



**Part II**  
**Regulations under the Regulations Act**

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**In force date of regulations:** As of November 28, 2023\*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*.

A regulation comes into force on the date it is filed unless the regulation states that it comes into force on a later date, or the Act that the regulation is made under authorizes the regulation to come into force on a date earlier than the date it was filed or authorizes another method of coming into force.

\*Date that subsections 3(4) and (5) of Chapter 54 of the Acts of 2022, *An Act to Amend Chapter 393 of the Revised Statutes, 1989, the Regulations Act*, were proclaimed in force.

**N.S. Reg. 195/2024**

Made: September 12, 2024

Filed: September 12, 2024

Prescribed Petroleum Products Prices

Order dated September 12, 2024  
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

**N.S. Reg. 196/2024**

Made: September 12, 2024

Filed: September 12, 2024

Summary Offence Tickets Regulations—amendment

Order dated September 12, 2024  
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, Barbara Adams, 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 Schedule M-2 to 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 Halifax Regional Municipality's Land-lease Communities Bylaw L-500 as summary 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 out-of-court settlement amount listed in the out-of-court settlement column 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 it is filed.

Dated and made Sept 12, 2024, at Halifax Regional Municipality, Province of Nova Scotia.

sgd. *Barbara Adams*  
Honourable Barbara Adams  
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***

Schedule M-2 to 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, is amended by adding the following heading and items immediately before the heading "Municipal Parks By-law P-600":

Offence	Section	Out of Court Settlement
<b>Land-lease Communities By-Law L-500:</b>		
1 Community operator failing to provide residents with at least 24 hours' notice of water service interruption	19	\$352.50
2 Community operator failing to remove snow from community street or walkway within 24 hours of snowfall	25(1)	\$352.50
3 Depositing snow on manufactured home space or recreation space (specify)	25(2)	\$352.50
4 Community operator failing to apply adequate salt or other material to keep community street free of ice	25(3)	\$352.50
5 Community operator failing to keep common area free of garbage or debris or failing to maintain landscaping (specify)	27	\$352.50
6 Community operator failing to maintain recreation space in good repair	29(1)	\$352.50
7 Community operator failing to keep recreation space free of debris or safety hazards (specify)	29(1)	\$352.50
8 Failing to empty or maintain waste receptacles (specify)	29(3)	\$352.50
9 Community operator failing to provide street lighting as prescribed by bylaw	33(1)	\$352.50

#### **N.S. Reg. 197/2024**

Made: September 19, 2024

Filed: September 19, 2024

Prescribed Petroleum Products Prices

Order dated September 19, 2024  
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*

[Please note: *Prescribed Petroleum Products Prices* filed with the Office of the Registrar of Regulations on and after January 23, 2023, will no longer be published in the *Royal Gazette Part II*. Publication of the *Prescribed*

*Petroleum Products Prices* has been dispensed with by order of the Attorney General dated January 23, 2023, and published on page 63 of the February 10, 2023, issue of the *Royal Gazette Part II*. Current and historical *Prescribed Petroleum Products Prices* are available for inspection in person at the Office of the Registrar of Regulations and can be viewed on the Nova Scotia Utility and Review Board's website at the following address: <https://nsuarb.novascotia.ca/mandates/gasoline-diesel-pricing>.]

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**N.S. Reg. 198/2024**

Made: September 20, 2024

Filed: September 20, 2024

Nova Scotia Building Code Regulations—replacement

Order dated September 20, 2024

Repeal of regulations and regulations made by the Minister of Municipal Affairs and Housing 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, 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, effective on and after April 1, 2025,

- (a) repeal the *Nova Scotia Building Code Regulations*, N.S. Reg. 116/2022, made by Order of the Minister of Municipal Affairs and Housing dated June 24, 2022; and
- (b) make new regulations respecting the Nova Scotia building code, to adopt the *National Building Code of Canada 2020*, and to implement Tier 1 of the *National Building Code of Canada 2020* and Tier 1 of the *National Energy Code of Canada for Buildings 2020*, in the form set forth in the attached Schedule "A".

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

sgd. *John Lohr*

Honourable John Lohr

Minister of Municipal Affairs and Housing

**Schedule “A”****Regulations Respecting the Nova Scotia Building Code  
made by the Minister of Housing and Municipal Affairs under Section 4  
of Chapter 46 of the Revised Statutes of Nova Scotia, 1989,  
the *Building Code Act*****Part 1: Interpretation, Definitions, Scope and Administration****Citation**

1 These regulations may be cited as the *Nova Scotia Building Code Regulations*.

**Definitions**

2 (1) In these regulations, the following definitions apply:

“Act” means the *Building Code Act*;

“alternating tread device” means a device that has a series of steps between 50° and 70° from the horizontal, usually attached to a centre support rail in an alternating manner so that the user does not have both feet on the same level at the same time;

“authority having jurisdiction” has the same meaning as specified in any code adopted under Section 4 and includes a building official as designated under Section 48;

“camping accommodation” means any building within a campground that is intended to

- (i) serve the public, or
- (ii) be used as rental accommodation for the travelling or vacationing public;

“Code” means the *Nova Scotia Building Code*, which includes all of the following:

- (i) all national codes adopted under Section 4,
- (ii) all amendments, including deletions and additions, to adopted national codes made in these regulations, including in Schedule C to these regulations,
- (iii) Schedules B and D to these regulations;

“egress roof access window” means a skylight or roof window;

“field review of construction” means the review of construction work at intervals appropriate to the stage of construction, at the project site and at any 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 to the drawings, but does not include coordination, quality and performance of construction;

“habitable room” means any room or space within a dwelling available for use by any occupant and includes all of the following:

- (i) closet or storage areas if the contents are not within normal reach from outside of the

opening,

- (ii) low headroom areas if there are no mechanical or electrical devices that require occasional servicing by the occupants;

“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*;

“home-based business” means a business or service use located in a dwelling unit that is used or occupied as a single housekeeping unit;

“interior designer” means a member or licensee of the Interior Designers of Nova Scotia;

“landing platform” means a landing provided as the top step of a stairway accessing a loft;

“loft” means a floor level located directly above and accessed from a floor level with direct access to an exit door and open to the floor level below on at least 1 side;

“manufactured home” means a transportable, single- or multiple-section dwelling unit certified by an accredited certification body as complying with the CSA Z240 MH Series, *Manufactured Homes*, at the time of manufacture, before it is placed on the installation 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 A277, *Procedures for the Factory Certification of Buildings*, by an accredited certification body at the time of manufacture, before it is placed on the installation site;

“National Building Code” or “NBC” means the *National Building Code of Canada*, as adopted under Section 4;

“National Energy Code” or “NECB” means the *National Energy Code of Canada for Buildings*, as adopted under Section 4;

“National Farm Building Code” or “NFBC” means the *National Farm Building Code of Canada*, as adopted under Section 4;

“National Plumbing Code” or “NPC” means the *National Plumbing Code of Canada*, as adopted under Section 4;

“NSBCR” means the *Nova Scotia Building Code Regulations*;

“recreational cabin” means a building that meets the criteria in Sentence 9.38.1.1.(1) (Part 9 of Division B) of the *National Building Code*, as added by these regulations;

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

“Schedule A” means Schedule A: Forms for Field Review of Construction;

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

“Schedule C” means Schedule C: Substituted Section 3.8 of NBC, Accessibility (Replaced for Code);

“Schedule D” means Schedule D: Alternate Compliance Methods for Existing Buildings;

“tiny house” means a dwelling unit that is 37 m<sup>2</sup> or less in building area;

“work” means any construction activity regulated by these regulations and carried out on or about a construction site or on, in or about a building or part thereof.

- (2) A reference in these regulations to an occupancy group classification or class is a reference to the classification as set out in the *National Building Code*.
- (3) A reference to a building official in these regulations and the Act is a reference to the building official as the authority having jurisdiction, in accordance with Section 48.

### Definitions in NBC apply

3 The definitions in Sentence 1.4.1.2.(1) of Division A to the *National Building Code* apply to these regulations, unless otherwise defined.

### Adoption of national codes

- 4 (1) These regulations adopt all of the following national codes, as amended by these regulations, as part of the Code:
  - (a) the *National Building Code of Canada 2020*, including all revisions, errata and corrections to the errata issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, NRCC-CONST-56435E on or before April 1, 2023;
  - (b) the *National Energy Code of Canada for Buildings 2020*, including all revisions, errata and corrections to the errata issued by the Canadian Commission on the Building and Fire Codes, National Research Council of Canada, NRCC-CONST-56438E on or before April 1, 2023;
  - (c) the *National Plumbing Code of Canada 2020*, including all revisions, errata and corrections to the errata issued by the Canadian Commission on the Building and Fire Codes, National Research Council of Canada, NRCC-CONST-56436E on or before April 1, 2023;
  - (d) the *National Farm Building Code of Canada 1995*, including all revisions, errata and corrections to the errata issued by the Canadian Commission on the Building and Fire Codes, National Research Council of Canada, NRCC 38732 on or before April 1, 2023.
- (2) A national code adopted under subsection (1) as part of the Code must be complied with as adopted.

### Notes referenced in regulations

- 5 (1) These regulations reference the following types of notes:
  - (a) notes found in Appendix A to the *National Building Code*, which are noted as “(See Note A-[specific provision numbers and letters], NBC)”;
  - (b) notes found in the explanatory notes to these regulations, which are noted as “(See Note NS-[specific provision number and letters], NSBCR)”.
- (2) Notes are for explanatory purposes only and do not form part of these regulations.

## Scope and Application

### Scope

- 6** (1) These regulations apply to the administration and enforcement of the Act in the
- (a) design, construction, erection, placement and occupancy of new buildings;
  - (b) alteration, reconstruction, demolition, removal, relocation, occupancy and change of occupancy classification of existing buildings; and
  - (c) work necessary to correct unsafe conditions in existing buildings that are reported to a building official or observed during an inspection.
- (2) If a building or any part thereof is altered, these regulations apply to the parts of the building that are altered.
- (3) If the whole or any part of a building is relocated either within or into the area of jurisdiction of a municipality as the authority having jurisdiction, these regulations apply only to the parts of the building that are being altered or constructed.
- (4) If the whole or any part of a building is demolished, these regulations apply to
- (a) the work involved in the demolition; and
  - (b) the work required to any part of the building that remains after demolition, to the extent that deficiencies occurring or remaining after demolition require correction.
- (5) If a building is damaged by fire, earthquake or other cause, these regulations apply to the work necessary to reconstruct damaged portions of the building.

### Existing buildings

- 7** (1) Any construction or condition that lawfully existed before the effective date of these regulations is not required to conform to these regulations if the construction or condition does not constitute an unsafe condition in the opinion of a building official.
- (2) The alternate compliance methods for existing buildings under the Code that are set out in Schedule D may be used if a building existed before March 13, 1987, and either of the following apply:
- (a) the building is undergoing construction other than for a change of occupancy classification;
  - (b) the building is undergoing construction and a change of occupancy classification results in an occupancy with a reduced fire hazard risk.
- (3) If a heritage building, or part thereof, is undergoing a change in occupancy classification, the owner may choose the alternate compliance methods for existing buildings in Schedule D, or a combination of those methods and the Code.
- (4) If 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 in Schedule D, or a combination of ~~the~~ those methods and the Code.

### Accessibility requirements for existing buildings

- 8** (1) Except as provided in subsections 7(2), (3) and (4), if a building or part thereof has a change of



occupancy classification, the accessibility requirements of Section 3.8. of the *National Building Code*, as set out in Schedule C, including for barrier-free entrances, apply to the construction of the building or part thereof undergoing the change.

- (2) In subsections (3) to (5),

“restaurant” means a restaurant as defined in the *Food Safety Regulations* made under the *Health Protection Act*.

- (3) If a Group A, Division 2 assembly occupancy building, or part thereof, is constructed or altered for use as a restaurant, the exemptions in Sentences 3.8.2.3.(1) and 3.8.2.7.(2) of the *National Building Code*, as set out in Schedule C, do not apply to the construction of the restaurant part of the building.
- (4) If a Group A, Division 2 assembly occupancy building, or part thereof, changes from a non-restaurant use to a restaurant use, the change is considered equivalent to a change of occupancy classification.
- (5) The exemptions set out in Sentence[s] 3.8.2.3.(1) and 3.8.2.7.(2) of the *National Building Code*, as set out in Schedule C, do not apply to a building, or part thereof, with a change of occupancy classification under subsection (4).

### Exemptions

9 (1) The Code does not apply to any of the following:

- (a) sewerage, water, electrical, telephone, rail or similar systems located above, below or on an area that is 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) if not a building, flood control structures, dams for public water supply, hydroelectric dams and their related structures;
- (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 *National Building Code* or the *National Farm Building Code*;
- (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, *Manufactured Homes*, except that the following are still required:
- (i) the notifications required by subsection 35(1) for a manufactured home constructed before January 1, 2010, that has not been structurally altered,
- (ii) the notifications required by subsection 35(1) and the requirements of Section 9.36. Energy Efficiency (Part 9 of Division B) of the *National Building Code* if the

manufactured home is constructed after December 31, 2009;  
(See Notes NS-9(1)(i) and (j), NSBCR)

- (j) modular homes certified to CAN/CSA A277, *Procedure for Factory Certification of Buildings*, as complying with the technical requirements of this Code, except that all of the following are still required:
  - (i) the notifications required by subsection 35(1) for a modular home constructed before January 1, 2010, that has not been structurally altered,
  - (ii) the notifications required by subsection 35(1) and the requirements of Section 9.36. Energy Efficiency (Part 9 of Division B) of the *National Building Code* if the modular home is constructed after December 31, 2009.  
(See Notes NS-9(1)(i) and (j), NSBCR)
- (2) Unless a municipality otherwise requires by bylaw or regulations under another statute require, the Code applies but a building permit is not required for any of the following:
  - (a) accessory buildings not greater than 20 m<sup>2</sup> in area;
  - (b) for buildings under the scope of Part 9 of Division B of the *National Building Code*, interior and exterior non-structural material alterations and material repairs for any or all of the following:
    - (i) removing and replacing roofing with similar materials,
    - (ii) removing and replacing cladding with similar materials,
    - (iii) replacing or repairing drywall or other interior finish,
    - (iv) installing additional insulation or replacing insulation,
    - (v) replacing a furnace or boiler,
    - (vi) installing or replacing an air-conditioning unit or heat pump,
    - (vii) replacing windows or doors, if there is no change in location or size of the window or door and the structural support for the opening is not affected,
    - (viii) installing or replacing cabinets, shelving, millwork or flooring,
    - (ix) waterproofing or damp proofing of foundation walls or repairing or replacing foundation drainage;
  - (c) for buildings under the scope of Part 3 of Division B of the *National Building Code*, interior and exterior non-structural material repairs or maintenance with a monetary value of \$10 000.00 or less;
  - (d) replacing or installing 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.  
(See Note NS-9(2), NSBCR)

**Home-based business exemptions**

- 10 (1)** A building official may consider a home-based business as part of the Group C residential occupancy of a dwelling unit and not a major occupancy for the purposes of the Code if all the following criteria are met:
- (a) the business or service use of the dwelling unit, an accessory building to the dwelling unit, or both, is secondary to the residential occupancy use of the dwelling unit;
  - (b) at least 1 full-time resident of the dwelling unit with the home-based business operates the business or service;
  - (c) the business or service use is not 1 of the following:
    - (i) a Group F1 high-hazard industrial occupancy, or
    - (ii) a Group F2 medium-hazard industrial occupancy;
  - (d) the home-based business uses an aggregate floor area of less than 50 m<sup>2</sup>;
  - (e) the home-based business uses less than 25% of the floor area of the dwelling unit.
- (2)** A home-based business that meets all of the criteria in subsection (1) is not considered a separate and adjoining major occupancy from the dwelling unit for the separation requirements in Article 3.1.3.1. (Part 3 of Division B) of the *National Building Code*.
- (3)** A building official must not require additional water closets under Article 3.7.2.2. (Part 3 of Division B) of the *National Building Code* for a dwelling unit with
- (a) a home-based business that meets all the criteria in subsection (1); or
  - (b) a home-based business located with an accessory building, if that building is less than 45 m from the dwelling unit.
- (4)** A dwelling unit with a home-based business is deemed to be a building that is exempt from the barrier-free design requirements under Clause 3.8.2.1.(1)(a) of the *National Building Code*, as set out in Schedule C.
- (5)** A home-based business that meets all the criteria in subsection (1) is not considered a separate major occupancy from the dwelling unit for the occupancy classification purposes in Subsection 9.10.2. (Part 9 of Division B) of the *National Building Code*.  
(See Note NS-10, NSBCR)

**Administration****Building permit fees**

- 11** For the purpose of determining the fees to be applied for a building permit, a municipality, as the authority having jurisdiction, may place a value on the cost of the work based on an accepted costing standard.

**Withholding permits**

- 12 (1)** A building official may withhold a building permit until they are satisfied that
- (a) for systems that require an approval, there is a valid on-site sewage disposal system approval issued by the department responsible for enforcing the *Environment Act*; or

- (b) for systems that do not require an approval, notification has been given to the department responsible for enforcing the *Environment Act* for the construction of a building requiring a new private sewage disposal system.  
(See Note NS-12(1), NSBCR)
- (2) A building official may withhold an occupancy permit until they are satisfied that all of the following are done, as applicable:
  - (a) there is a valid electrical permit issued by the electrical authority having jurisdiction;
  - (b) the civic address is posted if a municipality requires by bylaw, in accordance with Section 313 of the *Municipal Government Act*;
  - (c) the certificate of installation for any on-site sewage system for the site is provided;
  - (d) a fire safety plan approved by the authority having jurisdiction over fire safety matters is in place for the occupancy.
- (3) A building official may withhold a building permit until they are satisfied that there is a valid “Minister’s Consent For Building and Access to Property” for the work issued by the department responsible for enforcing the *Public Highways Act*.
- (4) A building official may withhold a building permit until they are satisfied that
  - (a) all applicable requirements 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
  - (b) all required permits are issued by a development officer for the municipality.

### Applying for permit

**13** To obtain a permit, an owner must submit an application as prescribed in the bylaws of the applicable municipality as the authority having jurisdiction.

### Minimum information required in application

- 14 (1)** An application for a building permit must, at a minimum, meet all of the following criteria:
- (a) it must identify and describe in detail the work and occupancy to be covered by the permit being applied for;
  - (b) it must describe the land by including either,
    - (i) if Nova Scotia property mapping exists for the property, the unique Parcel Identifier (PID), or
    - (ii) if Nova Scotia mapping does not exist for the property, the assessment account number and a description that will readily identify and locate the building lot;
  - (c) it must include plans and specifications, as required by Subsection 2.2.2. of Division C of the *National Building Code*;
  - (d) it must state the valuation of the proposed work and be accompanied by the required fee;

- (e) it must state the name, address and telephone number of the owner and of each of the following who will perform work under the permit:
  - (i) architect,
  - (ii) professional engineer,
  - (iii) interior designer or other designer,
  - (iv) constructor,
  - (v) inspection or testing agency that has been engaged to monitor the work or part of the work;
- (f) it must describe any special building systems, materials and appliances;
- (g) it must include any additional information that is required by a building official.

**Dimensional tolerances**

- 15** A building official may accept a minor variation, not more than 2%, in a dimension given in the Code if, in the opinion of the building official,
- (a) safety to life will not be reduced by the variation; and
  - (b) accessible design and access will not be adversely affected by the variation.
- (See Note NS-15, NSBCR)

**Deviations from Code or permit**

- 16** An owner must not deviate, nor authorize a deviation, from the Code or from the conditions of a building permit without first obtaining permission in writing for the deviation from a building official.

**Land surveys**

- 17** In addition to the documents required by clause 14(1)(c), an owner, if requested by a building official, must submit an up-to-date plan of survey or real property report prepared by a Nova Scotia land surveyor registered under the *Land Surveyors Act*, that contains sufficient information about the site and the location of the building to
- (a) before construction begins, establish that the requirements of the Act, these regulations and the Code related to the site and the location of the building will be complied with; and
  - (b) upon completion of the work, verify that the requirements of the Act, these regulations and the Code related to the site and the location of the building have been complied with.

**Site grading**

- 18** A building official may require an owner to have a building site graded in conformance with any storm drainage plan that is prepared or accepted by the building official for the area where the building is located.

**Repairs to public property**

- 19** An owner is responsible for the cost of repairing any damage to public property or works located on public property that may occur as a result of undertaking work, regardless of whether a permit is required for the work.

**Permission to proceed in part**

- 20** (1) To ensure conformance with the Code, a building official may allow, with conditions as necessary, an owner to proceed, at the owner's risk, with excavation or construction of part of a building before the plans of the entire building have been submitted.
- (2) An owner must submit all plans and specifications that a building official requires in connection with an excavation or construction allowed under subsection (1), including at a minimum, complete plans and specifications for the work allowed.
- (3) An owner who proceeds to excavate or construct part of a building in accordance with this Section proceeds without assurance that the excavation or construction of other parts of the building will be allowed.

**Temporary building or occupancy permits**

- 21** (1) Despite any other provision of these regulations, a temporary permit issued by a building official may authorize, for a limited time only, under circumstances that warrant only selective compliance with the Code,
- (a) the erection and existence of a building, or part of a building; or
- (b) a change of occupancy classification for an occupancy that, because of its nature, will exist for a short time.
- (2) A permit for a temporary building or temporary change of occupancy classification must state all of the following:
- (a) the date the permit expires; and
- (b) any conditions under which the permit is no longer valid.
- (3) The term of a permit for a temporary building or temporary change of occupancy classification may be extended in writing by a building official.
- (4) A permit for a temporary building or temporary change of occupancy classification must be posted on the building to which it applies.
- (5) A permit issued for a tent or temporary air-supported structure is required to be renewed every 12 months.
- (6) A permit issued for a temporary change of occupancy classification is required to be renewed every 12 months.

(See Note NS-21, NSBCR)

**Nova Scotia Building Advisory Committee—qualification of members**

- 22** (1) The Committee must include a minimum of the following qualified members:
- (a) a representative of the Fire Marshal for the Province;
- (b) a representative appointed from among persons nominated by the Nova Scotia Accessibility Advisory Board;
- (c) a representative of municipal government appointed from among persons nominated by the Executive of the Nova Scotia Federation of 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 and Building 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 Canadian Home Builders' Association Nova Scotia;
  - (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 Mainland Nova Scotia Building Trades.
- (2) If an organization specified in subsection (1) is unable to nominate a representative, the Minister may appoint a member nominated by any similar organization that the Minister determines to be a replacement organization.

### **Forms prescribed for field review of construction**

**23** The following forms are prescribed for use in the field review of construction required by these regulations:

- (a) Form 1: Letter of Undertaking—Confirmation of Commitment by Owner to Municipal Building Official as Authority Having Jurisdiction;
- (b) Form 2: Commitment Certificate—Prime Consultant;
- (c) Form 3: Commitment Certificate—Building Design Requirements;
- (d) Form 4: Commitment Certificate—Structural Design Requirements;
- (e) Form 5: Commitment Certificate—Mechanical Design Requirements;
- (f) Form 6: Commitment Certificate—Electrical Design Requirements;
- (g) Form 7: Commitment Certificate—Fire Suppression Systems Design Requirements;
- (h) Form 8: Commitment Certificate—Geotechnical Design Requirements;
- (i) Form 9: Commitment Certificate—Plumbing Design Requirements;
- (j) Form 10: Commitment Certificate—Interior Design Requirements;

- (k) Form 11: Commitment Certificate—Resource Conservation Measures—Energy Requirements;
- (l) Form 12: Certification of Field Review of Construction.

## **Part 2: Responsibilities and Obligations**

### **Responsibility for Carrying out Work**

#### **Responsibility for carrying out work not affected**

**24** The acceptance of drawings and specifications, the issuing of a permit and inspections made by a building official do not relieve an owner, owner's agent, constructor, architect, professional engineer or interior designer of a building from their respective responsibility for carrying out the work or having it carried out in accordance with the Act, these regulations and the Code, including ensuring that the occupancy of the building, or part thereof, is in accordance with the terms of the permit.

### **Obligations of Owner**

#### **Letter of undertaking when professional required to design**

**25** Together with their application for a permit, an owner must submit a letter of undertaking to a building official for the field review of construction in accordance with Sections 30 and 32 when the building or part thereof is designed within the scope of any 1 or more of the following:

- (a) Part 3 of Division B to the *National Building Code*;
- (b) Part 4 of Division B to the *National Building Code*;
- (c) Section 32, for buildings within the scope of Part 9 of Division B to the *National Building Code*.

#### **Required permits and plan reviews**

- 26** (1) An owner must obtain all required permits or approvals before starting the work that they relate to.
- (2) For a building or facility containing 1 or more of the classes of occupancy that are required to have a plan review under subsection 12(1) of the *Fire Safety Regulations*, an owner must ensure that they submit the plans for review by the Office of the Fire Marshal before starting the construction or alteration, as required by those regulations.

#### **Start-up date**

**27** Before starting work on a building site, an owner must give a building official written notice of the date that the owner intends to start work.

#### **Notice of names and contact information for employees**

**28** Before starting work on a building site, an owner must give a building official notice in writing of the name, address and telephone number of all of the following:

- (a) the constructor or other person in charge of the work;
- (b) the designer of the work;
- (c) all architects, professional engineers and any prime consultant performing a field review of construction for the work;



- (d) any inspection or testing agency engaged to monitor the work, or any part of the work.

**Plans and permit at site**

- 29 (1)** An owner must ensure that the plans, specifications and related documents that a building permit is based on are available at the site of the work for inspection during working hours by a building official.
- (2)** An owner must ensure that the building permit, or [a] true copy of it, is posted conspicuously at the site during the entire execution of the work.

**Professional design and review**

- 30** An owner who undertakes to construct or have constructed a building or part thereof under the scope of Part 3 or Part 4 of Division B of the *National Building Code* must do all of the following:
- (a) ensure that an architect, professional engineer or interior designer, as required,
- (i) are appointed to undertake the design of the building or part of the building, and
- (ii) complete and submit the appropriate certificates of commitment for the field review of construction of the building, using the applicable forms set out in Schedule A;
- (b) complete and submit the letter of undertaking set out in Form 1 of Schedule A for the field review of construction of the building.

**Structural components requiring professional design and review**

- 31** If the dimensions of a structural component are not provided in Part 9 of the *National Building Code* for use in a building within the scope of that Part, and the dimensions are to be determined on the basis of calculation, testing or other means of evaluation, an owner must do all of the following:
- (a) ensure that a professional engineer is appointed to undertake the design of the structural component;
- (b) when required by a building official, complete and submit the certificate of commitment specified in Form 4 of Schedule A for the field review of construction for the structural component.

**Site conditions, size or complexity requiring professional design and review**

- 32** If the site conditions, size or complexity of a building, part of a building or a building component warrant, a building official may require an owner to file an additional letter of undertaking and have prepared and submitted any additional certificates of commitment that the building official considers necessary.

**Professional design and review for sprinklered buildings**

- 33 (1)** Except as provided in subsection (2), an owner must do all of the following for a building that is required or intended to be sprinklered:
- (a) ensure that a professional engineer is appointed to undertake the design of the sprinkler system;
- (b) ensure that the professional engineer completes and submits the commitment certificate in Form 7 of Schedule A for the field review of construction for the fire suppression system design.
- (2)** Clauses (1)(a) and (b) do not apply to an alteration of an existing building that requires changes to

an existing sprinkler system, if a building official determines that all of the following conditions are met:

- (a) there is no change in occupancy for the existing building;
  - (b) there is no change to the branch pipe sizing for the sprinkler system;
  - (c) there are no new branches or mains for the sprinkler system;
  - (d) the total number of individual sprinkler devices to be added, removed or relocated is 10 or fewer.
- (3) If clauses (1)(a) and (b) are determined not to apply under subsection (2), any design documents and test results of tests conducted on the system that are required under the *Fire Safety Regulations* made under the *Fire Safety Act* must be filed with a building official.

#### **Alteration to property boundary or ground elevation**

- 34 (1) Except as provided in subsection (2), an owner or person hired by an owner must not allow the ground elevations or property boundaries of a building lot to be changed so as to place a building or part thereof in contravention of these regulations or the Code.
- (2) Subsection (1) does not apply if the building or part thereof is altered after obtaining the necessary permit so that no contravention will occur as a result of the change to the property boundary or grades.

#### **Notification for inspection and certification of field review of construction**

- 35 (1) An owner of a building being constructed under the scope of Part 9 of Division B of the *National Building Code* must notify a building official to inspect for compliance with the Code at all of the following stages of construction:
- (a) footings in place;
  - (b) subfloor plumbing;
  - (c) subfloor and foundation insulation;
  - (d) pre-backfill;
  - (e) for buildings other than manufactured and modular homes,
    - (i) the framing, roof and plumbing and mechanical systems, and
    - (ii) insulation and vapour barrier before wall framing is covered;
  - (f) for manufactured and modular homes,
    - (i) superstructure installation and anchorage systems,
    - (ii) foundation insulation and vapour barrier before wall framing is covered, and
    - (iii) plumbing connections below the first floor;
  - (g) before occupancy.

(See Notes NS-35(1) and (2) and NS-9(1)(i) and (j), NSBCR)

- (2) An owner of a building being constructed outside the scope of Part 9 of Division B to the *National Building Code* must notify a building official to inspect for compliance with the Code as follows:
- (a) before beginning any construction that will require inspection, by notifying of their intent to undertake construction;
  - (b) during construction, as intended in the letter of undertaking and applicable commitment certificates required by Section 30 or 32;
  - (c) at the times specified and as otherwise ordered to be inspected by a building official before covering construction, by notifying the building official of the intent to cover construction;
  - (d) at intervals considered necessary by a building official, based on the complexity of the building;
  - (e) when construction is completed, so that a final inspection can be made.

#### **Occupancy before work completed**

36 If an owner requires occupancy to occur before all work is completed, the owner must

- (a) apply for the occupancy permit; and
- (b) ensure that no unsafe condition exists or will exist because of the work that is being undertaken or is not completed.

#### **Test or inspections to prove compliance**

- 37 (1) An owner must make, or have made at their own expense, any tests or inspections necessary to prove compliance with these regulations or the Code.
- (2) An owner must promptly file a copy of all test or inspection reports from tests or inspections conducted in accordance with subsection (1) with a building official.

#### **Responsibility on discontinuation of work**

38 An owner who is unable to continue work because of bankruptcy or another cause is responsible, before leaving the site of the work, for ensuring that no unsafe condition remains at the site.

### **Obligations of Professionals**

#### **Design in accordance with profession and Code**

39 An architect, professional engineer or interior designer who undertakes to design a building or part thereof in accordance with their respective governing statutes, regulations and bylaws must ensure that the design meets the intent of the Code.

#### **Field review of construction**

40 An architect, professional engineer or interior designer who undertakes a field review of construction must do all of the following:

- (a) review the building at intervals appropriate to the state of construction to determine general compliance with the design;
- (b) coordinate, with a building official, the review of any changes to the design documents for

consistency with the intent of the plans and specifications;

- (c) file the certification of field review of construction in Form 12 of Schedule A with a building official.

### **Obligations of Constructor**

#### **Owner deemed to be constructor**

- 41** If the work for which a permit is issued is not under the control of a constructor, the owner is deemed to be the constructor.

#### **Work on public property**

- 42** A constructor is responsible for ensuring that prior approval in writing is obtained from the appropriate government authority before

- (a) any excavation or other work is undertaken on public property; or
- (b) any building is erected on public property or materials stored in whole or in part in the building.

#### **Responsibilities for work with owner**

- 43** A constructor is responsible jointly and severally with the owner for all and any work undertaken.

#### **Responsibility on discontinuation of work**

- 44** A constructor who is unable to continue work because of bankruptcy or another cause is responsible, before leaving the site of the work, for ensuring that no unsafe condition remains at the site.

#### **Materials, systems to comply with Code**

- 45** A constructor must ensure that all materials, systems and equipment used in the construction, alteration, reconstruction or renovation of a building meet the provisions of the Code for the work undertaken.

### **Obligations of Building Official**

#### **Appointment and qualification of building officials**

- 46** A person appointed by a municipality as a building official must meet all of the following qualifications:

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

#### **Administration and enforcement of Act, regulations and Code**

- 47** (1) Subject to subsection (2), a building official must administer and enforce the provisions of the Act, these regulations and the Code.
- (2) A building official may only administer and enforce the provisions of the Act, these regulations and the Code within the scope for which they hold a valid diploma from the Nova Scotia Building Code Training and Certification Board.
- (3) When enforcing the Act, these regulations and the Code in accordance with subsection (2), a building official is designated as an authority having jurisdiction in the municipality for which they are appointed.

- (4) Any reference to a building official in the Act and these regulations is deemed to be a reference to an authority having jurisdiction in accordance with subsection (3).

#### **Copies of applications, inspections and tests**

**48** A building official must keep copies of all of the following:

- (a) applications received;
- (b) permits and orders issued;
- (c) inspections and tests made;
- (d) all papers and documents connected with the administration and enforcement of the Act, these regulations and the Code.

#### **Notices and orders**

- 49** (1) Any notices or orders that are necessary to inform an owner that a contravention of the Act, these regulations or the Code has been observed must be issued by a building official in writing.
- (2) A notice or order issued by a building official may specify any remedial or other measures that are required to meet the Act, these regulations or the Code.
- (3) A copy of any notices or orders issued by a building official must be retained by the authority having jurisdiction and a copy must be sent to each of the following by the method specified:
- (a) the owner, by regular mail at the address given on the permit application;
  - (b) the interior 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, given to the constructor.
- (4) An order directing compliance under subsection 12(1) of the Act may include a requirement to do any of the following:
- (a) remove any unauthorized encroachment on public property;
  - (b) remove any building, or part of a building, constructed in contravention of the Act, these regulations or the Code;
  - (c) cease any occupancy in contravention of the Act, these regulations or the Code;
  - (d) cease any occupancy if any unsafe condition exists because of work being undertaken or not completed;
  - (e) correct any unsafe condition;
  - (f) uncover and replace any of the following at the owner's own expense:
    - (i) work that has been ordered to be done pursuant to an order to comply that has been covered without being inspected,

- (ii) work for which notification to inspect is required to be given under Section 35, if uncovering the work is necessary to determine compliance with the Code.

**Responding to inquiries**

**50** A building official must answer all reasonable questions with respect to the provisions of the Act, these regulations or the Code when requested to do so, but must not assist in the laying out of any work or act in the capacity of a designer.

**Authority having jurisdiction to issue permits**

**51** A building official must issue a building permit or an occupancy permit to an owner when, to the best of the building official's knowledge, the applicable conditions in the Act, these regulations and the Code have been met.

**Duty to inform owner of plan review requirement**

**52** A building official must inform an owner of the owner's obligations to provide building plans for the construction or alteration to the Office of the Fire Marshal for review before starting the construction or alteration of a building or facility, as required by subsection 12(1) of the *Fire Safety Regulations*.

**Tests required to prove compliance**

**53 (1)** A test ordered by a building official under clause 11(1)(d) of the Act may include a test of any of the following, as specified in the order:

- (a) materials;
- (b) equipment;
- (c) devices;
- (d) construction methods;
- (e) structural assemblies;
- (f) foundation conditions.

**(2)** Instead of ordering a test under clause 11(1)(d) of the Act, a building official may accept evidence submitted by the owner if the building official is satisfied that the evidence shows whether the material, equipment, device, construction or foundation conditions meet the Code.

**Report required for failure or potential failure**

**54** If a failure occurs that causes or has the potential to cause injury or loss of life, a building official may require an owner, or an owner's representative, to submit a report that states

- (a) the nature and details of the failure; and
- (b) the name and address of the constructor.

**Conditional building or occupancy permit**

**55** A permit may be made conditional upon any of the following:

- (a) submitting additional information not available at the time, if the information is of such a nature that withholding the permit until the information becomes available would be unreasonable;

- (b) completing any work that is incomplete at the time of inspection, if the application is of such a nature that no unsafe condition exists and withholding the permit would be unreasonable.

**Incorrect information in application for permit**

- 56 (1)** An applicant must not knowingly provide incorrect information in a permit application.
- (2)** If incorrect information is provided in a permit application contrary to subsection (1), the proposed building, construction or demolition may be deemed by a building official to not comply with these regulations under clause 9(1)(a) of the Act, resulting in a refusal to issue a permit for the proposed construction, demolition or occupancy of the building.

**Permit conditions**

- 57** Contravention of a condition under which a permit was issued that results in the permit having been issued on mistaken or false information is grounds for a building official to revoke the permit under clause 9(3)(a) of the Act.

**Occupancy before completion**

- 58** To allow the occupancy of a building or part thereof for the accepted use, an occupancy permit may be issued before construction or demolition work is started or completed, subject to compliance with provisions to safeguard persons in or about the premises.

**Part 3: Amendments to Adopted National Codes****Amendments to Division A (Compliance, Objectives and Functional Statements) of  
*National Building Code*****Sentence 1.1.1.1.(2) (Application of this Code) replaced**

- 59** Sentence 1.1.1.1.(2) (Part 1 of Division A) of the *National Building Code* is repealed and replaced with the following:
- 2)** Except as provided by Clauses 9(1)(i) and (j) of the *Nova Scotia Building Code Regulations*, the *Code* applies to both site-assembled and factory-constructed *buildings*. (See Notes NS-9(1)(i) and (j), NSBCR)

**Article 1.3.3.5. (Application of Part 2) repealed**

- 60** Article 1.3.3.5. (Part 1 of Division A) of the *National Building Code* is repealed and replaced with the following:

RESERVED.

**Article 1.3.3.6. (Classification of Buildings containing Agricultural Occupancies) repealed**

- 61** Article 1.3.3.6. (Part 1 of Division A) of the *National Building Code* is repealed and replaced with the following:

RESERVED.

**Sentence 1.4.1.2(1)—Defined Terms—modified**

- 62 (1)** The definition of “farm building” in Sentence 1.4.1.2.(1) (Part 1 of Division A) of the *National Building Code* is repealed and replaced with the following:

“*farm building*” means a *building* or part thereof that does not contain a *residential occupancy* and that is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural

and horticultural produce or feeds.

(2) The definition of “major occupancy” in Sentence 1.4.1.2.(1) (Part 1 of Division A) of the *National Building Code* is amended by striking out all classifications immediately after “F3—*Low-hazard industrial occupancies*”.

(3) The definition of “owner” in Sentence 1.4.1.2.(1) (Part 1 of Division A) of the *National Building Code* is repealed and replaced with the following:

“owner” means an owner as defined in Section 2 of the Act.

(4) The following definitions in Sentence 1.4.1.2.(1) (Part 1 of Division A) of the *National Building Code* are repealed:

Agricultural occupancy  
 Agricultural occupancy with no human occupants  
 Greenhouse agricultural occupancy  
 High-hazard agricultural occupancy

**Clause 2.1.1.2.(5)(a) (Objective OA, Accessibility) replaced**

63 Sentence 2.1.1.2.(5) (Part 2 of Division A) of the *National Building Code* is amended by repealing Clause (a) and replacing it with the following:

- a) the following *buildings*, except that they are still required to be in compliance with the adaptable housing requirements in Subsection 3.8.4. as set out in Schedule C to the *Nova Scotia Building Code Regulations* and the objectives in Table 3.10.1.1. as amended in Section 70 of those regulations:
- i) detached houses,
  - ii) semi-detached houses,
  - iii) houses with a secondary suite,
  - iv) duplexes,
  - v) triplexes,
  - vi) townhouses,
  - vii) row houses, and
  - viii) boarding houses.
- (See Note A-1.4.1.2.(1) of Division A, Secondary Suite, NBC)

**Clause 3.1.1.2.(3)(a) (Functional Statements F73 and F74) replaced**

64 Clause 3.1.1.2.(3)(a) (Part 3 of Division A) of the *National Building Code* is repealed and replaced with the following:

- a) the following *buildings*, except that they are still required to be in compliance with the adaptable housing requirements in Subsection 3.8.4. as set out in Schedule C to the *Nova Scotia Building Code Regulations* and the functional statements in Table 3.10.1.1. as amended in Section 79 of those regulations:
- i) detached houses,
  - ii) semi-detached houses,
  - iii) houses with a *secondary suite*,
  - iv) duplexes,
  - v) triplexes,
  - vi) townhouses,
  - vii) row houses, and
  - viii) boarding houses.



### Amendments to Part 1 (General) of Division B of National Building Code

#### Sentence 1.1.1.1.(3) replaced

**65** Sentence 1.3.1.2.(3) (Part 1 of Division B) of the *National Building Code* is repealed and replaced with the following:

- (3) Farm *buildings* shall conform to the requirement in the *National Farm Building Code 1995*.

#### Article 1.3.1.2. (Applicable Editions) replaced

**66** Article 1.3.1.2. (Part 1 of Division B) of the *National Building Code*, except Table 1.3.1.2., is repealed and replaced with the following:

##### 1.3.1.2. Applicable Editions

- 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. except those documents designated under the following Acts and regulations of the Province of Nova Scotia in which case the edition so referenced shall apply:
  - 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 regulations are replaced by the *Technical Safety Act* and *Technical Safety Standards Regulations*, or
  - c) *Electrical Installation and Inspection Act* and *Electrical Code Regulations*, or as that Act and regulations are replaced by the *Technical Safety Act* and *Technical Safety Standards Regulations*. (See Note NS-69, 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 the *Nova Scotia Building Code Regulations*.

#### Table 1.3.1.2. (Documents referenced in NBC) amended

**67** Table 1.3.1.2. (Part 1 of Division B) of the *National Building Code* is amended by adding the following rows to the table under ULC as the issuing agency:

Issuing Agency	Document Number	Title of Document	Code Reference
ULC	CAN/ULC-S545-02	Standard for Residential Fire Warning System Control Units	9.10.19.4.(2)
ULC	CAN/ULC-S319-05	Electronic Access Control Systems	3.4.6.16.(4)(i)

### Amendments to Part 2 (Farm Buildings) of Division B of National Building Code

#### Part 2 (Farm Buildings) repealed

**68** Part 2 (Part 2 of Division B) of the *National Building Code* is repealed and replaced with the following:

RESERVED.

**Amendments to Part 3 (Fire Protection, Occupant Safety and Accessibility)  
of Division B of *National Building Code***

**Article 3.1.5.25. (Combustible Solar Collector Systems) added**

**69** Subsection 3.1.5. (Part 3 of Division B) of the *National Building Code* is amended by adding the following immediately after Article 3.1.5.24:

**3.1.5.25. 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*.

**Article 3.2.2.93. (Alternate Compliance Methods for Existing Buildings) added**

**70** Subsection 3.2.2. (Part 3 of Division B) of the *National Building Code* is amended by adding the following immediately after Article 3.2.2.92.:

**3.2.2.93. Alternate Compliance Methods for Existing Buildings**

The Alternate Compliance Methods for Existing Buildings contained in Schedule D to the *Nova Scotia Building Code Regulations* are hereby adopted and may be used in accordance with subsections 7(2), (3) and (4) of those regulations.

**Sentence 3.2.7.1.(1) (Minimum Lighting Requirements) replaced**

**71** Sentence 3.2.7.1.(1) (Part 3 of Division B) [of the] *National Building Code* is repealed and replaced with the following:

- 1) An entrance required to be barrier-free by Sentence 3.8.2.2.(1), an *exit*, a *public corridor*, or a corridor providing access to exit for the public or serving patients' sleeping rooms or classrooms shall be equipped to provide illumination to an average level not less than 50 lx at floor or tread level and at angles and intersections at changes of level where there are stairs or *ramps*.

**Sentences 3.2.7.9.(1) and (4) (Emergency Power for Building Services) replaced**

**72 (1)** Sentence 3.2.7.9.(1) (Part 3 of Division B) [of the] *National Building Code* is repealed and replaced with the following:

- 1) An emergency power supply capable of operating under full load for not less than 2 h shall be provided by an emergency generator for
  - a) every elevator serving *storeys* above the *first storey* in a *building* that is more than 36 m high measured between *grade* and the floor level of the top *storey* and every elevator for firefighters in conformance with Sentence (2),
  - b) except as provided in Sentences (4) and (5), equipment that supplies water for fire suppression as required by Articles 3.2.5.7. and 3.2.5.8. and Sentences 3.2.5.12.(1) and (2) and 3.2.5.18.(1), if the supply depends solely on electrical power supplied to the *building*,
  - c) fans and other electrical equipment that are installed to maintain the air quality specified in Articles 3.2.6.2. and 3.3.3.6.,
  - d) fans required for venting by Article 3.2.6.6., and
  - e) fans required by Clause 3.2.8.4.(1)(c) and Article 3.2.8.7. in *buildings* within the scope of Subsection 3.2.6. (See Note A-3.2.7.9.(1), NBC)
- (2) Sentence 3.2.7.9.(4) (Part 3 of Division B) [of the] *National Building Code* is repealed and replaced with the following:
  - 4) Except as required by Sentence (5), the emergency power supply required by Clause (1)(b) for

the equipment that supplies water for fire suppression need not be provided for sprinkler systems conforming to NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*.

**Sentence 3.2.7.9.(5) (Emergency Power for Building Services) added**

73 Article 3.2.7.9. (Part 3 of Division B) of the *National Building Code* is amended by adding the following immediately after Sentence 3.2.7.9.(4):

- 5) Water supply for fire suppression complying with Clause 3.2.5.12.(3)(b) that depends on electrical power to the *building* shall be provided with emergency power capable of operating under a full load for not less than 30 minutes.

**Sentence 3.4.6.16.(8) (Door Release Hardware) added**

74 Article 3.4.6.16. (Part 3 of Division B) of the *National Building Code* is amended by adding the following immediately after Sentence 3.4.6.16.(7):

- 8) In a Group B, Division 2 or Division 3 *occupancy*, licensed by the Province of Nova Scotia, the manual pull station referenced in Subclause (6)(b)(iv) shall be predominately blue in colour.
- 9) Devices installed under Sentence (8) shall conform to CAN/ULC-S319, *Electronic Access Control Systems*.

**Section 3.8. (Accessibility) replaced by Schedule C**

75 Section 3.8. (Part 3 of Division B) of the *National Building Code* is repealed and replaced with Section 3.8. Accessibility, as set out in Schedule C.

**Table 3.10.1.1. (Objectives and Functional Statements Attributed to Acceptable Solutions in Part 3) amended**

76 Table 3.10.1.1. of the *National Building Code* is amended by adding the following immediately after the functional statements and objectives for Article 3.8.3.21.:

Functional Statements and Objectives	
<b>3.8.3.22. Sleeping Units in Roofed Accommodations</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]
(3)	[F74-OA2]
<b>3.8.3.23. Suites of Residential Occupancies Required to be Barrier-Free</b>	
(1)	[F73-OA1][F74-OA2]
(2)	[F73-OA1][F74-OA2]
(3)	[F73-OA1][F74-OA2]
(4)	[F73-OA1][F74-OA2]
<b>3.8.4.2. Entrance Doors to Dwelling Units</b>	
(1)	[F73-OA1]

(2)	[F73-OA1]
(3)	[F73-OA1]
<b>3.8.4.3. Interior Doors and Corridors in Dwelling Units</b>	
(1)	[F73-OA1]
(2)	[F73-OA1]
(3)	[F73-OA1]
<b>3.8.4.4. Kitchens in Dwelling Units</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]
(3)	[F74-OA2]
<b>3.8.4.5. Bathrooms in Dwelling Units</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]
<b>3.8.4.6. Duplex Receptacles, Switches and Controls</b>	
(1)	[F74-OA2]
(2)	[F74-OA2]

[The text in brackets in the right-hand column of Table 3.10.1.1. is part of the regulations and does not indicate editorial corrections made by the Office of the Registrar of Regulations.]

### **Amendments to Part 9 (Housing and Small Buildings) of Division B of National Building Code**

#### **Sentence 9.1.1.1.(2) (Application) added**

77 Article 9.1.1.1. (Part 9 of Division B) of the *National Building Code* is amended by adding the following immediately after Sentence 9.1.1.1.(1):

- 2) The Alternate Compliance Methods for Existing Buildings contained in Schedule D to the *Nova Scotia Building Code Regulations* are adopted and may be used in accordance with subsections 7(2), (3), and (4) of those regulations.

#### **Article 9.5.2.1. (Barrier Free Design—General) replaced**

78 Article 9.5.2.1. (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

##### **9.5.2.1. General**

- 1) Except as provided in Articles 3.8.2.1. and 9.5.2.4., every *building* shall be designed in conformance with Section 3.8.

#### **Article 9.5.2.3. (Exception for Apartment Buildings) repealed**

79 Article 9.5.2.3. (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

RESERVED.

**Article 9.5.2.4. (Exemption for Houses) added**

**80** Subsection 9.5.2. (Part 9 of Division B) of the *National Building Code* is amended by adding the following immediately after Article 9.5.2.3.:

**9.5.2.4. Exemption for Houses**

- 1) Despite Clause 3.8.2.1.(1)(a), *buildings* within the scope of Sentence 3.8.4.1.(1), shall comply with Subsection 3.8.4.

**Sentence 9.9.12.2.(1) (Required Lighting in Egress Facilities) replaced**

**81** Sentence 9.9.12.2.(1) (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

- 1) An entrance required to be *barrier-free* by Sentence 3.8.2.2.(1), every *exit*, *public corridor* or corridor providing *access to exit* for the public shall be equipped to provide illumination to an average level of not less than 50 lx at floor or tread level and at all points such as angles and intersections at changes of level where there are stairs or *ramps*.

**Sentence 9.10.1.3.(1) (Items under Part 3 Jurisdiction) amended**

**82** Sentence 9.10.1.3.(1) (Part 9 of Division B) of the *National Building Code* is amended by adding “self-service storage *buildings*” immediately after “*walkways*”.

**Sentence 9.10.2.2.(6) (Home-Type Care Occupancies) amended**

**83** Article 9.10.2.2. is amended by adding the following immediately after Sentence 9.10.2.2.(5):

- 6) Water supply for fire suppression for home-type care occupancies that depend on electrical power to the *building* shall be provided with emergency power capable of operating under a full load for not less than 30 minutes.

**Article 9.10.19.4. (Power Supply) replaced**

**84** Article 9.10.19.4. (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

**9.10.19.4. Power Supply**

- 1) Except as provided in Sentences (2) to (5), smoke alarms described in Sentence 9.10.19.1.(1) shall
  - a) be installed with permanent connections to an electrical circuit (See Note A-3.2.4.20.(9)(a), NBC),
  - 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) Where the *building* is not supplied with electric power, smoke alarms are permitted to be battery-operated.
- 3) 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 with a sound pressure level between 75 dBA and 110 dBA within the individual *suites* (See Note A-

- 3.2.4.18.(4), NBC),
- b) except as permitted in Sentence (4), are installed in conformance with CAN/ULC-S524, *Installation of Fire Alarm Systems*, and
  - c) form part of the fire alarm system.  
(See Note A-3.2.4.20.(10), NBC)
- 4) *Smoke detectors* permitted to be installed in lieu of *smoke alarms* as stated in Sentence (3) are permitted to sound localized alarms within individual *suites*, and need not sound an alarm throughout the rest of the *building*.
- 5) 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.

**Article 9.31.4.1. (Required Fixtures) replaced**

85 Article 9.31.4.1. (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

**9.31.4.1. Required Fixtures**

- 1) A kitchen sink, lavatory, either a bathtub or shower, and either a water closet or a drainless composting toilet shall be provided for every dwelling unit where a piped water supply is available.

**Clause 9.32.3.3.(1)(b) (Principal Ventilation System) amended**

86 Clause 9.32.3.6.(1)(b) (Part 9 of Division B) of the *National Building Code* is amended by striking out “except as permitted by Article 9.32.3.6.”.

**Article 9.32.3.6. (Exhaust-Only Ventilation Systems) and Note A-9.32.3.6. repealed**

87 Article 9.32.3.6. (Part 9 of Division B) and Note A-9.32.3.6. in the Notes to Part 9 of the *National Building Code* are repealed and replaced with the following:

RESERVED.

**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
  - a) the prescriptive or trade-off requirements for climatic Zone 6 stated in Subsections 9.36.2. to 9.36.4.,
  - b) the performance requirements in Subsection 9.36.5. based on the climatic data for where the *building* is located,
  - c) the tiered performance requirements based on the climatic data for where the *building* is located for at least Tier 1 in Subsection 9.36.7.,
  - d) the tiered prescriptive requirements for climatic Zone 6 for at least Tier 1 in Subsection 9.36.8., or
  - e) the NECB.  
(See Note NS-9.36.1.3.(1), NSBCR)

**Sentence 9.36.1.3.(7) (Compliance and Application) added**

**89** Article 9.36.1.3. (Part 9 of Division B) of the *National Building Code* is amended by adding the following immediately after Sentence 9.36.1.3.(6):

- 7) Section 9.36. does not apply to any of the following:
  - a) *farm buildings*,
  - b) *buildings* intended primarily for manufacturing or commercial or industrial processing,
  - c) non-heating season, or intermittently occupied *buildings*, or (See Note A-9.1.1.1.(1), NBC)
  - d) *heritage buildings*.

**Table 9.36.8.8. (Energy Conservation Measures and Points for Airtightness) replaced**

**90** Table 9.36.8.8. (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

**Table 9.36.8.8.  
Energy Conservation Measures and Points for Airtightness  
forming Part of Sentence 9.36.8.8.(2)**

Energy Conservation Measures for Airtightness– Airtightness Levels <sup>1</sup>	Heating Degree-Days of <i>Building</i> Location, in Celsius Degree-Days					
	Zone 4 < 3000	Zone 5 3000 to 3999	Zone 6 4000 to 4999	Zone 7A 5000 to 5999	Zone 7B 6000 to 6999	Zone 8 ≥ 7000
	Energy Conservation Points					
Airtightness Levels from Table 9.36.6.4.-A						
AL-1A	–	–	–	–	–	–
AL-2A	2.2	3.0	3.5	4.6	4.1	4.6
AL-3A	4.0	6.0	6.9	9.1	8.2	9.3
AL-4A	6.0	9.1	10.4	13.6	12.3	14.2
AL-5A	7.7	11.6	13.3	17.4	15.6	18.2
Airtightness Levels from Table 9.36.6.4.-B						
AL-1B	–	–	–	–	–	–
AL-2B	2.0	3.4	3.5	4.6	6.1	6.1
AL-3B	4.0	6.7	7.0	9.3	12.1	12.1
AL-4B	5.9	10.1	10.5	13.9	18.0	18.0
AL-5B	7.6	13.0	13.4	17.8	22.7	22.7
AL-6B	–	–	–	–	–	–

Note 1. All *dwelling units* and common spaces in a *building*, or the whole *building*, must meet the airtightness level for which energy conservation points are being credited.

**Sections 9.38. (Recreational Cabins) and 9.39. (Tiny Houses) added**

**91** Part 9 of Division B of the *National Building Code* is amended by adding the following immediately after

Table 9.37.1.1.:

## Section 9.38. Recreational Cabins

### 9.38.1. Scope

#### 9.38.1.1. Application

- 1) For the purposes of this Section, a *recreational cabin* means a *building* with a *residential occupancy* which meets all of the following:
  - a) it is used or intended to be used as a dwelling unit,
  - b) it is principally used for a seasonal recreational activity,
  - c) it is 2 *storeys* in *building* height or less, and
  - d) it is not used as a permanent residence.
- 2) A *building* described in Sentence (1) shall comply with the requirements in this Part and in Part 3 of the regulations except where it is specifically exempted in this Section.

### 9.38.2. General

#### 9.38.2.1. Exclusions

- 1) Except as provided in Subsections 9.9.10. and 9.10.15. and Articles 9.38.2.4. (NSBCR) and 9.38.3.1. (NSBCR), a *recreational cabin* need not comply with Sections 9.5. to 9.7.
- 2) Except as provided in Subsections 9.9.10. and 9.10.15. and Articles 9.38.2.4. (NSBCR) and 9.38.3.1. (NSBCR), a *recreational cabin* need not comply with Sections 9.9. to 9.11.
- 3) Flooring in a *recreational cabin* need not comply with Section 9.30. but tight-fitting floors shall be provided to support the live and dead loads.
- 4) Except as provided in Sentence (5), thermal insulation, *vapour barrier*, *air barrier system*, interior finishes, plumbing, heating, mechanical ventilation, air-conditioning and electrical facilities need not be provided in a *recreational cabin*, but where any of these are provided they shall comply with the requirements of this Part.
- 5) Where heating and air-conditioning are provided in a *recreational cabin*, Article 9.33.3.1. need not be complied with.

#### 9.38.2.2. Foundations

- 1) Except as provided in Sentences (2) and (3), a *foundation* shall be provided in a *recreational cabin* in accordance with the requirements of this Part.
- 2) Where unit masonry columns are used, the height of such columns shall not exceed the lesser of 1.2 m or,
  - a) in the case of hollow masonry units, 4 times the least dimension of the units,
  - b) in the case of solid masonry units, or hollow units with voids filled with concrete, 10 times the least dimension of the column, or
  - c) where the column is reinforced with at least four 13 mm diameter bars and filled with concrete, 18 times the least dimension of the column.
- 3) Columns in excess of the height limitations of Clauses (2)(a) to (c) shall be designed



in accordance with Part 4.

**9.38.2.3. Waterproofing and Dampproofing**

- 1) Where *foundations* below ground level and concrete floors on ground are used in a recreational cabin, they shall comply with Section 9.13.

**9.38.2.4. Smoke Alarms**

- 1) *Smoke alarms* shall be installed in accordance with Subsection 9.10.19.

**9.38.3. Roofed Accommodation**

**9.38.3.1. Buildings used for Roofed Accommodation**

- 1) If a *recreational cabin* is used or intended to be used as a *roofed accommodation* or *camping accommodation*, it shall comply with Sections 9.5. to 9.8. in addition to the requirements of this Section.

**Section 9.39. Tiny Houses**

**9.39.1. Scope**

**9.39.1.1. Application**

- 1) This Section applies to a *tiny house* used as a single *dwelling unit*.

**9.39.1.2. Construction Requirements**

- 1) A *tiny house* shall comply with the requirements in this Part and in Part 3 of the *Nova Scotia Building Code Regulations* except as provided in this Section.
- 2) A tiny house is exempt from the adaptability requirements of Subsection 3.8.4. (NSBCR)

**9.39.2.1. Ceiling Heights of Rooms or Spaces**

- 1) The ceiling height of rooms or spaces in a tiny house shall conform to Table 9.39.2.1.

**Table 9.39.2.1.  
Forming part of Sentence 9.39.2.1.(1)**

Room or space	Minimum Ceiling Heights
Bathrooms, toilet rooms and kitchens	1930 mm
All other living space except lofts	2030 mm
Lofts	As per Article 9.39.2.2.

**9.39.2.2. Lofts**

- 1) A *loft* with a ceiling height of less than 2030 mm and used as a sleeping or living space shall meet the minimum area and dimension requirements of this Article.
- 2) A *loft* shall have a floor area of not less than 3.25 m<sup>2</sup>.
- 3) A *loft* shall be not less than 1525 mm in any horizontal dimension.
- 4) Except as provided in Sentence (5), portions of a *loft* with a sloping ceiling measuring

less than 915 mm from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.

- 5) Under finished sloped ceilings with a minimum slope of 6:12, portions of a *loft* with a sloping ceiling measuring less than 405 mm from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area of the *loft*.
- 6) The access to and primary egress from a *loft* shall be
  - a) of any type described in Articles 9.39.2.3., 9.39.2.4., 9.39.2.5. or 9.39.2.6.,
  - b) securely attached to the *loft*, and
  - c) the required handrails shall extend to the height of the *loft guard*.
- 7) A *loft* that meets the requirements of this Article and does not exceed 2/3 of the building area of the *tiny house* is not considered a *storey*.
- 8) Where a *loft* is used as a sleeping room, *smoke alarms* required by Subsection 9.10.19. are not required in the *loft* provided a *smoke alarm* is located within 1.5 m from the edge of the open side of the *loft*. (See Note NS-9.39.2.2.(8), NSBCR)

### 9.39.2.3. Stairways

- 1) A stairway accessing a *loft* shall comply with
  - a) Section 9.8., or
  - b) this Article.
- 2) A stairway accessing a *loft* shall not be less than 430 mm in clear width at all points at or above the permitted handrail height.
- 3) The minimum width below the handrail shall not be less than 505 mm.
- 4) Except as provided in Sentence (5), the headroom in a stairway accessing a *loft* shall not be less than 1880 mm when measured in accordance with Sentence 9.8.2.2.(1).
- 5) The headroom for a landing platform shall be not less than 1370 mm.
- 6) A riser for a stair in a stairway accessing a *loft* shall be uniform and a minimum of 180 mm and a maximum of 305 mm calculated using the following formulas:
 
$$\text{Run} = 510 \text{ mm minus } 4/3 \text{ riser height}$$

OR

$$\text{Riser height} = 380 \text{ mm minus } 3/4 \text{ run}$$

(See Note NS-9.39.2.3.(6), NSBCR)
- 7) A *landing platform* on a stairway accessing a *loft* shall measure 2 treads deep and 2 risers tall.
- 8) A handrail shall comply with Subsection 9.8.7.
- 9) A *guard* at open sides of stairs shall comply with Subsection 9.8.8.

**9.39.2.4. Ladders for Lofts**

- 1) A ladder accessing a *loft* shall have 305 mm minimum rung width and 255 mm to 355 mm spacing between rungs.
- 2) The rung spacing shall be uniform within 9.5 mm.
- 3) A ladder accessing a loft shall be capable of supporting 1000 N load on any rung.
- 4) A ladder accessing a loft shall be installed at 70 to 80 degrees from horizontal.

**9.39.2.5. Alternating Tread Devices**

(See Note A-9.39.2.5., NBC)

- 1) An *alternating tread device* accessing a loft shall comply with this Article.
- 2) The clear width at and below the handrails shall not be less than 510 mm.
- 3) An *alternating tread device* shall have
  - a) a tread depth of not less than 125 mm,
  - b) a projected tread depth of not less than 215 mm,
  - c) a tread width of not less than 180 mm, and
  - d) a uniform riser height of not more than 240 mm.
- 4) The tread depth shall be measured horizontally between the vertical planes of the foremost projections of adjacent treads.
- 5) The riser height and tread depth provided shall result in an angle of ascent from the horizontal of between 50 and 70 degrees.
- 6) The initial tread of the *alternating tread device* shall begin at the same elevation as the platform, landing or floor surface.
- 7) A handrail shall be provided on both sides of an *alternating tread device* and shall comply with Articles 9.8.7.2. (Continuity of Handrails) and 9.8.7.5. (Ergonomic Design).
- 8) The height of a handrail shall be not less than 765 mm and not more than 865 mm high measured in accordance with Sentence 9.8.7.4.(1).

**9.39.2.6. Ships Ladders**

- 1) A ships ladder accessing a *loft* shall comply with this Article.
- 2) A handrail shall be provided on both sides of a ships ladder and shall comply with Articles 9.8.7.2. (Continuity of Handrails), and 9.8.7.5. (Ergonomic Design).
- 3) The height of the handrail shall be not less than 765 mm and not more than 865 mm high measured in accordance with Sentence 9.8.7.4.(1).
- 4) The clear width at and below the handrail of a ships ladder shall not be less than 510 mm.
- 5) The tread on a ships ladder shall have a depth of not less than 125 mm.
- 6) The tread shall be projected such that the total of the tread depth plus the nosing

projection is not less than 215 mm.

- 7) The riser height shall be uniform and not more than 240 mm.

**9.39.2.7. Loft Guards**

- 1) A *loft guard* shall be located along the open side of a *loft* which is located more than 600 mm above the floor.
- 2) A *loft guard* shall be the lesser of
  - a) 915 mm in height, or
  - b) one half the clear height to the ceiling.
- 3) A *loft guard* is permitted a maximum opening of 610 mm to allow for access to the *loft*.

**9.39.3.1. Egress Openings**

- 1) An *egress roof access window* in a *tiny house* shall meet the requirements for an egress opening from a bedroom contained in Article 9.9.10.1.
- 2) An *egress roof access window* in a *loft* which is used as a sleeping room shall be installed with the bottom of the window opening not more than 1120 mm above the *loft* floor.

**Table 9.37.1.1. (Objectives and Functional Statements Attributed to Acceptable Solutions in Part 9) amended**

92 (1) Table 9.37.1.1. of the *National Building Code* is amended by repealing and replacing the functional statements and objectives for Article 9.10.19.4. with the following:

Functional Statements and Objectives	
<b>9.10.19.4. Power Supply</b>	
(1)	[F11, F81-OS1.5]
(2)	[F11, F81-OS1.5]

[The text in brackets in the right-hand column of Table 9.37.1.1. is part of the regulations and does not indicate editorial corrections made by the Office of the Registrar of Regulations.]

- (2) Table 9.37.1.1. of the *National Building Code* is further amended by repealing the functional statements and objectives for Article 9.32.3.6.
- (3) Table 9.37.1.1. of the *National Building Code* is further amended by adding the following immediately after the functional statements and objectives for Article 9.36.5.16.:

Functional Statements and Objectives	
<b>9.38. Recreational Cabins</b>	
<b>9.38.2.1. Exclusions</b>	
(2)	[F40-OH2.5] [F20-OP2.1] [F20-OS2.1] [F30-OS3.1]

<b>9.38.2.2. Foundations</b>	
(2)	[F20-OP2.1] [F20-OS2.1]

[The text in brackets in the right-hand column of Table 9.37.1.1. is part of the regulations and does not indicate editorial corrections made by the Office of the Registrar of Regulations.]

- (4) Table 9.37.1.1. of the *National Building Code* is further amended by adding the following immediately after the functional statements and objectives for Article 9.38.2.2.:

Functional Statements and Objectives	
<b>9.39. Tiny Houses</b>	
<b>9.39.2.1. Ceiling heights of Rooms and Spaces</b>	
(1)	[F30-OS3.1] [F10-OS3.7]
<b>9.39.2.2. Lofts</b>	
(2)	[F10-OS3.7]
(3)	[F10-OS3.7]
<b>9.39.2.3. Stairways</b>	
(2)	[F30-OS3.1]
(3)	[F30-OS3.1]
(4)	[F30-OS3.1] [F10-OS3.7]
(5)	[F30-OS3.1] [F10-OS3.7]
(6)	[F30-OS3.1]
(7)	[F30-OS3.1]
<b>9.39.2.4. Ladders for Lofts</b>	
(1)	[F30-OS3.1]
(2)	[F30-OS3.1]
(3)	[F20-OS2.1]
(4)	[F30-OS3.1]
<b>9.39.2.5. Alternating Tread Devices</b>	
(2)	[F30-OS3.1]
(3)	[F30-OS3.1]
(5)	[F30-OS3.1]

(7)	[F30-OS3.1]
(8)	[F30-OS3.1]
<b>9.39.2.6. Ships Ladders</b>	
(1)	[F30-OS3.1]
(2)	[F30-OS3.1]
(3)	[F30-OS3.1]
(4)	[F30-OS3.1]
(5)	[F30-OS3.1]
(6)	[F30-OS3.1]
(7)	[F30-OS3.1]
<b>9.39.2.7. Loft Guards</b>	
(1)	[F30-OS3.1] [F10-OS3.7]
(2)	[F30-OS3.1] [F30-OS3.7]
(3)	[F30-OS3.1] [F30-OS3.7]
<b>9.39.3.1. Egress Openings</b>	
(2)	[F10-OS3.7]

[The text in brackets in the right-hand column of Table 9.37.1.1. is part of the regulations and does not indicate editorial corrections made by the Office of the Registrar of Regulations.]

### Amendments to Part 2 (Plumbing Systems) of Division B of *National Plumbing Code*

#### Article 2.4.9.1. (No Reduction in Size) replaced

93 Article 2.4.9.1. (Part 2 of Division B) of the *National Plumbing Code* is repealed and replaced with the following:

#### 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~~ [another] 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) if the drainage pipe does not convey sewage
  - a) from a sanitary unit, or
  - b) that contains solids.

**Sentence 2.6.1.6.(4) (Flushing Devices) replaced**

**94** Sentence 2.6.1.6.(4) (Part 2 of Division B) of the *National Plumbing Code* is repealed and replaced with the following:

- 4) Sentence (3) does not apply to a *fixture* located in a *heritage building*, or a *care, treatment or detention occupancy* or passenger station.

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

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

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

- 1) *Buildings* shall comply with one of the following:
  - a) the prescriptive or trade-off requirements for climatic Zone 6 stated in Parts 3 to 7,
  - b) the performance requirements stated in Part 8,
  - c) the tiered performance requirements for at least Tier 1 as stated in Part 10.

**Schedule A: Forms for Field Review of Construction**

**Form 1: Letter of Undertaking—Confirmation of Commitment by Owner to Municipal Building Official as Authority Having Jurisdiction (Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

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. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

This letter of undertaking must be submitted with a completed application for a building permit.

-----

To:

\_\_\_\_\_  
authority having jurisdiction (building official)

\_\_\_\_\_  
date

\_\_\_\_\_  
address

\_\_\_\_\_  
\_\_\_\_\_

Dear

\_\_\_\_\_  
authority having jurisdiction (building official)

Re:

\_\_\_\_\_  
address of project

\_\_\_\_\_  
name of project

\_\_\_\_\_  
legal description of project

I, the owner, submit this letter of undertaking to the building official as the authority having jurisdiction along with a completed application for a building permit.

I have appointed an architect(s), professional engineer(s), interior designer(s), or designer(s), or prime consultant(s) to undertake the field reviews of construction, as required by Sections 30 to 33 of the regulations for the following disciplines, which I have initialled:

(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

(check all appropriate boxes)

I have attached the following to this letter of undertaking:

- 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 above) completed by responsible individuals appointed by me to perform the field review of construction for the applicable discipline(s).

I will forward

- field review of construction commitment certificates for responsible individuals not yet appointed.

I will notify the building official as the authority having jurisdiction if the architect, interior designer or professional engineer named in the attached field review of construction commitment certificates ceases, for whatever reason, to provide the field review of construction for this project and will appoint another architect, interior designer or professional engineer immediately so that the field review of construction will continue uninterrupted.

If the contract for a field review of construction is terminated at any time during construction, this notice and the necessary field review of construction commitment certificates will be forwarded to the building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the change in the individual responsible occurs.

\_\_\_\_\_  
signature of owner

\_\_\_\_\_  
date

\_\_\_\_\_  
print name

\_\_\_\_\_  
address

\_\_\_\_\_  
postal code



\_\_\_\_\_   
 phone

\_\_\_\_\_   
 fax

\_\_\_\_\_   
 e-mail

**Form 2: Commitment Certificate—Prime Consultant  
(Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

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. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To:

\_\_\_\_\_   
 authority having jurisdiction (building official) date

\_\_\_\_\_   
 address

\_\_\_\_\_

\_\_\_\_\_

Dear

\_\_\_\_\_   
 authority having jurisdiction (building official)

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 this 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 initialled:

(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 attach for your review the field review of construction commitment certificates for each above initialled discipline completed by an appropriate professional for the discipline, or will forward the field review of construction commitment certificate for those not yet appointed.

I, and professionals who have completed the various field review of construction 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 building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Architects Act*, the *Interior Designers Act* and the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

print name		
signature	initials	
print name of firm or company		
print address		
municipality	postal code	
telephone	fax	e-mail

If a design professional: Affix below the seal of the licensed architect, interior designer or professional engineer in accordance with provincial legislation.

If not a design professional, this document must be signed by the person appointed as the prime consultant.

**Form 3: Commitment Certificate—Building Design Requirements  
(Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the

Code.

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. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

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To:

authority having jurisdiction (building official)	date
address	

Dear

authority having jurisdiction (building official)
---

Re:

address of project
name of project
legal description of project

This is to advise that I am the interior designer, architect, or professional engineer appointed by the owner or prime consultant to perform the field review of construction for the building design aspects of this project, which are within Parts 3 and 5 of the *National Building Code* and Part 3 of the *National Energy Code*, and as shown in design documents submitted to a building official as the authority having jurisdiction, but do not include areas of work referred to in the certificates in Forms 4 to 11 of the regulations, 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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Architects Act*, the *Interior Designers Act* and the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

\_\_\_\_\_

print name

\_\_\_\_\_

signature initials

\_\_\_\_\_

print name of firm or company

\_\_\_\_\_

print address

\_\_\_\_\_

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.

**Form 4: Commitment Certificate—Structural Design Requirements  
(Field Review of Construction)**

**Preamble**

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

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. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

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To: \_\_\_\_\_  
authority having jurisdiction (building official) date

\_\_\_\_\_

address

Dear \_\_\_\_\_  
authority having jurisdiction (building official)

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 for this project.

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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

\_\_\_\_\_ print name

\_\_\_\_\_ signature

\_\_\_\_\_ initials

Affix below the seal of the licensed professional engineer in accordance with provincial legislation.

\_\_\_\_\_ print name of firm or company

\_\_\_\_\_ print address

\_\_\_\_\_ municipality

\_\_\_\_\_ postal code

\_\_\_\_\_ telephone

\_\_\_\_\_ fax

\_\_\_\_\_ e-mail

**Form 5: Commitment Certificate—Mechanical Design Requirements  
(Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the

Code.

Professional engineers are required by their statute, regulations and bylaws to ensure the general public of competent standards and ethical conduct in the design of buildings. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To:

authority having jurisdiction (building official)	date
address	

Dear

authority having jurisdiction (building official)
---

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 *National Building Code* and Parts 5 and 6 of the *National Energy Code*.

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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the

event.

\_\_\_\_\_  
print name

\_\_\_\_\_  
signature initials

\_\_\_\_\_  
print name of firm or company

\_\_\_\_\_  
print address

\_\_\_\_\_  
municipality postal code

\_\_\_\_\_  
telephone fax e-mail

Affix below the seal of the licensed professional engineer in accordance with provincial legislation.

**Form 6: Commitment Certificate—Electrical Design Requirements  
(Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

Professional engineers are required by their statute, regulations and bylaws to ensure the general public of competent standards and ethical conduct in the design of buildings. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

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To: \_\_\_\_\_  
authority having jurisdiction (building official) date

\_\_\_\_\_  
address

\_\_\_\_\_  
Dear authority having jurisdiction (building official)

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*.

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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

\_\_\_\_\_

print name

\_\_\_\_\_

signature

\_\_\_\_\_

initials

Affix below the seal of the licensed professional engineer in accordance with provincial legislation.

\_\_\_\_\_

print name of firm or company

\_\_\_\_\_

print address

\_\_\_\_\_

municipality

\_\_\_\_\_

postal code

\_\_\_\_\_

telephone

\_\_\_\_\_

fax

\_\_\_\_\_

e-mail

**Form 7: Commitment Certificate—Fire Suppression Systems Design Requirements  
(Field Review of Construction)**

**Preamble**

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.



Professional engineers are required by their statute, regulations and bylaws to ensure the general public of competent standards and ethical conduct in the design of buildings. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To: \_\_\_\_\_  
authority having jurisdiction (building official) \_\_\_\_\_ date

\_\_\_\_\_  
address

\_\_\_\_\_

Dear \_\_\_\_\_  
authority having jurisdiction (building official)

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 fire suppression systems design requirements.

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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued; and
- 4) I will file a copy of this certificate, 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 Section 26 of the regulations, with a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

\_\_\_\_\_

print name

\_\_\_\_\_

signature initials

\_\_\_\_\_

print name of firm or company

\_\_\_\_\_

print address

\_\_\_\_\_

municipality postal code

\_\_\_\_\_

telephone fax e-mail

Affix below the seal of the licensed professional engineer in accordance with provincial legislation.

**Form 8: Commitment Certificate—Geotechnical Design Requirements  
(Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

Professional engineers are required by their statute, regulations and bylaws to ensure the general public of competent standards and ethical conduct in the design of buildings. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To: \_\_\_\_\_  
authority having jurisdiction (building official) date

\_\_\_\_\_

address

\_\_\_\_\_

\_\_\_\_\_

Dear \_\_\_\_\_  
authority having jurisdiction (building official)

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 for this project.

I hereby certify, for the geotechnical (permanent) 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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

print name

signature

initials

Affix below the seal of the licensed professional engineer in accordance with provincial legislation.

print name of firm or company

print address

municipality

postal code

telephone

fax

e-mail

**Form 9: Commitment Certificate—Plumbing Design Requirements (Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the

Code.

Professional engineers are required by their statute, regulations and bylaws to ensure the general public of competent standards and ethical conduct in the design of buildings. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To:

\_\_\_\_\_

authority having jurisdiction (building official) date

\_\_\_\_\_

address

\_\_\_\_\_

\_\_\_\_\_

Dear

\_\_\_\_\_

authority having jurisdiction (building official)

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 for this project.

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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

\_\_\_\_\_

print name

\_\_\_\_\_

signature initials

\_\_\_\_\_

print name of firm or company

\_\_\_\_\_

print address

\_\_\_\_\_

municipality postal code

\_\_\_\_\_

telephone fax e-mail

Affix below the seal of the licensed professional engineer in accordance with provincial legislation.

**Form 10: Commitment Certificate—Interior Design Requirements (Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

Interior designers are required by their statute, regulations and bylaws to ensure the general public of competent standards and ethical conduct in the design of buildings. Under Part 2 of the regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To: \_\_\_\_\_  
authority having jurisdiction (building official) date

\_\_\_\_\_  
address  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_  
authority having jurisdiction (building official)

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 for this project.

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 in the documents;
- 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 a building official as the authority having jurisdiction before the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Interior Designers Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

print name

signature

initials

Affix below the seal of the licensed interior designer in accordance with provincial legislation.

print name of firm or company

print address

municipality

postal code

telephone

fax

e-mail

**Form 11: Commitment Certificate—Resource Conservation Measures—Energy Requirements (Field Review of Construction)**

Preamble

The *Nova Scotia Building Code* (the “Code”) is made up of portions of the *Nova Scotia Building Code Regulations* (the “regulations”) made under the *Building Code Act*, together with the *National Building Code*, the *National Plumbing Code* and the *National Energy Code*, as amended and adopted by the regulations. Construction and demolition of buildings must be done in accordance with the Act, the regulations and the Code.

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. Under Part 2 of the

regulations, professionals must design buildings in conformance with the minimum standards of the Code, with sufficient drawings and documents to show how these standards have been met.

Part 2 of the regulations also requires buildings to be reviewed at intervals appropriate to the stage of construction to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction. Completed commitment certificates for these field reviews of construction must be submitted to a building official as the authority having jurisdiction. If a building official has not been assigned by the applicable municipality, this document must be submitted directly to the municipality until a building official is assigned.

-----

To:

authority having jurisdiction (building official)	date
address	

Dear

authority having jurisdiction (building official)
---

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 coordinate the field review of construction for the resource conservation measures – energy requirements for this project for the following disciplines, which I have initialled:

Building Design                       Plumbing                       Mechanical                       Electrical

I hereby certify, for the resource conservation measures – energy requirements, that

- 1) I will comply with the requirements of Division C of the *National Building Code* and the *National Energy Code*;
- 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 in the documents;
- 3) I will coordinate the review of changes to the energy design documents to ensure that the changes conform to the Code;
- 4) if the size and complexity of the design warrants, I will coordinate additional areas of review as considered appropriate in consultation with a building official as the authority having jurisdiction; and
- 5) I will complete the certification of field review of construction and return it to a building official as the authority having jurisdiction before of the occupancy permit is issued.

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. All delegated functions will be performed under my supervision in accordance with the *Architects Act* or *Engineering Profession Act*.

If the contract for a field review of construction is terminated at any time during construction, I will notify a building official as the authority having jurisdiction as soon as practical, but no later than 72 hours after the event.

\_\_\_\_\_

print name

\_\_\_\_\_

signature initials

\_\_\_\_\_

print name of firm or company

\_\_\_\_\_

print address

\_\_\_\_\_

municipality postal code

\_\_\_\_\_

telephone fax e-mail

Affix below the seal of the licensed architect or professional engineer in accordance with provincial legislation.

**Form 12: 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 the project is completed 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 (building official) date

\_\_\_\_\_

address

\_\_\_\_\_

Dear \_\_\_\_\_

authority having jurisdiction (building official)

Re: \_\_\_\_\_

address of project

\_\_\_\_\_

name of project

\_\_\_\_\_

legal description of project

I hereby certify that I have fulfilled my obligations for the field review of construction as defined in the letter of undertaking and the commitment certificate for this project, and advise that I have reviewed the work at intervals appropriate to determine general compliance with the design drawings (and all revisions) accepted by a building official as the authority having jurisdiction for the following disciplines, which I have initialled:

(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

\_\_\_\_\_

print name

\_\_\_\_\_

signature

\_\_\_\_\_

initials

Affix below the seal of the licensed architect, interior designer or professional engineer in accordance with provincial legislation.

\_\_\_\_\_

print name of firm or company

\_\_\_\_\_

print address

\_\_\_\_\_

municipality

\_\_\_\_\_

postal code

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telephone

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fax

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e-mail

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### Schedule B: Design Data for Selected Locations in Nova Scotia

#### Appendix C to NBC

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

#### Obtaining design values for locations not listed

Design values for locations not listed can be obtained by writing to the Atmospheric Environment Service, Environment and Climate Change Canada, 4905 Dufferin Street, Downsview, ON M3H 5T4 or by contacting (416) 739 4365 or [www.climate.weather.gc.ca](http://www.climate.weather.gc.ca).

#### Obtaining seismic values for locations not listed

Seismic values for those not listed may be obtained through Natural Resources Canada website at [www.earthquakecanada.ca](http://www.earthquakecanada.ca), or by writing to the Geological Survey of Canada, 7 Observatory Crescent, Ottawa, ON K1A 0Y3.

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### Schedule C: Substituted Section 3.8 of NBC, Accessibility (Replaced for Code)

As amended by Section 75 of these regulations, Section 3.8. (Accessibility) of Division B of the *National Building Code* is replaced for the Code with the following:

#### Section 3.8. Accessibility

(See Note A-3.8., NBC)

##### 3.8.1. Scope

(See Note NS-3.8.1., NSBCR)

##### 3.8.1.1. Scope

1) This Section is concerned with the *barrier-free* design of *buildings*.

- 2) *Buildings* and facilities required to be *barrier-free* in accordance with Subsection 3.8.2. shall be designed in accordance with Subsection 3.8.3.

### 3.8.2. Application

#### 3.8.2.1. Application and Exemptions

- 1) The requirements of this Section apply to all *buildings*, except
  - a) detached houses, semi-detached, houses with *secondary suites*, duplexes, triplexes, townhouses, row houses, boarding houses and rooming houses,
  - b) *buildings* of Group F, Division 1 *major occupancy*,
  - c) *buildings* that are not intended to be occupied on a daily or full-time basis, including automatic telephone exchanges, pumphouses and substations,
  - d) houses used as *roofed accommodation* for not more than 10 persons including the *owner* and the *owner's* family and that meets the requirements of Sentence (5),
  - e) *industrial occupancies* with an operation that are not adaptable to *barrier-free* design, and
  - f) fire, rescue, and emergency response facilities intended to house vehicles and their crews. (See Note NS-3.8.2.1.(1)(f), NSBCR)
- 2) In *roofed accommodation* one sleeping unit conforming to Article 3.8.3.25. shall be provided for every 10 sleeping units or part thereof.
- 3) Not less than 50% of the sleeping units required by Sentence (2) shall be provided with at least one *barrier-free* shower.
- 4) In *camping accommodation* where sleeping accommodations are provided, one sleeping unit conforming to Article 3.8.3.25. shall be provided for every 20 sleeping units or part thereof.
- 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 3.8.3.25.,
  - b) a *barrier-free* entrance designed in accordance with Subsection 3.8.3.,
  - c) a *barrier-free* path of travel conforming to Article 3.8.3.2., and
  - d) one parking stall for each required sleeping unit under this Sentence conforming with Sentence 3.8.3.4.(3).
- 6) *Buildings* described in Clause (1)(a) shall be designed and constructed in accordance with Subsection 3.8.4.
- 7) Except as exempted by Clause (1)(a), in a *building* with more than 3 *suites of care* or *residential occupancies*,
  - a) *barrier-free* units conforming to Article 3.8.3.26. shall be provided according to Table 3.8.2.1., and
  - b) every unit not complying with Clause (a) shall conform to Subsection 3.8.4.  
(See Note NS-3.8.2.1.(7), NSBCR)
- 8) The requirements of this Section take precedence over other requirements contained in this Part and Part 9.

**Table 3.8.2.1.**  
**Forming part of Sentence 3.8.2.1.(7)**

Number of units in building	Minimum number of units conforming to Article 3.8.2.26.
0 to 24	0
25 to 45	1
Greater than 45	1 plus 1 unit for each additional 20 units or part thereof

### 3.8.2.2. Entrances

(See Note A-3.8.2.2., NBC)

- 1) Except for service entrances, all pedestrian entrances to a *barrier-free storey* of a *building* referred to in Sentence 3.8.2.1.(1) shall be *barrier-free* and shall connect to a *barrier-free* exterior path of travel complying with Sentence 3.8.2.5.(1).
- 2) A *barrier-free* entrance required by Sentence (1) shall be designed in accordance with Subsection 3.8.3.
- 3) At a *barrier-free* entrance that includes more than one doorway, only one of the doorways is required to be designed in accordance with Subsection 3.8.3.
- 4) 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*.
- 5) 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 that is capable of connection to individual *suites*.
- 6) Where a house is required to conform to the requirements of Sentence 3.8.2.1.(5), the house shall provide one *barrier-free* entrance in conformance with Sentence (1).
- 7) Except for Group B, Division 1 *occupancies*, vision glass or transparent doors and panels complying with Article 3.3.1.20. shall be used in entrances required by Sentence (1) to be *barrier-free* unless prohibited elsewhere by the Code.

### 3.8.2.3. Areas Requiring a Barrier-Free Path of Travel

(See Note A-3.8.2.3., NBC)

- 1) Except as permitted by Sentence (2), a *barrier-free* path of travel from the entrances required by Sentences 3.8.2.2.(1) to be *barrier-free* shall be provided throughout the entrance *storey* and within all normally occupied *floor areas*.  
(See Article 3.3.1.7. (Protection on Floor Areas with a Barrier-Free Path of Travel) 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 the floor level above or below the entrance level in *buildings* unless the floor level above or below (see Note A-3.8.2.3.(2)(g), NBC)
    - i) is served by a passenger elevator, a platform-equipped passenger-elevating device, an escalator or an inclined moving walk,
    - ii) is 600 m<sup>2</sup> or more in *floor area*,
    - iii) contains facilities that are not contained on the entrance level, but that are integral to the principal function of the entrance level, or
    - iv) contains an *assembly occupancy* more than 100 m<sup>2</sup> in *floor area*,
  - h) within a parking level with no *barrier-free* parking spaces,
  - i) to *high-hazard industrial occupancies*,
  - j) 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,
  - k) within floor levels of a *suite* of *residential occupancy* that are not at the same level as the entry level to the *suite*, or
  - l) within a *suite* of *care* or *residential occupancy* unless required by Sentence 3.8.2.1.(7) or Subsection 3.8.4.
- 3) In an *assembly occupancy*, the number of spaces designated for wheelchair use within rooms or areas with fixed seats shall conform to Table 3.8.2.3. (See also Article 3.8.3.22. for additional requirements.)
- 4) The number of spaces designated for wheelchair use within waiting rooms or areas with fixed seats shall conform to Table 3.8.2.3. (See Note A-3.8.2.3.(4), NBC).
- 5) Except as provided in Sentence (6), in an *assembly occupancy* with more than 25 fixed seats, each row of seats served by two aisles shall have one adaptable seat conforming to Subsection 3.8.3. located adjacent to one of the aisles. (See Notes A-3.8.2.3.(5) and (6) and 3.8.3.22.(1) and (4), NBC)
- 6) At least 5% of the adaptable seats required by Sentence (5) but no more than 20 adaptable seats shall adjoin a *barrier-free* path of travel.

**Table 3.8.2.3.**  
**Designated Wheelchair Spaces**  
**Forming Part of Sentences 3.8.2.3.(3) and (4)**

Number of Fixed Seats in Seating Area	Number of Spaces Required for Wheelchairs
2–99	2
100–499	3, plus 1 for each additional increment of 70 seats in excess of 100
500–1999	9, plus 1 for each additional increment of 80 seats in excess of 500
2000–7999	28 plus 1 for each additional increment of 95 seats in excess of 2000

Over 7999	91, plus 1 for each additional increment of 100 seats in excess of 8000
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**3.8.2.4. Access to Storeys Served by Escalators and Moving Walks**

- 1) In a *building* in which an escalator or inclined moving walk provides access to any floor level, an interior *barrier-free* path of travel shall be provided to that floor level.  
(See Note A-3.8.2.4.(1), NBC)
- 2) The route from the escalator or inclined moving walk to the *barrier-free* path of travel that leads from floor to floor required by Sentence (1) shall be clearly indicated by appropriate signs.

**3.8.2.5. Exterior Barrier-Free Paths of Travel to Building Entrances and Exterior Passenger-Loading Zones**

(See Note A-3.8.2.5., NBC)

- 1) A direct exterior *barrier-free* path of travel that complies with Subsection 3.8.3. shall be provided between a *barrier-free* entrance referred to in Article 3.8.2.2. and
  - a) a designated *barrier-free* parking area, where provided,
  - b) an exterior passenger-loading zone, where provided, and
  - c) a public thoroughfare.
 (See Notes A-3.8.2.5.(1) and (2), NBC)
- 2) In *storage garages*, a *barrier-free* path of travel that complies with Subsection 3.8.3. shall be provided between each parking level with *barrier-free* parking and all other parts of the *building* required to be provided with *barrier-free* access in accordance with Subsection 3.8.2. that are served by that *storage garage*.
- 3) Exterior passenger-loading zones shall comply with Subsection 3.8.3.
- 4) Where on-site parking is provided, parking stalls for use by persons with a disability shall be provided in accordance with one of the following:
  - a) as designated by Table 3.8.2.5.,
  - b) one parking stall shall be provided for each viewing position required in *assembly occupancies* in Sentence 3.8.2.3.(3), or
  - c) one parking stall shall be provided for each *barrier-free* residential suite.

**Table 3.8.2.5.  
Designated Parking Stalls  
Forming Part of Sentence 3.8.2.5.(4)**

Number of Parking Stalls	Number of Designated Stalls Required for Persons with Disability
1–10	1
11–35	2
36–50	3
51–99	4
100 and greater	5 plus 1 for every 50 additional spaces provided

- 5) Where on-site parking is provided, parking stalls for use by persons with a disability shall comply with Subsection 3.8.3.

**3.8.2.6. Controls**

- 1) Except as required by Sentence 3.5.2.1.(3), controls for the operation of *building* services or safety devices, including electrical switches, thermostats and intercom switches, that are intended to be operated by the occupant shall comply with Subsection 3.8.3.  
(See Note A-3.8.2.6.(1), NBC)

**3.8.2.7. Power Door Operators**

- 1) Except as provided in Sentences (2) and (3) and except for doors provided with hold-open devices, doors equipped with a self-closing device shall be equipped with power door operators complying with Subsection 3.8.3. that allows persons to activate the opening of the doors in the intended direction of travel, where the doors are located
  - a) in an entrance referred to in Article 3.8.2.2., including the interior doors of a vestibule where provided,
  - b) in a *barrier-free* path of travel, between the entrance referred to in Clause (a) and the entrance doors to *suites* or rooms served by a *public corridor* or a corridor used by the public (see Note A-3.8.2.7.(1)(b), NBC), and
  - c) in an entrance to a washroom with a *barrier-free* water closet.
- 2) Only the active leaf in a multiple leaf door in a *barrier-free* path of travel need conform to the requirements of this Article.
- 3) Where more than one doorway is provided at a *barrier-free* entrance, only one of them is required to comply with this Article.
- 4) Where doors, other than those described in Sentence (1), are equipped with power door operators, the power door operators shall be installed in conformance with Subsection 3.8.3.

**3.8.2.8. Plumbing Facilities**

- 1) Except as permitted by Sentence (3), at each location where washrooms are provided in a *storey* to which a *barrier-free* path of travel is required in accordance with Article 3.8.2.3., at least one universal washroom complying with Subsection 3.8.3. shall be provided. (See Notes A-3.8.2.8.(1) to (4), NBC)
- 2) Except as permitted by Sentence (3), where more than two water closets or a combination of more than one water closet and one urinal are provided in a washroom located in a *storey* to which a *barrier-free* path of travel is required in accordance with Article 3.8.2.3., at least one water-closet stall shall be *barrier-free* in accordance with Subsection 3.8.3. (See Notes A-3.8.2.8.(1) to (4), NBC)
- 3) Washrooms located within a *suite* of *residential occupancy* or a *suite* of *care occupancy* need not conform to the requirements of Sentence (1) or (2) except where required by Sentence 3.8.2.1.(7).
- 4) In a *building* in which water closets are required in accordance with Subsection 3.7.2., at least one *barrier-free* water closet 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.  
(See Notes A-3.8.2.8(1) to (4), NBC).
- 5) At least one water-closet stall or enclosure in a washroom required to be *barrier-free* shall comply with Subsection 3.8.3.

- 6) Where urinals are provided in a *barrier-free* washroom, at least one urinal for persons with limited mobility conforming to Subsection 3.8.3. shall be provided for every 10 urinals.
- 7) Where water-closet stalls are provided in a *barrier-free* washroom, at least one stall for persons with limited mobility conforming to Subsection 3.8.3. shall be provided for every 10 stalls.
- 8) A *barrier-free* washroom shall be provided with a lavatory that complies with Subsection 3.8.3.
- 9) Where mirrors are provided in a *barrier-free* washroom, at least one mirror shall comply with Subsection 3.8.3.
- 10) At each location where one or more drinking fountains are provided, at least one shall comply with Subsection 3.8.3.
- 11) At each location where one or more water-bottle filling stations are provided, at least one of them shall comply with Subsection 3.8.3.
- 12) Except within a *suite of care occupancy* or a *suite of residential occupancy*, where showers are provided in a *building*, at least one shower stall in each group of showers shall comply with Subsection 3.8.3.
- 13) At each location where a showering facility is provided for use by the general public or customers, or as part of a common-use area for employees, at least one universal dressing and shower room conforming to Subsection 3.8.3. shall be provided.  
(See Note A-3.8.2.8.(13), NBC)
- 14) Where a bathtub or shower is installed in a *suite of residential occupancy* required to be *barrier-free*, it shall comply with Subsection 3.8.3.
- 15) In *buildings* containing Group A, Group B, Division 2 or Group E major occupancies where at least one of these *major occupancies* has an *occupant load* of more than 500, at least one universal washroom on the *storey* on which the main *barrier-free* entrance to the *building* is located shall incorporate an accessible change space conforming to Subsection 3.8.3. (See Note A-3.8.2.8.(15), NBC)
- 16) Where laboratory sinks are installed in classrooms, one in 20 sinks or part thereof, but not less than 1 shall conform to Subsection 3.8.3.

### 3.8.2.9. Assistive Listening Devices

- 1) In a *building of assembly occupancy*, auditoria, meeting rooms and theatres with an area of more than 100 m<sup>2</sup> and all classrooms and court rooms shall be equipped with an assistive listening system complying with Subsection 3.8.3.
- 2) In each location where information, goods or services are provided to the public at service counters in *buildings of assembly occupancy*, at least one of the service counters shall be equipped with
  - a) an assistive listening system or adaptive technology conforming to Subsection 3.8.3., and
  - b) an amplification system, where there is a barrier to communication such as a glass screen.  
(See Note A-3.8.2.9.(2), NBC)

**3.8.2.10. Signs and Indicators**

- 1) Signs complying with Subsection 3.8.3. shall be installed to indicate the location of
  - a) *barrier-free* entrances,
  - b) *barrier-free* washrooms,
  - c) *barrier-free* showers,
  - d) *barrier-free* elevators,
  - e) *barrier-free* parking spaces,
  - f) facilities for persons with hearing disabilities,
  - g) facilities required under Article 3.3.1.7.
- 2) Where 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 providing visual and tactile information in accordance with Subsection 3.8.3. shall be installed to indicate the location of *barrier-free* facilities.
- 3) Except for doors that serve *service spaces* or are located within a *suite*, signs installed at or near doors shall provide the same information in both visual and tactile forms in accordance with Subsection 3.8.3.
- 4) Directional signs shall provide visual information in accordance with Subsection 3.8.3. (See Note A-3.8.2.10.(4), NBC)
- 5) A floor plan diagram complying with Article 3.8.3.9. showing *exits*, *means of egress*, and facilities required under Article 3.3.1.7. shall be installed.

**3.8.2.11. Counters**

- 1) Where a service counter is provided, at least one section of it shall comply with Subsection 3.8.3.

**3.8.2.12. Telephones**

- 1) In each location where one or more public telephones are installed, at least one telephone shall comply with Subsection 3.8.3.

**3.8.2.13. Emergency Equipment**

- 1) In each location where eye wash stations or emergency showers are installed in an area where a *barrier-free* path of travel is required, they shall comply with Subsection 3.8.3.

**3.8.2.14. Kitchen or Break rooms**

- 1) Where a kitchen or break room is provided for use as part of a common-use area for employees, it shall comply with Subsection 3.8.3.

**3.8.3. Design****3.8.3.1. Design Standards**

- 1) *Buildings* or parts thereof and facilities that are required to be *barrier-free* shall be designed in accordance with
  - a) this Subsection, or
  - b) the provisions of CSA B651, *Accessible design for the built environment* listed in Table 3.8.3.1., in their entirety.(See Note A-3.8.3.1.(1), NBC and Note NS-3.8.3.1.(1), NSBCR)



**Table 3.8.3.1.  
Barrier-free Design Provisions  
Forming Part of Sentence 3.8.3.1.(1)**

Barrier-free Application (Code References)	Applicable CSA B651 Provisions
Interior accessible routes (3.8.3.2.)	4.3 and 5.1
Exterior accessible routes (3.8.3.3.)	8.2.1 to 8.2.5 and 8.2.7
Parking stalls and passenger pickup areas (3.8.3.4.)	8.3.3, 9.3 and 9.5.1 to 9.5.2 <sup>1</sup>
Ramps (3.8.3.5.)	5.3 and 5.5
Doors and doorways (3.8.3.6.)	5.2
Passenger-elevating devices (3.8.3.7.)	5.6.2
Operating controls (3.8.3.8.)	4.2
Signage (3.8.3.9.)	4.5 and 9.4
Drinking fountains (3.8.3.10.)	6.1
Water-bottle filling stations (3.8.3.11.)	See Note 3
Washroom facilities (3.8.3.12. to 3.8.3.16.)	6.2 and 6.3
Bathing facilities (3.8.3.17. to 3.8.3.18.)	6.5
Communication (3.8.3.19. and 3.8.3.21.)	6.6
Counters (3.8.3.20. and 3.8.3.21.)	6.7.1
Spaces in seating area (3.8.3.22.)	6.7.2
Emergency equipment and laboratory sinks (3.8.3.23.)	See Note 4 7.4.4.2 to 7.4.4.4
Kitchen and break rooms (3.8.3.24.)	7.4.4.1 to 7.4.4.4
Sleeping units in roofed accommodation (3.8.3.25.)	6.2.5, 6.2.6.4, 7.4.3 <sup>2</sup> , 7.4.5, 7.4.6.3, 7.4.6.4
Suites of care and residential occupancies to be barrier-free (3.8.3.26.)	7.4.1.5.2, 7.4.2.1, 7.4.3, 7.4.4.1 to 7.4.4.4, 7.4.4.9, 7.4.5, 7.4.6.3, 7.4.6.4

Note 1. Clause 3.8.3.4.(3)(e), NSBCR must be complied with as well

Note 2. Grab bar requirements for water closets, showers and bathtubs are required to be met (Clauses 6.2.5 and 6.2.6.4).

Note 3. Water-bottle filling stations must comply with the NSBCR where installed if using the CSA standard for the design

Note 4. Emergency equipment (emergency showers and eye wash stations) must comply with the NSBCR where installed if using the CSA standard for the design

### 3.8.3.2. Barrier-Free Path of Travel

- 1) Except as required elsewhere in this Part or as permitted by Sentence (2) and Article 3.8.3.6. pertaining to doorways, the clear width of a *barrier-free* path of travel shall be not less than 1000 mm.
- 2) The clear width of a *barrier-free* path of travel is permitted to be reduced to not less than 850 mm for length of not more 600 mm, provided the clear floor space at either end of the reduced-clear width section is level within a rectangular area
  - a) whose dimension parallel to each end of the reduced-clear width section is not less than 1000 mm, and
  - b) whose dimension perpendicular to each end of the reduced-clear width section is not less than 1500 mm.

(See Note A-3.8.3.2.(2), NBC)

- 3) 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 in diameter,
  - b) have any elongated openings oriented approximately perpendicular to the direction of travel,
  - c) be stable, firm and slip-resistant,
  - d) have a cross slope no steeper than 1 in 50,
  - e) be bevelled at a maximum slope of 1 in 2 at changes in level between 6 mm and 13 mm, and
  - f) be provided with sloped floors or *ramps* at changes in level more than 13 mm.(See Note A-3.8.3.2.(3), NBC)
- 4) A *barrier-free* path of travel is permitted to include *ramps*, passenger elevators, or passenger-elevating devices to overcome a difference in level.
- 5) The width of a *barrier-free* path of travel that is more than 24 m long shall be increased to not less than 1750 mm for a length of 1750 mm at intervals not exceeding 24 m.
- 6) Where a section of *barrier-free* path of travel is less than 1500 mm wide for a distance of more than 12 m, it shall end in a clear floor space that is
  - a) not less than 1700 mm in diameter,
  - b) not less than 1700 mm by 1500 mm, or
  - c) T-shaped with overall dimensions measuring 1700 mm wide by 1500 mm long, where the two arms of the “T” are not less than 1000 mm wide and extend not less than 300 mm from each side of the base of the “T” and the base is not less than 1000 mm wide and extends not less than 500 mm from each arm.(See Note A-3.8.3.2.(6), NBC)

### 3.8.3.3. Exterior Walks

- 1) Exterior walks that form part of a *barrier-free* path of travel shall
  - a) have a slip-resistant, continuous and even surface,
  - b) be not less than 1600 mm wide,
  - c) have a level area conforming to Clause 3.8.3.5.(1)(c) adjacent to each entrance doorway, and
  - d) be designed in accordance with Clause 8.2.1 of CSA B651, *Accessible design for the built environment*.

### 3.8.3.4. Parking Stalls and Exterior Passenger-Loading Zones

- 1) 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 complying with Sentence (2), where there are curbs between the access aisle and the vehicle pull-up space, and
  - c) a clear height of not less than 3000 mm at the pull-up space and along the vehicle access and egress routes.
- 2) Where a curb ramp is installed, it shall have
  - a) a minimum width of 1500 mm,
  - b) a maximum slope of
    - i) 1 in 12 when the vertical rise is between 75 mm and 200 mm, or
    - ii) 1 in 10 when the vertical rise is less than 75 mm,
  - c) have a surface including flared sides that shall
    - i) be slip-resistant,
    - ii) have a detectable warning surface that complies with Sentence 3.3.1.19.(1), and

- iii) have a smooth transition from the *ramp* and adjacent surfaces, and
- d) have flared sides with a slope of not more than 1 in 10 where pedestrians are likely to walk across them.

(See Note NS-3.8.3.4., NSBCR)

- 3) Parking stalls for use by persons with physical disabilities shall
  - a) be not less than 2600 mm wide and provided on one side with an access aisle not less than 2000 mm wide (if more than one parking space is provided for persons with physical disabilities, a single access aisle can serve 2 adjacent parking stalls), and parallel parking stalls shall be not less than 7500 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 3.8.2.2., 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 regulations respecting traffic signs made under the *Motor Vehicle Act* (Nova Scotia).

### 3.8.3.5. Ramps

- 1) A *ramp* located in a *barrier-free* path of travel shall
  - a) have a clear width of not less than 1000 mm,  
(See Note A-3.4.3.4., NBC)
  - b) have a slope not more than 1 in 12,  
(See Note A-3.8.3.5.(1)(b), NBC)
  - c) have a level area not less than 1700 by 1700 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 Note A-3.8.3.5.(1)(c), NBC)
  - d) have a level area not less than 1500 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*,
  - e) except as provided in Sentences (2) and (3), be equipped with handrails conforming to Article 3.4.6.5., except that they shall be not less than 865 mm and not more than 965 mm high, and
  - f) be equipped with *guards* conforming to Article 3.4.6.6.
- 2) Handrails installed in addition to required handrails need not comply with the height requirements stated in Clause (1)(e).
- 3) The requirement for handrails in Clause (1)(e) need not apply to a *ramp* serving as an aisle for fixed seating.
- 4) The surfaces of *ramps* and landings shall
  - a) be hard or resilient where the *ramp* is steeper than 1 in 15  
(See Note A-3.8.3.5.(4)(a), NBC),
  - b) have a cross slope no steeper than 1 in 50, and
  - c) where exposed to water, be designed to drain.
- 5) *Ramps* and landings not at *grade* or adjacent to a wall shall have edge protection consisting of

- a) a curb not less than 75 mm high, or
- b) a raised barrier or rail located not more than 100 mm from the *ramp* or landing surface.

### 3.8.3.6. Doorways and Doors

- 1) Except where stated otherwise, this Article applies to swinging and sliding doors.
- 2) Every doorway that is located in a *barrier-free* path of travel shall have a clear width not less than 850 mm when the door is in the open position.  
(See Note A-3.8.3.6.(2), NBC)
- 3) 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 850 mm when the door is in the open position.  
(See Note A-3.8.3.6.(3), NBC)
- 4) Door-operating devices shall
  - a) comply with Clause 3.8.3.8.(1)(b), and
  - b) be operable at a height between 900 mm and 1100 mm above the floor.  
(See Note A-3.8.3.6.(4), NBC)
- 5) A threshold for a doorway referred to in Sentence (2) or (3) shall be not more than 13 mm higher than the finished floor surface and shall be bevelled to facilitate the passage of wheelchairs.
- 6) Where power door operators are installed, they shall
  - a) activate automatically or through the use of controls that
    - i) are located in a *barrier-free* path of travel,
    - ii) are marked with the International Symbol of Access,
    - iii) are located clear of the door swing and no more than 1500 mm from the door swing,
    - iv) comply with Subclause 3.8.3.8.(1)(a)(iii),
    - v) are operable from a height between 150 mm and 300 mm as well as between 900 mm and 1100 mm above the floor, and
    - vi) are operable by touching or approaching any part of their surface with a fist, arm or foot, and
  - b) unless equipped with safety sensors,
    - i) fully open the door in not less than 3 s,
    - ii) require a force not more than 65 N to stop movement of the door, and
    - iii) remain open for a minimum of 10 s.  
(See Notes A-3.8.3.6.(6) and (7), NBC)
- 7) A cane-detectable *guard* shall be installed on the hinged side of power-assisted doors that swing open into the path of travel.  
(See Notes A-3.8.3.6.(6) and (7), NBC)
- 8) Except as provided in Sentence (9) and except for a door with a power door operator complying with Sentence (6), when unlatched, a door in a *barrier-free* path of travel shall 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 swinging door,
  - b) 22 N in the case of an interior swinging door, or
  - c) 22 N in the case of a sliding door.

- 9) Sentence (8) 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 Note A-3.8.3.6.(9), NBC)
- 10) 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 Note A-3.8.3.6.(10), NBC)
- 11) Unless equipped with a power door operator complying with Sentence (6), a swinging 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
- 600 mm beyond the edge of the door opening if the door swings toward the approach side, and
  - 300 mm beyond the edge of the door opening if the door swings away from the approach side.
- (See Note A-3.8.3.6.(11), NBC)
- 12) 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 1350 mm plus the width of any door that swings into the space in the path of travel from one door to another.
- 13) Only the active leaf in a multiple-leaf door in a *barrier-free* path of travel need conform to the requirements of this Article.
- 14) Except as provided in Clause 3.8.3.5.(1)(c) and Sentence (16), the clear floor space on the pull side of a swinging door in a *barrier-free* path of travel shall be level within a rectangular area of not less than 1700 mm by 1500 mm measured from the hinged side of the door. (See Note A-3.8.3.6.(14), NBC)
- 15) Except as provided in Clause 3.8.3.5.(1)(c) and Sentence (16), the clear floor space on the push side of a swinging door and on each side of a sliding door in a *barrier-free* path of travel shall be level within a rectangular area
- whose dimension parallel to the closed door is not less than 1200 mm, and
  - whose dimension perpendicular to the closed door is not less than 1500 mm.
- (See Notes A-3.8.3.6.(14) to (16), NBC)
- 16) Where a door referred to in Sentences (14) and (15) is equipped with a power door operator complying with Sentence (6), the width of the clear floor space parallel to the closed door is permitted to be reduced to not less than 1000 mm. (See Notes A-3.8.3.6.(14) to (16), NBC)
- 17) 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 Note A-3.4.6.11.(4), NBC)
- 18) Except for Group B, Division 1 *occupancies*, glass or transparent doors or doors with vision glass complying with Article 3.3.1.20. shall be used in *barrier-free* entrances required by Sentence 3.8.2.2.(1).

### 3.8.3.7. Passenger-Elevating Devices

- 1) A passenger-elevating device referred to in Article 3.8.2.3. located in a *barrier-free* path of

travel shall

- a) conform to CSA B355, *Platform lifts and stair lifts for barrier-free access*,
- b) have a clear floor space not less than 1500 mm long by 1000 mm wide, and
- c) have entry doors or gates
  - i) providing a clear width not less than 850 mm in the open position if located on the short side of the passenger-elevating device, or
  - ii) providing a clear width not less than 1000 mm in the open position if located at either end of the long side of the passenger-elevating device.

### 3.8.3.8. Controls

- 1) Controls described in this Section shall
  - a) where located in a *storey* where a *barrier-free* path of travel is required and unless otherwise stated,
    - i) be in or adjacent to the *barrier-free* path of travel,
    - ii) be mounted 400 mm to 1200 mm above the floor, and
    - iii) be adjacent to and centred on either the length or the width of a clear space of 1350 mm by 800 mm,
  - b) be operable
    - i) with one hand in a closed fist position, without requiring tight grasping, pinching with fingers or twisting of the wrist, and
    - ii) unless otherwise stated, with a force not more than 22 N and
  - c) where controls provide a feedback signal to the user, it shall be both audible and visible. (See Note A-3.8.3.8.(1)(c), NBC)

### 3.8.3.9. Accessible Signs

- 1) Visual information signs required by Subsections 3.4.5. and 3.4.6. and Article 3.8.2.10. shall comply with Clauses 4.5.2, 4.5.3 and 4.5.4 of CSA B651, *Accessible design for the built environment*. (See Notes A-3.8.3.9.(1) and (2), NBC)
- 2) Except as provided in Sentence (4), tactile information signs required by Subsections 3.4.5. and 3.4.6. and Article 3.8.2.10. shall
  - a) have Braille and tactile characters in accordance with Clauses 4.5.6.2 and 4.5.6.3 of CSA B651, *Accessible design for the built environment*,
  - b) be installed on the wall closest to the latch side of the door or on the nearest wall on the right side of the door, where there is no wall at the latch side, and
  - c) be centred 1500 mm above the finished floor with the edge of the sign located not more than 300 mm from the door. (See Note A-3.8.3.9.(3), NBC)
- 3) Signs required by Article 3.8.2.10. shall incorporate the International Symbol of Access or the International Symbol of Access for Hearing Loss and appropriate graphical or textual information that clearly indicates the type of facilities available.
- 4) The floor plan diagram required by Sentence 3.8.2.10.(5) shall
  - a) be installed between 900 mm and 1100 mm above the finished floor measured to the highest point of the diagram,
  - b) have a clear floor space of 800 mm by 1350 mm in front of the floor plan diagram,
  - c) be installed near the elevators or in a central location where elevators are not installed,
  - d) incorporate appropriate tactile, graphical or textual information indicating the location of all provided facilities, and
  - e) be colour-contrasted with the background.

**3.8.3.10. Drinking Fountains**

- 1) Drinking fountains required by Sentence 3.8.2.8.(10) shall be equipped with controls that
  - a) activate automatically, or
  - b) comply with Clause 3.8.3.8.(1)(b) and are located on the front or on both sides of the fountain.
  
- 2) Where drinking fountains referred to in Sentence (1) are located in a *storey* where a *barrier-free* path of travel is required, they shall
  - a) be located along the *barrier-free* path of travel,
  - b) have a minimum clear floor space of 800 mm by 1350 mm in front of them,
  - c) where they have frontal access, provide a knee clearance in accordance with Clause 3.8.3.16.(1)(e), and
  - d) have a spout that
    - i) is located near the front of the unit, at a height between 750 mm and 915 mm above the floor, and
    - ii) directs water flow in a trajectory that is nearly parallel to the front of the unit, at a height not less than 100 mm.

(See Sentences 3.3.1.8.(2) and (3), NBC, on horizontal projections.)

**3.8.3.11. Water-Bottle Filling Stations**

- 1) Water-bottle filling stations required by Sentence 3.8.2.8.(11) shall be equipped with controls that
  - a) activate automatically, or
  - b) comply with Clause 3.8.3.8.(1)(b).
  
- 2) Water-bottle filling stations required by Sentence 3.8.2.8.(11) that are located in a *storey* where a *barrier-free* path of travel is required shall
  - a) be located along the *barrier-free* path of travel,
  - b) have a clear floor space of 800 mm by 1350 mm in front of them (See Notes A-3.8.3.11.(2)(b) and (d), NBC),
  - c) where they have frontal access, provide a knee clearance in accordance with Clause 3.8.3.16.(1)(e), and
  - d) be operable at a height of not more than 1200 mm above the floor. (See Notes A-3.8.3.11.(2)(b) and (d), NBC)

(See Sentences 3.3.1.8.(2) and (3), NBC, on horizontal projections)

**3.8.3.12. Accessible Water-Closet Stalls**

- 1) Water-closet stalls and enclosures required by Sentence 3.8.2.8.(5) shall
  - a) be not less than 1500 mm wide by 1500 mm deep,
  - b) have a clear lateral transfer space adjacent to the water closet that
    - i) is at least 1500 mm long, measured from the wall behind the water closet, and
    - ii) is at least 900 mm wide, measured from the closest edge of the water closet seat,

(See Note A-3.8.3.12.(1)(b), NBC)

  - c) have a clear floor space of 1700 mm by 1700 mm in front of the accessible stall,
  - d) be equipped with a door that
    - i) can be latched from the inside with a mechanism located 900 mm to 1100 mm above the floor that conforms to Clause 3.8.3.8.(1)(b),
    - ii) is aligned with either the transfer space adjacent to the water closet or with a clear floor space not less than 1700 mm by 1700 within the stall,
    - iii) provides a clear opening not less than 850 mm wide when it is open,
    - iv) is self-closing so that, when at rest, the door is ajar by not more than 50 mm beyond the jamb,
    - v) swings outward, unless there is sufficient floor space within the stall for the door

- to swing inward in addition to a clear floor space of at least 800 mm by 1350 mm, (See Note A-3.8.3.12.(1)(d)(v), NBC)
- vi) where the door swings outward, is provided with a horizontal, D-shaped, visually contrasting door pull not less than 140 mm long, located on the inside such that its midpoint is 200 mm to 300 mm from the hinged side of the door and 800 mm to 1000 mm above the floor, and  
(See Note A-3.8.3.12.(1)(d)(vi), NBC)
  - vii) is provided with a horizontal, D-shaped, visually contrasting door pull not less than 140 mm long located on the outside such that its midpoint is 120 mm to 220 mm from the latch side and 800 mm to 1000 mm above the floor,
  - e) have a water closet located so that the distance between the centre line of the fixture and the wall on one side is 460 mm to 480 mm,
  - f) be equipped with an L-shaped grab bar that
    - i) is mounted on the side wall closest to the water closet,
    - ii) has horizontal and vertical components not less than 760 mm long mounted with the horizontal component 750 mm to 850 mm above the floor and the vertical component 150 mm in front of the water closet, and  
(See Note A-3.8.3.11.(1)(f)(ii), NBC)
    - iii) complies with Article 3.7.2.7.,
  - g) be equipped with either one grab bar at least 600 mm long centred over the water closet, or 2 grab bars at least 300 mm long and located either side of the flush valve that,
    - i) conform to Article 3.7.2.7.,
    - ii) are mounted on the rear wall, and
    - iii) are mounted at the same height as the grab bar on the side wall or 100 mm above the top of the attached water tank, if applicable,
  - h) 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
  - i) be equipped with a toilet paper dispenser mounted on the side wall closest to the water closet such that,
    - i) the bottom of the dispenser is 600 mm to 800 mm above the floor, and
    - ii) the closest edge of the dispenser is 300 mm from the front of the water closet.

### 3.8.3.13. Universal Washrooms

(See Note A-3.8.3.13., NBC)

- 1) A universal washroom shall
  - a) be served by a *barrier-free* path of travel,
  - b) have a door complying with Article 3.8.3.6. that
    - i) has a latch-operating mechanism located 900 mm to 1100 mm above the floor that complies with Clause 3.8.3.8.(1)(b) and is capable of being locked from the inside and released from the outside in case of emergency, and
    - ii) if it is an outward swinging door that is not self-closing, has 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 1100 mm above the floor, and  
(See Note A-3.8.3.12.(1)(d)(vi), NBC)
  - c) have one lavatory conforming to Article 3.8.3.16.,
  - d) have one water closet conforming to Article 3.8.3.14. and Clause 3.8.3.12.(1)(e),
  - e) have a clear lateral transfer space adjacent to the water closet that conforms to Clause 3.8.3.12.(1)(b),
  - f) have grab bars conforming to Clauses 3.8.3.12.(1)(f) and (g),
  - g) have a coat hook conforming to Clause 3.8.3.12.(1)(h),
  - h) have a toilet paper dispenser conforming to Clause 3.8.3.12.(1)(i),
  - i) unless a counter is provided, have a shelf located not more than 1200 mm above the



- floor, and
    - j) be designed to permit a wheelchair to turn in an open space not less than 1700 mm in diameter.
- 2) A universal washroom required to have an accessible changing space as stipulated in Sentence 3.8.2.8.(15) shall
  - a) be equipped with an adult-sized change table,
  - b) have a clear floor space to accommodate the adult-sized change table that is 810 mm wide by 1830 mm long and does not overlap with the clear spaces required by Clauses (1)(c), (1)(e) and (j), and
  - c) have a clear transfer space of 900 mm by 1350 mm adjacent to the long side of the clear floor space for the adult-sized change table.

### 3.8.3.14. Water Closets

(See Note NS-3.8.3.14., NSBCR)

- 1) A water closet for a person with physical disabilities shall
  - a) be equipped with a seat located 430 mm to 460 mm above the floor,
  - b) flush automatically or be equipped with a flushing control that
    - i) is located 500 mm to 900 mm above the floor,
    - ii) is located no more than 350 mm from the transfer side, and
    - iii) complies with Clause 3.8.3.8.(1)(b),
  - c) be equipped with a seat lid or other back support, and
  - d) where it has a tank, have a securely attached tank top.

(See Note A-3.8.3.14.(1), NBC)

### 3.8.3.15. Water-Closet Stalls and Urinals for Persons with Limited Mobility

(See Note NS-3.8.3.14., NSBCR)

- 1) Water-closet stalls for persons with limited mobility required by Sentence 3.8.2.8.(7) shall
  - a) be at least 1500 mm deep and 890 to 940 mm wide,
  - b) be equipped with a door that
    - i) has a latch-operating mechanism conforming to Clause 3.8.3.8.(1)(b) that can be locked from the inside and released from the outside in the event of an emergency,
    - ii) provides a clear opening not less than 850 mm wide when it is open,
    - iii) swings outward, unless the minimum dimensions required by Clause (a) do not overlap with the area of the door swing,
    - iv) is self-closing so that, when at rest, the door is ajar by not more than 50 mm beyond the jamb, and
    - v) has a door pull on both sides of the door, near the latch side, located 900 mm to 1100 mm above the finished floor,
  - c) have ~~on~~ [one] water closet conforming to Article 3.8.3.14. centred within the stall,
  - d) have a horizontal grab bar conforming to Article 3.7.2.7. on each side of the water closet that
    - i) is located 750 mm to 850 mm above the floor,
    - ii) begins not more than 300 mm from the wall behind the water closet, and
    - iii) extends at least 450 mm in front of the toilet seat, and
  - 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.
- 2) Urinals described in Sentence 3.8.2.8.(6) shall
  - a) be wall-mounted, with the opening of the basin located not more than 430 mm above the floor,
  - b) be adjacent to an accessible route,

- c) have a clear width of approach of 800 mm wide by 1350 mm long centred on the urinal and unobstructed by privacy screens,
- d) have no step in front of it,
- e) have a flush valve that
  - i) is automatic, or
  - ii) complies with Clause 3.8.3.8.(1)(b) and is located 900 mm to 1100 mm above the floor, and
- f) have a vertically mounted grab bar installed on each side that
  - i) complies with Article 3.7.2.7.,
  - ii) is not less than 600 mm long, with its centre line 1000 mm above the floor, and
  - iii) is located not more than 380 mm from the centre line of the urinal.

### 3.8.3.16. Lavatories and Mirrors

- 1) Lavatories required by Sentence 3.8.2.8.(8) shall
  - a) be equipped with faucets complying with Sentence 3.7.2.3.(4),
  - b) be located so that the distance between the centre line of the lavatory and any side wall is not less than 460 mm,
  - c) have a clear floor space in front of the lavatory that is at least
    - i) 800 mm wide, centred on the lavatory, and
    - ii) 1350 mm long, of which no more than 430 mm is beneath the lavatory,
  - d) have a rim height not more than 865 mm above the floor,
  - e) have a clearance beneath the lavatory not less than
    - i) 800 mm wide,
    - ii) 735 mm high at the front edge
    - iii) 685 mm high at a point 200 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,
 (See Note A-3.8.3.16.(1)(e), NBC)
  - f) have insulated water supply and drain pipes where these pipes are exposed, (See Note A-3.8.3.16.(1)(f), NBC)
  - g) have a soap dispenser that
    - i) is automatic, or
    - ii) complies with Clause 3.8.3.8.(1)(b) and is located not more than 1100 mm above the floor within 500 mm from the front of the lavatory, and
 (See Note A-3.8.3.16.(1)(g), NBC)
  - h) have a towel dispenser or other hand-drying equipment located close to the lavatory, not more than 1200 mm above the floor in an area that is accessible to persons in wheelchairs.
- 2) Mirrors required by Sentence 3.8.2.8.(9) shall be
  - a) mounted with their bottom edge not more than 1100 mm above the floor, or
  - b) fixed in an inclined position so as to be usable by a person in a wheelchair.

### 3.8.3.17. Showers

- 1) Showers required by Subsection 3.8.2. to be *barrier-free* 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 that is 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 Note A-3.8.3.17.(1)(b), NBC)
  - c) have no doors or curtains that obstruct the controls or clear floor space at the entrance to the shower,
  - d) have a slip-resistant floor surface,

- e) have a threshold not more than 13 mm higher than the finished floor, and where it is higher than 6 mm, bevelled to a slope no steeper than 1 in 2 (50%),
  - f) have 2 grab bars
    - i) that conform to Sentence 3.7.2.7.(1),
    - ii) one of which is not less than 1000 mm long and located vertically on the side wall 50 mm to 80 mm from the adjacent clear floor space, with its lower end 600 mm to 650 mm above the floor, and
    - iii) one of which is L-shaped and located on the wall opposite the entrance to the shower, with a horizontal member not less than 1000 mm long mounted 750 mm to 870 mm above the floor and a vertical member not less than 750 mm long mounted 400 mm to 500 mm from the side wall on which the other vertical grab bar is mounted,  
(See Note A-3.8.3.17.(1)(f), NBC)
  - g) have a hinged seat that is not spring loaded, or a fixed seat with a smooth slip-resistant surface and no rough edges, the seat being
    - i) not less than 450 mm wide and 400 mm deep,
    - ii) mounted on the same side wall as the vertical grab bar, at 460 mm to 480 mm above the floor, and
    - iii) designed to carry a minimum load of 1.3 kN,
  - h) have a pressure-equalizing or thermostatic-mixing valve that
    - i) complies with Clause 3.8.3.8.(1)(b),
    - ii) is mounted on the wall opposite the entrance to the shower at not more than 1200 mm above the floor and within reach of the seat,
  - i) have a hand-held shower head with not less than 1800 mm of flexible hose located so that it
    - i) can be reached from the seated position,
    - ii) can be used in a fixed position at a height of 1200 mm and 2030 mm, and
    - iii) does not obstruct the use of the grab bars, and
  - j) have recessed soap holders that can be reached from a seated position.
- 2) A universal dressing and shower room required by Sentence 3.8.2.8.(13) shall
- a) be located in a *barrier-free* path of travel,
  - b) have a door capable of being locked from the inside and released from the outside in the event of an emergency,
  - c) have a lavatory and a mirror conforming to Article 3.8.3.16.,
  - d) have a shower conforming to Sentence (1),
  - e) have a bench that is at least 1830 mm long by 760 mm wide and 480 mm to 520 mm high,
  - f) have a clear transfer space adjacent to the long side of the bench that is 900 mm wide and as long as the bench (See Note A-3.8.3.17.(2)(f), NBC), and
  - g) have a coat hook conforming to Clause 3.8.3.12.(1)(h).
- 3) If individual shower stalls are provided for use by residents and patients in *buildings* of Group B, Division 2, 3 or 4, *care, treatment or home-type care occupancies*, they shall conform to the requirements of Sentence (1) except where
- a) common showers are provided in conformance with Sentence (1), or
  - b) common bathtubs equipped with hoist mechanisms to accommodate residents and patients are available.

### 3.8.3.18. Accessible Bathtubs

- 1) Bathtubs required by Sentence 3.8.2.8.(14) shall
- a) be located in a room with a clear floor space not less than 1700 mm in diameter,
  - b) be not less than 1500 mm long,

- c) have a clear floor space not less than 900 mm wide adjacent to its entire length,
- d) be capable of being accessed along its full length with no tracks mounted on its rim,
- e) have faucets or other controls that
  - i) conform to Clause 3.8.3.8.(1)(b), and
  - ii) are located on the centre line or between the centre line of the bathtub and the exterior edge of the bathtub rim, at a maximum height of 450 mm above the rim,
- f) have 3 grab bars
  - i) that conform to Sentence 3.7.2.7.(1),
  - ii) that are not less than 1200 mm long,
  - iii) 2 of which are located vertically at each end of the bathtub, set 80 mm to 120 mm in from the outside edge of the bathtub, with their lower end 180 mm to 280 mm above the bathtub rim, and
  - iv) one of which is located horizontally along the length of the bathtub at 180 mm to 280 mm above the bathtub rim,
- g) have a slip-resistant bottom surface, and
- h) be equipped with a hand-held shower head with not less than 1800 mm of flexible hose that can be used in a fixed position at a height of 1200 mm to 2030 mm.

### 3.8.3.19. Assistive Listening Systems

(See Note A-3.8.3.19, NBC)

- 1) Assistive listening systems required by Sentence 3.8.2.9.(1) shall encompass the entire seating area.
- 2) Assistive listening systems or adaptive technologies required by Sentence 3.8.2.9.(2) shall provide for the clear communication required for the exchange of information, goods or services.

### 3.8.3.20. Counters

- 1) A section of a service counter required to be *barrier-free* in accordance with Sentence 3.8.2.11.(1) shall
  - a) be not less than 800 mm long centred over a knee space conforming to Clause (c),
  - b) have a surface not more than 865 mm above the floor, and
  - c) where forward-facing interaction with a person or a device is required, have a knee space underneath it that is  
(See Note A-3.8.3.20.(1)(c), NBC)
    - i) not less than 800 mm wide,
    - ii) not less than 685 mm high, and
    - iii) not less than 485 mm deep.
- 2) A counter that is used in a cafeteria, grocery store checkout or one that performs a similar function whereat movement takes place parallel to the counter, need not provide a knee space underneath it.

### 3.8.3.21. Telephones and TTY/TTD Telephone Services

- 1) A telephone required to be *barrier-free* in accordance with Article 3.8.2.12. shall
  - a) be adjacent to and centred on either the length or the width of a clear floor space not less than 1350 mm by 800 mm,
  - b) where a forward approach is provided, have a knee space underneath it conforming to Clause 3.8.3.20.(1)(c), and
  - c) be located so that its receiver and operable parts are not more than 1200 mm above the floor.
- 2) Where provided, shelves or counters for public telephones shall

- a) be level,
  - b) be not less than 305 mm deep,
  - c) have, for each telephone provided, a clear floor space not less than 250 mm wide having no obstruction within 250 mm above the surface, and
  - d) have a section with a surface not more than 865 mm above the floor serving at least one telephone.  
(See Note A-3.8.3.21.(2), NBC)
- 3) Where public telephones are provided, at least one telephone shall be provided with a variable volume control on the receiver.
- 4) At least one built-in teletypewriter telephone (TTY/TTD) shall be provided and located in a publicly accessible location as follows:
- a) where 4 or more public access telephones are provided, including interior and exterior locations,
  - b) where the *building area* exceeds 600 m<sup>2</sup>, in a Group A, Group B, Group D or Group E *occupancy* when telephones are provided,
  - c) in a hotel or motel that
    - i) exceeds 600 m<sup>2</sup> in *building area*, or
    - ii) is required by Sentence 3.8.2.1.(2) to provide a *barrier-free suite*, and
  - d) in *camping accommodation* required by Sentence 3.8.2.1.(4) to provide *barrier-free suites*, unless a portable unit is available for use.  
(See Note NS-3.8.3.21.(4)(d), NSBCR)
- 5) Where public telephones are provided, at least one electrical receptacle shall be provided within 500 mm of one of the public telephones.

### 3.8.3.22. Spaces in Seating Area

- 1) Spaces designated for wheelchair use in *assembly occupancies* as required by Sentence 3.8.2.3.(3) shall conform to the following:
- a) at least one designated space shall be clear and level for each increment of 200 seats and the remaining designated spaces shall be level and have removable seats,
  - b) they shall be not less than 900 mm wide and 1700 mm long to permit a wheelchair to enter from a side approach and 1350 mm long where the wheelchair enters from the front or rear of the space,
  - c) they shall be arranged so that
    - i) at least 2 designated spaces are side by side, and
    - ii) at least one fixed seat is located beside each designated space,
  - d) they shall be located adjoining a *barrier-free* path of travel without infringing on egress from any row of seating or any aisle requirements, and
  - e) they shall be situated, as part of the designated seating plan, to provide a choice of viewing location on every level with a *barrier-free* path of travel and a clear view of the event taking place.  
(See Notes A-3.8.2.3.(5) and (6) and 3.8.3.22.(1) and (4), NBC)
- 2) Spaces designated for wheelchair use in waiting rooms or areas as required by Sentence 3.8.2.3.(4) shall
- a) be clear and level, and
  - b) comply with Clauses (1)(b) and (d).
- 3) Adaptable seats required by Sentence 3.8.2.3.(5) shall
- a) be located adjoining an aisle without infringing on egress from any row of seating or any aisle requirements,

- b) be equipped with a movable or removable armrest on the side of the seat adjoining the aisle, and
  - c) be situated, as part of a the designated seating plan, to provide a choice of viewing location on every level with a *barrier-free* path of travel and a clear view of the event taking place.
- 4) Storage spaces for mobility aids shall be provided in a location
- a) that is on the same level as and in proximity to the adaptable seats required by Sentence 3.8.2.3.(5),
  - b) that is within the room side of the *fire separation* required by Article 3.3.2.2., and
  - c) where they will not infringe on egress.
- (See Notes A-3.8.3.22.(4), A-3.8.2.3.(5) and (6) and 3.8.3.22.(1) and (4), NBC)

### 3.8.3.23. Emergency Equipment and Laboratory Sinks

- 1) Eye wash stations required by Sentence 3.8.2.13.(1) to be *barrier-free* shall
- a) be located along the *barrier-free* path of travel,
  - b) have a minimum clear floor space of 800 mm wide by 1350 mm long in front of them,
  - c) provide a knee clearance as described in Clause 3.8.3.16.(1)(e),
  - d) be equipped with controls that comply with Sentence 3.8.3.8.(1), and
  - e) have the spray heads located at a height between 750 mm and 915 mm above the floor.
- 2) Emergency showers required by Sentence 3.8.2.13.(1) to be *barrier-free* shall
- a) be located along the *barrier-free* path of travel,
  - b) have a minimum clear floor space of 800 mm by 1350 mm centred under the shower, and
  - c) be equipped with controls that comply with Sentence 3.8.3.8.(1).
- 3) Laboratory sinks and counters in classrooms required by Sentence 3.8.2.8.(16) to be *barrier-free* shall be installed as follows:
- a) there must be a minimum of 1200 mm clearance between counters and all opposing base cabinets, counter tops or walls,
  - b) the sink shall
    - i) be mounted with the rim between 810 [mm] and 860 mm above the floor,
    - ii) have a knee space at least 800 mm wide and 200 mm deep, and a toe space 800 mm wide, 230 mm deep and 230 mm high,
    - iii) have a clear floor space 800 mm wide by 1350 mm long, of which 480 mm may extend under the work surface,
    - iv) have faucets that are equipped with lever handles or automatically activate, and
    - v) have insulated hot water and drain pipes that do not abut the required clear space,
  - c) base cabinets shall have a toe space at least 150 mm deep and 230 mm high, and
  - d) any work surface provided next to the laboratory sink shall
    - i) be a minimum of 800 mm wide by 600 mm deep,
    - ii) be between 730 mm and 860 mm above the finished floor,
    - iii) have a clear floor space of at least 800 mm wide by 1350 mm long centred on the work surface, of which 480 mm may extend under the counter or work surface,
    - iv) have a knee space a minimum of 800 mm wide, 480 mm deep and 685 mm high, and
    - v) if electrical receptacles are provided, have ~~one~~ [one] located on the front or side of the work surface.

### 3.8.3.24. Kitchens and Break Rooms

- 1) Kitchens and break rooms referred to in Sentence 3.8.2.14.(1) shall meet the following requirements:

- a) one section of the counter shall comply with Sentence 3.8.3.20.(1) or be adjustable between a height of 735 mm and 915 mm,
- b) an electrical receptacle shall be located at the front or side of the counter referred to in Clause (a),
- c) where a sink is provided, the trap arm shall be installed no higher than 305 mm to the centre line of the pipe measured from the finished floor, and
- d) a clear floor space of 800 mm by 1350 mm shall be centred in front of each
  - i) sink,
  - ii) range,
  - iii) cooktop,
  - iv) refrigerator,
  - v) dishwasher, and
  - vi) other major appliance.

### 3.8.3.25. Sleeping Units in Roofed Accommodations

- 1) Where sleeping unit *suites* conforming to this Article are required by Sentence 3.8.2.1.(2), they shall have
  - a) sufficient space to provide a turning area of not less than 1700 mm diameter on one side of the bed,
  - b) sufficient space to provide clearance of not less than 1000 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 no more than 1200 mm from the finished floor, and
    - iii) at least one shelf located at a height between 400 mm and 1200 mm above the finished floor,
  - 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 400 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 used by persons in wheelchairs conforming to the following:
    - i) a floor space of not less than 3.7 m<sup>2</sup> with no dimension less than 1700 mm when the door swings out and 4.0 m<sup>2</sup> with no dimension less than 1800 mm when the door swings in,
    - ii) grab bars conforming to Clauses 3.8.3.12.(1)(f) and (g),
    - iii) a coat hook conforming to Clause 3.8.3.12.(1)(h),
    - iv) a water closet conforming to Article 3.8.3.14.,
    - v) at least one lavatory and mirror conforming to Article 3.8.3.16.,
    - vi) a shower conforming to Article 3.8.3.17. or a bathtub conforming to Article 3.8.3.18., and
    - vii) the clear floor spaces required for the fixtures in Subclauses (iv), (v) and (vi) are permitted to overlap,
 (See Sentence 3.8.2.1.(3) for determination of minimum number of suites required to have *barrier-free* showers)
  - i) a towel bar or rack located not more than 1200 mm above the finished floor, located close to the lavatory, and
  - j) an entrance door to the *suite* that
    - i) has a lock that is operable with one hand,
    - ii) complies with the requirements of Article 3.8.3.6., and

- iii) has door viewers installed at a height between 1050 mm and 1150 mm above the finished floor and between 1450 mm and 1550 mm above the finished floor.

### 3.8.3.26. Suites of Care and Residential Occupancies to be Barrier-free

#### General

- 1) Where a *suite of care or residential occupancy* is required by Sentence 3.8.2.1.(7) to provide *barrier-free* access, it shall be served by
  - a) a entrance door to the *suite* that complies with Article 3.8.3.6.,
  - b) a *barrier-free* path of travel to, into, and throughout each required *suite* in accordance with Subsection 3.8.3.,
  - c) an accessible balcony, if required, in accordance with Clause 3.3.1.7.(1)(c), 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)(f) and Subclause (4)(c)(v).

#### Sleeping Area

- 2) Where a *suite of residential occupancy* is required by Sentence 3.8.2.1.(7) to provide *barrier-free* access, it shall contain at least one sleeping area with
  - a) a minimum floor space of 12.25 m<sup>2</sup>,
  - b) at least one horizontal room dimension of 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 no more than 1200 mm, and
    - iii) at least one shelf located at a height between 400 mm and 1200 mm above the finished floor.

#### Bathroom

- 3) Where a *suite of care or residential occupancy* is required by Sentence 3.8.2.1.(7) 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 m<sup>2</sup> with no dimension less than 1700 mm when the door swings out and 4.0 m<sup>2</sup> with no dimension less than 1800 mm when the door swings in,
  - b) a water closet conforming to Article 3.8.3.14. and Clauses 3.8.3.12.(1)(b) and (e),
  - c) a lavatory conforming to Article 3.8.3.16.,
  - d) at least one shower conforming to Article 3.8.3.17.,
  - e) where a bathtub is provided, a bathtub conforming to Article 3.8.3.18.,
  - f) a GFI razor outlet located not more than 1200 mm above the floor, and
  - g) grab bars conforming to Clauses 3.8.3.12.(1)(f) and (g).

#### Kitchen

- 4) Where a *suite of care or residential occupancy* is required by Sentence 3.8.2.1.(7) 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 of 800 mm by 1350 mm at each
    - i) range,
    - ii) cooktop,
    - iii) oven,
    - iv) refrigerator or freezer,
    - v) dishwasher, and
    - vi) other major appliance,



- c) a minimum of one work surface that
  - i) is 800 mm wide by 600 mm deep,
  - ii) is 730 mm to 860 mm above the floor,
  - iii) has a clear floor space of 800 mm by 1350 mm, which may extend 480 mm under the work surface,
  - iv) has a knee space that is a minimum of 800 mm wide, 480 mm deep and 685 mm 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 that is 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 800 mm wide and 250 mm deep, and a toe space 800 mm wide, 230 mm deep and 230 mm high,
  - iii) with a clear floor space 800 mm by 1350 mm, which may extend 480 mm under the work surface,
  - iv) with faucets equipped with lever handles or [that] activate automatically, and
  - v) with insulated hot water and drain pipes that do not abut the required clear space,
- f) where upper cabinets are provided, an upper cabinet with a minimum of one shelf not more than 1100 mm above the finished 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, and
- h) all controls in compliance with Clause (1)(d), except as required by Subclause (4)(c)(v).

### 3.8.4. Adaptable Housing Requirements

#### 3.8.4.1. Application

- 1) Except as permitted by Sentences (2) and (3), this Subsection applies to the design and construction of all *dwelling units*.
- 2) This Subsection need not apply to
  - a) hotels and motels,
  - b) *tiny houses* complying with Section 9.38., and
  - c) *dwelling units* required to be *barrier-free* under Sentence 3.8.2.3.(7).
- 3) This Subsection does not apply to existing *buildings*, except for
  - a) additions to a *dwelling unit*,
  - b) alterations or reconstruction of existing spaces within a *dwelling unit*, or
  - c) the conversion of an existing space into a new *dwelling unit*.

#### 3.8.4.2. Entrance Doors to Dwelling Units

- 1) All *dwelling units* shall have at least one entrance door having a clear width not less than 850 mm wide equipped with door opening hardware conforming to Sentence 3.8.4.6.(2).
- 2) Except as provided in Sentence (3), the entrance door in Sentence (1) shall have a threshold that complies with Sentence 3.8.3.6.(5).
- 3) The entrance door to a *building* described in Clause 3.8.2.1.(1)(a) shall be easily accessed and capable of being made *barrier-free* from a sidewalk or parking area.

#### 3.8.4.3. Interior Doors and Corridors in Dwelling Units

- 1) Doors or passageways within *dwelling units* to *habitable rooms* and *service rooms* shall have

a clear width not less than 850 mm wide and be equipped with door opening hardware conforming to Sentence 3.8.4.6.(2).  
(See Note NS-3.8.4.3., NSBCR)

- 2) Where a door is installed between an attached garage and a *dwelling unit*, the door shall conform to Article 3.8.4.2.
- 3) Corridors within *dwelling units* shall have a clear width of not less than 900 mm.

#### 3.8.4.4. Kitchens in Dwelling Units

- 1) Kitchen sinks in *dwelling units* shall be equipped with lever-type faucets or hardware conforming to Sentence 3.8.4.6.(2).
- 2) All trap arms running from P-traps under the kitchen sink shall be installed no higher than 305 mm to the centre line of the pipe measured from the finished floor.
- 3) An electrical rough-in shall be located below the counter top to allow for the installation of an electrical receptacle conforming to Subclause 3.8.3.24.(4)(c)(v).
- 4) Duplex electrical receptacles located over a kitchen counter are not required to comply with this Subsection.

#### 3.8.4.5 Bathrooms in Dwelling Units

- 1) All lavatories in *dwelling units* shall be equipped with lever-type faucets or hardware conforming to Sentence 3.8.4.6.(2).
- 2) Wall assemblies that enclose a bathroom in a *dwelling unit* shall include reinforcement to accommodate the future installation of grab bars described in
  - a) Clauses 3.8.3.12.(1)(f) and (g), for a water closet,
  - b) Clause 3.8.3.18.(1)(f), for a bathtub, and
  - c) Clause 3.8.3.17.(1)(f), for a shower.(See Note NS-3.8.4.5., NSBCR)
- 3) In *buildings* that contain more than three *suites of residential occupancy* and are more than 3 *storeys* in *building* height, all floors that have a *barrier-free* path of travel shall conform to Sentences (4) to (8).
- 4) There shall be at least one bathroom located on the main entry level of each *suite*.
- 5) The bathroom described in Sentence (4) shall be equipped with a minimum of
  - a) one water closet that
    - i) complies with Clauses 3.8.3.14.(1)(a) to (d), and
    - ii) is located so that the distance between the centre line of the fixture and any wall or other fixture is not less than 460 mm, and
  - b) one lavatory that complies with Clauses 3.8.3.16.(1)(a) and (b).
- 6) A clear floor space, exclusive of door swing, of not less than 800 mm by 1350 mm is required to be provided.
- 7) A clear floor space in front of the lavatory of not less than 800 mm by 1350 mm, centred on the lavatory, is required to be provided.
- 8) The clear floor spaces required in Sentences (6) and (7) are permitted to overlap.

**3.8.4.6. Duplex Receptacles, Switches and Controls**

(See Note NS-3.8.4.6., NSBCR)

- 1) Operating controls in a *dwelling unit* include, but are not limited to,
  - a) door handles and locks,
  - b) faucets and adjustable shower heads,
  - c) non-proprietary duplex electrical receptacles, telephone, cable and data outlets and wall switches,
  - d) controls for the operation of *building* services, safety devices and intercoms, and
  - e) activation devices.
  
- 2) Except as permitted by Sentence (3), all controls in a *dwelling unit* shall be operable
  - a) with one hand, using
    - i) a closed fist position, or
    - ii) another method of operation that does not require tight grasping, pinching or twisting of the wrist, and
  - b) with a force of not more than 22 N.
  
- 3) A control identified in Clause (1)(a) or (b) need not meet the actual requirements in Clause (2)(a) provided that it remains possible for door hardware or a faucet, which conforms to those requirements, to be installed.
  
- 4) Except as provided in Sentence (5), the centre line height of the operating controls shall be located in a range between 400 mm and 1200 mm from the finished floor.
  
- 5) Sentence (4) does not apply where an additional or required non-proprietary duplex electrical receptacle is permitted by the electrical *authority having jurisdiction* to be mounted in a location other than a wall.  
(See Note NS-3.8.4.6.(5), NSBCR)

**Schedule D: Alternate Compliance Methods for Existing Buildings**

No.	NBC Requirement (as amended by NSBCR where applicable)	Alternate Compliance Methods
1	Fire Separations (2 h)	
	Article 3.1.3.1. and Table 3.1.3.1. (Part 3); Subsection 9.10.9. (Part 9) 2 h fire separation required between some major occupancies	Except for Group F1 occupancies, 1 h fire separation is acceptable provided the building is fully sprinklered.
2	Fire Separations (1 h)	
	Article 3.1.3.1. and Table 3.1.3.1. (Part 3); Subsection 9.10.9. (Part 9) 1 h fire separation required between some major occupancies	30 min. fire separation is acceptable provided the building is fully sprinklered.

3	Noncombustible Construction	
	Subsection 3.1.5. (Part 3); Article 9.10.6.1. (Part 9) All materials used in noncombustible construction must be noncombustible unless otherwise permitted.	1. Roofs may be of combustible construction provided the building is fully sprinklered.  2. Up to 10% gross floor area to a maximum of 10% of any 1 floor area may be of combustible construction provided the building is fully sprinklered.
4	Fire-resistance Rating	
	Sentence 3.1.7.1.(1) (Part 3); Article 9.10.3.1. (Part 9) Where a material, assembly of materials or structural member is required to have a fire-resistance rating it shall be tested in accordance with the CAN/ULC-S101 standard.	A fire-resistance rating may also be used where they are based on 1 of the following: (a) HUD Rehabilitation Guidelines 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	
	Article 3.1.7.5. (Part 3); Article 9.10.8.3. (Part 9) 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 building is (a) fully sprinklered, and (b) does not exceed 5 storeys in building height.
6	Continuity of Fire Separations	
	Sentences 3.1.8.3.(1) and (2) (Part 3); Article 9.10.9.2. (Part 9) Fire separations are required to be continuous above the ceiling space.	Fire separations are not required to be continuous above the ceiling space where: (a) the ceiling space is noncombustible construction, (b) both fire compartments are sprinklered, or (c) the ceiling has a minimum rating of 30 min.
7	Wired Glass	
	Sentences 3.1.8.5.(1) and 3.1.8.16.(2) (Part 3); Article 9.10.13.1. (Part 9) 6 mm wired glass in steel frame required in fire separations.	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.
8	Mezzanines	
	Sentence 3.2.1.1.(3) to (6) (Part 3); Article 9.10.4.1. (Part 9) Mezzanines enclosing more than 10% above the horizontal plane are considered a storey in building height.	Mezzanines may enclose up to 20% above the horizontal plane and not be considered a storey in building height provided the building is fully sprinklered.

9	Spatial Separation	
	Subsection 3.2.3. (Part 3); Subsection 9.10.14. (Part 9) Specified maximum areas of unprotected openings.	The area of unprotected opening is not limited provided: (a) the exterior walls have an interior thermal 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 building has a supervised sprinkler system in conformance with Sentence 3.2.4.8.(2), (Part 3), (d) the sprinkler system is connected to the fire department in conformance with Sentence 3.2.4.7.(4). (Part 3).
10	Construction of Exposing Building Face	
	Article 3.2.3.7. (Part 3); Articles 9.10.14.5. and 9.10.15.5. (Part 9) The exposing building face is required to have a fire-resistance rating and/or be of noncombustible construction.	1. Exposing building face is not required to have a fire-resistance rating provided the building is fully sprinklered.  2. Also, the exposing building face is not required to be of noncombustible construction if: (a) it is protected by an exterior sprinkler system conforming to NFPA 13, and (b) has a thermal barrier as specified in item no. 9(a) of this compliance table.
11	Roof Covering Rating	
	Article 3.1.15.2. (Part 3) Class A, B or C roof covering in conformance with CAN/ULC-S107 required.	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.
12	Interconnected Floor Space	
	Subsection 3.2.8. (Part 3); Sentence 9.10.1.3.(6) (Part 9) Openings that are not protected by shafts or closures shall be protected in conformance with Subsection 3.2.8. or Sentence 9.10.1.3.(6).	An open stair in buildings of maximum 3 storeys in building height need not comply with Subsection 3.2.8. (Part 3) provided: (a) the stair is not a required exit stair, (b) the building contains a Group C or D occupancy, (c) the building 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.
13	Separation of Suites	
	Article 3.3.1.1. (Part 3); Article 9.10.9.13. and 9.10.9.14. (Part 9) Suites are required to be separated from adjoining suites by 45 min. or 1 h rated fire separations.	Existing 30 min fire separations are acceptable in fully sprinklered buildings not exceeding 5 storeys in building height.

14	Public Corridor Fire Separation	
	Article 3.3.1.4. (Part 3); Article 9.10.9.15. (Part 9) Public corridors are required to be separated from the remainder of the building by a fire separation having a fire-resistance rating of at least 45 min.	Existing corridors with 30 min. fire-resistance ratings are acceptable in residential occupancies provided the building (a) does not exceed 5 storeys in building height, and (b) is fully sprinklered with fast-response sprinklers.
15	Width of Corridors	
	Articles 3.3.1.9. and 3.4.3.1. (Part 3); Article 9.9.3.3. (Part 9) Public corridors, corridors used by the public and exit corridors are required to have a minimum width of 1100 mm.	Public corridors, corridors used by the public and exit corridors are permitted with a minimum width of 800 mm if (a) the occupant load of the building is not more than 20 people, and (b) the building does not exceed 3 storeys in building height.
16	Door Swing	
	Articles 3.3.1.11. and 3.4.6.12. (Part 3); Article 9.9.6.5. (Part 9) Doors are required to swing in the direction of exit travel.	A 2nd egress door from a room is not required to swing in the direction of exit travel provided the building: (a) is fully sprinklered and the system is supervised in conformance with Sentence 3.2.4.8.(2), (Part 3), (b) the occupant load of the building is not more than 100 people.
17	Stairs, Ramps, Handrails and Guards	
	Article 3.3.1.14., 3.3.1.16., 3.3.1.18., 3.4.6.4. to 3.4.6.9. (Part 3); Section 9.8. (Part 9)	Existing conditions that do not comply fully with the requirements are permitted if they (a) do not create an unsafe condition, and (b) are acceptable to the authority having jurisdiction.
18	Transparent Doors and Panels	
	Article 3.3.1.19. (Part 3); 9.6.1.4. (Part 9) Glass in doors and sidelights is required to be protected by guards and to be safety glass.	Existing glass or transparent panels that do not comply fully with the requirements are permitted if (a) sufficiently discernible, or (b) guards are provided in hazardous situations.
19	Dead-end Corridors	
	Sentence 3.3.1.9.(7) (Part 3); Article 9.9.7.3. (Part 9) Dead-end corridors are permitted to a maximum length of 6 m.	1. Dead-end corridors are permitted to a maximum length of 10 m in Group C occupancies provided (a) the building 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 length of 15 m in Group D, E, F2 and F3 occupancies provided (a) the building is fully sprinklered with fast-response sprinklers, and (b) smoke detectors are installed in the corridor system.

20	Exits	
	Article 3.4.2.1. (Part 3); Article 9.9.8.2. (Part 9) Floor areas shall be served by not fewer than 2 exits except as permitted by Sentence 3.4.2.1.(2) (Part 3).	Floor areas may be served by a single exit within the limits of Sentence 3.4.2.1.(1) (Part 3) provided the building: (a) does not exceed 3 storeys in building height, (b) is fully sprinklered with fast-response sprinklers, and (c) contains an approved fire alarm system with smoke detectors located in accordance with Article 3.2.4.11. (Part 3).
21	Reduction of Exit Width	
	Sentence 3.4.3.3.(2) (Part 3); Article 9.9.6.1. (Part 9) Swinging doors in their swing shall not reduce the effective width of exit stairs and landings to less than 750 mm	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: (a) they serve Group C or D occupancies, (b) the building does not exceed 5 storeys in building height, and (c) the building is fully sprinklered.
22	Fire Separation of Exits	
	Article 3.4.4.1. (Part 3); Subsection 9.9.4. (Part 9) 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 45 min.	1. Existing fire separations of 30 min. are acceptable provided the building (a) does not exceed 3 storeys in building height, and (b) is fully sprinklered with fast-response sprinklers.  2. Buildings not exceeding 5 storeys in building height may have exits that are separated by a 45 min. fire separation if the building is fully sprinklered.
23	Exits Through Lobbies	
	Article 3.4.4.2. (Part 3); Article 9.9.8.5. (Part 9) Rooms adjacent to the lobby are required to be separated by a fire separation.	Rooms adjacent to the lobby are not required to be separated by a fire separation provided (a) the floor area is sprinklered with fast-response sprinklers, and (b) smoke detectors are installed in the adjacent rooms.
24	Rooms Opening into Exit	
	Sentences 3.4.4.4.(7) and (8) (Part 3); Sentence 9.9.5.9.(1) (Part 9) Service rooms and ancillary rooms are not permitted to open directly into an exit.	Service rooms and ancillary rooms may open directly into an exit provided (a) the building is fully sprinklered, (b) the room is sprinklered with fast-response sprinklers, (c) the door assembly has a fire-protection rating of at least 20 min., (d) the building does not exceed 3 storeys in building height, and (e) weatherstripping is installed on the door to prevent passage of smoke.

25	Illumination of Exit Signs	
	Sentence 3.4.5.1.(3) (Part 3); Sentences 9.9.11.3.(3) and (4) (Part 3) Exit signs are required to be illuminated continuously while the building is occupied.	In provincial or municipal designated heritage buildings 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.
26	Clearance from Exit Doors	
	Sentence 3.4.6.11.(1) (Part 3); Article 9.9.6.6. (Part 9) Stair risers shall not be closer than 300 mm from an exit door.	Except as permitted in Sentences 3.4.6.11.(3), (Part 3) or 9.9.6.6.(2), (Part 9) existing exit doors shall not extend beyond the first riser.
27	Fire Escapes	
	Subsection 3.4.7. (Part 3); Article 9.9.2.1. (Part 9) Fire escapes are required to conform to Subsection 3.4.7. (Part 3)	Existing fire escapes that do not completely conform to Subsection 3.4.7. (Part 3) provided (a) they are acceptable to the authority having jurisdiction, and (b) the building is fully sprinklered.
28	Fire Escape Construction	
	Article 3.4.7.2. (Part 3); Article 9.9.2.1. (Part 9) Fire escapes shall be of metal or concrete.	Existing combustible fire escapes are permitted where the building is permitted to be of combustible construction by (a) Part 3, Part 9, or (b) the alternate compliance methods in this Schedule.
29	Protection of Fire Escapes	
	Article 3.4.7.4. (Part 3); Article 9.9.2.1. (Part 9) Openings in the exterior wall adjacent to the fire escape are required to be protected by closures.	Existing openings in the exterior wall adjacent to the fire escape are not required to be protected by closures provided (a) the building is fully sprinklered, and (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).
30	Vertical Service Space	
	Article 3.6.3.1. (Part 3) Vertical service spaces are required to be separated from the adjacent floor area by a rated fire separation.	Existing vertical service spaces that do not completely conform to the rated fire separation requirements are acceptable provided the building is fully sprinklered.
31	Height and Area of Rooms	
	Subsection 3.7.1. (Part 3); Section 9.5. (Part 9) The height and area of rooms are required to comply to minimum dimensional requirements.	Existing rooms are not required to comply to the minimum dimensional requirements of Subsection 3.7.1. (Part 3) or Section 9.5. (Part 9).
32	Window Areas	
	Article 9.9.10.1. (Part 9) Windows in dwelling units are required to comply to minimum dimensions.	Existing windows are not required to comply with the minimum dimensions of Article 9.9.10.1. (Part 9).



33	Washrooms Required to be Barrier-free	
	Sentence 3.8.2.8.(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 3.8.2.3., shall be barrier-free in accordance with the appropriate requirements in Subsection 3.8.3. (NSBCR)	Except in Group A assembly occupancies and Group D business and personal services occupancies that are intended to offer medical or therapeutic services, a barrier-free washroom need not be provided in an existing building with a building area of less than 120 m <sup>2</sup> .
34	Entrances	
	Sentence 3.8.2.2.(1), (NSBCR) 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 3.8.2.2.(1) shall be barrier-free and shall lead from a) the outdoors at sidewalk level, or b) a ramp that conforms to Subsection 3.8.3. and leads from a sidewalk.	Where an existing building has: (a) a building area less than 120 m <sup>2</sup> , (b) a slope from the entrance level floor at the entrance door to a street or public way of greater than 1 in 10, (c) no entrance more than 1 m to the property line, (d) no possible alternate access to an entrance from a street or public way, (See Note NS-No. 34, Schedule D: Alternate Compliance Methods for Existing Buildings) the owner may use a stair with (a) a maximum rise of 150 mm, (b) a minimum run of 280 mm, (c) tactile warning indicators located on the landings, (d) nosings that are colour contrasted, and (e) an unobstructed width of 1 m.
35	Mechanical Systems	
	Part 6 and Part 7	Existing mechanical systems in buildings are not required to fully comply to the requirements in Part 6 or Part 7 provided (a) it is not an unsafe condition, and (b) it is acceptable to the authority having jurisdiction.

**N.S. Reg. 199/2024 to 201/2024**

Made: September 20, 2024

Filed: September 20, 2024

Nova Scotia Building Code Regulations—amendment

Order dated September 20, 2024

Amendment to regulations made by the Minister of Municipal Affairs and Housing 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 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.

sgd. *John Lohr*

Honourable John Lohr

Minister of Municipal Affairs and Housing

**N.S. Reg. 199/2024**

Nova Scotia Building Code Regulations—amendment

**Schedule “A”**

**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 Act***

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 2 in Subsection 9.36.7.,
  - d) the tiered prescriptive requirements for climatic Zone 6 for at least Tier 2 in Subsection 9.36.8., or
  - e) the NECB.

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

**N.S. Reg. 200/2024**

Nova Scotia Building Code Regulations—amendment

**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.

**N.S. Reg. 201/2024**

Nova Scotia Building Code Regulations—amendment

**Schedule “C”**

**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 Act***

Section 94 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 amended by further modifying Clause 1.1.2.1.(1)(c) (Part 1 of Division B) of the *National Energy Code*, by striking out “Tier 2” and substituting “Tier 3”.

**N.S. Reg. 202/2024**

Made: September 24, 2024

Filed: September 24, 2024

Proclamation of Act, S. 111, S.N.S. 2024, c. 3–S. 9

Order in Council 2024-357 dated September 24, 2024

Proclamation made by the Governor in Council

pursuant to Section 111 of the

*Financial Measures (2024) Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated August 13, 2024, and pursuant to Section 111 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 9 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, do come into force on and not before October 1, 2024.

L.S.

**Canada**  
**Province of Nova Scotia**

**Charles the Third**, by the Grace of God King of Canada and His Other Realms and Territories, Head of the Commonwealth.

**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 111 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, it is enacted as follows:

**111** Sections 2 to 9, 20 to 27, 37 to 39, 45 to 53 and 72 to 74, subsections 86(1) to (4) and (7), 87(2) and (4) and 92(2) and (3), Sections 102 to 104 and 107 to 110 have effect on such day as the Governor in Council orders and declares by proclamation.

**And Whereas** it is deemed expedient that Section 9 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, do come into force on and not before October 1, 2024;

**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 9 of Chapter 3 of the Acts of 2024, the *Financial Measures (2024) Act*, do come into force on and not before October 1, 2024, 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, Arthur J. LeBlanc, Chancellor of Our Order of Nova Scotia, one of Our Counsel learned in the law in the Province of Nova Scotia, Lieutenant Governor in and of Our Province of Nova Scotia.

**Given** at Our Government House in the Halifax Regional Municipality, this 24th day of September in the year of Our Lord two thousand and twenty-four and in the Third year of Our Reign.

**By Command:**

**PROVINCIAL SECRETARY**  
**ATTORNEY GENERAL AND MINISTER OF JUSTICE**

**N.S. Reg. 203/2024**

Made: September 24, 2024

Filed: September 24, 2024

Consumer Protection Act Regulations—amendment

Order in Council 2024-358 dated September 24, 2024  
Amendment to regulations made by the Governor in Council  
pursuant to Section 33 of the *Consumer Protection Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia dated August 13, 2024, and pursuant to Section 33 of Chapter 92 of the Revised Statutes of Nova Scotia, 1989, the *Consumer Protection Act*, is pleased to amend the *Consumer Protection Act Regulations*, N.S. Reg. 160/2000, made by the Governor in Council by Order in Council 2000-464 dated September 20, 2000, to update the language and remove the information requirements for a notice of a variation, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after October 1, 2024.

**Schedule “A”**

**Amendment to the *Consumer Protection Act Regulations*  
made by the Governor in Council under Section 33  
of Chapter 92 of the Revised Statutes of Nova Scotia, 1989,  
the *Consumer Protection Act***

- 1 Clause 2(b) of the *Consumer Protection Act Regulations*, N.S. Reg. 160/2000, made by the Governor in Council by Order in Council 2000-464 dated September 20, 2000, is amended by striking out “himself or herself” and substituting “themselves”.
- 2 Subsection 5(3) of the regulations is amended by striking out “Her Majesty” wherever it appears and substituting “His Majesty”.
- 3 Clause 16(c) of the regulations is amended by striking out “his or her” and substituting “their”.
- 4 Section 19 of the regulations is repealed.
- 5 Form D of the regulations is amended by
  - (a) striking out “his/her” and substituting “their”; and
  - (b) striking out “Business and Consumer Services” and substituting “Service Nova Scotia”.

**N.S. Reg. 204/2024**

Made: September 24, 2024

Filed: September 24, 2024

Land Titles Initiative Regulations—amendment

Order in Council 2024-362 dated September 24, 2024  
Amendment to regulations made by the Governor in Council  
pursuant to Section 9 of the *Land Titles Clarification Act*

The Governor in Council on the report and recommendation of the Minister of African Nova Scotian Affairs dated August 30, 2024, and pursuant to Section 9 of Chapter 250 of the Revised Statutes of Nova Scotia, 1989, the *Land Titles Clarification Act*, is pleased to amend the *Land Titles Initiative Regulations*, N.S. Reg. 123/2022, made by the Governor in Council by Order in Council 2022-176 dated July 5, 2022, to provide for public notice of contested claims, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after September 24, 2024.

**Schedule “A”**

**Amendment to the *Land Titles Initiative Regulations*  
made by the Governor in Council under Section 9  
of Chapter 250 of the Revised Statutes of Nova Scotia, 1989,  
the *Land Titles Clarification Act***

The *Land Titles Initiative Regulations*, N.S. Reg. 123/2022, made by the Governor in Council by Order in Council 2022-176 dated July 5, 2022, are amended by adding the following Section immediately after Section 4:

**Notice of contested claim**

- 4A (1)** If a matter is referred to a commissioner under clause 8F(1)(b) of the Act, the commissioner must do all of the following:
- (a) register a notice of contested claim, in a form prescribed by the Minister, in the registry of deeds for the registration district in which the land is located in the same manner as a deed of conveyance;
  - (b) publish notice of the registration in a newspaper regularly circulated in the municipality in which the land is located, or as otherwise required by the Minister.
- (2)** A person who claims to have an interest in the lot of land described in a notice of contested claim, or who is the holder of a lien, judgment, mortgage, encumbrance or any other charge against the lot of land, may, no more than 60 days after the date the notice is registered, apply in writing to the commissioner to be added as a party to the matter, and the commissioner must add the person as a party to the matter.
- (3)** A person who is added as a party to the matter under subsection (2) is an interest holder for the purposes of the Act.