at least Tier 3 in Subsection 9.36.7.,
 - d) the tiered prescriptive requirements for climatic Zone 6 for at least Tier 3 in Subsection 9.36.8., or
 - e) at least Tier 2 of the NECB.

(See Note NS-9.36.1.3.(1), NSBCR)

- 2 Section 94 of Part 3 of the regulations is repealed and the following heading and Section substituted:

Amendments to Part 1 (General) of Division B) of the National Energy Code

Sentence 1.1.2.1.(1) (Prescriptive, Trade-off or Performance Compliance) replaced

94 Sentence 1.1.2.1.(1) (Part 1 of Division B) of the *National Energy Code*, is repealed and replaced with one of the following:

- 1) *Buildings* shall comply with
 - a) RESERVED,
 - b) RESERVED, or
 - c) the tiered performance requirements for at least Tier 2 as stated in Part 10.