

## Draft Regulations

### Draft Regulation

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

#### Construction Code — Amendment

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 amends the construction requirements relating to the limitation of hot water temperature of shower and bathtub valves in private seniors' residences within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) and in care occupancies, such as residential and long-term care centres (CHSLD).

The draft Regulation provides for water temperature limiting devices specifically required in those residences and occupancies. It also requires that those devices be adjusted so that the temperature of the water provided from shower and bathtub valves does not exceed 43°C.

The new requirements are intended to address the risk of severe burns caused by hot water in residences of persons most at risk and in which there are a number of burn victims. They result from consultations with the stakeholders concerned.

The draft Regulation clearly states, in respect of water temperature control, the requirements already applicable to every new construction.

The impact of the new requirements may be between \$150 and \$200 per valve. The additional costs must be moderated since those devices do not require any periodic setting contrary to the current devices in residences that require more than two settings per year. In addition, the devices required in the draft Regulation are already commonly used in care occupancies. The net impact of the amendments is therefore low, considering the lifespan of the devices, estimated at 25 years.

Further information may be obtained by contacting André Lacroix, Régie du bâtiment du Québec, 800, place D'Youville, 15<sup>e</sup> étage, Québec (Québec) G1R 5S3; telephone: 418 646-0485; 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, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3<sup>e</sup> étage, Montréal (Québec) H2M 2V2.

LISE THÉRIAULT,  
*Minister of Labour*

### Regulation to amend the Construction Code

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

**1.** The Construction Code (c. B-1.1, r.2) is amended in section 3.05

(1) by inserting the following after paragraph 15:

“(15.1) by replacing Article 2.2.10.7. by the following:

**2.2.10.7.** Water Temperature Control  
(see Appendix A)

(1) Except as provided in Sentence (2), valves supplying shower heads or bathtubs must be of the pressure-balanced, thermostatic, or combination pressure-balanced/thermostatic type. The valves must conform to ASME A112.18.1/CAN/CSA B125.1, Plumbing Supply Fittings.

Valves supplying only bathtubs need not be of one of the types referred to in the first paragraph if the hot water supply is controlled by a master thermostatic-mixing valve conforming to CAN/CSA-B125.3, Plumbing Fittings.

(2) Valves supplying shower heads or bathtubs of a care occupancy or private seniors' residence within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) must be of the thermostatic or combination pressure-balanced/thermostatic type. The valves must conform to ASME A112.18.1/CAN/CSA B125.1, Plumbing Supply Fittings.

Valves supplying only bathtubs need not be of one of the types referred to in the first paragraph if the hot water supply is controlled by a thermostatic-mixing valve installed within the limits of a bathroom, conforming to CAN/CSA-B125.3, Plumbing Fittings.

For the purposes of this Article,

“care occupancy” means a building or part of a building housing persons who, because of their physical or mental state, need medical care or treatment.

(3) Valves and thermostatic-mixing valves covered by Sentence (1) must be adjusted to provide a water outlet temperature that does not exceed 49°C. Those covered by Sentence (2) must be adjusted to provide a water outlet temperature that does not exceed 43°C.”;

(2) by inserting the following after paragraph 37:

“(37.1) by replacing note A-2.2.10.7. by the following:

**A-2.2.10.7.** Water Temperature Control. Hot water produced by a service water heater must be at a minimum temperature of 60°C to prevent the development of potentially fatal bacteria. At that temperature, water causes second degree burns to the skin in 1 to 5 seconds. Consequently, Article 2.2.10.7. provides for the adjustment of valves and thermostatic-mixing valves to provide a water outlet temperature that is lower than the temperature produced by a service water heater. Compliance with that Article reduces the risk of scalding in showers and bathtubs, where severe burns occur, and reduces the risk of thermal shock that may occur in the shower and lead to falls.

Children, the elderly and persons with disabilities are particularly at risk of scald burns because they are not always able to remove themselves quickly from a situation that could lead to burns. At 49°C, the time for a scald burn to occur on a healthy adult is nearly 10 minutes, whereas the time for a skin burn to occur on an elderly is 3 minutes, because the elderly's skin is thinner and less vascularized. For those persons, a temperature of 43°C provides a more adapted protection against burns because they can only occur after a number of hours of exposure.

In private seniors' residences and care occupancies, Article 2.2.10.7. provides that the valves and thermostatic-mixing valves must be adjusted to provide a maximum water outlet temperature at 43°C. The installation of pressure-balanced valves is also prohibited, because those valves are sensitive to seasonal changes of the cold water temperature and require some settings per year in order not to exceed the prescribed temperature.

The water outlet temperature at other fixtures, such as lavatories, sinks, laundry trays or bidets, is not addressed by Article 2.2.10.7., but a scald risk may exist at such fixtures nonetheless.”.

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

2029

## Draft Regulation

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

### Safety Code — Amendment

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 Safety 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 requires that water temperature limiting devices of shower and bathtub valves in care occupancies and private seniors' residences within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) be adjusted so that the temperature does not exceed 43°C. It provides for the keeping of a register on the setting of the water temperature and the type of limiting devices permitted in those occupancies and residences.

Where required, the installation cost of devices meeting the requirements is \$1,400,000 for residential and long-term care centres (CHSLD) and \$35,200,000 for private seniors' residences. However, valves having reached the end of their useful life must necessarily be replaced. Therefore, considering only the cases where work would be advanced because of the new requirements, the cost for private seniors' residences would be \$13,000,000.