

Draft Regulations

Draft Regulation

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

Construction Code — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Construction Code, appearing below, may be approved by the Government with or without amendment on the expiry of 45 days following this publication.

The draft Regulation adopts the 21st edition of the Canadian Electrical Code, First Part, which was amended to facilitate its application, adapt it to the particular needs of Québec and follow technological changes.

The draft Regulation also adopts most of the new normative provisions of the 2009 edition of the Canadian Electrical Code, adds certain modifications specific to the needs of Québec established after consultation with the concerned sector, and renews most of Québec's amendments made to the previous edition.

The impact as regards the requirement to install tamper resistant receptacles in new dwellings was measured and the increase will be in the amount of \$600,000 per year. The impact of the other changes is either insignificant or will be compensated by savings on maintenance and repairs.

Further information may be obtained by contacting Gilbert Montminy, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3; telephone: 418 643-1913; fax: 418 646-9280.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Michel Beaudoin, Chairman and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

SAM HAMAD,
Minister of Labour

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, 6.2, 6.3, 7, 20, 21, 24, 29, 31, 36, 37 and 38 and s. 192)

1. The Construction Code is amended in section 5.01 by replacing “vingtième édition, norme CSA-C22.1-06” in the first paragraph by “vingt et unième édition, norme CSA-C22.1-09” and “Twentieth Edition, CSA Standard C22.1-06” by “Twenty-first edition, CSA Standard C22.1-09”.

2. Section 5.03.01 is amended by replacing “annexe B” in the French text by “appendice B”.

3. Section 5.04 is amended

(1) by replacing subparagraph 0.1 of paragraph 1 by the following:

“(0.1) by striking out the following portion of the second paragraph of the definition “Object”: “Safe installations may be also achieved by alternatives to this Code, when such alternatives meet the fundamental safety principles of IEC 60364-1 (see Appendix K). These alternatives are intended to be used only in conjunction with acceptable means to assess compliance of these alternatives with the fundamental safety principles of IEC 60364 by the authorities enforcing this Code.”;

(2) by replacing “annexe B” in subparagraph 5 of paragraph 1 of the French text by “appendice B”;

(3) in paragraph 9

(1) by replacing “for purposes of exhibition” in Subrule 2 of Rule 2-024 by “for purposes of a test, exhibition,”;

* The Regulation to amend 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 939-2009 dated 19 August 2009 (2009, G.O. 2, 3231). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 November 2009.

(2) by replacing Subrules 1 and 2 of Rule 2-028 by the following:

“(1) Electrical equipment or a prefabricated building that has received certification by one of the following organizations is considered to be approved:

- (a) CSA International (CSA);
- (b) Curtis-Strauss LLC (cCS);
- (c) FM Approvals (cFM);
- (d) IAPMO Research and Testing Inc. (cIAPMO, cUPC or cUSPC);
- (e) Labtest Certification Inc. (cLC);
- (f) Underwriter’s Laboratories of Canada (ULC);
- (g) Intertek Testing Services NA Ltd (WH, cETL);
- (h) MET Laboratories, Inc. (cMET);
- (i) Nemko Canada Inc. (cNemko);
- (j) NSF International (cNSF);
- (k) OMNI-Test Laboratories, Inc. (cO-T L);
- (l) QPS Evaluation Services, Inc. (cQPS);
- (m) Quality Auditing Institute, Ltd (cQAI);
- (n) TÜV SÜD America Inc. (cTÜV Product Service);
- (o) TUV Rheinland of North America Inc. (cTUV);
- (p) Underwriters’ Laboratories Inc. (cUL);
- (q) any other certification organization accredited by the Standards Council of Canada that has notified the Board of its accreditation and whose certification seal or label attests to compliance with Canadian standards.

(2) Electrical equipment bearing the label of an organization accredited by the Standards Council of Canada that has notified the Board of its accreditation attesting that, without being certified by an organization listed in Subrule (1), the equipment is recognized as complying with the requirements of Standard SPE-1000-09 Model Code for the Field Evaluation of Electrical Equipment or complying with the requirements of Standard SPE-3000-10 Model Code for the Field Evaluation of Medical Electrical Equipment and Medical Electrical Systems, published by the Canadian Standards Association, as amended or re-edited by that organization, is also considered to be approved.”;

(4) by replacing “annexe B” in paragraph 10.1 in the title of Rule 2-322 in the French text by “appendice B”;

(5) in paragraph 13, by striking out “per Building” in the title of Rule 6-104;

(6) by inserting the following after paragraph 31:

“(31.1) by adding the following paragraph in Rule 12-116:

(5) Cutting or adding strands, or altering in any other way conductors to connect them to terminal parts, lugs or other junctions is prohibited.”;

(7) by striking out paragraph 34;

(8) by inserting the following after paragraph 34:

“(34.01) by replacing Rule 12-516 by the following:

12-516 Protection for cable in concealed installations
(see Appendix G)

(1) The outer surfaces of the cable shall be kept a distance of at least 32 mm from the edges of the members intended to be used as support for sheathing or cladding, or the cable shall be effectively protected from mechanical injury both during and after installation.

(2) Where a cable passes through a metal element, it shall be protected by an insert approved for the purpose and adequately secured in place.

(3) Where the cable is installed behind a baseboard or other finishing element, its outer surfaces shall be kept a distance of at least 32 mm from the hidden side of the element or it shall be effectively protected from mechanical injury from driven nails or screws.

(34.02) by adding the following after Subrule 2 in Rule 12-616:

(3) The installation of armoured cable in a concealed space in a metal element constituting the roof deck of a building or structure is prohibited.”;

(9) by inserting the following after paragraph 41:

“(41.1) in Rule 20-102, by inserting “showrooms, sales offices,” after “stockrooms” in Subrule (5)”;

(10) by striking out paragraph 42;

(11) by inserting the following after paragraph 44:

“(44.1) in Rule 26-712, in item (d), by replacing subitems iv and v by the following:

(iv) at least one receptacle (15 A split or 20 A T-slot) installed at each permanently fixed island counter space;

(v) at least one receptacle (15 A split or 20 A T-slot) installed at each peninsular counter space, except if the wall adjacent to the mating edge of the peninsula is equipped with a receptacle provided for in subitem iii;

(44.2) in Rule 26-712, by replacing item (h) by the following:

“(h) receptacles do not have to be tamper resistant where they are not accessible by their location, by the presence of stationary or fixed appliances, or they are located at more than 2 m from the floor or the finished floor.”;

(12) by replacing paragraph 48 by the following:

“(48) in Rule 28-604, in Subrule (4), by replacing items (a), (b) and (c) by the following:

(a) it is capable of safely making and interrupting the locked rotor current of the connected load; and

(b) it is capable of being locked in the open position.”;

(13) by inserting the following after paragraph 54:

“(54.1) by replacing Rule 32-206 by the following:

32-206 Disconnecting means and overcurrent protection (see Appendices B and G)

(1) No device capable of interrupting the circuit shall be placed between the service box and a fire pump transfer switch or a fire pump controller, other than a circuit breaker lockable in the on position or a non fusible switch lockable in the off position, labelled in a conspicuous, legible, and permanent manner identifying it as the fire pump disconnecting means.

(2) The circuit breaker referred to in Subrule (1) shall be permitted to be used in the separate service box described in Rule 32-204 and the rating or setting shall

(a) comply with Rule 28-200 where it is installed in an emergency supply circuit between the emergency power source and the fire pump transfer switch; or

(b) be not less than the overcurrent protection that is provided integral with the fire pump controller where it is installed in a normal supply circuit upstream of the controller.

(3) The non fusible switch referred to in Subrule (1) shall

(a) be capable of safely making and interrupting the locked rotor current of the connected load;

(b) comply with the requirements of the electric distributor;

(c) bear a mark indicating the need to maintain it at all times in the on position to ensure functionality of the fire pump; and

(d) be equipped with a device integral with the fire alarm system to signal the provisional deactivation of the fire pump.”;

(14) by inserting the following after paragraph 61:

“(61.1) by striking out Section 58 – Passenger rope-ways and similar equipment”;

(15) in paragraph 65, by replacing “after the definition of “series heating cable set” by the following: “in alphabetical order, the following definition:”;

(16) in paragraph 67.1, by replacing Rule 66-404 by the following:

“66-404 Receptacles

Receptacles with a CSA 5-15R configuration and those with a CSA 5-20R configuration installed in itinerant midways, carnivals, fairs and festivals and intended to feed loads situated outside or in a humid location shall be protected by a ground fault circuit interrupter of the Class A type.”;

(17) by striking out paragraph 68.01;

(18) by replacing “annexe B” in paragraph 68.1 of the French text by “appendice B”;

(19) in paragraph 73, by replacing “76-016” by “76-014”;

(20) by inserting the following after paragraph 73:

“(73.1) in Rule 76-016, by replacing “configuration 5-15R or 5-20R” by “15 A and 20 A to 125 V”;

(21) in paragraph 76, by replacing Table 66 by the following:

“Table 66

[See Rule 4-022(5)]

Minimum Size of Neutral Conductors for Underground Consumer’s Services Rated at More than 600 A and Fed by Parallel Conductors

Nominal Rating of Service Box A	AWG Size of each Copper Neutral Conductor	AWG Size of each Aluminum Neutral Conductor
601 to 1,200	0	000
1,201 to 2,000	00	0000
2,001 and more	000	250 kcmil

(22) in paragraph 77

(1) by replacing “annexe B” in the French text by “appendice B”;

(2) by inserting the following after subparagraph 7:

“(7.1) by inserting the following after the note concerning Rule 26-712(g):

“**26-712 (g) (h)** The purpose of Rule 26-712(g) is to protect children against electrical shock when they are able to reach receptacles. Where the location of a receptacle is inaccessible, the receptacle may not be tamper resistant [Rule 26-712(h)]. For example, receptacles dedicated for recessed microwaves, refrigerators, freezers, washing machines and those located in an attic, a crawl space or at a distance of more than 2 m from the floor or the finished floor are considered inaccessible to children.”;

(3) by striking out subparagraph 8.1;

(4) by replacing, in subparagraph 9, the note concerning Rule 68-304 by the following:

“**68-304** If that requirement cannot be met, the control devices shall be installed as far away as possible from the bathtub and shower but not outside the bathroom.”.

4. 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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Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

**Heavy vehicles
— Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to amend the Regulation respecting environmental standards for heavy vehicles, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation sets, as of 1 October 2010, more restrictive standards concerning air emissions from diesel-powered heavy vehicles, and opacimeters used to measure the emissions.

The draft Regulation specifies which vehicles are exempt from the application of the Regulation, who the owners of the vehicles to which the Regulation applies are and how long attestations issued in accordance with the Regulation must be kept. It also specifies what instruments and methods must be used to measure emissions from diesel-powered heavy vehicles.

Lastly, the draft Regulation sets stricter penalties for owners, concerning the driving or sale of heavy vehicles that do not comply with the Regulation and that have not been repaired in accordance with the conditions set out in the Regulation.

In general, the draft Regulation has no impact on Québec’s small and medium-sized businesses that own heavy vehicles.

Further information may be obtained by contacting Jean-Pierre Létourneau, Ministère du Développement durable, de l’Environnement et des Parcs, Programme d’inspection et d’entretien des véhicules automobiles, 675, boulevard René-Lévesque Est, 6^e étage, Québec (Québec) G1R 5V7; telephone: 418 521-3868, extension 4974; fax: 418 643-4747; e-mail: jean-pierre.letourneau@mddep.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Jean-Pierre Létourneau at the above-mentioned address.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*