



BUILDING CODE ACT, 1992

RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

N^o 03-15-104 (13062-R)

Dated October 10, 2003

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 (Minister), hereby approves the use of **Senerflex Wall System**, subject to the following terms and conditions:

1. MANUFACTURER/AGENT

Senergy, LLC
3550 St. Johns Bluff Road South
Jacksonville, Florida
U.S.A. 32224-2614

Tel: (904) 996-6000
Fax: (904) 996-6041

2. MANUFACTURING FACILITIES

1130 Hayes Industrial Drive
Marietta, Georgia, U.S.A.

2355 West Longhorn Drive
Lancaster, Texas, U.S.A.

9658 State Route 43
Streetsboro, Ohio, U.S.A.

7100 Wright Road
Houston, Texas, U.S.A.

Route 13 @ Breaver Dam Road
Bristol, Pennsylvania, U.S.A.

38403 Cherry Street
Newark, California, U.S.A.

3. SPECIFIC CONDITIONS

- (a) The use of **Senerflex Wall System** is approved in respect of the requirements as contained in Section 9.27., Clause 3.2.3.7.(7)., Sentence 3.1.5.5.(1). & Article 9.10.6.1. of the Ontario Building Code, Ontario Regulation 403/97 (the "Ontario Building Code"), as amended or remade from time to time;
- (b) The **Senerflex Wall System** must comply with the *Building Code Act, 1992*; and, except as specifically provided otherwise in this Ruling, with the 1997 Ontario Building Code.

- (c) The use of **Senerflex Wall System** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report N° CCMC 13062-R, (the "Evaluation Report") issued on May 21, 2002 provided that references in the Evaluation Report to Section 9.27, Clause 3.2.3.7.(7)(b)., Sentence 3.1.5.5.(1). & Article 9.10.6.1. of the National Building Code of Canada, 1995 shall be deemed to be references to Section 9.27., Clause 3.2.3.7.(7)., Sentence 3.1.5.5.(1). & Article 9.10.6.1. of the Ontario Building Code;
- (d) A copy of this Ruling shall be attached to the application for a building permit; and,
- (e) This Ruling is valid only for **Senerflex Wall System** 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 10TH DAY OF OCTOBER, 2003.

ALI ARLANI, DIRECTOR BUILDING AND DEVELOPMENT BRANCH