

(1) supply contracts resulting from open contracts or with respect to subscriptions, the purchase of books, or purchases from government funds, except contracts chargeable to the Information Technologies Fund;

(2) supply contracts up to \$100,000, other than contracts described in paragraph 1, except contracts chargeable to the Information Technologies Fund;

(3) supply contracts chargeable to the Information Technologies Fund, up to \$100,000; and

(4) contracts for services up to \$100,000, including contracts chargeable to the Information Technologies Fund.

49. A service head of the Direction générale adjointe des technologies de l'information is authorized to sign, for the service head's sector of activity pertaining to information technologies,

(1) supply contracts resulting from open contracts or with respect to subscriptions, the purchase of books, or purchases from government funds, except contracts chargeable to the Information Technologies Fund;

(2) supply contracts up to \$10,000, other than contracts described in paragraph 1, except contracts chargeable to the Information Technologies Fund; and

(3) contracts for services up to \$10,000, except contracts chargeable to the Information Technologies Fund.

50. In addition to the authorizations referred to in section 49, the head of the Service de l'infrastructure technologique spécialisée and the head of the Service de l'infrastructure technologique de base are authorized to sign, for their sector of activity pertaining to information technologies,

(1) supply contracts chargeable to the Information Technologies Fund, up to \$10,000; and

(2) contracts for services chargeable to the Information Technologies Fund, up to \$10,000.

51. The administrative officer of the Direction de l'infrastructure technologique et des services spécialisés is authorized to sign, for the administrative officer's sector of activity pertaining to information technologies,

(1) supply contracts up to \$5,000, including contracts chargeable to the Information Technologies Fund; and

(2) contracts for services up to \$5,000, except contracts chargeable to the Information Technologies Fund.

52. The procurement officer of the Direction de l'infrastructure technologique et des services spécialisés is authorized to sign, for the procurement officer's sector of activity pertaining to information technologies,

(1) supply contracts up to \$1,000, except contracts chargeable to the Information Technologies Fund; and

(2) contracts for services up to \$1,000, except contracts chargeable to the Information Technologies Fund.

### **DIVISION III** **PROVISIONS PERTAINING TO CERTIFICATION**

53. The executive officers referred to in this Order in Council are authorized to certify as true the documents and copies of documents issued by the department or belonging to its archives that they are authorized to sign under the provisions applying to them or under the authorizations inherent to their functions. They may also certify as true any document or copies of documents, including the transcription of a decision, certificate or any other data stored for the Minister on any medium based on information technology with respect to the records pertaining to their sector of activity or administrative unit.

54. The Assistant Deputy Minister of the Direction générale des services à la gestion, the director of internal audit and administrative inquiries and the director of the Centre de recouvrement are authorized to certify as true, for the Minister, any document or copies of documents issued by the department or belonging to its archives, including a transcription of a decision, certificate or any other data stored for the Minister on any medium based on information technology.

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Gouvernement du Québec

### **O.C. 872-2005, 21 September 2005**

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 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and may also provide that any reference they make to other standards include subsequent amendments;

WHEREAS, under section 192 of the Act, the contents of the 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 made the Regulation to amend the Construction Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Construction Code was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2005 with a notice that it could be approved by the Government with or without amendment on the expiry of 45 days following that publication;

WHEREAS the comments received were examined;

WHEREAS, under section 189 of the Building Act, every 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, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Construction Code, attached hereto, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Construction Code\*

Building Act  
(R.S.Q., c. B-1.1, ss. 173, 178 and 192)

1. The Construction Code is amended in Article 1.04

(1) by inserting the following paragraph before Sentence 1:

“(0.1) by inserting the following on page XIV preceding Part 1 and under the title “A Guide to the Use of the Code”, after the paragraph “Part 9: Housing and Small Buildings”:

### “Part 10: Existing Buildings Under Alteration, Maintenance or Repair

Part 10 explains the principles underlying the application of the requirements of Parts 1 to 9 of the Code, applicable to alteration, maintenance or repair work carried out in a building and proposes specific provisions for certain of those requirements, according to the nature of the work.”;

(2) by replacing “d’un bâtiment” in the French text of Subsentence (5) of Sentence (2) by “d’un bâtiment”;

(3) by replacing “bâtiment” and “transformation” in the French text of Sentence (1) of Article 2.1.7.1. by “bâtiment” and “transformation”;

(4) by replacing “building” in the English text in Sentence (1) of Article 2.3.1.2. by “building”;

(5) by replacing “hauteur de bâtiment” in the French text of Clause (a) of Sentence (1) of Article 3.1.2.5. by “hauteur de bâtiment”;

(6) in Sentence (122)

(1) by replacing “alteration” in Clause (c) of Sentence (1) of Article 10.2.1.1. by “alteration”;

(2) by adding the following sentence after Sentence (2) of Article 10.2.2.2.:

“(3) For the purposes of this Part:

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\* 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 895-2004 dated 22 September 2004 (2004, *G.O.* 2, 2833). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

(a) the revamping of a floor area or part of a floor area is considered a major alteration, where it involves altering the majority of the elements and components of the walls, ceilings and floors, renders the alarm or sprinkler system inoperative or renders the means of egress unusable;

(b) any other revamping of a floor area or part of a floor area is considered a minor alteration.

(See Schedule A)”;

(3) by replacing Sentence (1) of Article 10.3.1.1. by the following:

“(1) The fire separation that separates the altered part from another occupancy must have a fire-resistance rating determined according to subsection 3.1.7. and comply with Article 3.1.3.1.; however, the fire-resistance rating measured on the unaltered side may be:

(a) less than the required fire-resistance rating, without being less than 45 min. when the fire separation between the two occupancies must have a fire-resistance rating of more than one hour;

(b) less than 45 min., in the case of a fire separation of one hour at most or in the case of a minor alteration.”;

(4) by replacing the part preceding Sentence (1) of Article 10.3.1.3. by the following:

“(1) Except in the case of a minor alteration, the provisions of subsection 3.1.13. concerning the flame spread rating apply to the unaltered interior finish of ceilings and the upper half of the walls of any access to exit corridor from the access to exit door serving a part of the building under alteration to the nearest exit, if the following conditions are met:”;

(5) by replacing Sentence (1) of Article 10.3.2.1. by the following:

“(1) Subject to Sentence (2), the provisions of this Code requiring a noncombustible construction for a building whose building height would be equal to that of the uppermost storey where the alteration is being carried out, apply, in the altered part, to the unaltered combustible elements of a building for which a noncombustible construction is required, except in the case of a minor alteration or if the following conditions are met:

(a) the floor area where that altered part is located and the storeys located below are equipped with a sprinkler system complying with the provisions of Articles 3.2.5.13. to 3.2.5.15.;

(b) the building is equipped with a fire detection and alarm system complying with the provisions of Subsection 3.2.4.”;

(6) by replacing Sentence (2) of Article 10.3.2.1. by the following:

“(2) The provisions of this Code, requiring a non-combustible construction, also apply to the unaltered combustible elements of a building for which a noncombustible construction is required in the following cases:

(a) the increase in floor area at the time of an alteration is greater than 10% of the building area or 150 m<sup>2</sup>, except if the following conditions are met:

(i) the altered floor area and the storeys located below are equipped with a sprinkler system complying with the provisions of Articles 3.2.5.13. to 3.2.5.15.;

(ii) the building is equipped with a fire detection and alarm system complying with the provisions of Subsection 3.2.4.;

(b) the increase in building height, except if the latter is equipped with the following systems:

(i) a sprinkler system complying with the provisions of Articles 3.2.5.13. to 3.2.5.15.;

(ii) a fire detection and alarm system complying with the provisions of Subsection 3.2.4.”;

(7) by replacing Sentence 1 of Article 10.3.2.2. by the following:

“(1) Subject to Sentence (2), when an alteration increases the requirements of Subsection 3.2.2. following a change of occupancy or an increase in the building height or floor area, the requirements of Subsection 3.2.2. concerning the construction and protection of buildings in relation to their occupancies and size that apply to the part under alteration also apply:

(a) to any other adjacent part that is not separated from the altered part by a fire separation with a fire-resistance rating at least equal to that required for the floors, under Subsection 3.2.2.;

(b) to the storey below the altered part in the following cases:

(i) the altered part must be sprinkler protected;

(ii) the fire resistance rating of the fire separation, between the altered part and the floor area below, is less than the fire-resistance rating required in compliance

with the requirements of Articles 3.1.3.1. and 3.2.2.20. to 3.2.2.83., if the building is not required to be sprinklered; however, the fire-resistance rating may be limited to the part of the floor and to the structural elements supporting the altered part, if the latter is separated from the rest of the floor area, in accordance with Clause (a).”;

(8) by replacing Sentence (2) of Article 10.3.2.2. by the following:

“(2) The provisions concerning the installation of a sprinkler system, provided for in Subsection 3.2.2., do not apply to the alteration of any building or part of a building not equipped with such a system, in the following cases:

(a) the increase in floor area at the time of an alteration is not greater than 10% of the building area or 150 m<sup>2</sup>;

(b) the work carried out is a minor alteration within the meaning of Sentence 10.2.2.2.(3);

(c) for a noncombustible building, when the work carried out does not require the non-combustibility of the building or floor area under alteration;

(d) for the alteration of a building containing an occupancy other than those of groups B2 or F1, by limiting the building height to that of the uppermost storey where the alteration is being carried out and for which a sprinkler system would not be required;

(e) for the alteration of a combustible building containing an occupancy other than those of groups B2 or F1, by limiting the building height to that of the highest storey where the alteration is being carried out and for which a sprinkler system would not be required, if the occupant load, determined according to Subsection 3.1.16. for the intended occupancy, did not exceed 60;

(f) except in the case of high-rise building or of an occupancy of groups B2 and F1, at the time of a major alteration, if the fire-resistance rating of the floors and walls, columns and support arches of the altered floor area comply with the fire-resistance rating required under Articles 3.1.3.1 and 3.2.2.20. to 3.2.2.83.”;

(9) by inserting the following after Subclause (iv) of Clause (a) of Sentence (1) of Article 10.3.2.4.:

“(v) or an alteration that constitutes a major alteration within the meaning of Sentence 10.3.2.2.(3).”;

(10) by replacing the part preceding Clause (a) of Sentence (1) of Article 10.3.2.5 by the following:

“(1) The provisions of Articles 3.2.5.7. to 3.2.5.19. apply to the unaltered part of a sprinkler system or standpipe system, where the alteration of a building or part of a building increases building height or increases floor area by more than 10% of the building area or more than 150 m<sup>2</sup>, except if those systems meet the following conditions:”;

(11) by striking out “and of its structural elements” in Subclause (iii) of Clause (b) of Sentence (1) of Article 10.3.2.6.;

(12) in Article 10.3.3.1.

(1) by replacing Clause (a) of Sentence (2) by the following:

“(a) the doors of the dwelling units are equipped with:

(i) a self-closing mechanism but they do not lock automatically;

(ii) a smoke barrier around them;”;

(2) by replacing Clause (a) of Sentence (3) by the following:

“(a) the doors of the dwelling units are equipped with:

(i) a self-closing mechanism but they do not lock automatically;

(ii) a smoke barrier around them;”;

(13) by replacing Sentence (1) of Article 10.3.3.2. by the following:

“(1) In the case of the alteration of a suite, the fire separation separating that suite from any other non-altered suite or room must have a fire-resistance rating determined according to Subsection 3.1.7. and comply with Article 3.3.1.1; however, the fire-resistance rating on the non-altered side may be less than the required fire-resistance rating.”;

(14) by replacing Sentence (1) of Article 10.3.3.3. by the following:

“(1) Except in the case of a minor alteration, any part of a non-altered floor area on a storey under alteration must be made to comply with Article 3.3.1.7., where the room or part of the floor area, accessible by lift, must be barrier-free, according to Article 10.3.8.1.”;

(15) by replacing Article 10.3.4.1 by the following:

**“10.3.4.1. Size and Protection of Exits and Exit Stairs**

(1) Except in the case of a minor alteration, any unaltered exit, required to serve a floor area or part of a floor area undergoing an alteration, must comply with the following requirements:

(a) it must have a minimum unobstructed width of 760 mm (see Schedule A);

(b) subject to Sentences (2) and (3), it must be separated from the rest of the building by a fire separation with a fire-resistance rating of at least 45 min. for a building of at most 3 storeys in building height and at least 1 hour for other buildings.

(2) An unaltered stairway required as an exit to serve a floor area or part of a floor area under alteration may not be equipped with the fire separation provided for in Clause (b) of Sentence (1), if the following conditions are met:

(a) the alteration work will not increase the requirements for the means of egress;

(b) the height of the building is at most 3 storeys in building height;

(c) the main occupancy of the building is a school;

(d) half of the required exits are separated from the rest of the building by a fire separation with the fire-resistance rating required by this Code;

(e) it is not necessary to go through it to reach another exit required when the occupant load is greater than 60;

(f) any corridor or room opening onto it is separated from it by a fire separation with a fire-resistance rating of at least 45 min and any door opening onto it is equipped with a self-closing mechanism, a latching mechanism and, if it is kept opened, an electromagnetic device linked to the alarm system;

(g) any corridor or room opening onto it is equipped with smoke detectors that must be placed near the openings on the stairway.

(3) An unaltered stairway required as an exit to serve a floor area or a part of a floor area under alteration may not be equipped with the fire separation provided for in Clause (b) of Sentence (1), if the following conditions are met:

(a) the alteration work will not increase the requirements for the means of egress;

(b) it is used to link the first storey with the storey above or below but not both;

(c) the floor areas it links serve any occupancy other than a group A, B or C occupancy;

(d) half of the exits required are separated from the rest of the building by a fire separation having a fire-resistance rating required by this Code and they lead directly outside;

(e) the travel distance to the exterior exit door on the first storey is at most 15 m;

(f) the building is equipped with an alarm system complying with Subsection 3.2.4;

(g) a smoke detector is located above its uppermost flight of stairs.”;

(16) by replacing Article 10.3.4.2. by the following:

**“10.3.4.2. Door Swing**

1) The provisions of Article 3.4.6.11. concerning the direction of an exit door swing apply to any unaltered exterior exit door serving a floor area or part of a floor area under alteration, except in one of the following cases:

(a) the exit door opens directly onto a public way, independently from any other exit when it serves only one floor area or part of a floor area under an occupant load determined according to Subsection 3.1.16., of at most:

(i) 40 persons when there is only one exit door;

(ii) 60 persons when there is a second means of egress;

(b) the exit door serves at most 30 persons in a building with a maximum building height of 18 m and it meets the following conditions:

(i) it opens directly onto a step, a public way or an obstacle which reduces its required minimum width and it is located not more than 1.5 m above the public way;

(ii) the occupants have access to a second means of egress.

#### “10.3.4.3. Curved Exit Stairs

(1) Any curved exit stairway that is not under alteration but that is used to serve a floor area or part of a floor area under alteration must meet the following conditions:

(a) it must comply with the provisions of Article 10.3.4.1.;

(b) it must not serve a day-care centre or a supervised residence.”;

(17) by replacing the part preceding Clause (a) of Sentence (1) of Article 10.3.6.1 by the following:

“(1) The provisions of Subsections 3.6.2 and 3.6.3 apply at the time of an alteration other than a minor alteration to any unaltered service room located on a floor area or part of a floor area and to any unaltered vertical service space going through it, except if that room or space is separated from the rest of the building by a fire separation of at least.”;

(18) by replacing Article 10.4.1.3 by the following:

#### “10.4.1.3 Live Loads Due to Earthquakes

“(1) The provisions of Subsection 4.1.9. concerning live loads due to earthquakes apply to the whole building under alteration, if the following conditions are met:

(a) the alteration will:

(i) increase the height of the building; or

(ii) compromise the lateral stability of the building following an alteration to the structural bracing system that ensures stability;

(b) the resistance to live loads due to earthquakes is less than 60% of that determined according to the method prescribed in that Subsection.”;

(7) by inserting the following after Sentence (136):

“(136.1) by adding the following after Appendix Note A-9.33.6.14:

#### “A-10.2.2.2.(3) Major or Minor Alteration

The concepts of major or minor alteration are used for revamping. The term “revamping” means all the alteration work carried out in view of a different occupancy of the altered part. The alteration types, such as enlargement, change of main occupancy, alteration of shell or exterior element, increase in occupant load, construction of or change to a mezzanine or interconnected floor

space, or the addition or alteration of a lift are not governed by this type of alteration since they are already governed by other requirements of Part 10.

#### A-10.3.4.1. Capacity of Exits Serving an Altered Part

Even if the exits must have a minimum width of 760 mm, the exits must comply, for the altered part they serve, with the minimum capacity prescribed in Article 3.4.3.4., calculated according to the occupant load under Article 3.3.1.16. of this Code.

If the calculation of the capacity results in the exits having a width larger than 760 mm, they should either be changed or another exit added.

This provision refers to an alteration, other than a minor alteration, which does not include an exit.”.

2. This Regulation comes into force on 19 November 2005.

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Gouvernement du Québec

### O.C. 873-2005, 21 September 2005

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, in particular, 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 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 may also provide that any reference it makes to other standards include subsequent amendments;