



2. Despite section 1, the provisions of Chapter I of the Construction Code as amended by Order in Council 347-2015 dated 15 April 2015 may be applied to the construction of a building or its alteration, as defined in that Chapter, provided that the work started before 1 September 2020.
3. This Regulation comes into force on 1 September 2018.

103606

Gouvernement du Québec

O.C. 991-2018, 3 July 2018Building Act
(chapter B-1.1)**Construction Code
Regulation
— Amendment**

Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act

WHEREAS, under section 173 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec adopts by regulation a building code containing building standards in particular for buildings, facilities intended for use by the public or installations independent of a building or their vicinity;

WHEREAS, under section 176 of the Act, the 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 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 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;

WHEREAS, under paragraph 0.1 of section 185 of the Act, the Board may, by regulation, exempt from the application of the Act or certain of its provisions in particular categories of persons, contractors or owner-builders, and categories of buildings, facilities, installations or construction work;

WHEREAS, under paragraph 3 of section 185 of the Act, the Board may, by regulation, determine the cases in which construction work must be reported to the Board, the time, form and manner according to which the report must be forwarded by the persons referred to in sections 22 and 37.2 of the Act and the conditions that they must fulfill;

WHEREAS, under paragraph 6.1 of section 185 of the Act, the Board may, by regulation, adopt standards relating to vehicle-mounted installations intended for the storage or distribution of gas;

WHEREAS, under paragraph 6.2 of section 185 of the Act, the Board may, by regulation, prohibit the sale, lease or exhibiting of materials or accessories which are not certified or approved for purposes of use in particular in construction work on buildings, facilities intended for use by the public or installations independent of a building by a recognized person or body the Board designates;

WHEREAS, under paragraph 6.3 of section 185 of the Act, the Board may, by regulation, prohibit the sale, lease or exhibition of apparatus in particular intended to use gas, where the apparatus is not certified or approved by a recognized person or body the Board designates;

WHEREAS, under paragraph 20 of section 185 of the Act, the Board may, by regulation, determine the cases in which it shall collect fees for approval, authorization, revision, inspection, training, consultation, issuance of certificates of conformity, accreditation of recognized persons or bodies, and verifications, and fix such fees;

WHEREAS, under paragraph 37 of section 185 of the Act, the Board may, by regulation, determine the provisions of a regulation adopted under this section of which the infringement constitutes an offence under paragraph 7 of section 194, with the exception of provisions adopted under subparagraphs 5.2, 18, 18.1, 20 and 36.1 and under subparagraphs 16 and 17 with respect to fees payable;

WHEREAS, under paragraph 38 of section 185 of the Act, the Board may, by regulation, adopt any other related or supplementary provision it considered necessary to give effect to the provisions of that section and of the Act;

WHEREAS, under the first paragraph of section 192 of the Act, the contents of the Code may vary in particular according to the classes of persons, contractors and owner-builders and classes of buildings, facilities or installations to which the Code applies;

WHEREAS the Board made the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act on 7 June 2018;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act was published in Part 2 of the *Gazette officielle du Québec* of 21 February 2018 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, under section 189 of the Building Act, every code or 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 responsible for Consumer Protection and for Housing:

THAT the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act

Building Act
(chapter B-1.1, ss. 173, 176, 176.1, 178, 185, pars. 0.1, 3, 6.1, 6.2, 6.3, 20, 37 and 38, and s. 192)

1. The Construction Code (chapter B-1.1, r. 2) is amended by replacing Chapter II by the following:

“CHAPTER II GAS

DIVISION I DEFINITIONS

2.01. In this Chapter, unless the context indicates otherwise,

“gas” means natural gas, biomethane, manufactured gas, and mixtures of propane gas and air, propane, propylene, butanes (normal butane and isobutane) and butylenes, and a mixture or a type of those gases; (*gaz*)

“gas installation” means a fixed or mobile installation, including its immediate piping, intended to use, store or distribute gas; (*installation de gaz*)

“natural gas” means natural gas, biomethane, mixtures of propane gas and air and a type or a mixture of those gases; (*gaz naturel*)

“propane” means a liquefied petroleum gas consisting mainly of propane, propylene, butane, butylene, a type or a mixture of those gases. (*propane*)

DIVISION II SCOPE

2.02. This Chapter applies to construction work for a gas installation, including its surroundings.

It does not apply to an installation intended to use gas other than an installation used to produce energy, heat or light from a gas.

In addition, it does not apply to installations intended to

- (1) store or distribute gas by tank vehicle as long as the tank is not used as a storage tank at the point of use;
- (2) use gas to ensure the motive power of a vehicle;
- (3) use gas in a refinery, whatever its origin, as raw material for the petroleum refining process or a petrochemical plant;
- (4) store, in a refinery, gas resulting from the refining of petroleum;
- (5) store or use gas on boats;
- (6) use gas as a refrigerant;
- (7) store gas in underground natural formations or hollows in the ground; and

(8) use or store on the premises gas collected from a landfill or gas from an anaerobic digester.

DIVISION III STANDARDS INCORPORATED BY REFERENCE

2.03. The following standards, published by CSA Group, are incorporated by reference into this Chapter subject to the amendments provided for in Division VII:

- (1) CSA B108, Compressed natural gas fuelling stations installation code;
- (2) CSA B149.1, Natural gas and propane installation code;
- (3) CSA B149.2, Propane storage and handling code;
- (4) CSA B149.3, Code for the field approval of fuel-related components on appliances and equipment;
- (5) CSA-Z276, Liquefied natural gas (LNG) - Production, storage and handling;
- (6) CAN/CSA-Z662, Oil and gas pipeline systems.

2.04. In this Chapter, a reference to a standard refers to the most recent edition and includes any subsequent amendments made to that edition.

However, the amendments and editions published after 15 November 2018 apply to gas installations only from the last day of the sixth month following the date of publication of the French and English versions of the texts. Where those versions are not published at the same time, the time limit runs from the date of publication of the last version.

DIVISION IV REFERENCES

2.05. Unless otherwise provided for, a reference in this Chapter to a standard or code is a reference to that standard or code as adopted by the chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3) that refers to it.

DIVISION V APPROVAL OF APPLIANCES AND EQUIPMENT

2.06. Any appliance or equipment used in a gas installation 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 an appliance or equipment that has not been approved in an installation intended to use gas.

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 lease as required under Chapter II of the Construction Code (chapter B-1.1, r. 2).”.

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

- (1) a manual appliance whose heat input does not exceed 20,000 Btu/h (5.86 kW) intended for industrial applications;
- (2) a Bunsen burner;
- (3) an internal combustion engine.

2.07. Any appliance or equipment certified by a certification agency accredited by the Standards Council of Canada in the field of gas and whose affixation of a seal or label of approval or of certification of that agency attests compliance with Canadian standards, is deemed to be approved.

An 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 the agencies as complying with the construction and testing requirements of CSA Standard B149.3, is also deemed to be approved. However, approval is not required for each component of an appliance where the appliance has received overall approval.

For the purposes of this Chapter, “certification” or “certified” means recognition by a certification agency accredited by the Standards Council of Canada in the field of gas, 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 of the standards published by the standards development organizations accredited by the Standards Council of Canada to develop gas standards.

DIVISION VI DECLARATION OF WORK

2.08. A contractor or an owner-builder in gas must declare to the Board the construction work the contractor or owner-builder has carried out and to which this Chapter applies, except construction work for an installation intended to distribute natural gas by pipeline and maintenance or repair work to a gas installation.

An owner-builder who keeps a register containing the information required by the declaration of work is exempt from that declaration.

2.09. The declaration of work must contain

- (1) the address of the work site;
- (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 carried out the work;
- (4) the dates scheduled for the beginning and end of the construction work;
- (5) the occupancy of the building and 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, heat input and nature of the appliances installed;
- (8) the type of gas and its state (gaseous or liquid);
- (9) the gas supply pressure of the gas installation; and
- (10) the date of the declaration.

2.10. The work must be declared on the form provided for that purpose by the Board and be sent to the Board not later than the twentieth day of the month that follows the date of the beginning of the work.

DIVISION VII AMENDMENTS TO STANDARDS

2.11. CSA Standard B108 is amended

- (1) by replacing the first paragraph in Clause 2 by the following:

“The documents incorporated by reference into this Code are those indicated below and include any subsequent amendments and editions that may be published.

Despite the first paragraph, where a document indicated below is adopted by reference by a chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3), or by another regulation of the Board, the document incorporated by reference into this Code is then the document as adopted by that chapter or regulation.”;

(2) in Clause 3

(a) by replacing the first sentence of the Clause by the following:

“Unless the context indicates otherwise, the following definitions shall apply in this Code.”;

(b) by replacing the definition “**Approved**” by the following:

“**Approved**: approved or authorized by the Régie du bâtiment du Québec under sections 2.06 and 2.07 of the Construction Code (chapter B-1.1, r. 2) or section 127 or 128 of the Building Act (chapter B-1.1).”;

(c) by replacing the definition “**Authority having jurisdiction**” by the following:

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

(d) by striking out the definition “**Certified**”;

(3) by adding the following after Clause 6.21:

“6.22 Every tank used to store and transport compressed natural gas shall be designed, manufactured, tested and marked in accordance with the most recent edition of CSA Standard B51, including any subsequent amendments to the Act respecting pressure vessels (chapter A-20.01) and its regulations that may be published.”

2.12. CSA Standard B149.1 is amended

(1) by replacing Clause 1.1 by the following:

“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;

(c) natural gas vehicle refuelling appliances and their equipment, excluding storage installations;

(d) gas engines and turbines.”;

(2) by revoking Clause 1.2;

(3) by replacing Clause 1.3 by the following:

“1.3 Where the term “gas” is used, the requirements of this Code apply equally to and include any of the following gases, type or mixture of them: natural gas, bi-methane, manufactured gas and mixtures of propane gas and air, propane, propylene, butanes (normal butane or isobutane) and butylenes.

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

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

(4) by replacing the first paragraph of Clause 2 by the following:

“The documents incorporated by reference into this Code are those indicated below and include any subsequent amendments and editions that may be published.

Despite the first paragraph, where a document indicated below is adopted by reference by a chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3), or by another regulation of the Board, the document incorporated by reference into this Code is then the document as adopted by that chapter or regulation.”;

(5) in Clause 3

(a) by replacing “The following definitions shall apply in this Code.” after the note by “Unless the context indicates otherwise, the following definitions shall apply in this Code.”;

(b) by replacing the definition “**Approved**” by the following:

“**Approved**: approved or authorized by the Régie du bâtiment du Québec under sections 2.06 and 2.07 of the Construction Code (chapter B-1.1, r. 2) or section 127 or 128 of the Building Act (chapter B-1.1).”;

(c) by replacing the definition “**Authority having jurisdiction**” by the following:

«**Authority having jurisdiction**: Régie du bâtiment du Québec.»;

(d) by striking out the definition “**Certified**”;

(e) by inserting the following after “**Gas hose**”:

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

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

“**Distributor**: undertaking for the distribution of liquefied petroleum gas.”;

(g) by replacing the definition “**Installer**” by the following:

“**Installer**: contractor or owner-builder holding the appropriate licence issued under the Building Act (chapter B-1.1).”;

(6) by revoking Clause 4.2;

(7) by replacing Clause 6.7.2(b) by the following:

“(b) in a chimney, flue, laundry chute, garbage chute or, in the case of an elevator, dumbwaiter or small dumbwaiter, in a sleeve, machine location, machine room, control site or control room.”;

(8) by replacing Clause 6.9.3 by the following:

“6.9.3 Welding of gas piping shall be performed in compliance with a welding method established and complying with Clauses 7.6, 7.7 and 7.11 of CAN/CSA Standard Z662 by a welder holding the appropriate qualification certificate issued under the Act respecting workforce vocational training and qualification (chapter F-5).”;

(9) by inserting the following after Clause 7.1.3:

“7.1.4 Boilers converted to gas shall be in compliance with Clauses 9.4.1 and 9.4.2 of CSA Standard B149.3.”;

(10) by replacing Clause 8.2.1 by the following:

“8.2.1 Subject to the exceptions referred to in the second paragraph and in Clause 8.2.3, an outdoor air supply sized in accordance with Clause 8.2.2 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 ft³ per 1,000 Btu/h (4.84 m³ per kW) of the total heat input of all the appliances in the enclosure or the structure.”;

(11) by striking out “and the Structure Complies with Clause 8.2.1 (a) or (b)” and “and Tables 8.3 and 8.4” in the heading of Table 8.1;

(12) by striking out “and the Structure Complies with Clause 8.2.1 (a) or (b)” in the heading of Table 8.2;

(13) by replacing Clause 8.2.3 by the following:

“8.2.3 An outdoor air supply shall not be required for a mechanically vented water heater with a heat input of 50,000 Btu/h (14.64 kW) or less where there are no other appliances that require 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 ft³ per 1,000 Btu/h (4.84 m³ per kW) of its heat input.”;

(14) by revoking Clauses 8.2.4 and 8.2.5 and Tables 8.3 and 8.4;

(15) by striking out in Clause 8.2.6 “, provided that the structure is not constructed as described in Clause 8.2.1(a) and does not comply with Clause 8.2.1(b). Otherwise, the volume of the enclosure shall be used.”;

(16) by striking out the reference to Clause 8.2.4 in Clauses 8.3.1, 8.3.3 and 8.3.4;

(17) by inserting the following after Clause 8.13.3:

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

(18) by adding the following paragraph at the end of Clause 8.14.8:

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

(19) by inserting the following after Clause 8.18.23:

“8.18.24 The total length of a vent connector shall comply with that provided for in Table C.9 of Annex C or be sized in accordance with a calculation prepared by an engineer.”;

(20) by replacing “in accordance with Clause 8.2.1” in Clause C.2.2 General Venting Requirements (GVR) of Annex C by “after 1985 or where the doors and windows were replaced after 1985”.

2.13 CSA Standard B149.2 is amended

(1) by replacing Clauses 1.1 and 1.2 by the following:

“1.1 This Code applies to

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

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

(2) in Clause 2

(a) by replacing the first paragraph by the following:

“The documents incorporated by reference into this Code are those indicated below and include any subsequent amendments and editions that may be published.

Despite the first paragraph, where a document indicated below is adopted by reference by a chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3), or by another regulation of the Board, the document incorporated by reference into this Code is then the document as adopted by that chapter or regulation.”;

(b) by inserting the following after the reference “NFPA 30B-2011 Code for the Manufacture and Storage of Aerosol Products”:

“NFPA 68, Standard on Explosion Protection by Deflagration Venting, 2013 Edition.”;

(3) in Clause 3

(a) by replacing “The following definitions shall apply in this Code:” after the note by “Unless the context indicates otherwise, the following definitions shall apply in this Code:”;

(b) by replacing the definition “**Approved**” by the following:

“**Approved**: approved or authorized by the Régie du bâtiment du Québec under sections 2.06 and 2.07 of the Construction Code (chapter B-1.1, r. 2) or section 127 or 128 of the Building Act (chapter B-1.1).”;

(c) by replacing the definition “**Authority having jurisdiction**” by the following:

«**Authority having jurisdiction**: Régie du bâtiment du Québec.»;

(d) by striking out the definition “**Certified**”;

(e) by inserting the following after the definition “**Kiosk**”:

“**Liquefied petroleum gas**: propane, propylene, butanes (normal butane or isobutane), butylene or a mixture of those gases.”;

(f) by replacing the definition “**Installer**” by the following:

“**Installer**: contractor or owner-builder holding an appropriate licence issued under the Building Act (chapter B-1.1).”;

(4) by revoking Clause 4.2;

(5) by revoking Clause 5.2.11;

(6) by replacing Clause 6.5.10.2(c) by the following:

“(c) an explosion relief panel in compliance with standard NFPA 68; or”;

(7) by replacing Clause 7.17.3(e)(iii) by the following:

“(iii) an explosion relief panel in compliance with standard NFPA 68; or”.

2.14. CSA Standard B149.3 is amended

(1) by replacing “**D** (informative)” in “**Annexes**” in the Table of Contents by “**D** (mandatory)”;

(2) by revoking Clause 1.2;

(3) by replacing the first paragraph of Clause 2 by the following:

“The documents incorporated by reference into this Code are those indicated below and include any subsequent amendments and editions that may be published.

Despite the first paragraph, where a document indicated below is adopted by reference by a chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3), or by another regulation of the Board, the document incorporated by reference into this Code is then the document as adopted by that chapter or regulation.”;

(4) in Clause 3

(a) by replacing “The following definitions shall apply in this Code:” after the note by “Unless the context indicates otherwise, the following definitions shall apply in this Code:”;

(b) by replacing the definition “**Approved**” by the following:

“**Approved:** approved or authorized by the Régie du bâtiment du Québec under sections 2.06 and 2.07 of the Construction Code (chapter B-1.1, r. 2) or section 127 or 128 of the Building Act (chapter B-1.1).”;

(c) by replacing the definition of “**Authority having jurisdiction**” by the following:

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

(5) by replacing Clause 5.4.3 by the following:

“5.4.3 When an electronic-type fuel-air ratio control (FARC) system is used, it shall be in compliance with standard ISO 23552-1 or the provisions of Annex D.”;

(6) by replacing “(informative)” in the title of Annex D by “(mandatory)”;

(7) by replacing the note in Annex D by the following:

“**Note:** This Annex is a mandatory part of this Code.”;

(8) by replacing the first two paragraphs of Clause D.2 in Annex D by the following:

“These Guidelines provide a listing of the features that shall be incorporated with electronic-type fuel-air ratio control (FARC) systems.

The provisions shall be satisfied.”.

2.15. CSA Standard Z276 is amended

(1) by replacing “D (informative)” in “Annexes” in the Table of Contents by “D (mandatory)”;

(2) by replacing Clause 1.1 by the following:

“1.1 This Standard applies to fixed and mobile facilities intended for the liquefaction, storage, vaporization, transfer or handling of liquefied natural gas regardless of their locations and for the distribution of the liquefied natural gas.”;

(3) by replacing Clause 1.2.2 by the following:

“1.2.2 This Standard includes non-mandatory guidelines for small LNG facilities (see the definition of “small facility” in Chapter 3 and Annex B) and mandatory guidelines for LNG vehicle fuelling stations employed for fleet or public LNG vehicle fuel dispensing operations (see the definition of “fuelling station” in Clause D.2 and Annex D). If Annex D cannot be complied with, the facility shall be approved by the Régie du bâtiment du Québec according to the conditions it sets under sections 127 and 128 of the Building Act (chapter B-1.1).”;

(4) by revoking Clause 1.2.3;

(5) by revoking Clause 1.3;

(6) by replacing the first paragraph of Clause 2 by the following:

“The documents incorporated by reference into this Standard are those indicated below and include any subsequent amendments and editions that may be published.

Despite the first paragraph, where a document indicated below is adopted by reference by a chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3), or by another regulation of the Board, the document incorporated by reference into this Standard is then the document as adopted by that chapter or regulation.”;

(7) in Clause 3

(a) by replacing the first sentence of the Clause by the following:

“Unless the context indicates otherwise, the following definitions shall apply in this Code.”;

(b) by inserting the following definition before “**Authority having jurisdiction**”:

“**Approved:** approved or authorized by the Régie du bâtiment du Québec under sections 2.06 and 2.07 of the Construction Code (chapter B-1.1, r. 2) or section 127 or 128 of the Building Act (chapter B-1.1).”;

(c) by replacing the definition “**Authority having jurisdiction**” by the following:

«**Authority having jurisdiction:** Régie du bâtiment du Québec.»;

(8) by replacing “(informative)” in the title of Annex D by “(mandatory)”;

(9) by replacing the notes in Annex D by the following:

“**Note:** This Annex constitutes a mandatory part of this Standard.”.

2.16. CAN/CSA Standard Z662 is amended

(1) by replacing Clause 1.1 by the following:

“1.1 This Standard covers intraprovincial gas pipeline systems to the extremity of the operator’s installations, that is, the point where the operator’s piping ends.”;

(2) by replacing the first paragraph of Clause 2.1 by the following:

“The documents incorporated by reference into this Standard are indicated below and include any subsequent amendments and editions that may be published.

Despite the first paragraph, where a document indicated below is adopted by reference by a chapter of the Construction Code (chapter B-1.1, r. 2) or the Safety Code (chapter B-1.1, r. 3), or by another regulation of the Board, the document incorporated by reference into this Standard is then the document as adopted by that chapter or regulation.”;

(3) in Clause 2.2

(a) by replacing the first sentence of the Clause by the following:

“Unless the context indicates otherwise, the following definitions shall apply in this Code.”;

(b) by striking out the definition “**Construction**”;

(c) by replacing the definition of “**Contractor**” by the following:

“**Contractor**: a contractor or an owner-builder within the meaning of section 7 of the Building Act (chapter B-1.1), who carries out or has carried out construction work covered by this Standard.”;

(d) by adding the following after the definition “**Ductile cast iron**”:

“**Easily accessible**: within reach for the operation, replacement, maintenance or inspection without having to climb, remove an obstacle or use a mobile ladder.”;

(4) by inserting the following after Clause 10.6.4.4:

“10.6.5 Right of way encroachment where high pressure gas pipeline is installed (operated at more than 30% of their SMYS)

10.6.5.1 Except for agricultural work carried out at a maximum depth of 30 cm, no soil disturbance may be carried out in a right of way unless prior written authorization has been obtained from the operator.

For the purposes of this Clause, “soil disturbance” means all work, operations or activities, above ground or underground, causing a movement or a shift of soil or

ground cover, including in particular the following activities: excavation, trench, vertical drilling, dethatching, soil levelling, tree planting, soil aeration, mechanical stone collection, rutting and installation of fence posts, bars, rods, stakes or anchors.

10.6.5.2 No building (including a shed) or other object permanently fixed may be erected in a right of way.

10.6.5.3 No flammable material, solid or liquid residue, refuse, waste or effluent may be deposited or stored in a right of way.

10.6.5.4 Except for vehicles travelling on a public road crossing the right of way, only vehicles belonging to an operator or authorized by an operator may travel on that right of way for inspection, maintenance or leak detection purposes.”;

(5) by inserting the following after Clause 12.2:

“12.2.1 The service line of a building shall come out of the ground before entering the building and it shall 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 shall 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.

Where buildings are connected by a common area, service lines may serve their respective building through the common area provided they are equipped with a service shut-off valve identified and connected to a common service line equipped with a main service shut-off valve above ground.

However, an identification indicating the presence of natural gas and the location of the service shut-off valves shall be present outside near the main entrance to each of the buildings served.

12.2.2 The service shut-off valves above ground shall be easily accessible for their operation.

12.2.3 Before supplying gas to an installation, an operator shall affix to the building, above or within a radius of not more than one metre from any service entrance, a distinctive mark visible at all times.”.

DIVISION VIII INSPECTION FEES

2.17. A contractor or an owner-builder in gas must pay to the Board, for the inspection of construction work for a gas installation carried out further to the issue of a remedial notice provided for in section 122 of the Building Act (chapter B-1.1), inspection fees of \$156.13 for the first hour or fraction thereof, half of the hourly rate for each half-hour or fraction thereof in addition to the first hour and fees of \$73.46 for each trip.

DIVISION IX OFFENCE

2.18. Any contravention of one of the provisions of this Chapter, except the provisions of Division VIII, constitutes an offence.”

2. The Regulation respecting the application of the Building Act (chapter B-1.1, r. 1) is amended by revoking sections 3.3.3 and 3.3.4.

3. This Regulation comes into force on 15 November 2018

103607

Gouvernement du Québec

O.C. 992-2018, 3 July 2018

Building Act
(chapter B-1.1)

Safety Code Regulation — Amendment

Regulation to amend the Safety Code and the Regulation respecting the application of the Building Act

WHEREAS, under section 175 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec adopts by regulation a safety code containing safety standards for buildings, facilities intended for use by the public, installations independent of a building and their vicinity, and standards for their maintenance, use, state of repair, operation and hygiene;

WHEREAS, under section 176 of the Act, the 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 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 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;

WHEREAS, under paragraph 0.1 of section 185 of the Act, the Board may, by regulation, exempt from the application of the Act or certain of its provisions categories of persons, owners of buildings, facilities intended for use by the public or installations independent of a building, and categories of buildings, facilities or installations;

WHEREAS, under paragraph 5.1 of section 185 of the Act, the Board may, by regulation, establish in particular the conditions and the manner according to which a permit referred to in sections 35.2 and 37.1 of the Act is issued, amended or renewed and its period of validity;

WHEREAS, under paragraph 5.2 of section 185 of the Act, the Board may, by regulation, fix the fees payable for the issue, amendment or renewal of a permit by a person referred to in sections 35.2 and 37.1 of the Act;

WHEREAS, under paragraph 6.1 of section 185 of the Act, the Board may, by regulation, adopt standards relating to vehicle-mounted installations intended for the storage or distribution of gas;

WHEREAS, under paragraph 22 of section 185 of the Act, the Board may, by regulation, set, in particular for the determining of the levy payable by each operator of a gas distribution undertaking, a fixed amount or an amount in relation to the volume of gas sold or both together, and determine the period for which the levy is payable by each operator, define what constitutes the volume of gas sold and determine the maximum thereof;

WHEREAS, under paragraph 33 of section 185 of the Act, the Board may, by regulation, prescribe the form, content and manner of forwarding of, in particular, the register of buildings, facilities intended for use by the public or installations independent of a building that each owner must place at its disposal;

WHEREAS, under paragraph 36 of section 185 of the Act, the Board may, by regulation, set the time limit and the manner of payment of the levy payable in particular by each owner or operator of a gas distribution undertaking;