

Ruling of the Minister  
Ministry of Municipal Affairs and housing  
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## ***BUILDING CODE ACT, 1992***

### **RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING**

**N<sup>o</sup> 04-14-118 (13060-R)**

**Dated July 20, 2004**

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 **Enerthane 2000** subject to the following terms and conditions:

**1. MANUFACTURER/AGENT**

Enerlab 2000 inc.  
1895, de l'Industrie  
St-Mathieu de Beloeil (Quebec)  
J3G 4S5

Tel: (450) 446-8554  
Fax: (450) 446-8557

**2. MANUFACTURING FACILITIES**

**3. SPECIFIC CONDITIONS**

- (a) The use of **Enerthane 2000** is approved in respect of the requirements for spray in place thermal insulation as contained in Article 9.25.2.3. of the 1997 Ontario Building Code, Ontario Regulation 403/97 (the "Building Code"), as amended or remade from time to time;
- (b) The **Enerthane 2000** 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 **Enerthane 2000** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report N<sup>o</sup> CCMC 13060-R, (the "Evaluation Report") issued on May 23, 2002 and revised on February 2, 2003 and provided that the references in that report to the National Building Code of Canada, 1995 listed in column 1 below, shall be deemed references to the Ontario Building Code listed in column 2 below, as described in the following table;

National Building Code References	Ontario Building Code References
3.1.5.11. 3.2.3.7.(7) 9.10.16.10. 9.13.3.3. 9.25.1.2. 9.25.2.2. Table 9.25.1.2.	3.1.5.11. 3.2.3.7.(7) 9.10.16.10. 9.13.3.3. 9.25.1.2. 9.25.2.3 Table 9.25.1.2.
column 1	column 2

- (d) A copy of this ruling shall be attached to the application for a building permit; and,
- (e) This ruling is valid only for **Enerthane 2000** 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 reenacted from time to time; or
  - (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any Ontario Building Code provision relevant to this Ruling is amended or remade.

DATED AT TORONTO THIS 20<sup>TH</sup> DAY OF JULY, 2004.

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ALI ARLANI, DIRECTOR BUILDING AND DEVELOPMENT BRANCH