

Ruling of the Minister
Ministry of Municipal Affairs
and Housing
777 Bay Street, 2nd Floor
Toronto, ON, M5G 2E5

Ministère des Affaires municipales
et du Logement
777, rue Bay, 2^e étage
Toronto, ON, M5G 2E5



T: 416 585-4234

T: 416 585-4234

F: 416 585-7531

F: 416 585-7531

W: www.ontario.ca/buildingcode

W: www.ontario.ca/buildingcode

RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

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 **MemBrain™ Vapour Barrier and Air Barrier System** subject to the following terms and conditions:

Minister Ruling No: 09-36-234 (13278-R)

File No: 09-49

Issued on December 30, 2009

1. MANUFACTURER

CertianTeed Corporation
750 E Swedesford Road
PO Box 860
Valley Forge, PA, 19482-0105, USA

Tel: 800 233 8990
Fax: 610 341-7571

2. MANUFACTURING FACILITIES

98 Westwood Road
Pottsville, Pennsylvania
USA, 17901

3. SPECIFIC CONDITIONS

- (a) **MemBrain™ Vapour Barrier and Air Barrier System** is approved as a vapour barrier and an air barrier system within the exterior walls of a building envelope in respect of the requirements of Articles 9.25.3.1, 9.25.3.2., and 9.25.3.3.; and Sentences 9.25.4.2.(1), 9.25.4.2.(2) and 9.25.4.2.(3) of Division B of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");
- (b) **MemBrain™ Vapour Barrier and Air Barrier System** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this ruling, with the Building Code;
- (c) The use of the **MemBrain™ Vapour Barrier and Air Barrier System** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report No. CCMC 13278-R (the "Evaluation Report") issued on June 27, 2007; provided that the references in that report to the National Building Code of Canada, 2005 listed in column 1 below, shall be deemed references to Ontario's Building Code listed in column 2 below, as described in the following Table 3(c);

Table 3.(c)

model National 2005 Building Code References	Ontario's 2006 Building Code References
Division B, 5 Division B, 9.25.3.1, Division B, 9.25.3.2. Division B, 9.25.3.3. Division B, 9.25.4.2.(1) Division B, 9.25.4.2.(2) Division B, 9.25.4.2.(3) Division B, Appendix C NBC 2005	Division B, 5 Division B, 9.25.3.1, Division B, 9.25.3.2. Division B, 9.25.3.3. Division B, 9.25.4.2.(1) Division B, 9.25.4.2.(2) Division B, 9.25.4.2.(3) Supplementary Standard SB-1 Building Code (2006)
column 1	column 2

- (d) The **MemBrain™ Vapour Barrier and Air Barrier System** shall not be used in a wall assembly that has a highly water vapour resistant interior wall finish, such as ceramic tile or wallpaper;
- (e) A copy of this Ruling shall be attached to the application for a building permit, and
- (f) This Ruling is valid only for products manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

4. GENERAL CONDITIONS

The Minister or his/her delegate may amend or revoke this Ruling if:

- (a) the Evaluation Report is amended by the CCMC;
- (b) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;
- (c) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports by reason of alterations to the product or relocation of manufacturing facilities, described in the Evaluation Report, without prior agreement by the CCMC;
- (d) the Evaluation Report is withdrawn by the CCMC in accordance with the CCMC's General Conditions for Evaluation Reports where, in the opinion of the CCMC:
 - (i) the level of performance, in-situ, of the product described in the Evaluation Report is unsatisfactory;
 - (ii) the proponent of such product fails to fulfil its obligations as set out in the CCMC's General Conditions for Evaluation Reports; or

- (iii) such product may pose any danger to the health or safety of the user of such product;
- (e) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:
 - (i) 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; or
 - (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto This 30th Day of December 2009

David Brezer, P.Eng, MBA
Director, Building and Development Branch