

Ruling of the Minister
 Ministry of Municipal Affairs
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RULING 12-18-288 (13560-R)	
Minister's Ruling File Number	MR 12-40
Ruling Issued	December 20, 2012
Ruling Revised	N/A
Master Format	07 13 26.01
Corresponding CCMC Evaluation Report	CCMC 13560-R issued on June 25, 2012, and re-evaluated on July 31, 2012

Pursuant to Section 29(1)(a) of the *Building Code Act, 1992*, the Director of the Building and Development Branch, as delegate of the Minister of Municipal Affairs and Housing (the "Minister"), hereby approves the use of **COLPHENE 3000, FONDATION WATERPROOFING MEMBRANE, MEMBRANE D'ÉTANCHÉITÉ DE FONDATIONS** subject to the following terms and conditions:

1.	MANUFACTURER	2.	MANUFACTURING FACILITIES
	Soprema Inc. 1688 rue Jean-Berchmans-Michaud Drummondville, QC J2C 8E9		Drummondville (Quebec) Canada
	Tel: 819 478-2400		

3. SPECIFIC CONDITIONS

- (a) The use of **COLPHENE 3000, FONDATION WATERPROOFING MEMBRANE, MEMBRANE D'ÉTANCHÉITÉ DE FONDATIONS** is approved for use as a self-adhered modified bituminous membrane for waterproofing below-ground concrete foundation walls in respect of the requirements of Sentences 9.13.3.2.(1), 9.13.3.3.(1), and 9.13.3.5.(1), and Clause 9.13.3.1.(1)(b) of Division B of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");
- (b) **COLPHENE 3000, FONDATION WATERPROOFING MEMBRANE, MEMBRANE D'ÉTANCHÉITÉ DE FONDATIONS** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this Ruling, with the Building Code;

- (c) A copy of this Ruling and the Canadian Construction Materials Centre Evaluation Report No. 13560-R issued on June 25, 2012, and re-evaluated on July 31, 2012 (the “CCMC Evaluation Report”) shall be submitted in connection with each application for a building permit;
- (d) The use of the **COLPHENE 3000, FONDATION WATERPROOFING MEMBRANE, MEMBRANE D’ÉTANCHÉITÉ DE FONDATIONS** must be in accordance with the CCMC Evaluation Report; provided that the references in that report to the model National Building Code of Canada, 2010 including those listed in column 1 below, shall be deemed references to Ontario’s 2006 Building Code listed in column 2 below, as described in the following table;

model National 2010 Building Code References	Ontario’s 2006 Building Code References
Division A, 1.2.1.1.(1)(a) Division A, 1.2.1.1.(1)(b) Division B, Part 9 Division B, 9.12.3. Division B, 9.13.3.1.(1)(b) Division B, 9.13.3.2.(1) Division B, 9.13.3.3.(1) Division B, 9.13.3.4. Division B, 9.13.3.5.(1) National Building Code 2010	Division A, 1.2.1.1.(1)(a) Division A, 1.2.1.1.(1)(b) Division B, Part 9 Division B, 9.12.3. Division B, 9.13.3.1.(1)(b) Division B, 9.13.3.2.(1) Division B, 9.13.3.3.(1) Division B, 9.13.3.4. Division B, 9.13.3.5.(1) Ontario’s Building Code 2006
column 1	column 2

- (e) This Ruling is valid only for products manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

4. GENERAL CONDITIONS

- (a) The Manufacturer specified in Section 1 shall notify the Ministry of Municipal Affairs and Housing without delay of any change made to the CCMC Evaluation Report. A change to the CCMC Evaluation Report includes the CCMC Evaluation Report having expired or having been revised, re-evaluated, amended, rendered void, or withdrawn.
- (b) The Minister or his/her delegate may amend or revoke this Ruling if:
- (i) the Manufacturer specified in Section 1 fails to notify the Ministry of any change made to the CCMC Evaluation Report, as required by Section 4.(a);
 - (ii) the Evaluation Report is revised, re-evaluated, or amended by the CCMC;

- (iii) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;
- (iv) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports;
- (v) the Evaluation Report is withdrawn;
- (vi) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:
 - 1) will not comply with the *Building Code Act, 1992* or any relevant law as they may be amended or re-enacted from time to time;
 - 2) provides an unsatisfactory level of performance, in situ; or
 - 3) may pose a danger to health or safety; or
- (vii) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto this 20th day of December, 2012,

Brenda Lewis
Director, Building and Development Branch

The official version of this Ruling of the Minister of Municipal Affairs and Housing is the signed original in the Ministry's file. In the event of a question about content, the original in the office file takes precedence.