

Ruling of the Minister
Ministry of Municipal Affairs
and Housing
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RULING 08-06-191 (13294-R)	
Minister's Ruling File Number	MR 12-06
Ruling Issued	September 12, 2008
Ruling Revised	May 17, 2012
Master Format	07 25 10.03
Corresponding CCMC Evaluation Report	CCMC 13294-R issued on November 15, 2007 and re-evaluated on December 6, 2011

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 **AIR-GARD® ULTRA/BP AIR LOCK** subject to the following terms and conditions:

1. MANUFACTURER

PGI Fabrene Inc.
240 Dupont Road
North Bay (Ontario) Canada
P1B 9B4

Tel: 705 476-7057
Fax: 705 476-7787

2. MANUFACTURING FACILITIES

North Bay (Ontario) Canada

3. SPECIFIC CONDITIONS

- (a) The use of **AIR-GARD® ULTRA/BP AIR LOCK** is approved for use as a breather-type sheathing membrane in respect of the requirements of Article 9.27.3.2. of Division B, of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");
- (b) **AIR-GARD® ULTRA/BP AIR LOCK** 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. 13294-R issued on November 15, 2007, and re-evaluated on December 6, 2011 (the "CCMC Evaluation Report") shall be submitted in connection with each application for a building permit;

- (d) The use of the **AIR-GARD® ULTRA/BP AIR LOCK** 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; and

model National 2010 Building Code References	Ontario's 2006 Building Code References
Division A, 1.2.1.1.(1)(b) Division B, 9.10.16. Division B, 9.27.3.2. Division B, 9.27.3.3. NBC 2010	Division A, 1.2.1.1.(1)(b) Division B, 9.10.16. Division B, 9.27.3.2. Division B, 9.27.3.3. Ontario's 2006 Building Code
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 17th day of May, 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.