

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER F-22.01 REG 1

The Freedom of Information and Protection of Privacy Act
Section 69

Order in Council 290/92, dated March 31, 1992.

(Filed March 31, 1992)

1 These regulations may be cited as *The Freedom of Information and Protection of Privacy Regulations*. Title

2 In these regulations: Interpretation
(a) **"Act"** means *The Freedom of Information and Protection of Privacy Act*;
(b) **"employment reference"** means personal information that is evaluative or opinion material compiled solely for the purpose of describing an individual's suitability, eligibility or qualifications for employment.

3 For the purposes of subclause 2(1)(d)(ii) of the Act: Government institutions prescribed
(a) the bodies set out in Part I of the Appendix; and
(b) subsidiaries of government institutions that are Crown corporations;
are prescribed as government institutions.

4 For the purposes of subclause 2(1)(e)(ii) of the Act: Heads prescribed
(a) the chief executive officers of Crown corporations that are prescribed as government institutions pursuant to clause 3(a) are prescribed as the heads of their respective Crown corporations;
(b) the chief executive officers of Crown corporations that are the parent corporations of subsidiaries that are prescribed as government institutions pursuant to clause 3(b) are prescribed as the heads of the respective subsidiaries; and
(c) the chairpersons of all other bodies that are prescribed as government institutions pursuant to clause 3(a) or the chairpersons of the boards of those bodies, as the case may be, are prescribed as the heads of their respective government institutions.

5 For the purposes of clause 6(1)(a) of the Act, Form A of Part II of the Appendix Applications
is the form prescribed for applications for access to records.

6(1) Where access to a record or part of a record is given by providing the applicant Fees
with a copy of the record, the following fees are payable at the time when access is given:

- (a) for a photocopy, \$0.25 per page;
- (b) for a computer printout, \$0.25 per page;
- (c) for a paper print from microfilm, \$0.50 per page;
- (d) for 16 millimetre microfilm duplication, non-silver, \$32 per 30.5 metre reel;
- (e) for 35 millimetre microfilm duplication, non-silver, \$35 per 30.5 metre reel;
- (f) for microfiche duplication, non-silver, \$0.50 per fiche;
- (g) for a print of a photograph or slide:
 - (i) \$7 per 5" x 7" black and white print;
 - (ii) \$10 per 5" x 7" colour print;
 - (iii) \$9 per 8" x 10" black and white print;

- (iv) \$12 per 8" x 10" colour print;
- (v) \$18 per 11" x 14" black and white print;
- (vi) \$21 per 11" x 14" colour print;
- (h) for a print mentioned in clause (g) for which a negative must be made:
 - (i) \$13 per 5" x 7" black and white print;
 - (ii) \$16 per 5" x 7" colour print;
 - (iii) \$15 per 8" x 10" black and white print;
 - (iv) \$18 per 8" x 10" colour print;
 - (v) \$24 per 11" x 14" black and white print;
 - (vi) \$27 per 11" x 14" colour print;
- (i) for an audio cassette, \$15 for each hour or portion of an hour;
- (j) for a one-half inch video cassette, \$35 for each hour or portion of an hour;
- (k) for a floppy disk, \$10;
- (l) for a form of record not mentioned in clauses (a) to (k), the actual cost of copying the record.

(2) Where time in excess of two hours is spent in searching for a record requested by an applicant or in preparing it for disclosure, a fee of \$15 for each half-hour or portion of a half-hour of that excess time is payable at the time when access is given.

(3) Where a search and retrieval of electronic data is required to give access to a record requested by an applicant, a fee equal to the actual cost of the search and retrieval, including machinery and operator costs, is payable at the time when access is given.

Estimate

7(1) For the purposes of subsection 9(2) of the Act, \$50 is prescribed as the amount of fees beyond which an estimate must be given by the head.

(2) Where the amount of an estimate exceeds the actual amount of fees determined pursuant to section 6, the actual amount of fees is the amount payable by the applicant.

Fees where access refused

8(1) No fees are payable where access to a record is refused.

(2) Where a deposit has been paid pursuant to subsection 9(4) of the Act and access to the record requested is refused, the deposit is to be refunded to the applicant.

Waiver of fees

9 For the purposes of subsection 9(5) of the Act, the following circumstances are prescribed as circumstances in which a head may waive payment of fees:

- (a) where the actual cost of responding to an application varies from the total of the prescribed fees that are applicable to the application;
- (b) where payment of the prescribed fees will cause a substantial financial hardship for the applicant and:
 - (i) in the opinion of the head, giving access to the record is in the public interest; or
 - (ii) the application involves personal information.

Local authority defined

10 For the purposes of subsection 13(2) of the Act, "local authority" means:

- (a) an urban municipality within the meaning of *The Urban Municipality Act, 1984*;
- (b) a rural municipality within the meaning of *The Rural Municipality Act, 1989*;
- (c) a northern municipality within the meaning of *The Northern Municipalities Act*;
- (d) a committee of a council of a municipality within the meaning of *The Urban Municipality Act, 1984*, *The Rural Municipality Act, 1989* or *The Northern Municipalities Act*, as the case may be;
- (e) a regional park authority within the meaning of *The Regional Parks Act, 1979*;

- (f) the board of a public library within the meaning of *The Public Libraries Act, 1984*;
- (g) the Northern Library Office established pursuant to *The Public Libraries Act, 1984*;
- (h) a board of education within the meaning of *The Education Act*;
- (i) the board of a regional college within the meaning of *The Regional Colleges Act*;
- (j) the Saskatchewan Institute of Applied Science and Technology;
- (k) the University of Saskatchewan, including Saint Thomas More College;
- (l) the University of Regina, including:
 - (i) Campion College; and
 - (ii) Luther College with respect to its post-secondary level activities;
- (m) the person who owns or operates a hospital within the meaning of *The Hospital Standards Act*;
- (n) a district corporation within the meaning of *The Home Care Act*;
- (o) the person who owns or operates a special-care home within the meaning of *The Housing and Special-care Homes Act*; or
- (p) a board within the meaning of *The Ambulance Act*.

11 For the purposes of clause 19(1)(e) of the Act, the Agricultural Credit Corporation is prescribed as a Crown corporation the head of which is required to refuse to give access to a record that contains a statement of financial assistance provided to a third party. Third party statements

12 For the purposes of clause 23(3)(l) of the Act, section 152 of *The Election Act* is prescribed as a provision to which subsection 23(1) of the Act does not apply. Confidentiality provisions in other enactments

13 For the purposes of clause 24(2)(f) of the Act, “**discretionary benefit of a financial nature**” does not include a payment made pursuant to:

- (a) section 13 of *The Saskatchewan Assistance Act*; or
- (b) section 59 or 61 of *The Child Care Regulations*.

Discretionary benefits

14 For the purposes of clause 29(2)(g) of the Act, the following law enforcement agencies and investigative bodies are prescribed as law enforcement agencies or investigative bodies to which personal information may be disclosed:

- (a) the Royal Canadian Mounted Police;
- (b) a police service or regional police service within the meaning of *The Police Act, 1990*;
- (c) the Canadian Security Intelligence Service;
- (d) the Department of Parks and Renewable Resources with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (e) the Department of Highways and Transportation with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees.

Disclosure of personal information to law enforcement agencies

15 For the purposes of clause 29(2)(q) of the Act, an auditor appointed by the Lieutenant Governor in Council to perform an audit is prescribed as a person to whom personal information may be disclosed if the auditor agrees not to make a subsequent disclosure of the information in a form that could reasonably be expected to identify the individual to whom the information relates. Disclosure of personal information to auditor

16 For the purposes of clause 29(2)(u) of the Act, personal information may be disclosed:

- (a) to another government institution for the purposes of:

Other disclosure of personal information

- (i) determining the eligibility of an individual to participate in a program of, or receive a product or service from, the Government of Saskatchewan or a government institution, in the course of processing an application made by or on behalf of the individual to whom the information relates;
- (ii) verifying the eligibility of an individual who is or was participating in a program of, or receiving a product or service from, the Government of Saskatchewan or a government institution;
- (iii) verifying the accuracy of personal information held by the other government institution; or
- (iv) collecting a debt or assisting in the collection of a debt owing to Her Majesty in right of Saskatchewan or to a government institution;
- (b) to an individual or body providing consulting or other services to the Government of Saskatchewan or a government institution if the individual or body agrees not to make a subsequent disclosure of the information in a form that could reasonably be expected to identify the individual to whom it relates;
- (c) where disclosure may reasonably be expected to assist in the provision of services for the benefit of the individual to whom the information relates;
- (d) to a professional association for the purpose of carrying out an investigation authorized or required by an Act;
- (e) for the purpose of providing an employment reference with respect to a person who is or was employed by a government institution; or
- (f) for the purpose of commencing or conducting a proceeding or possible proceeding before a court or tribunal.

Disclosure of
personal
information
by SGI

17(1) In this section:

- (a) **“driver licence information”** means the name and address of a driver;
 - (b) **“driver record information”** means information with respect to:
 - (i) a driver’s convictions for vehicle-related offences; or
 - (ii) accidents involving a driver;
 - (c) **“registrar of motor vehicles”** means the person or body in any jurisdiction that performs the duties of superintending the registration of motor vehicles and the licensing of drivers in that jurisdiction, and includes the deputy of that person or body;
 - (d) **“registration information”** means the name and address of the owner of a vehicle;
 - (e) **“SGI”** means the corporation continued pursuant to section 3 of *The Saskatchewan Government Insurance Act, 1980*.
- (2) SGI may disclose registration information to:
- (a) a receiver or a trustee in bankruptcy for the purpose of permitting that person to carry out the duties of a receiver or a trustee in bankruptcy;
 - (b) legal counsel acting in a matter directly related to a claim for damages arising out of the ownership, operation or use of the vehicle;
 - (c) a person licensed pursuant to *The Motor Dealers Act* or to a manufacturer of vehicles for the purpose of recalling vehicles or making inspections for safety purposes;
 - (d) a local authority for the purpose of facilitating the collection of outstanding fees, fines or other indebtedness arising out of the ownership, operation or use of the vehicle;
 - (e) the War Amputations of Canada for the purpose of allowing that organization to operate a key return service.
- (3) SGI may disclose driver licence information to:
- (a) a person who acts as legal counsel for the estate of a deceased driver for the purpose of administering the estate;
 - (b) a registrar of motor vehicles in any jurisdiction, and may also disclose driver record information to a registrar of motor vehicles.

18 Where the Act requires the consent of an individual to be given, the consent is to be in writing unless, in the opinion of the head, it is not reasonably practicable to obtain the written consent of the individual. Consent

19(1) For the purposes of subsection 44(1) of the Act, the following oath or affirmation is prescribed for the commissioner: Oath of office

I,, do swear/solemnly affirm that I will faithfully and impartially perform and discharge the duties and functions of the Information and Privacy Commissioner and that I will not, except as provided in *The Freedom of Information and Protection of Privacy Act* or in *The Local Authority Freedom of Information and Protection of Privacy Act* when that Act is proclaimed, divulge any information received by me in the exercise of my powers or the performance of my duties and functions under those Acts.

(2) For the purposes of subsection 44(2) of the Act, the following oath or affirmation is prescribed for the members of the staff of the commissioner:

I,, do swear/solemnly affirm that I will faithfully and impartially perform and discharge the duties and functions of my office as an employee of the Information and Privacy Commissioner and that I will not, except as provided in *The Freedom of Information and Protection of Privacy Act* or in *The Local Authority Freedom of Information and Protection of Privacy Act* when that Act is proclaimed, divulge any information received by me in the exercise of my powers or the performance of my duties and functions under those Acts.

20 For the purposes of subsections 49(1) and (3) of the Act, Form B of Part II of the Appendix is the form prescribed for applications for review by the commissioner. Applications for review

21 A fee in the amount of \$15 is payable for the provision of a copy of a directory produced pursuant to section 64 of the Act to any person, institution or organization other than one mentioned in subsection 64(2) of the Act. Fee for directory

22(1) Subject to subsection (2), these regulations come into force on the day on which *The Freedom of Information and Protection of Privacy Act* comes into force. Coming into force

(2) If *The Freedom of Information and Protection of Privacy Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

PART I

Boards, Commissions, Crown Corporations and Other Bodies Prescribed as Government Institutions

[Section 3]

Agricultural Credit Corporation of Saskatchewan
Agricultural Implements Board
Agriculture Development Fund Corporation
Board of Revenue Commissioners
CIC Mineral Interests Corporation
Co-operative Securities Board
Crimes Compensation Board
Crown Investments Corporation
Farm Land Security Board
Highway Traffic Board
Horse Racing Commission
Labour Relations Board

Law Reform Commission of Saskatchewan
Liquor Board Superannuation Commission
Meewasin Valley Authority
Milk Control Board
Minimum Wage Board
Municipal Employees' Superannuation Commission
Municipal Financing Corporation
New Careers Corporation
Office of the Chief Electoral Officer
Office of the Rentalsman
Oil and Gas Conservation Board
Prairie Agricultural Machinery Institute
Provincial Mediation Board
Public and Private Rights Board
Public Employees Superannuation Supervisory Board
Public Service Commission
Public Service Superannuation Board
Rent Appeal Commission
Saskatchewan Alcohol and Drug Abuse Commission
Saskatchewan Archives Board
Saskatchewan Arts Board
Saskatchewan Centre of the Arts
Saskatchewan Communications Network Corporation
Saskatchewan Computer Utility Corporation
Saskatchewan Crop Insurance Corporation
Saskatchewan Development Fund Corporation
Saskatchewan Economic Development Corporation
Saskatchewan Energy Holdings Ltd.
Saskatchewan Farm Ownership Board
Saskatchewan Forest Products Corporation
Saskatchewan Gaming Commission
Saskatchewan Government Growth Fund Management Corporation
Saskatchewan Government Insurance
Saskatchewan Grain Car Corporation
Saskatchewan Housing Corporation
Saskatchewan Human Rights Commission
Saskatchewan Lands Appeal Board
Saskatchewan Legal Aid Commission
Saskatchewan Liquor Board
Saskatchewan Mining Development Corporation
Saskatchewan Municipal Board
Saskatchewan Pension Plan Board of Trustees
Saskatchewan Police Commission
Saskatchewan Power Corporation
Saskatchewan Power Corporation Superannuation Commission
Saskatchewan Property Management Corporation
Saskatchewan Research Council
Saskatchewan Securities Commission
Saskatchewan Telecommunications
Saskatchewan Transportation Company
Saskatchewan Water Corporation
Saskatchewan Wetlands Conservation Corporation
SaskTel Superannuation Commission
Souris Basin Development Authority
Surface Rights Arbitration Board
Teachers' Superannuation Commission
Tripartite Beef Administration Board
Wakamow Valley Authority
Wanuskewin Heritage Park Corporation
Wascana Centre Authority
Water Appeal Board
Western Development Museum
Workers' Compensation Board
Workmen's Compensation Superannuation Board

APRIL 10, 1992

PART II

Forms

Form A

[Section 5]



Government of
Saskatchewan

Freedom of
Information

Note: Please direct the request to
appropriate government institution for
response.

**Access to Information
Request Form**

(Please Print)

Applicant Information

Last Name	First Name	
Address	City or Town	Province
Postal Code	Telephone (Residence)	Telephone (Work)

Detail Of Requested Information

General Information Request <input type="checkbox"/>	Personal Information Request <input type="checkbox"/>
Provincial Government Institution	
Name of Record (if known)	
Detailed Description of Record: _____ _____ _____ _____	
I understand that I may be required to pay a fee before receiving the records to which I have applied for access. _____ <i>Signature of Applicant</i>	
For Office Use Only	
Date Received _____	Application No. _____

Request to Waive Fees

I hereby declare that payment of fees related to the above mentioned request will cause me substantial financial hardship. Details are as follows: (Use reverse of form if additional space is required.)

Signature of Applicant

White - Government institution

Yellow - Co-ordinator

Pink - F.O.I. unit

Gold - Applicant

Form B
[Section 20]



Government of
Saskatchewan

Freedom of
Information

Request For Review

Send this form to: Information and Privacy Commissioner

Application No.: _____ (For Commissioner's Use)

Reason For Request

- ☐ I have been refused access to all or part of the record.
- ☐ I have been notified that the record does not exist/cannot be found.
- ☐ I have been notified that the existence of the record shall neither be confirmed nor denied.
- ☐ I have not received a reply to my application, which I submitted _____ days ago.
- ☐ I disagree with the need to extend the 30-day response period.
- ☐ My correction to a personal information record was not accepted as correct/verifiable.
- ☐ I am a third party, and I wish to request a review of a decision to give access to a record that affects my interests.

Details Of Request

Department Name	Date of Application	Application Number
<p>Please explain the details of your request, attaching supporting documentation if possible. Use additional pages if required.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>		

Applicant Information

Name		Telephone
Address		Postal Code
Signature		Date

White - Commissioner

Yellow - Government institution

Pink - Applicant

CHAPTER U-1.2 REG 5

The Uniform Building and Accessibility Standards Act Sections 8 and 11

Order in Council 292/92, dated March 31, 1992.

(Filed March 31, 1992)

PART I

Title and Interpretation

1 These regulations may be cited as *The Uniform Building and Accessibility Standards Regulations*. Title

2(1) In these regulations:

Interpretation

- (a) **“Act”** means *The Uniform Building and Accessibility Standards Act*;
- (b) **“Code”** means the edition and provisions of the National Building Code of Canada, including revisions, variations and modifications to it, declared to be in force pursuant to subsection 3(1);
- (c) **“existing building”** means a building:
 - (i) on which construction was commenced or completed prior to June 6, 1988; or
 - (ii) for which a valid building permit was issued pursuant to a bylaw of the appropriate local authority prior to June 6, 1988.

(2) Subject to the Act and these regulations, words, symbols and abbreviations defined in the Code apply to these regulations.

(3) For the purpose of interpreting the Code for the purposes of these regulations:

- (a) **“authority having jurisdiction”**, when used in the Code, means the appropriate local authority or an inspector appointed by the appropriate local authority;
- (b) **“building”**, when used in the Code, means a building as defined in the Act;
- (c) **“farm building”**, when used in the Code, means a farm building as defined in the Act;
- (d) **“occupancy”**, when used in the Code, means an occupancy as defined in the Act;
- (e) **“owner”**, when used in the Code, means an owner as defined in the Act.

(4) Words or phrases used in the Code that are not defined in the Act, these regulations or the Code have the meanings that are commonly assigned to them in the context in which they are used in the Code, taking into account the specialized use of terms within the various trades and professions to which the words and phrases apply.

(5) For the purposes of these regulations:

- (a) a building;
- (b) a building area; or
- (c) a facility in a building;

is barrier-free if a person with a physical disability that may or may not require the use of a wheelchair is able, without assistance, to approach, enter, pass to and from and make use of the building, building area or facility, as the case may be.

(6) Notwithstanding any other provision of these regulations:

- (a) a building;
- (b) a building area; or
- (c) a facility in a building;

that, in the opinion of the appropriate local authority, complies with subsection (5) is deemed to comply with the accessibility standards.

PART II

General Standards

Code	<p>3(1) The National Building Code of Canada 1990, including:</p> <ul style="list-style-type: none"> (a) all Errata and Revisions to the National Building Code of Canada 1990 issued to the date these regulations come into force; and (b) the revisions, modifications and variations set forth in the Appendix to these regulations; <p>is declared to be in force.</p> <p>(2) No person who is required to comply with the Act and these regulations shall fail to comply with the Code.</p>
No relief of obligation to comply with Code	<p>4 An owner of a building or an owner's contractor or employee is not relieved from the obligation to carry out any work that is within the scope of sections 7 and 10 of the Act in accordance with the Code by reason only of:</p> <ul style="list-style-type: none"> (a) the granting of a permit; (b) the review of drawings and specifications; (c) the making of inspections; or (d) the absence or omission of any of the things mentioned in clauses (a) to (c).
Certain facilities exempt	<p>5 Notwithstanding any other provision of these regulations, a facility in a building is not required to comply with these regulations if the facility:</p> <ul style="list-style-type: none"> (a) existed prior to the coming into force of these regulations; (b) complied with <i>The Accessibility Standards Regulations</i> and <i>The Building Standards Regulations</i>, as those regulations existed on the day before these regulations come into force; and (c) does not constitute an unsafe condition.
Ground elevations	<p>6 No owner of a building or an owner's contractor or employee shall cause or permit the ground elevations of a building to be changed so as to place:</p> <ul style="list-style-type: none"> (a) the building or part of the building; or (b) an adjacent building; <p>in contravention of the Code.</p>
Property boundaries	<p>7 If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the Code, the owner shall immediately alter the building or part of the building to bring it into compliance with the Code.</p>
Construction requirements	<p>8(1) An owner who undertakes to construct or have constructed a building within the scope of Part 3 of the Code shall have an architect or engineer complete the design or design review of:</p> <ul style="list-style-type: none"> (a) the building; and (b) all building systems. <p>(2) An owner who undertakes to construct or have constructed a building with a structure within the scope of Part 4 of the Code shall have an architect or engineer complete:</p> <ul style="list-style-type: none"> (a) the design or design review of the structure; (b) an inspection of construction of the structure to ensure compliance with the design; and (c) the reviews required by the Code. <p>(3) An owner who undertakes to construct or have constructed a building within the scope of Part 9 of the Code shall ensure that a competent person acceptable to the appropriate local authority has designed or reviewed the design of the building.</p> <p>(4) An owner shall ensure that copies of any inspection or review reports made pursuant to this section are made available to an inspector or the appropriate local authority on the request of the inspector or appropriate local authority, as the case may be.</p>

9(1) No local authority or inspector shall:

- (a) assist in the laying out of any work;
- (b) assist in any construction work; or
- (c) act in the capacity of an engineering or architectural consultant;

Local
authority and
inspector

in relation to a building that is, or will be, under the jurisdiction of the local authority or inspector, as the case may be.

(2) Notwithstanding subsection (1), a local authority or inspector may answer questions that are relevant to the Code to the extent that is reasonably necessary for the administration of these regulations.

10 The owner or the owner's contractor shall ensure that the plans, specifications and related construction documents and drawings for a building under construction are available at the work site during working hours for inspection by:

Availability
of plans

- (a) an inspector; and
- (b) the person who or firm that is to review the work pursuant to the Code.

11(1) No:

Unsafe
condition

- (a) owner of a building;
- (b) agent, contractor, employee, successor or assignee of an owner of a building; or
- (c) registered owner of land on which a building is situated;

shall cause, permit or maintain any unsafe condition in the construction, reconstruction, demolition, alteration, removal, relocation, occupancy or change of occupancy of a building or part of a building.

(2) If a building or part of a building:

- (a) is in an unsafe condition; or
- (b) for any reason or at any time develops or acquires an unsafe condition;

the owner shall immediately take all necessary steps to put the building or part of the building in a safe condition.

(3) If occupancy of a building or part of a building occurs prior to the completion of any work being carried out in, on or about the building or part of the building, the owner shall ensure that no occupant is exposed to an unsafe condition resulting from the work being carried out.

12 No person shall knowingly submit false or misleading information to:

False
information

- (a) an inspector;
- (b) a local authority;
- (c) the minister; or
- (d) any person employed by the minister or a local authority to administer or enforce the Act or these regulations.

13(1) Where service of a document or notice in writing is to be given pursuant to the Act or the regulations, service may be effected or notice given by:

Service

- (a) personal service;
 - (b) registered mail addressed to the person to be served or given notice at his or her last known address;
 - (c) posting the document or notice in a conspicuous location at the site of a building or excavation that is described or identified in the document or notice and that forms part of the subject matter of the document or notice;
 - (d) leaving the document or notice with any person:
 - (i) at the site of a building or excavation that is described or identified in the document or notice and that forms a part of the subject matter of the document or notice; or
 - (ii) at any place of business owned or operated by the person to be served or to whom the notice is addressed;
- who appears to be in control or management of the site or place;

- (e) leaving the document or notice with any person over 16 years of age at the place of residence of the person to be served; or
 - (f) any of the methods of service provided in the Queen's Bench Rules of Court.
- (2) A document or notice served by registered mail is deemed to have been received on the fifth day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of that person:
- (a) he or she did not receive the document or notice; or
 - (b) he or she received the document or notice at a later date.

PART III

Accessibility Standards

Major
occupancy
change

- 14** If there is a change in the major occupancy of an existing building that:
- (a) has a building area in excess of 600 m²; and
 - (b) is not barrier-free;

the owner of the existing building shall ensure that the existing building is made barrier-free in conformance with the Code.

Alterations
and
renovations

- 15** If an existing building or part of an existing building that is barrier-free is altered or renovated, the owner of the existing building shall ensure that:
- (a) the existing building or part of the existing building remains barrier-free; and
 - (b) the alterations or renovations are made barrier-free in compliance with the Code.

Additions

- 16(1)** Subject to subsections (2) and (3), the owner of an existing building to which an addition is made shall ensure that:
- (a) the addition; and
 - (b) the existing building, if the addition has internal pedestrian connections with the existing building;

is barrier-free in conformance with the Code.

- (2) Subsection (1) does not apply to an existing building:
- (a) that is not barrier-free; and
 - (b) to which an addition is being made, if the addition is:
 - (i) a vertical addition to a building that has not more than 600 m² in a building area and the addition is:
 - (A) one storey; and
 - (B) not more than 600 m² in floor area;
 - (ii) a horizontal or vertical addition that is to be used as:
 - (A) an apartment building, boarding house, dormitory, convent, lodging house or monastery;
 - (B) a shop, store or supermarket with a total retail floor space of less than 50 m²;
 - (C) a high hazard industrial occupancy; or
 - (D) a subsidiary occupancy to an existing building that has a major occupancy described in paragraph (A), (B) or (C); or
 - (iii) a horizontal addition where the resulting total building area would be less than 600 m².
- (3) Unless a barrier-free path of travel is provided to an addition described in this section from a barrier-free entrance to the existing building, the owner shall ensure that a barrier-free entrance which conforms to the Code is provided to the addition.
- (4) Where an existing building has a residential occupancy and an addition to the existing building is made to provide more residential suites:

- (a) the number of suites that are required to be barrier-free pursuant to the Code is to be based on the sum of suites in the existing building and the addition; and
 - (b) the suites that are required to be barrier-free may be located in the existing building, the addition or both.
- (5) The owner of an existing building shall ensure that facilities which:
- (a) are located in an existing building to which an addition governed by this section is made; and
 - (b) are necessary to use the addition;
- are barrier-free.

PART IV

Repeal and Coming into Force

- 17(1) *The Accessibility Standards Regulations* are repealed.
- (2) *The Building Standards Regulations* are repealed.

R.R.S. c.U-1.2
Reg 1 and
U-1.2 Reg 2
repealed

18 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

Coming into
force

Appendix

Revisions, Variations and Modifications to the National Building Code of Canada 1990

[Clause 3(1)(b)]

- 1 The revisions, variations and modifications to the National Building Code of Canada 1990 are those set forth in this Appendix.
- 2 Article 1.1.3.2. is amended:
- (a) by adding the following definition after the definition of *Exterior cladding*:
“*Facility* means something that is built, installed or provided to serve a particular purpose”;
 - (b) by adding the following definition after the definition of *Interconnected floor space*:
“*K-12 school* means a *building* or part of a *building* used as a school for the instruction of persons in Kindergarten to Grade 12”;
 - (c) by adding the following definition after the definition of *Major occupancy*:
“*Manufactured home* means a *dwelling unit* that is built either wholly or in part at an offsite location and that is intended for permanent or year-round living”;
 - (d) by adding the following definition after the definition of *Mezzanine*:
“*Mobile home* means a *manufactured home* comprising single or multiple modules that is or may be equipped with running gear and is intended for relocation”;
 - (e) by adding the following definition after the definition of *Perched groundwater*:
“*Physical disability* means any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes
 - (i) epilepsy,
 - (ii) any degree of paralysis,
 - (iii) amputation,
 - (iv) lack of physical co-ordination,
 - (v) blindness or visual impairment,
 - (vi) deafness or hearing impairment,
 - (vii) muteness or speech impairment, or
 - (viii) physical reliance on a guide dog or on a wheelchair or other remedial appliance or device”; and
 - (f) by adding the following definition after the definition of *Supply duct*:

“*Tactile cue* means a device that

- (i) is perceived by the sense of touch, and
- (ii) prepares, alerts or warns persons with a *physical disability* of the presence of a *facility*, construction feature or hazard”.

3 Article 2.1.4.1. is repealed and the following substituted:

“2.1.4.1. Site Assembled and Factory-Built Buildings

“(1) Except as provided in Sentence (2), this Code applies both to site assembled and factory-built *buildings*, including *manufactured homes*.

“(2) *Mobile homes* that are not designed for *basement* installation may be constructed in compliance with the requirements of

- (a) CAN/CSA-Z240.2.1-M86 ‘Structural Requirements for Mobile Homes’,
- (b) CAN/CSA-Z240.8.1-M86 ‘Windows for Use in Mobile Homes’,
- (c) CAN/CSA-Z240.9.1-M86 ‘Requirements for Load Calculations and Duct Design for Heating and Cooling of Mobile Homes’,
- (d) CAN3-Z240.10.1-M86 ‘Recommended Practice for the Site Preparation, Foundation, and Anchorage of Mobile Homes’, and
- (e) this Code which are not covered by the standards listed in this Sentence”.

4 The following entries are added to Table 2.7.3.A.:

CSA	CAN/CSA-Z240.2.1-M86	‘Structural Requirements for Mobile Homes’	2.1.4.1.(2)
CSA	CAN/CSA-Z240.8.1-M86	‘Windows for Use in Mobile Homes’	2.1.4.1.(2)
CSA	CAN/CSA-Z240.9.1-M86	‘Requirements for Load Calculations and Duct Design for Heating and Cooling of Mobile Homes’	2.1.4.1.(2)
CSA	CAN3-Z240.10.1-M86	‘Recommended Practice for the Site Preparation, Foundation, and Anchorage of Mobile Homes’	2.1.4.1.(2)
NFPA	13D-1989	‘Sprinkler Systems One- and Two-Family Dwellings and Mobile Homes’	3.2.5.13.(4)
NFPA	13R-1989	‘Sprinkler Systems Residential Occupancies up to Four Stories in Height’	3.2.5.13.(4)”.

5 Article 3.1.2.5. is repealed and the following substituted:

“3.1.2.5. Convalescent, Care and Custodial Homes. Convalescent homes, care homes and custodial homes are permitted to be classified as Group C *residential occupancies* if

- (a) occupants live as a single housekeeping unit in a *dwelling unit* with sleeping accommodation for not more than 10 persons, and
- (b) either
 - (i) the occupants are ambulatory, or
 - (ii) the *building* is *sprinklered* in conformance with Article 3.2.5.13.”.

6 Clause 3.2.1.1.(3)(b) is repealed and the following substituted:

- “(b) it is used as an open *floor area* except
 - (i) as provided in Sentence 3.3.2.11.(2), or
 - (ii) in *buildings* of Group A, Division 3 *major occupancy* if not more than 15 per cent of the *mezzanine floor area* is enclosed for washrooms, storage rooms and *service rooms*, and”.

7 Clause 3.2.1.1.(3)(c) is amended by striking out the words “and the space above the floor beneath it”.

8 The following Articles are added after Article 3.2.1.5.:

“3.2.1.6. Group B Buildings. Notwithstanding Articles 3.2.2.29. to 3.2.2.33. inclusive, Group B *buildings* shall be *sprinklered*.

“3.2.1.7. Group C Buildings over 5 storeys in height. Notwithstanding Articles 3.2.2.37. and 3.2.2.38., Group C *buildings* over 5 storeys in height shall be *sprinklered*”.

9(1) Sentence 3.2.5.13.(1) is repealed and the following substituted:

“(1) Except as provided in Sentences (2), (3) and (4), where a sprinkler system is required, it shall be designed, constructed, installed and tested in conformance with NFPA 13, ‘Installation of Sprinkler Systems’. (See Appendix A)”.

(2) The following sentence is added after sentence 3.2.5.13.(3):

“3.2.5.13.(4) Sprinkler systems required under Articles 3.1.2.5. and 9.10.2.2. may be designed, constructed, installed and tested in conformance with the applicable life safety sprinkler system as specified in NFPA 13D ‘Sprinkler Systems One- and Two-Family Dwellings and Mobile Homes’ or NFPA 13R ‘Sprinkler Systems Residential Occupancies up to Four Stories in Height’”.

(3) The second Sentence 3.2.5.13.(4) is renumbered as 3.2.5.13.(5).

10 Clause 3.2.7.9.(1)(b) is amended by adding the words “and the *building* is within the scope of Subsection 3.2.6.,” after “supplied to the *building*”.

11 Sentence 3.3.1.9.(2) is amended by adding the words “in Sentence 3.3.2.5.(2) and” after “Except as provided”.

12 The following Sentence is added after Sentence 3.3.2.5.(1):

“(2) Corridors serving *assembly occupancies* in *K-12 schools* shall be not less than 2 400 mm wide, except that doors swinging into the corridor may reduce the corridor width to 1 800 mm”.

13 The following Sentences are added after Sentence 3.7.1.1.(1):

“(2) Where *facilities* are located in a *storey* of a *building* that is required to be *barrier-free*, areas required to be *barrier-free* in conformance with Article 3.7.2.1. shall have *barrier-free facilities* equivalent to those that are available in non-*barrier-free* areas of that *storey*.

“(3) Where a *barrier-free* path of travel to areas or *facilities* is required, not every unit of a type of area or *facility* need be *barrier-free*, but enough units shall be *barrier-free* to permit a person with *physical disabilities* to enjoy a level of use similar to that enjoyed by ablebodied persons”.

14 Sentences 3.7.1.3.(1) and (2) are repealed and the following substituted:

“(1) Except as permitted in Subsection 3.7.3., every *barrier-free* path of travel shall provide an unobstructed width of not less than

(a) 920 mm, or

(b) 1 100 mm between any two adjacent structures or fixtures in a *mercantile occupancy* or an exhibition area.

“(2) Ground and floor surfaces along a *barrier-free* path of travel shall

(a) have no opening that will permit the passage of a sphere more than 13 mm in diameter,

(b) be stable, firm and slip-resistant,

(c) have a cross slope not steeper than 1 in 50,

(d) be provided with edge treatment bevelled at a maximum of a 1 in 2 slope at changes in level up to and including 13 mm,

(e) be provided with sloped floors or ramps at changes in level of over 13 mm, and

(f) where carpet or carpet tile is used

(i) be securely fixed,

(ii) have a firm cushion, pad or backing, where used,

(iii) have a level loop, textured loop, level cut pile, or level cut/uncut pile texture with a maximum pad and pile height of 13 mm, and

(iv) have exposed edges fastened to floor surfaces with continuous trim strips bevelled at a maximum of a 1 in 2 slope”.

15 The following Sentences are added after Sentence 3.7.1.3.(3):

“(4) Objects which protrude into a *barrier-free* path of travel shall

(a) not reduce the clear width required for a *barrier-free* path of travel,

(b) except as provided in (c), protrude not more than 100 mm where their leading edges are between 680 and 1 980 mm from the floor,

(c) where freestanding

(i) protrude not more than 300 mm where their leading edges are between 680 and 1 980 mm from the floor, and

- (ii) have the bottom edge not more than 680 mm from the floor where the supports are more than 300 mm apart,
 - (d) not reduce the headroom in pedestrian areas to less than 1 980 mm, and
 - (e) be protected by a rail or other barrier with a leading edge at or below 680 mm from the floor where headroom of an area adjoining a *barrier-free* path of travel is reduced to less than 1 980 mm.
- “(5) *Tactile cues* shall be provided on a walking surface to warn of
- (a) a possible hazard within or adjacent to an exterior or interior path of travel,
 - (b) a conflict between a pedestrian path of travel and a vehicular path of travel, and
 - (c) the approach to the top and bottom landing of a ramp or stairway.
- “(6) The use and application of a texture pattern for each type of *tactile cue* shall be consistent throughout the *building* and a texture pattern used for a *tactile cue* shall not be used for any other purpose.
- “(7) *Tactile cues* shall be installed in an area which extends
- (a) the full width of a ramp or stairway or the full length of the walking surface adjacent to a hazard or path of vehicular travel, and
 - (b) not less than 900 mm in front of the ramp, stairway, hazard or path of vehicular travel.
- “(8) An area provided with *tactile cues* shall be
- (a) slip-resistant,
 - (b) detectable by walking on as being different from surrounding surfaces, and
 - (c) of a colour that contrasts with surrounding surfaces”.

16 The following Articles are added after Article 3.7.1.5.:

“3.7.1.6. Residential Occupancies. Notwithstanding Clause 3.7.2.3.(2)(a), in a *building of residential occupancy*, except where *suites* are intended to be individually controlled by separate *owners*, at least the greater of

- (a) one, or
- (b) 5%,

of the *suites* shall be *barrier-free* in conformance with Article 3.7.3.21.

(See Sentence 9.9.2.7.(4).)

“3.7.1.7. Holding Cells and Detention Quarters

“(1) In a courthouse or police station where holding cells are provided, at least one *barrierfree* holding cell with a *barrier-free* washroom shall be provided.

“(2) In a detention area in an *institutional occupancy* at least one *barrier-free* detention quarter with a *barrier-free* washroom shall be provided.

“3.7.1.8. Passenger Depots. A *building* principally used as a passenger depot shall have *barrier-free* visual and audible directions and information where necessary to indicate the location of entrances, ticket counters, public lockers, washrooms, restaurants, public telephones, points of arrival and departure, local transportation and *building exits*.

“3.7.1.9. Areas of Refuge

“(1) Every *barrier-free* area in an *unsprinklered building* shall

- (a) be protected in conformance with the requirements of Article 3.3.1.7., or
- (b) be provided with at least one area of refuge conforming to Sentence (2).

“(2) An area of refuge as required in Clause (1)(b) shall consist of

- (a) a *floor area* or part of a *floor area* to which a *horizontal exit* provides access, or
- (b) a *floor area* or part of a *floor area* that is
 - (i) of a size that allows floor space in conformance with Clause 3.2.6.3.(1)(c) for each of two non-ambulatory occupants plus any persons who may be attendant on the non-ambulatory persons and may need to use the area in an emergency,
 - (ii) separated from the *floor area* by a *fire separation* having a *fire-resistance rating* at least equal to that required for an *exit*,
 - (iii) served by an *exit* or a fire fighter’s elevator which conforms to Article 3.2.6.9.,
 - (iv) designated as an area of refuge on the *building plans* and in the *building*,
 - (v) smoke protected in conformance with Clause 3.2.6.3.(1)(f) in *buildings* of more than three *storeys*, and
 - (vi) located so as not to impede *exits* and *access to exits*”.

17 The following Sentence is added after Sentence 3.7.2.1.(2):

- “(3) A *barrier-free* path of travel for persons with *physical disabilities* is not required
- (a) into parts of a *building* that may be hazardous to persons with *physical disabilities*, including
 - (i) *service rooms*,
 - (ii) *elevator machine rooms*,
 - (iii) *janitor's closets*,
 - (iv) *service spaces*,
 - (v) *loading docks*,
 - (vi) *commercial kitchens*,
 - (vii) *operating theatres in hospitals*, except for viewing and observation areas, and
 - (viii) *high hazard industrial occupancy*, or
 - (b) into a swimming pool, whirlpool or similar *facility* for which lifeguard service is not required by regulations made pursuant to *The Public Health Act*”.

18 The following Sentences are added after Sentence 3.7.2.2.(1):

- “(2) Where an exterior parking area or parking level as described in Sentence (1) accommodates more than 4 vehicles, *barrier-free* parking stalls shall
- (a) be provided in the numbers prescribed as follows
 - (i) one for total parking capacity not exceeding 100 vehicles,
 - (ii) 1% of total parking capacity of 101 to 400 vehicles, or
 - (iii) 4 plus 0.5% of total parking capacity exceeding 400 vehicles,
 - (b) be located at a distance of not more than 50 m from the entrance described in Article 3.7.1.2.,
 - (c) be at least 2 400 mm wide,
 - (d) have an adjacent access aisle at least 1 500 mm wide,
 - (e) have a firm, level surface, and
 - (f) be designated as reserved for use by persons with *physical disabilities* by
 - (i) the international symbol to identify accessible parking stalls, and
 - (ii) where surfaces are paved, have the international symbol of accessibility marked on the pavement of the stall and the access aisle.
- (See Appendix A-3.7.3.1.)

“(3) Where a passenger loading zone is provided, it shall

- (a) provide an access aisle at least 1 500 mm wide and 6 000 mm long adjacent and parallel to the vehicle pull-up space,
- (b) have a curb ramp where there are curbs between the access aisle and the vehicle pull-up space, and
- (c) have a height clearance of at least 2 750 mm at the parking space and along the vehicle access and egress routes”.

19 Sentence 3.7.2.3.(1) is amended by striking out “3.7.3.11.” and substituting “3.7.3.12. and Articles 3.7.3.16. to 3.7.3.18.”.

20 Clause 3.7.2.3.(2)(a) is amended by adding the words “except as required in Article 3.7.1.6.” after “*residential occupancy*”.

21 The following Sentence is added after Sentence 3.7.2.3.(4):

“(5) Fixtures and grab bars may be located at lower heights than those prescribed in the Code, in a washroom that is predominantly used by children under 10 years of age if other equally convenient *facilities* are available for other persons with *physical disabilities*”.

22 The following Articles are added after Article 3.7.2.3.:

“3.7.2.4. Barbershops, Hairdressing Shops and Beauty Parlours. Where two or more service sinks are provided in a barbershop, hairdressing shop or beauty parlour that is located in a *storey* of a *building* to which a *barrier-free* path of travel is required, at least one sink shall be suitable for service to a customer in a wheelchair.

“3.7.2.5. Turnstiles. Where a turnstile, controlled check-out lane, shopping cart barrier or other restriction to the mobility of a wheelchair is installed in a *barrier-free* area of a *building*, at least one clearly designated *barrier-free* path of travel shall be provided in a location of equivalent convenience.

“3.7.2.6. Lockers. Where lockers are provided in a *barrier-free* area of a *building* at least the greater of two lockers or 2% of the lockers shall have

- (a) shelves, hooks, rods and other operating accessories located between 230 and 1 400 mm above the floor level, and
- (b) a clear area in front of the locker of not less than 1 200 mm in width centred on the locker by 1 200 mm”.

23 The following Sentences are added after Sentence 3.7.3.1.(3):

“(4) Where an entrance to a *building* is not designed to accommodate persons with *physical disabilities*, signs shall be provided as far ahead of the entrance as is practicable to indicate the location of the nearest *barrier-free* entrance.

“(5) Where a passenger elevator does not serve every *storey* in a *building*, signs shall be installed at the hoistway entrances on the entrance *storey* and every transfer *storey* that

- (a) are located immediately adjacent to or below the call button panel, and
- (b) indicate the floors that are served by the elevator.

“(6) Information display units shall be constructed so that the information displayed can be seen by a person in a wheelchair.

“(7) Signs required to identify the type and location of *barrier-free* areas and *facilities* shall

- (a) be mounted between 1 370 mm and 1 675 mm above the floor,
- (b) have a glare-free surface,
- (c) have sans serif letters and sans serif Arabic numerals with a width to height ratio in the range of 1:1 to 3:5 and strokes with a width to height ratio in the range of 1:6 to 1:10,
- (d) have characters and symbols and colours that highly contrast with their background, and
- (e) include the appropriate international symbol for accessibility together with any additional symbols, words or phrases necessary to convey a clear understanding of the message to be conveyed by the sign. (See Appendix A)”.

24 The following Sentences are added after Sentence 3.7.3.2.(1):

“(2) Where a walk in a *barrier-free* path of travel is more than 30 m long, its width shall be increased to not less than 1 500 mm for a length of 2 000 mm at intervals of not more than 30 m.

“(3) Except for a part of a walk in a *barrier-free* path of travel that is adjacent to a street or parking lot, where a vertical drop occurs between a walk and a lower adjacent surface on any side of the walk

- (a) edge protection conforming to Sentence (4) or a *guard* shall be provided where the vertical drop is more than 75 mm and less than 600 mm, and
- (b) a *guard* shall be provided where the vertical drop is more than 600 mm.

“(4) Where edge protection for a walk is required, it shall be

- (a) a curb with a minimum height of 75 mm,
- (b) a raised barrier with its lower edge not more than 75 mm from the walking surface, or
- (c) a rail with the bottom edge not more than 75 mm from the walking surface.

“(5) Where a walk in a *barrier-free* path of travel intersects with another walk, a parking lot, a driveway or a street and there is a difference in elevation between them not exceeding 200 mm, a curb ramp conforming to Sentence (7) shall be provided.

“(6) A median or safety island that forms part of a walk in a *barrier-free* path of travel on private property shall

- (a) be cut through with a minimum 920 mm wide, colour- and texture-contrasted walking surface that is level with the driving surface, or
- (b) have curb ramps conforming to Sentence (7) at both sides and a level area not less than 1 200 mm long in the middle.

“(7) Curb ramps shall have

- (a) a width of not less than 920 mm measured across the ramp,

- (b) flared sides,
- (c) a gradient of not more than 1 in 10 on the ramp and on the flared sides, and
- (d) a surface that is slip-resistant and colour- and texture-contrasted with the adjacent surfaces.

“(8) A pedestrian underpass or overpass installed on private property shall provide a *barrier-free* path of travel”.

25 The following Sentences are added after Sentence 3.7.3.3.(11):

“(12) Where a revolving door is provided in a *barrier-free* path of travel, at least one door that complies with the requirements of this Article shall be installed to one side of the revolving door.

“(13) Where more than one single leaf door is provided in a *barrier-free* path of travel, at least one door shall be a right-hand door and one door shall be a left-hand door.

“(14) Where a multi-leaf door is installed in a *barrier-free* path of travel, the active leaf, where provided, shall comply with the requirements of this Article.

“(15) Both the front and back sides of a manually operated hinged door in a *barrier-free* path of travel shall have an area with a smooth and uninterrupted surface which extends

- (a) from the bottom edge of the door to a height of not less than 250 mm, and
- (b) horizontally to points not more than 20 mm from each side edge of the door.

“(16) A push plate or push bar on a door in a *barrier-free* path of travel shall be of a colour that clearly contrasts with the colour of the door”.

26 Clause 3.7.3.4.(1)(a) is repealed and the following substituted:

- “(a) have a width of not less than
 - (i) 870 mm between handrails, or
 - (ii) 1 500 mm for the full length or at any location where, because of the length of the ramp, traffic density or occupancy of the *building*, it is reasonable to expect that wheelchairs will pass each other”.

27 Sentence 3.7.3.12(1) is amended by striking out “Where showers” and substituting “Where shower stalls or gang showers”.

28 The following Articles are added after Article 3.7.3.15.:

“**3.7.3.16. Urinals.** Where more than one urinal is provided in a washroom that is required to be *barrier-free*, at least one urinal shall

- (a) be provided with a clear width of approach of 800 mm centred on the urinal,
- (b) have a vertical grab bar on each side of the urinal that is not less than 300 mm long and located not more than 380 mm from the centreline of the urinal,
- (c) be wall-mounted with the rim not more than 430 mm from the floor or floor-mounted with no step in front of either type, and
- (d) be identified by a colour-contrasted, raised, vertical marker-strip on the wall directly above the urinal.

“**3.7.3.17. Washroom Accessories**

“(1) Where a mirror or mirrors are provided in a washroom that is required to be *barrier-free*, at least one mirror shall have its bottom edge not more than 1 000 mm above the floor, or be permanently tilted to be usable by a person in a wheelchair.

“(2) Where washroom accessories are provided in a washroom that is required to be *barrier-free*, they shall be

- (a) of a type which is usable by a person in a wheelchair, and
- (b) installed at a height of not more than 1 200 mm from the finished floor to the operating part.

“**3.7.3.18. Bathtubs**

“(1) Where a bathtub or bathtubs are provided in a washroom that is required to be *barrier-free*, at least one bathtub shall have

- (a) faucet handles of the lever type without spring loading,
- (b) a pressure equalizing valve or an automatic thermostatic mixing valve controlled by a lever or other device operable with a closed fist from the seated position,
- (c) a recessed soap holder that is within reach of a person in a seated position,
- (d) an integral slip resistant bottom, and

- (e) grab bars that have
 - (i) a horizontal section not less than 900 mm in length mounted on the back wall not less than 150 mm nor more than 300 mm above the rim of the bathtub, and
 - (ii) a vertical section continued from the horizontal section to rise not less than 600 mm from the horizontal section and located not less than 275 mm nor more than 325 mm from the end of the bathtub at which the controls are located.

“(2) Where a shower is incorporated in a bathtub that is required to be *barrier-free*

- (a) there shall be no shower doors,
- (b) faucets and controls shall be installed that meet the requirements of Clauses (1)(a) and (b), and
- (c) a hand-held shower head with not less than 1 500 mm of flexible hose shall be located adjacent to the faucets and controls and equipped with a fixed wall-mounted storage hook accessible from a seated position.

“3.7.3.19. Sinks. Kitchen sinks, laundry sinks and other types of sinks required to be *barrier-free* shall have

- (a) faucet handles of the lever type without spring loading,
- (b) no sharp edges or rough corners, and
- (c) all exposed pipes 1 200 mm or less above the floor insulated or otherwise protected where they may constitute a burn hazard.

“3.7.3.20. Site Furnishings

“(1) Where site furniture and *facilities* are provided, they shall

- (a) be adjacent to a *barrier-free* path of travel,
- (b) be located on a level, firm ground surface, and
- (c) be identified by *tactile cues*.

“(2) Where seating spaces are provided in site furniture, they shall

- (a) be stable,
- (b) have a seat height between 450 and 500 mm from the ground,
- (c) have arm and back rests, and
- (d) have a level and firm adjacent ground surface of at least 850 mm by 2 000 mm.

“(3) Where picnic tables are provided, they shall

- (a) have knee spaces conforming to Sentence 3.7.3.13.(3), and
- (b) have a level and firm adjacent ground surface extending at least 2 000 mm on all sides of the table.

“3.7.3.21. Residential Occupancies

“(1) Except as provided in this Article, *suites* within a *residential occupancy* which are required to be *barrier-free* shall conform to the applicable requirements of this Section.

“(2) In washrooms there shall be

- (a) a floor space of at least 1 500 mm by 1 500 mm with no encroachment other than the water closet,
- (b) a door that
 - (i) swings outward, unless sufficient room is provided within the washroom to permit the door to be closed without interfering with the wheelchair,
 - (ii) slides, or
 - (iii) is a solid folding door,
- (c) a water closet that conforms to Clauses 3.7.3.8.(1)(c) and (d) and Article 3.7.3.9.,
- (d) where a lavatory is provided, a lavatory that conforms to Clauses 3.7.3.10.(1)(a) through (e),
- (e) where a bathtub is provided, a bathtub that conforms to Article 3.7.3.18.,
- (f) where a shower is provided, a shower that conforms to Article 3.7.3.12., and
- (g) where washroom accessories are provided, accessories that conform to Article 3.7.3.17.

“(3) In kitchens there shall be

- (a) a clearance of not less than 1 500 mm between counters and all opposing base cabinets, countertops, appliances or walls, and
- (b) a clear turning circle of not less than 1 500 mm in diameter below countertop height.

“(4) In sleeping rooms there shall be a clear turning circle of not less than 1 500 mm in diameter on one side of the bed.

“(5) Balconies shall be *barrier-free* and shall conform to the size requirements of Clause 3.2.6.6.(1)(a)”.

29 The following Article is added after Article 8.1.1.3.:

“8.1.1.4. In the case of conflict between the provisions of this part and *The Occupational Health and Safety Regulations*, the provisions of *The Occupational Health and Safety Regulations* shall govern”.

30 Sentence 9.8.8.1.(1) is amended by adding the word “, deck” after “porch”.

31 Article 9.8.8.4. is amended by striking out “on a balcony or an *exit* stair, except an *exit* stair serving not more than one *dwelling unit*”.

32 Article 9.8.8.5. is amended by:

- (a) adding the words “and decks” after “exterior balconies”; and
- (b) by adding the words “or deck” after “above the balcony”.

33 Article 9.10.2.2. is repealed and the following substituted:

“9.10.2.2. Convalescent, Care and Custodial Homes. Convalescent homes, care homes and custodial homes are permitted to be classified as Group C *residential occupancies* if

- (a) occupants live as a single housekeeping unit in a *dwelling unit* with sleeping accommodation for not more than 10 persons, and
- (b) either
 - (i) the occupants are ambulatory, or
 - (ii) the *building* is *sprinklered* in conformance with Article 3.2.5.13.”.

34 Sentence 9.10.4.1.(2) is amended by striking out the words “and the floor below them”.

SASKATCHEWAN REGULATIONS 23/92

The Government Organization Act Section 24

and

The Department of Urban Affairs Act Sections 8 and 12.1

Order in Council 291/92, dated March 31, 1992.

(Filed March 31, 1992)

1 These regulations may be cited as *The Community Builds Program Amendment Regulations, 1992*. Title

2 *The Community Builds Program Regulations* are amended by adding the following section after section 12: R.R.S. c.G-5.1
Reg 43, new
section 12.1

“12.1(1) Notwithstanding sections 5, 7 and 9 to 12, all or part of the amount of any commitment may be paid in any fiscal year prior to March 31, 1995 without being considered an overpayment pursuant to section 17. Payment of
commitments

(2) Any payment of moneys to an eligible municipality pursuant to sub-section (1) may be determined by the minister to be a portion of the grant that is payable to the municipality pursuant to section 5”.

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations. Coming into
force

SASKATCHEWAN REGULATIONS 24/92

The Pest Control Act
Section 3

(Filed April 2, 1992)

MINISTER'S ORDER

The Minister of Agriculture and Food, pursuant to section 3 of *The Pest Control Act*, makes *The Pests Declaration Amendment Regulations, 1992* in accordance with the attached Schedule.

Dated at the City of Regina, this 18th day of March, 1992.

Bernhard H. Wiens
Minister of Agriculture and Food

Certified True Copy

Bernhard H. Wiens
Minister of Agriculture and Food

- | | |
|----------------------------------|---|
| Title | 1 These regulations may be cited as <i>The Pests Declaration Amendment Regulations, 1992</i>. |
| R.R.S. c.P-7
Reg 2
amended | 2 <i>The Pests Declaration Regulations</i> are amended in the manner set forth in these regulations. |
| New
section 1.1 | 3 The following section is added after section 1: |
| Interpretation | "1.1 In these regulations, 'elm tree' means any tree, either living or dead, of the <i>Ulmus</i> genus". |
| Section 2
amended | 4 Clause 2(b) is repealed and the following substituted:
"(b) Dutch elm disease, being the plant disease caused by the existence in an elm tree of the fungus <i>Ophiostoma ulmi</i> which is also known as <i>Ceratocystis ulmi</i> ". |
| Coming into
force | 5 These regulations come into force on the day on which they are filed with the Registrar of Regulations. |

REGINA, SASKATCHEWAN
Printed by THE QUEEN'S PRINTER
1992

