

Ruling of the Minister

Ministry of Municipal Affairs
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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 **Trex Wood-Polymer® Composite Lumber** subject to the following terms and conditions:

Ministers Ruling No: 04-09-113 (13125-R)

File No: 07-55

Revised on December 8, 2008

1. MANUFACTURER

Trex Company, Inc.
245 Capitol Lane
Winchester, Virginia
USA, 22602

Tel: 910 762-9878
Fax: 910 763-8178

2. MANUFACTURING FACILITIES

3229 Shawnee drive
Winchester, Virginia
USA, 22601

1800 East Newlands Drive
Fernly, Nevada
USA, 89408

3. SPECIFIC CONDITIONS

- (a) The use of **Trex Wood-Polymer® Composite Lumber** approved for use exterior decking and stair treads in respect of the requirements of Subsection 9.4.2. and Articles 9.23.14.5., and 9.4.3.1. of Division B of Ontario's 2006 Building Code, Ontario Regulation 305/06 (the "Building Code");
- (b) **Trex Wood-Polymer® Composite Lumber** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this Ruling, with Building Code;
- (c) The use of the **Trex Wood-Polymer® Composite Lumber** must be constructed in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report No. CCMC 13125-R (the "Evaluation Report") issued on June 24, 2003 and re-evaluated on July 20, 2007, provided that the references in that report to the model National Building Code of Canada, 2005, including those listed in column 1 below, shall be deemed references to Building Code listed in column 2 below, as described in Table 3(c);

Table 3.(c)

model National 2005 Building Code References	Ontario's 2006 Building Code References
Division A, 1.2.1.1.(1)(b) Division B, 9. Division B, 9.4.2. Division B, 9.4.3.1. Division B, 9.23.3.1. Division B, 9.23.14.5. NBC 2005	Division A, 1.2.1.1.(1)(b) Division B, 9. Division B, 9.4.2. Division B, 9.4.3.1. Division B, 9.23.3.1. Division B, 9.23.14.5. Building Code
column 1	column 2

- (d) The 2005 model National Building Code references to exterior combustible construction for light duty Part 9 applications such as in residential occupancies are deemed references to Building Code to exterior decking in combustible construction for light duty Part 9 applications such as residential occupancies.
- (e) Where a building permit is issued to construct the **Trex Wood-Polymer® Composite Lumber**, a certificate of compliance, prepared by the installer of this product, shall be submitted to the principal authority, as defined in the *Building Code Act, 1992*, and the homeowner; the certificate shall contain a minimum of the following information:
 - (i) confirmation that the product **Trex Wood-Polymer® Composite Lumber** was installed in accordance with CCMC Evaluation Report No. CCMC 13123-R, Section 3. "Conditions and Limitations" and the restrictions provided in Section 4. "Technical Evidence" of the Evaluation Report,"
 - (ii) name and contact information of the certifier,
 - (iii) the address of the installation, and
 - (iv) Minister's Ruling number;
- (f) Where the **Trex Wood-Polymer® Composite Lumber** is installed by the homeowner, the homeowner shall submit to the principal authority a certificate of compliance containing the information specified in 3(d);
- (g) The certificate of compliance for **Trex Wood-Polymer® Composite Lumber**, referred to in 3(e) above, shall be dated and signed by the installer;
- (h) A copy of this Ruling shall be attached to the application for a building permit; and;
- (i) 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 Building Code relevant to this Ruling is amended or remade.

Dated at Toronto This 8th Day of December 2008

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