

**DRAFT for Public Notice as required by  
Building Code Act.**

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## **Schedule “A”**

### **Amendment to the *Nova Scotia Building Code Regulations* made by the Minister of Municipal Affairs and Housing under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act***

Section 88 of Part 3 of the *Nova Scotia Building Code Regulations*, N.S. Reg. xx/2023, made by order of the Minister of Municipal Affairs and Housing dated xx, 2023, is repealed and the following Section substituted:

#### **Sentence 9.36.1.3.(1) (Compliance and Application) replaced**

**88** Sentence 9.36.1.3.(1) (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

- 1) Except as provided in Sentences (2) and (4), *buildings* shall comply with one of the following:
  - a) RESERVED,
  - b) RESERVED,
  - c) the tiered performance requirements based on the climatic data for where the *building* is located for at least Tier 2 in Subsection 9.36.7.,
  - d) the tiered prescriptive requirements for climatic Zone 6 for at least Tier 2 in Subsection 9.36.8., or
  - e) the NECB.

(See Note NS-9.36.1.3.(1), NSBCR)

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## **Schedule “B”**

### **Amendment to the *Nova Scotia Building Code Regulations* made by the Minister of Municipal Affairs and Housing under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code***

- 1 Section 88 of Part 3 of the *Nova Scotia Building Code Regulations*, N.S. Reg. xx/2023, made by order of the Minister of Municipal Affairs and Housing dated xx, 2023, is repealed and the following Section substituted:

**Sentence 9.36.1.3.(1) (Compliance and Application) replaced**

**88** Sentence 9.36.1.3.(1) (Part 9 of Division B) of the *National Building Code* is repealed and replaced with the following:

- 1) Except as provided in Sentences (2) to (6), *buildings* shall comply with one of the following:
  - a) RESERVED,
  - b) RESERVED,
  - c) the tiered performance requirements based on the climatic data for where the *building* is located for at least Tier 3 in Subsection 9.36.7.,
  - d) the tiered prescriptive requirements for climatic Zone 6 for at least Tier 3 in Subsection 9.36.8., or
  - e) at least Tier 2 of the NECB.

(See Note NS-9.36.1.3.(1), NSBCR)

- 2 Section 94 of Part 3 of the regulations is repealed and the following heading and Section substituted:

## Amendments to Part 1 (General) of Division B) of the National Energy Code

### **Sentence 1.1.2.1.(1) (Prescriptive, Trade-off or Performance Compliance) replaced**

**94** Sentence 1.1.2.1.(1) (Part 1 of Division B) of the *National Energy Code*, is repealed and replaced with one of the following:

- 1)** *Buildings* shall comply with
  - a) RESERVED,
  - b) RESERVED, or
  - c) the tiered performance requirements for at least Tier 2 as stated in Part 10.

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## **Schedule “C”**

### **Amendment to the *Nova Scotia Building Code Regulations* made by the Minister of Municipal Affairs and Housing under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act***

Section 94 of Part 3 of the *Nova Scotia Building Code Regulations*, N.S. Reg. xx/2023, made by order of the Minister of Municipal Affairs and Housing dated xx, 2023, is amended by further modifying Clause 1.1.2.1.(1)(c) (Part 1 of Division B) of the *National Energy Code*, by striking out “Tier 2” and substituting “Tier 3”.