

WHEREAS, at its meeting of 17 April 2003, the Commission adopted, without amendment, the Regulation to amend the Safety Code for the construction industry;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Safety Code for the construction industry, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry*

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpar. 7)

1. Section 10.3.1 of the Safety Code for the construction industry is replaced by the following:

“**10.3.1.** The principal contractor must ensure that any construction site or part of a construction site situated on or near a public highway or a private road open to public vehicular traffic has traffic signs that comply with the standards of Chapters 1, 4 and 6 of Volume V, as they read when applied, of the manual entitled “Traffic Control Devices”, determined and set out by the Minister of Transport under the second paragraph of section 289 of the Highway Safety Code (R.S.Q., c. C-24.2).”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 875-2003, 20 August 2003

Building Act
(R.S.Q., c. B-1.1)

Construction Code — Amendments

Regulation to amend the Construction Code

WHEREAS, under section 173 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec shall by regulation adopt a Building Code containing building standards concerning buildings, facilities intended for use by the public and installations independent of a building or their vicinity;

WHEREAS, under section 176 of the Act, the Building Code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 176.1 of the Act, the Building Code may, with respect to the matters to which it applies, contain provisions concerning the subjects listed in section 185 of the Act;

WHEREAS, under section 178 of the Act, the Building Code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and provide that any reference it makes to other standards include subsequent amendments;

WHEREAS, under section 179 of the Act, the Board may determine the provisions of the Building Code of which the infringement shall constitute an offence under paragraph 7 of section 194 of the Act;

WHEREAS, under section 192 of the Act, the contents of the Building Code may vary according to the classes of persons, contractors, owner-builders, owners of buildings, facilities intended for use by the public or installations independent of a building, and classes of buildings, pressure installations, facilities or installations to which the Code applies;

WHEREAS the Board adopted the Regulation to amend the Construction Code;

* The Safety Code for the construction industry (R.R.Q., 1981, c. S-2.1, r.6) was last amended by the regulation approved by Order in Council 885-2001 dated 4 July 2001 (2001, *G.O.* 2, 3888). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Construction Code was published in Part 2 of the *Gazette officielle du Québec* of 18 September 2002 with a notice that it could be approved by the Government, with or without amendment, upon the expiry of 45 days following that publication;

WHEREAS the comments received were studied;

WHEREAS, under section 189 of the Building Act, a regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Construction Code, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Construction Code*

Building Act
(R.S.Q., c. B-1.1, ss. 173, 176, 176.1, 178, 179, 185, 1st par., subpars. 3, 5.1, 5.2, 6.2, 6.3, 6.4, 20, 24, 28, 29, 36, 37 and 38 and s. 192)

1. The Construction Code is amended by inserting the following after section 1.07:

“CHAPTER II GAS

DIVISION I INTERPRETATION

2.01 In this Chapter, unless the context indicates otherwise, the word “Code” means: *Code d’installation du gaz naturel et du propane*, CSA B149.1-00; CSA B149.1-00, Natural Gas and Propane Installation

Code; Code sur l’emménagement et la manipulation du propane, CSA B149.2-00; CSA B149.2-00, Propane Storage and Handling Code; *Centres de ravitaillement de gaz naturel: code d’installation*, CSA B108-99; CSA B108-99, Natural Gas Fuelling Stations Installation Code; and the word “standard” means: *Réseaux de canalisation de pétrole et de gaz*, CSA Z662-99; CSA Z662-99, Oil and Gas Pipeline Systems; *Gaz naturel liquéfié (GNL): production, stockage et manutention*, CSA Z276-94; and CSA Z276-94, Liquefied Natural Gas (LNG)-Production, Storage and Handling, published either by the Canadian Standards Association or by CSA International, as well as any additional amendments or editions that may be published by those organizations.

However, the amendments and new editions published after the date of coming into force of this Chapter apply to building work only from the date corresponding to the last day of the sixth month following the date of publication of the French text of these amendments or editions.

DIVISION II APPLICATION OF CODES AND STANDARDS

2.02 Subject to the exemptions provided for by regulation made by the Government under subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1) and to the amendments provided for in Division VII of this Chapter, the codes, standards and provisions of this Chapter apply to all building work for an installation intended to use, store or distribute gas to which the Act applies, including its surroundings, that is carried out from the date of coming into force of this Chapter.

DIVISION III REFERENCES

2.03 A reference in the codes or standards to a standard or code referred to in Table I is a reference to the code or standard referred to in the chapter of the Construction Code referring thereto, from the date of coming into force of that chapter, as well as to any amendments or editions that may be published by the agency that drew up that code or standard in accordance with the requirements of that chapter.

* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, *G.O.* 2, 4203), was last amended by the Regulation approved by Order in Council 961-2002 dated 21 August 2002 (2002, *G.O.* 2, 4636).

TABLE 1

Designation	Title	Chapter of Construction Code
CNRC 38726	National Building Code of Canada 1995	I
CSA B149.1	Natural Gas and Propane Installation Code	II
CSA B149.2	Propane Storage and Handling Code	II
CSA B108	Natural Gas Fuelling Stations Installation Code	II
CSA Z662	Oil and Gas Pipeline Systems	II
CSA C22.1	Canadian Electrical Code, Part I	V
CSA B51	Boiler, Pressure Vessel and Pressure Piping Code	VI

DIVISION IV APPROVAL OF APPLIANCES AND EQUIPMENT

2.04 Any appliance or equipment used in an installation intended to use, store or distribute gas must be approved for the use for which it is intended.

It is prohibited to sell or lease an appliance or equipment that has not been approved. It is also prohibited, except for approval purposes, to use in an installation intended to use gas an appliance or equipment that has not been approved.

However, an appliance or equipment may, during an exhibition, a presentation or a demonstration, be used without prior approval provided that it is accompanied by a notice with the following warning in characters measuring at least 15 mm: “WARNING: this material has not been approved for sale or rental as required by Chapter II of the Construction Code.”.

This section does not apply to the following appliance or equipment:

(1) a manual appliance whose input power does not exceed 20 000 Btu/h (6 kW) intended for industrial applications;

(2) a Bunsen burner; and

(3) a stationary internal combustion engine.

2.05 Any appliance or equipment certified by one of the following agencies is deemed to be approved:

(1) CSA International (CSA);

(2) the Underwriters’ Laboratories of Canada (ULC);

(3) Intertek Testing Services NA LTD. (WH, cETL);

(4) Underwriters Laboratories Incorporated (cUL); and

(5) any other certification agency accredited by the Standards Council of Canada and whose affixation of a seal or label of approval or of certification of that agency attests compliance with Canadian standards, and that has notified the Régie du bâtiment du Québec of its accreditation.

Any appliance on which a label is affixed certifying that, without being certified by one of the agencies referred to in the first paragraph, that appliance is recognized by one of those agencies as complying with the construction and testing standards of *Code d’approbation sur place des composants relatifs au combustible des appareils et appareillages*, CSA B149.3-00 and of CSA B149.3-00, Code for the Field Approval of the Fuel-Related Components on Appliances and Equipment, published by the Canadian Standards Association, as well as to any additional amendment or edition published by that agency, is also deemed to be approved.

However, approval is not required for each component of an appliance where that appliance has received overall approval.

For the purposes of this Chapter, “certification” or “certified” means recognition by one of the agencies referred to in the first paragraph, by means of a label affixed on each certified appliance or equipment certifying that the appliance or equipment complies with the construction and testing requirements published by the standards development organizations accredited by the Standards Council of Canada to develop gas standards.

DIVISION V REPORTING OF WORK

2.06 A contractor or an owner-builder in gas must report to the Régie the building work the contractor or owner-builder has carried out and to which Chapter II of the Construction Code applies, except building work for an installation to distribute natural gas by pipeline and maintenance or repairs to an installation intended to use, store or distribute gas. That report must be sent to the Régie no later than the twentieth day of the month following the date of the beginning of the work.

2.07 The report of work must contain the following information:

- (1) the address of the worksite;
- (2) the name, address and telephone number of the person for whom the work is carried out;
- (3) the name, address, telephone number and licence number of the contractor or owner-builder in gas who carries out the work;
- (4) the expected dates of the beginning and end of the building work;
- (5) the occupancy of the building as well as the number of stories and dwelling units;
- (6) the nature and type of work, in particular work for a new installation or alterations;
- (7) the number, power and nature of the appliances installed;
- (8) the type of gas;
- (9) the gas supply pressure of the building; and
- (10) the date of the report.

2.08 The work must be reported on the form provided for that purpose by the Régie or on any other document drawn up for that purpose.

DIVISION VI INSPECTION FEES

2.09 A contractor or an owner-builder in gas must pay to the Régie, for the inspection of building work for an installation intended to use, store or distribute gas carried out further to the issue of a remedial notice provided for in section 122 of the Building Act, inspec-

tion fees of \$120.88 for the first hour or fraction thereof, half of the hourly rate for each half-hour or fraction thereof over and above the first hour and \$56.88 for each trip.

2.10 For the approval of a gas appliance that cannot be approved by one of the agencies referred to in the first paragraph of section 2.05, the fees are \$120.88 for the first hour or fraction thereof, half of the hourly rate for each half-hour or fraction thereof over and above the first hour and \$56.88 for each trip.

DIVISION VII AMENDMENTS TO CODES AND STANDARDS

2.11 Code CSA-B149.1-00 is amended

(1) by substituting the following for Clause 1.1:

“1.1 This Code applies to

(a) gas installations where gas is to be used for fuel purposes, subject to paragraph *b*;

(b) piping and tubing systems extending from the termination of the gas undertaking’s installations for natural gas or from the distributor’s liquefied petroleum gas tanks; the termination of the gas undertaking’s installations is the point where its piping ends; and

(c) vehicle-refuelling appliances and their equipment.”;

(2) by revoking Clause 1.2;

(3) by adding the following paragraphs after Clause 1.3:

“Where the term “natural gas” is used, the requirements of this Code apply equally to and include any of the following gases or mixtures of them: natural gas and mixtures of propane gas and air.

Where the term “propane” is used, the requirements of this Code apply equally to and include any of the following gases or mixtures of them: propane, propylene, butanes (normal butane or isobutane), and butylenes.”;

(4) in Clause 2.1,

(a) by substituting the following for the definition “**Authority having jurisdiction**”:

“**Authority having jurisdiction**: Régie du bâtiment du Québec.”;

(b) by deleting the definition “**Certified**”;

(c) by adding the following after the definition “**Garage**”:

“**Gas undertaking (natural gas)**: undertaking for the distribution of natural gas by pipeline.”;

(d) by inserting the following after the definition “**Dirt pocket (dust pocket)**”:

“**Distributor**: gas undertaking.”; and

(e) by substituting the following for the definition “**Installer**”:

“**Installer**: contractor or owner-builder holding a licence issued under the Building Act (R.S.Q., c. B-1.1).”;

(5) in Clause 2.3,

(a) by substituting the following for the first paragraph:

“The editions and documents incorporated by reference into this Code are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council 875-2003 dated 20 August 2003.”;

(b) by substituting “CSA B108-99, Natural Gas Fuelling Stations Installation Code” for “CAN/CGA-B108-M95, Natural Gas Fuelling Stations Installation Code”;

(c) by substituting “B51-M1991” for “B51-97”; and

(d) by adding, at the end, the following:

“A reference in the Code to the standard “CAN/CGA-B108” is a reference to the standard “CSA B108”.”;

(6) by revoking Clause 3.2;

(7) by revoking Clauses 4.1.2. and 4.2.7;

(8) by substituting the following for Clause 5.9.3:

“5.9.3 Welding of gas piping shall be performed in compliance with a welding method established and approved in accordance with Clause 7.2 of the standard CSA Z662-99, Oil and Gas Pipeline Systems, by a welder holding the appropriate qualification certificate issued under the Act respecting manpower vocational training and qualification (R.S.Q., c. F-5).”;

(9) by inserting the following after Clause 6.1.3:

“6.1.4 Boilers converted to gas shall be in compliance with Clause A.8.3 of CSA B149.3-00, Code for the Field Approval of Fuel Related Components on Appliances and Equipment.”;

(10) by substituting the following for Clause 7.2.1:

“**7.2.1** Subject to the exceptions referred to in the second paragraph and in Clause 7.2.3, an outdoor air supply sized in accordance with Clause 7.2.2 shall be provided to either an enclosure or a structure in which appliances are installed.

Except for boilers, water heaters and pool heaters that include a finned-tube heat exchanger, an outdoor air supply shall not be required in structures built before 1986 where the doors and windows of that structure have not been replaced after 1985 and the volume of the enclosure or the structure in which the appliances are installed is greater than 50 cubic feet per 1000 Btu/h (4.84 cubic metres per kW) of the total input of all the appliances in the enclosure or the structure.”;

(11) by striking out the words “and the Structure Complies with Clause 7.2.1(a) or (b)” in the titles of Tables 7.2.2A and 7.2.2B;

(12) by substituting the following for Clause 7.2.3:

“7.2.3 An outdoor air supply shall not be required for a mechanically vented water heater with an input of 50 000 Btu/h (15 kW) or less where there are no other appliances requiring an air supply installed in the enclosure or the structure, it is not used to heat the structure, and the volume of the enclosure or the structure is greater than 50 cubic feet per 1000 Btu/h (4.84 cubic metres per kW) of its input.”;

(13) by revoking Clauses 7.2.4 and 7.2.5 and Tables 7.2.5A and 7.2.5B;

(14) by striking out in Clause 7.2.6 “, provided that the structure is not constructed as described in Clause 7.2.1(a) and does not comply with Clause 7.2.1(b). Otherwise, the volume of the enclosure shall be used”;

(15) by striking out the reference to Clause 7.2.4 in Clauses 7.3.1, 7.3.3 and 7.3.4;

(16) by adding the following paragraph at the end of Clause 7.10.3:

“Either one of the first three types of venting systems preceded by an asterisk and appearing in the second column of Table 7.10.3 may be used to vent combustion gases from one of the first three types of appliances appearing in the first column.”;

(17) by inserting the following after Clause 7.13.3:

“7.13.4 The tables of Appendix C shall be used in accordance with the “General Venting Requirements (GVR)” specified in that Appendix.”;

(18) by adding the following paragraph after Clause 7.14.8:

“Notwithstanding paragraph g, a vent shall not terminate less than 6 feet (1.8 m) under an awning window. “;

(19) by striking out, in the French version of the Code, the words “et à la chaleur” in *article* 7.18.1;

(20) by inserting the following after Clause 7.18.23:

“7.18.24 The total length of a vent connector shall comply with that provided for in Table C.9 of Appendix C.”; and

(21) by substituting “after 1985 or where the doors and windows were replaced after 1985” for “in accordance with Clause 7.2.1” in Clause 1 of the “General Venting Requirements (GVR)” of Appendix C.

2.12 Code CSA B149.2-00 is amended

(1) by substituting the following for Clauses 1.1 and 1.2:

“1.1 This Code applies to

(a) installations to store, handle or transport liquefied petroleum gas; and

(b) installations to use liquefied petroleum gas.”;

(2) in Clause 2.1,

(a) by substituting the following for the definition “**Authority having jurisdiction**”:

“**Authority having jurisdiction**: Régie du bâtiment du Québec.”;

(b) by deleting the definition “**Certified**”;

(c) by inserting the following after the definition “**Space, confined**”:

“**Storage**: stocking.”;

(d) by inserting the following after the definition “**Insulating millboard**”:

“**Liquefied petroleum gas**: propane, propylene, butanes or butylenes.”;

(e) by substituting the following for the definition “**Installer**”:

“**Installer**: contractor or **owner**-builder holding a licence issued under the Building Act (R.S.Q., c. B-1.1).”;

(f) by inserting the following after the definition “**Garage**”:

“**Handling**: manipulation or transfer.”;

(3) in Clause 2.3,

(a) by substituting the following for the first paragraph:

“The editions and documents incorporated by reference into this Code are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council 875-2003 dated 20 August 2003.”;

(b) by substituting “B51-M1991” for “B51-97”; and

(c) by inserting, after the reference “Transportation of Dangerous Goods Act, 1992, Chapter 34, Sc 1992.”:

“**NFPA Standard** (National Fire Protection Association)

NFPA 68, Guide for Venting of Deflagrations, 1998 Edition.”;

(4) by revoking Clause 3.2;

(5) by revoking Clause 4.2.11;

(6) by substituting the following for Clause 5.5.10.2c:

“(c) an explosion relief panel in compliance with the standard NFPA 68 entitled “Guide for Venting of Deflagrations”; or”;

(7) by revoking Clause 5.6;

(8) by substituting the following for Clause 6.17.3e *iii*:

“(iii) an explosion relief panel in compliance with the standard NFPA 68 entitled “Guide for Venting of Deflagrations”; or”; and

(9) by revoking Clauses 6.21.1 to 6.21.4.

2.13 Code CSA B108-99 is amended

(1) in Clause 2.1,

(a) by substituting the following for the definition “**Authority having jurisdiction**”: “**Authority having jurisdiction**: Régie du bâtiment du Québec.”; and

(b) by deleting the definition “**Certified**”;

(2) in Clause 2.2,

(a) by substituting the following for the first paragraph:

“The editions and documents incorporated by reference into this Code are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council 875-2003 dated 20 August 2003.”;

(b) by substituting “B51-M1991” for “B51-97”;

(c) by substituting “CSA B149.1-00, Natural Gas and Propane Installation Code” for “CAN/CGA-B149.1-M95, Natural Gas Installation Code”;

(d) by substituting “Z662-99” for “Z662-96”; and

(e) by adding, at the end, the following:

“A reference in the Code to the standard “CAN/CGA-B149.1” is a reference to the standard “CSA B149.1”.

2.14 Standard CSA Z662-99 is amended

(1) by substituting the following for Clause 1.1:

“1.1 This Standard applies to the pipeline systems of a gas undertaking.”;

(2) by revoking Clauses 1.2 and 1.3;

(3) in Clause 2.1,

(a) by substituting the following for the first sentence of the first paragraph:

“The editions and documents incorporated by reference into this Standard are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council 875-2003 dated 20 August 2003.”;

(b) by substituting “B51-M1991 for “B51-97”;

(c) by substituting “CSA B149.1-00, Natural Gas and Propane Installation Code” for “CAN/CGA-B149.1-M95, Natural Gas Installation Code”;

(d) by substituting “CSA B149.2-00, Propane Storage and Handling Code” for “CAN/CGA-B149.2-M95, Propane Installation Code”; and

(e) by adding, at the end, the following paragraphs:

“A reference in the Standard to the standard “CAN/CGA-B149.1” is a reference to the standard “CSA B149.1”.

A reference in the Standard to the standard “CAN/CGA-B149.2” is a reference to the standard “CSA B149.2.”;

(4) in Clause 3.1,

(a) by substituting the following for the definition “**Company**”:

“**Company**: the gas undertaking or contractor that is in charge of construction.”;

(b) by deleting the definition “**Construction**”;

(c) by substituting the following for the definitions “**Contractor**” and “**Company, operating**”:

“**Contractor**: person holding a contractor’s or an owner-builder’s licence issued under the Building Act (R.S.Q., c. B-1.1).

“**Company, operating**”: the gas undertaking that operates the pipeline system.”; and

(5) by inserting the following after Clause 12.2:

“12.2.1 The service line of each building must come out of the ground before entering the building and it must be equipped with a service shut-off valve outside the building.

However, if the location where the service line comes out of the ground presents a danger and the service line cannot be protected, it must enter the building below ground level and be equipped with an underground service shut-off valve located outside the building and with another service shut-off valve inside, as near as possible to the foundation wall.

12.2.2 The service shut-off valves outside the ground must be easily accessible for their operation. The expression “easily accessible” means within reach, without it being necessary to climb, remove an obstacle or use a mobile ladder.

12.2.3 Before supplying gas to an installation, a piped gas undertaking must affix to the building, above any service entrance, a distinctive mark that can be seen at all times.

12.2.4 The piped gas undertaking must notify all users affected by an interruption of service and ensure that the service is restored safely.”.

2.15 Standard CSA Z276-94 is amended

(1) by substituting the following for Clause 1.1:

“1.1 This Standard applies to installations intended to store liquefied natural gas regardless of their locations.”;

(2) by revoking Clauses 1.4 and 1.5;

(3) in Clause 2,

(a) by inserting the following after the definition “**Small facility**”:

“**Storage**: liquefaction, storage, vaporization, transfer or handling.”;

(b) by substituting the following for the definition “**Operating Company**”:

“**Operating company**: the piped gas undertaking that operates a LNG plant.”;

(4) in Clause 3.1,

(a) by **substituting** the following for the first sentence:

“The editions and documents incorporated by reference into this Standard are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council 875-2003 dated 20 August 2003.”;

(b) by substituting “C22.1-1998” for “C22.1-1994”;

(c) by substituting “CSA Z662-99, Oil and Gas Pipeline Systems” for CAN/CSA-Z184-M92, Gas Pipeline Systems”;

(d) by substituting “CSA B149.2-00, Propane Storage and Handling Code” for “CAN/CGA-B149.2-M91, Propane Installation Code”;

(e) by substituting “National Building Code of Canada 1995” for “National Building Code of Canada 1990; Supplement to the National Building Code of Canada 1990”; and

(f) by adding, at the end, the following paragraphs:

“A reference in the Standard to the standard “CAN/CSA-Z184” is a reference to the standard “CSA Z662”.

A reference in the Standard to the standard “CAN/CGA-B149.2” is a reference to the standard “CSA B149.2”.

DIVISION VIII PENAL

2.16 Any violation of one of the provisions of this Chapter, except for the provisions of Division VI, is an offence.”.

2. This Regulation replaces the Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r.4), the Order respecting reports by gas distributors on accidents where gas may be present (R.R.Q., 1981, c. D-10, r.6), the Regulation respecting the repayment of expenses incurred by the Régie du bâtiment du Québec in the carrying out of the Gas Distribution Act enacted by Order in Council 2073-84 dated 19 September 1984, and the Order respecting certificates of competency with respect to gas (R.R.Q., 1981, c. D-10, r.2) relating to category 311 of the title “300 – Distribution” of section 1, Schedule A and the list of categories of Schedule B.

3. This Regulation comes into force on 2 December 2003.