

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.

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 Sentence:

- 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 Note NS-9(1)(i) and (j), NSBCR)

Sentence 1.2.1.2(1)—Definition of owner

- 60 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 definition of “owner” in Section 2 of the Act.

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

- 61 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 Clause:

- 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

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

64 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 3 (Fire Protection, Occupant Safety and Accessibility) of Division B of National Building Code

Article 3.1.5.25. (Combustible Solar Collector Systems) added

65 Subsection 3.1.5. (Part 3 of Division B) of the *National Building Code* is amended by adding the following Article 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 3.2.2.91. (Alternate Compliance Methods for Existing Buildings) added

66 Subsection 3.2.2. (Part 3 of Division B) of the *National Building Code* is amended by adding the following Article immediately after Article 3.2.2.90.:

3.2.2.91. Alternate Compliance Methods for Existing Buildings

1) 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.

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

Section 3.8. (Accessibility) replaced by Schedule C

69 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

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

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

Sentence 9.1.1.1.(2) (Application) added

71 Article 9.1.1.1. (Part 9 of Division B) of the *National Building Code* is amended by adding the following Sentence 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

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

9.5.2.1. General

1) Subject to 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

73 Article 9.5.2.3. (Part 9 of Division B) of the *National Building Code* is repealed.

Article 9.5.2.4. (Exemption for Houses) added

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

9.5.2.4. Exemption for Houses

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

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

75 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*”.

Article 9.10.19.4. (Power Supply) replaced

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

9.10.19.4. Power Supply

1) Except as provided in Sentences (2) to (4), *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.(7)(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

Sentence 9.27.2.2.(5) (Minimum Protection from Precipitation Ingress) amended

78 Sentence 9.27.2.2.(5) (Part 9 of Division B) of the *National Building Code* is amended by striking out everything after the word “break” and adding a period at the end of the Sentence.

Article 9.31.4.1. (Required Fixtures) replaced

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

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

80 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

81 Article 9.32.3.6. (Part 9 of Division B) and Note A-9.32.3.6. in the Appendix notes to Part 9 of the *National Building Code* are repealed.

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

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

- 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, or
 - c) the NECB.
- (See Note NS-9.36.1.3.(1), NSBCR)

Sentence 9.36.1.3.(6) (Compliance and Application) added

83 Article 9.36.1.3. (Part 9 of Division B) of the *National Building Code* is amended by adding the following Sentence immediately after Sentence 9.36.1.3.(5):

- 6) 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*.

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 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

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 <i>lofts</i>	2030 mm
<i>Lofts</i>	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 m².

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 home* is not considered a *storey*.

8) Where a *loft* is used as a sleeping room, *smoke alarms*

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).

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

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

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

Functional Statements and Objectives	
9.39. Tiny Homes	
9.39.2.1. Ceiling heights of Rooms and Spaces	
(1)	[F30-OS3.1] [F10-OS3.7]
9.39.2.2. Lofts	
(2)	[F10-OS3.7]
(3)	[F10-OS3.7]
9.39.2.3. Stairways	
(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]