



BERMUDA

BUILDING CODE REGULATIONS 1991

BR 40 / 1991

[made under section 23 of the Building Act 1988 and brought into operation on 30 December 1991]

The Minister in exercise of the powers conferred upon her by section 23 of the Building Act 1988 makes the following regulations—

Citation

1 These Regulations may be cited as the Building Code Regulations 1991 and shall come into operation on 30th December 1991.

Interpretation

2 (1) Subject to paragraph (2), the modifications specified in Parts II, III and IV, and the Accessibility Code set out in Part V of the Schedule, the provisions of the BOCA National Building Code specified in Part I of the Schedule are hereby adopted as the Building Code of Bermuda.

(2) In the BOCA National Building Code—

- (a) delete the words “code official” wherever they appear and substitute the words “Building Official”;
- (b) delete the words “construction operation” wherever they appear and substitute the words “building operation”;
- (c) delete the words “fire department” wherever they appear and substitute the words “Bermuda Fire and Rescue Service”; and
- (d) delete the word “street” wherever it appears and substitute the word “road”.

[Regulation 2(2)(c) amended by 2007:23 s.17 effective 2 July 2007]

BUILDING CODE REGULATIONS 1991

Repeal

3 The Building Code 1972 [*title 20 item 1(f)*], other than regulations 75, 76 and 77, is repealed.

BUILDING CODE REGULATIONS 1991

SCHEDULE

(1)

PART I

Provisions of the BOCA National Building Code adopted

All the provisions of the BOCA National Building Code, Tenth Edition 1987 and the Appendices thereto, as published and amended from time to time by the Building Officials and Code Administrators International, Incorporated.

PART II

Modifications to the provisions of the BOCA National Building Code

The provisions specified in the first column in the following table are modified in the manner specified in the second column of the table.

Provision	Modification
Section 100.1	Delete.
Section 100.2	Delete and substitute the following:— "100.2 Scope: The Building Code Regulations 1991 (hereinafter referred to as "this code") shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and shall apply to existing or proposed buildings and structures except to the extent that such matters are otherwise provided for in other statutory provisions.
Section 101.1	Delete the words "these regulations" and substitute the words "this code".
Section 101.4	Delete and substitute the following:— "101.4 Offence: A person who continues the occupancy or use of a building or structure, or a part thereof, contrary to the provisions of this code is guilty of an offence."
Section 101.5	Insert next after the word "when" the words ", in a particular case,".
Section 102.1 to 102.3	Delete.
Section 103.4	Delete the square brackets and the words within the square brackets and substitute the words "the date of adoption of this code".

BUILDING CODE REGULATIONS 1991

Section 104.2	Delete the word “statute” and substitute the word “law”.
Section 106.1	Delete the words “the jurisdiction” and substitute the word “Bermuda”.
Section 107.2	Delete and substitute the following:— "107.2 Modifications: Where for any reason there are practical difficulties in giving effect to a provision of this code which relates to a structural or mechanical matter, the Building Official may, upon application by the owner of the building or structure, or by the owner’s representative, vary or modify that provision, so, however, that the spirit and intent of the provision shall be observed and public welfare and safety shall be assured.
Section 107.2.1	Delete.
Section 108.1	Delete and substitute the following:— "108.1 General: Design and documentation for work, other than work referred to in Section 108.1.2, shall be performed by qualified persons. 108.1.2 Special design and documentation: Where a provision, whether contained in this code or elsewhere, requires design and documentation of work of a particular magnitude or complexity to be performed by a registered professional, then, notwithstanding the provisions of Section 108.1, that provision shall have effect.”.
Section 108.2	Insert at the end of the section the following:— “For the purposes of this section the word “architect” or the word “engineer” means a registered professional as defined in Section 200.0 and “architectural” and “engineering” shall be construed accordingly.”.
Sections 109.1 to 109.7	Delete.
Section 110.4	Delete the words “the appointing authority” and substitute the words “the Minister”.
Section 110.6	Delete— (a) the words “Rule making authority” and substitute the word “Directions”; (b) the words “adopt and promulgate rules and regulations” and substitute the words “issue directions”; and

BUILDING CODE REGULATIONS 1991

	(c) the words “but such rules” and substitute the words “but such directions”.
Sections 110.7 and 110.8	Delete.
Section 111.2	Delete the words “and shall be accompanied by the required fee as prescribed in Section 114.0”.
Section 111.3	Delete the word “licensed” and substitute the word “registered”.
Section 111.5	Delete the word “two” and substitute the word “three”.
Section 111.6.1	Delete the sentence beginning with the words “All technical data” and ending with the words “the site plan.”.
Section 111.7	Delete the sentence beginning with the words “All engineering plans” and ending with the words “Section 108.1.”.
Section 111.9	Delete.
Section 112.1	Delete the words “and ordinances”.
Section 112.3	Delete the words beginning with “and the construction” and ending with “completed with dispatch”.
Section 112.5	<p>Delete and substitute the following:—</p> <p>“112.5 Approved plans: The Building Official shall—</p> <p>(a) stamp or endorse the three sets of corrected plans with the word “approved”;</p> <p>(b) retain one set of the plans so approved;</p> <p>(c) return two sets of the plans so approved to the applicant who shall keep one set at the building site open, at all reasonable times, to inspection by the Building Official or an inspector.”.</p>
Section 112.8	<p>Insert at the end of the Section the following:—</p> <p>“The Building Permit number shall be posted as prescribed by the Building Official.”.</p>
Section 113.1	Delete.
Section 113.0 [sic]	<p>Insert next after 113.5 the following:—</p> <p>“113.6 Amendments: Application for amendment to a previously issued permit shall be in triplicate and such amendment shall be approved if the proposed amendment is</p>

BUILDING CODE REGULATIONS 1991

	in accordance with this code and in no way changes the scope of the overall project.”.
Section 114.1 to 114.5	Delete.
Section 115.2	Insert at the end of the Section the following:— “A permit holder shall, at least one working day before proceeding with or concealing work which requires inspection, notify the Building Official that such inspection is needed. For the purposes of this Section, work which requires inspection includes—
	(a) the setting out of the project prior to any excavation or building work; (b) excavations and foundation reinforcing prior to pouring footing concrete; (c) structural reinforcing in all structural concrete members prior to pouring concrete; (d) all structural members prior to concealing those members;
	(e) roof framing, battens and sheathing prior to installation of roof slates, shingles, sheet roofing or roof membrane; (f) all electrical work prior to concealing; (g) re-commencement of work if the project has been suspended for a period exceeding three months; and (h) completion of work prior to occupancy.
	A request for inspection shall be in the form prescribed by the Building Official. Where, in violation of this Section, work which requires inspection has been concealed, the Building Official may order the removal of materials concealing such work, and the cost of such removal shall be borne by the owner. A person who proceeds with, or conceals, any work in respect of which inspection is required prior to such inspection being made and such work being approved, is guilty of an offence.”.
Section 115.2.2	Delete the words “or by the approved rules” and substitute the words “or by directions issued by the Building Official”.
Sections 115.4 and 115.5	Delete.
Sections 117.1 to 117.3	Delete.
Section 117.4	Delete and substitute the following:—

BUILDING CODE REGULATIONS 1991

	<p>"117.4 Offences: A person who—</p> <p>(a) violates or fails to comply with any of the requirements of a provision of this code;</p> <p>(b) erects, constructs, alters or repairs a building or structure in violation of an approved plan or direction of the Building Official; or</p> <p>(c) fails to comply with a permit or certificate issued under the provisions of this code,</p> <p>is guilty of an offence.”.</p>
Sections 117.5 to 118.2	Delete.
Sections 120.0 to 124.0	Delete.
Section 201.0	Delete the definition of the expression “Approved rules”.
	<p>Delete the definition of the expression “building” and substitute the following:—</p> <p>“Building: means any permanent or temporary building and includes any other structure or erection of wherever kind or nature, whether permanent or temporary or any part of a building or a structure or an erection, used or intended for supporting or sheltering any use or occupancy. For the purposes of this code, each portion of a building completely separated from other portions by fire walls, complying with Section 908.0 shall be considered as a separate building.”.</p>
	<p>In the definition of the expression “Building, existing” delete the words “the appropriate” and substitute the word [sic] “this code”.</p> <p>Delete the definition of the expression “Code Official”.</p>
	<p>Insert next after the definition of the “Building line” the following:—</p> <p>“Building Official: the Director of Planning.”.</p>
	<p>Delete the definition of the expression “Owner” and substitute the following:—</p> <p>“Owner: includes the owner, lessee or occupier of any property and any other person for the time being occupying or having charge of, or control or possession</p>

BUILDING CODE REGULATIONS 1991

	of, any property whether in his own right or in the right of his wife or any other person.”.
	Delete the definition of the expression “Posted use and occupancy”.
	Insert next after the expression “Public way”, the following:— “Qualified person: A registered professional or a person, other than a registered professional, who, having regard to his practical knowledge of, and experience in, the building industry, the Building official [<i>sic</i>] considers to be a qualified person for the purposes of Section 108.1.;
	Registered professional: means an architect registered under the Architects Registration Act 1969 [<i>title 30 item 1</i>] or an engineer registered under the Professional Engineers Registration Act 1972 [<i>title 30 item 16</i>], and includes a person registered under any other law which, for the time being, regulates the registration of person [<i>sic</i>] concerned, in any way, in the building industry.”.
	Insert next after the definition of the expression “Riser” the following:— “Road: any road whether public or private and includes any street, square, court, alley, lane, bridge, footway, track, path, passage, or other highway whether a thoroughfare or not.”.
	Delete the definition of the expression “Street”. Delete the definition of the expression “Written notice”.
Section 300.2	Delete the words “any provisions of the zoning law or any other statute of the jurisdiction” and substitute the words “any law”.
Section 301.3	Delete the words “approved rules” and substitute the word “directions”.
Section 309.5	Delete.
Section 400.2	Delete the words “any provisions of the zoning law or any other statute of the jurisdiction” and substitute the words “any law”.
Section 401.0	Insert in Table 401, next after Note i, the following—

BUILDING CODE REGULATIONS 1991

	<p>“Note j In buildings of type 3A construction the 1-hour roof protection may be omitted if the floor structural components serving the top story are of minimum 1-hour noncombustible construction or the top story is protected by an approved limited-area automatic fire suppression system.”.</p>
Section 401.2	Delete the words “, or advertise”.
Section 506.1	Delete the words “the zoning law or any other statute” and substitute the word “law”.
Section 506.3	Delete.
Section 506.4	Delete the words “approved rules” and substitute the word “directions”. Delete the word “ordinance”.
Section 506.5	Delete.
Section 506.6	Delete the words “of the jurisdiction”.
Section 507.1	Delete the words “or ordinance”.
Section 508.1	Delete the words “or by the zoning law or other statutes” and substitute the words “or by other law”.
Section [sic] 509.1 and 509.2	Delete.
Section [sic] 511.1 to 511.3	Delete.
Section 513.1	Delete and substitute the following:— "513.1 Approval: For the purposes of existing buildings or structures listed under section 30 of the Development and Planning Act 1974 [<i>title 20 item 1</i>], the provisions of this code shall not be mandatory provided that the intent of the provisions of this code in respect of public health, safety and welfare is, in the opinion of the Building Official, satisfied.”.
Section 600.8.1	Delete.
Section 601.2	Delete the words “prior approval” and substitute the words “the prior approval of the Building Official”.
Section 604.5	Delete.
Section 614.1	Delete the words “Federal Aviation Administration” and substitute the words “Building Official”.

BUILDING CODE REGULATIONS 1991

Section 621.2	Delete the words “ordinances and statutes” and substitute the word “law”.
Section 621.3	Delete the words “lawful zoning”. Delete the sentence beginning with the words “in case of” and ending with the words “shall apply.”.
Section 624.1	Delete.
Section 624.2	Delete and substitute the following:— "624.2 Permits required: A building permit is required for all antennae structures and all such structures shall be designed and anchored to resist the loads specified in Article 11.”.
Section 625.1	Delete the words “these regulations” and substitute the words “this code”.
Section 625.3	Delete the sentence beginning with the words “The approval of all city” and ending with the words “the application for the permit.”.
Section 625.4	Delete and substitute the following:— 625.4 Locations: Subject to any law to the contrary, a private swimming pool shall not encroach on any front or side yard required by this code or the planning law, and a wall of a swimming pool shall not be located less than 6 feet from any rear or side property line or less than 10 feet from any road property line.”.
Section 625.5.5	Delete the words “to other means of egress” and substitute the words “or other means of egress”.
Section 625.9	Delete the words “the governing body” and substitute the words “the Building Official”.
Section 626.7	Delete the words “or snow”.
Section 626.8	Delete the words “or snow conditions”.
Section 709.1	Delete the words beginning with “and snow” and ending with “in any direction.”.
Section 710.7	Delete and substitute the following:— "710.7 Court drainage: Every court shall be graded and drained so as to prevent standing water.”.
Section 800.2	Delete the words “adoption of approved rules” and substitute the words “directions”.

BUILDING CODE REGULATIONS 1991

Section 804.2.1	Delete.
Section 805.2	Delete the words “snow and ice” and substitute the word “obstruction”.
Section 810.4.1	Delete the words “of the jurisdiction”.
Section 812.2	In item 2 in the Exceptions, insert next after the word “provided” the word “with”.
Section 816.2.2	Insert, at the end of the Section, the following:— “Exception: Headroom on stairs in Use Group R-3 or serving an individual dwelling unit in Use Group R-2 shall be not less than 6 feet 4 inches.”.
Section 817.1.1	Delete the words “to approval” and substitute the words “to the approval of the Building Official”.
Section 819.1	Delete the sentence beginning with the words “Exterior stairways and exit access” and ending with the words “accumulation of same.”.
Section 828.2.4	Delete.
Section 1002.22	Delete the words “fire prevention code official” and substitute the words “Chief Fire Officer”.
Section 1003.1	Delete the words “administrative authority” and substitute the words “Building Official”.
Section 1012.5.2	Delete the words “not subject to freezing.”.
Section 1012.5.4	Delete the words “and located in spaces not subject to freezing”.
Section 1015.1	Insert at the end of the Section the following:— “The power for fire pumps serving fire suppression systems shall be provided from an emergency electrical system conforming to section 2706.0.”.
Section 1015.5	Delete.
Section 1015.7	Delete.
Section 1016.1	Delete the words “administrative authority of the jurisdiction” and substitute the words “Building Official”.
Section 1020.1	In item 3, delete the words “of the jurisdiction”.
Section 1110.1	Delete and substitute the following:—

BUILDING CODE REGULATIONS 1991

	"1110.1 General: The structural supports of roofs and marquees shall be designed to resist wind loads (Section 1112.0) in addition to the dead load of construction and the appropriate live loads as prescribed in this Section, or in Table 1106."
Section 1110.2	Delete the words "or the snow load, whichever is greater".
Sections 1111.1 to 1111.8	Delete.
Section 1112.3.2	Insert at the end of the section the following:— "The basic wind speed for Bermuda is 110 mph." Indicate in Figure 1112.3.2, in the appropriate place, the location of Bermuda.
Sections 1113.1 to 1113.14	Delete.
Sections 1114.1 to 1114.3	Delete and substitute the following:— "1114.1 General: Dead load, live load and wind load shall be combined to produce the most unfavourable structural effects and each structural component designed to resist such combination."
Section 1201.1	Delete the sentence beginning with the words "Such records" and ending with the words "licensed architect."
Section 1202.2	Delete.
Section 1203.1 to 1203.5	Delete.
Section 1205.1	Delete and substitute the following:— "1205.1 Minimum depth: The minimum depth of footing shall be such as will properly transfer all loads to the load bearing strata."
Section 1205.3	Delete the sentence beginning with the word "Where" and ending with the word "action."
Section 1206.3	Delete.
Section 1209.5	Delete.
Sections 1210.1 and 1201.2	Delete.

BUILDING CODE REGULATIONS 1991

Sections 1213.2, 1213.6 and 1213.11	Delete the word "approval" whenever it appears and substitute the words "the approval of the Building Official".
Section 1222.1	Delete the words "to resist frost action and".
Section 1223.2	Insert next after Section 1223.2 the following:— <p>"1223.2.1 Engineering: Walls retaining more than 4 feet of unbalanced fill, and walls of any height, subjected to surcharges from roads or structures shall be submitted to the Building Official for approval of structural calculations and design cross-sections.</p> <p>1223.2.2 Short walls: Walls retaining not more than 4 feet of unbalanced fill and not subjected to surcharges shall, provided minimum 8" masonry is used, be permitted to be constructed without calculations and design cross-sections."</p>
Section 1224.6	Delete the words "soil which is free of organic material, construction debris, and large rocks" and substitute the words "material which is free or [sic] organic material and construction debris".
Section 1224.7	Delete the sentence beginning with the words "The ground" and ending with the words "shall be used." and substitute the following:— <p>"The surface immediately adjacent to the foundation shall be sloped in such a way as to keep surface water drainage away from the face of the wall or an approved alternate method of diverting water away from the foundation shall be used."</p>
Section 1300.2	Delete the words "the approved rules" and substitute the words "and in directions, if any, issued by the Building Official".
Sections 1301.1, 1302.1, 1303.3, 1303.6, 1303.9, 1304.1	Delete the words "approved rules" wherever they appear and substitute the words "directions".
Section 1402.1	Delete the words ", frost and freezing".
Section 1405.4	Delete.
	Section 1405.5 [sic] Delete and substitute the following:— <p>"Concrete brick: Approved concrete brick where used as a backup in exterior walls or for general interior construction, shall have a compression strength of not less than 1,250 psi (0.88 kg.mm2 [sic])."</p>

BUILDING CODE REGULATIONS 1991

Section 1407.1	Insert next after Section 1407.1 the following:— "1407.1.1 Bermuda stone: Bermuda stone shall be used with the following design criteria: 1 Assumed compressive strength—150 psi 2 Assumed tensile strength—0 3 Assumed fire rating—1 hour per each 4 inches of wall thickness."
Section 1401.3 [sic]	Delete.
Section 1413.2	Delete the sentence beginning with the words "Waterproofed" and ending with the words "in depth."
Section 1414.1	Delete.
Section 1422.0	Insert next after Section 1422.4 the following:— "1422.5 Use: Surface-bonded masonry walls shall not be used below grade or where exposed to salt water."
Section 1500.2	Delete the word "earthquake" and substitute the words "wave action".
Section 1501.0	Delete.
Section 1503.3	Delete and substitute the following:— "1503.3 Exposure requirements: Concrete exposed to brackish or salt water or salt water spray shall have a maximum water-cement ration of .40 for normal weight aggregate concrete."
Section 1503.3.1 and Table 1503.3.1	Delete.
Section 1503.3.2 and Tables 1503.3.2.1 and 1503.3.2.2	Delete.
Sections 1503.3.3 to 1503.3.5	Delete.
Section 1504.2	In item 2, delete the words "and ice". In item 5, delete the words "ice or other".
Sections 1504.3.1 and 1504.3.2	Delete.
Sections 1504.7 to 1504.7.2	Delete.

BUILDING CODE REGULATIONS 1991

Section 1505.0	Insert next after Section 1505.1.2 the following:— "1505.1.2.1 Wind load: Forms shall be adequately anchored and braced to resist the wind loads specified in Section 1112.0."
Section 1505.3.6	Delete item 7.
Sections 1507.2 and 1507.6	Delete the words "the approved rules" wherever they appear and substitute the words "directions issued by the Building Official".
Section 1602.4	Delete.
Sections 1604.3 and 1604.4	Delete.
Section 1706.2	Insert at the end of the Section the following:— "Exception: Traditional Bermuda roof construction shall not require sheathing."
Section 1707.3	Delete the words "the approved rules" and substitute the words "directions issued by the Building Official".
Section 1712.4	Delete.
Sections 2101.4 and 2101.5	Delete.
Sections 2102.1 to 2102.10.3	Delete.
Section 2103.0	Insert next after Section 2103.3.3 the following:— "2103.3.4 Opening to water tanks: All pipes or access openings to water tanks shall be protected with corrosion-resistant cover or screens."
Section 2104.4	Delete the word "aluminium".
Table 2104.1	In the column opposite the item "stucco or exterior plaster" delete the figure "3/4" and substitute the figure "1/2".
Sections 2108.1 and 2108.2	Delete.
Section 2202.1	Delete the words "Section 1111.3.1" and substitute the words "Section 1112.3.1". Insert, at the end of the Section, the following:—

BUILDING CODE REGULATIONS 1991

	“When glass is protected by permanently fitted storm shutters the design wind load shall be reduced to 50% of the load specified in Section 1112.3.1.”.
Table 2202.1b	Delete the words “Section 1111.3.1” and substitute the words “Section 1112.3.1”.
Section 2204.0	Insert next after Section 2204.1 the following:— "2204.1.1 Wind load: Sloped glazing and skylights shall comply with the design wind loads for roofs specified in Section 1112.0.”.
Section 2301.3.1	Insert next after the words “cement-asbestos” the words “, Bermuda stone”.
Sections 2303.1 and 2303.2	Delete and substitute the following:— "2303.1 General: Asphalt shingle roofs shall be prohibited except in cases of re-roofing of less than 25% of an existing asphalt-shingled roof area.”.
Section 2304.1	Insert at the end of the section the following:— “Exception: Traditional Bermuda stone roofs.”.
Section 2305.1	Delete the word “aluminium”.
Section 2402.5	Delete.
Section 2502.2	Delete.
Section 2504.1	Delete.
Section 2505.1	Delete the words “as regulated by the approved rules” and substitute the words “in accordance with directions, if any, issued by the Building Official”.
Section 2600.1	Delete the word “statute” and substitute the word “law”.
Section 2602.4.1	Delete and substitute the following:— "2602.4.1 Periodic inspection intervals: Periodic inspections shall be made annually of all elevators and as determined by the Building Official for all other equipment.”.
Section 2605.1	Delete the words “The provisions of this article are not retroactive except as specifically provided hereunder, and except further that if,” and substitute the word “If,”.
Section 2611.4	Delete the words “and the fire prevention code official”.
Section 2613.4	Insert next after the word “approval” the words “of the Building Official”.

BUILDING CODE REGULATIONS 1991

Section 2613.7	Delete the word “approval” and substitute the words “the approval of the Building Official”.
Section 2614.1	Delete the word “statute” and substitute the word “law”.
Section 2614.3.1	Insert next after the word “approval” the words “by the Building Official”.
Section 2700.2.2	Delete.
Section 2701.3	Delete the words “or ordinance”.
Section 2705.2	Delete the words “and the approved rules”.
Sections 2800.1 to 2807.1	Delete and substitute the following:— <p>“28001.1 Restriction: No portion of a plumbing system shall be installed in such a manner as to violate a provision of this code or diminish the structural strength or fire-resistive capacity of a building.</p> <p>2800.2 Health Certificate: The Building Official shall not issue a certificate of completion and occupancy to the holder of a permit unless the Building Official is satisfied that the plumbing work has been inspected and approved by an officer of the Department of Health in accordance with regulation 3(2) of the Plumbing and Drainage Regulations 1965 [<i>title 11 item 1(m)</i>].”.</p>
Sections 29001.5 to 2915.2	Delete.
Section 3000.2	Delete.
	Section 3000.3 [<i>sic</i>] Delete the words beginning with “Federal laws” and ending with “jurisdiction” and substitute the words “the Building Authority Act 1962 [<i>title 20 item 2</i>], the Building Authority (Petroleum) Regulations 1962 [<i>title 20 item 2(c)</i>] and the Explosive Substances Act 1974 [<i>title 10 item 13</i>]”.
Sections 3003.1 to 3003.3	Delete.
Section 3006.2	Delete the words “Section 1111.0” and substitute the words “Section 1112.0”.
Section 3008.2	Delete the words “the approved rules and the”.
Section 3015.4	Delete.
Sections 3018.2 and 3018.3	Delete.

BUILDING CODE REGULATIONS 1991

Section 3019.1	Delete the words “as required by the regulations of the administrative official”.
Section 3019.3	Delete the words “, and in accordance with the regulations of the administrative official”.
Section 3022.1	Delete.
Sections 3100.1 to 3106.2	Delete.
Section 3200.1	Delete the words “through 31” and substitute the words “through 30”.
Section 3201.2	Delete.
Section 3202.1	Delete the word “historic”.
Appendix A	In the ANSI referenced standards delete the section number "512.4" appearing opposite the standard reference number "A117.1-86".
	In the BOCA referenced standards— (a) delete the standard reference number “NFPA-87”, the title “National Fire Prevention Association” and the referenced section numbers "103.1:" to "3018.1"; (b) delete the standard reference number “NPC-87”, the title “National Plumbing Code” and the referenced section numbers "200.3" to "3105.1".
	In the NFIPA referenced standards delete the standard reference number "70-84" and substitute the number "70-90".

PART III

Modifications to the provisions of the BOCA National Existing Structures Code

1 Subject to paragraph 2, the provisions specified in the first column in the following Table are modified in the manner specified in the second column of the Table.

2 Delete the words “this code” and the words “the code” wherever they appear and substitute in each case the words “The Existing Structures Code”.

Provision	Modification
Section ES-100.1	Delete and substitute the following:—

BUILDING CODE REGULATIONS 1991

	“ES-100.1 Title: These regulations shall be known as the Existing Structures Code.”.
Section ES-100.4	Delete the words “ordinances or”.
Sections ES-101.1 and ES-101.2	Delete.
Section ES-102.2	Delete the word “ordinances” and the word “ordinance” and substitute therefor respectively the word “laws” and the word “law”.
Sections ES-104.1 to ES-112.3	Delete.
Section ES-200.0	<p>Delete the definition of the expression “Building code” and substitute the following:—</p> <p>“Building code: The Building Code Regulations 1991, or other statutory provision which regulates the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures.”.</p> <p>Delete the definition of the expression “Code Official”.</p> <p>Delete the definition of the expression “Owner”.</p> <p>Delete the definition of the expression “person”.</p>
Sections ES-301.1 to ES-301.10.2	Delete.
Section ES-302.1.1	Delete.
Section ES-302.0	<p>Insert at the end of Section 302.3.3 the following:—</p> <p>“Water storage tank overflows shall not discharge in such a manner as to create a nuisance to adjacent roadways, rights of way or properties, or in such a manner as to cause erosion.”.</p>
Section ES-302.3.7	Delete the words “snow, ice”,.
Section ES-302.4.4	Delete.

BUILDING CODE REGULATIONS 1991

Section ES-302.4.6	Delete the words "hatchways" and "hatchway" and substitute therefor respectively the word "openings" and the word "opening".
Section ES-302.4.7	Delete.
Section ES-303.5	Delete the sentence beginning with the words "Rubbish" and ending with the words "Section ES-801.0".
Section ES-402.1	Insert after the word "provided", where it first occurs, the word "with".
Section ES-402.3	Insert next after the word "listed" the word "in".
Section ES-500.1 to ES-506.1	Delete.
Section ES-601.1 to ES-601.7	Delete.
Section ES-700.1 to ES-705.1	Delete.
Section ES-801.4 and ES-801.5	Delete.
Section ES-802.1 to ES-802.5	Delete.
Section ES-900.1 to ES-906.1	Delete.
Appendix B	Delete.

PART IV

Modifications to the provisions of the
BOCA National Mechanical Code

1 Subject to paragraph 2, the provisions specified in the first column in the following Table are modified in the manner specified in the second column of the Table.

BUILDING CODE REGULATIONS 1991

2 Delete the words “this code” wherever they appear and substitute in each case the words “The Mechanical Code”.

Provision	Modification
Section M-100.1	Delete and substitute the following:— “M-100.1 Title: These regulations shall be known as the Mechanical Code.”.
Section M-101.4	Delete the words “ordinances or”.
Section M-102.1 to M-102.3	Delete.
Sections M-104.1 to M-114.3	Delete.
Section M-115.1	Delete the sentence beginning with the words “All equipment” and ending with the word “approved”.
Sections M-117.1 to M-119.2	Delete.
Sections M-121.1 to M-122.7	Delete.
Sections M-508.1 and M-508.2	Delete.
Section M-800.2	Delete the words “NFIPA 58 listed in Appendix A” and substitute the words “the applicable laws”.
Table M-801.2	Delete the words “Aluminium alloy pipe and tubing”.
Section M-801.4	Delete.
Section M-802.3	Delete.
Section M-803.5.1	Delete.
Section M-1500.1	Insert at the end of the Section the following:— “Exception: Government owned and operated plants.”.
Section M-1500.2	Delete.

BUILDING CODE REGULATIONS 1991

Section M-1502.1	Delete the words “, for which burial permits are required by other statutes or regulations”.
Section M-1601.5	Delete.
Section M-1604.4.5	Delete.
Sections M-1605.1 to M-1605.3	Delete.
Sections M-1700.1 to M-2000.2	Delete.
Sections M-2101.7 and M-2101.9	Delete.
Appendix A	<p>In the BOCA referenced standards—</p> <p>(a) delete the standard reference number “NFPA-87”, the title “National Fire Prevention Association” and the referenced section numbers “103.1” to “3018.1”;</p> <p>(b) delete the standard reference number “NPC-87”, the title “National Plumbing Code” and the referenced section numbers “200.3” to “3105.1”.</p> <p>In the NFIPA referenced standards delete the standard reference number “70-84” and substitute the number “70-90”.</p>

PART V

THE ACCESSIBILITY CODE
Section A—100.0 Applicability

- A-100.1 General: The provisions of the Accessibility Code apply to—
- (a) new buildings;
 - (b) existing buildings, or portions thereof being altered to Use Group A;
 - (c) existing buildings being altered to a new Use Group other than Use Group A if the cost of alterations exceeds one fourth of the replacement value of the building;
 - (d) additions to existing buildings if the gross floor area of the addition exceeds one third of the gross floor area of the original building; and

BUILDING CODE REGULATIONS 1991

- (e) existing buildings being altered if the cost of alteration exceeds one half of the replacement value of the building.

A-100.2 Accessibility: Buildings or portions of buildings to which the Accessibility Code applies shall, by design, construction and maintenance, be accessible to persons with physical limitations.

A-100.3 Design Features: Design features shall include—

- (a) walks or ramps without steps from the public sidewalk or roadway to the ground floor of the building at least one public entrance;
- (b) building design, furnishings and use to accommodate wheelchair movement throughout the public areas on the ground floor;
- (c) elevator service to other levels if those other levels provide services, merchandise or accommodation which are not available on the ground floor or accessible by other means; and
- (d) building design, furnishings and use on such other levels to accommodate wheelchair movement to those services, merchandise or accommodation.

A-100.4 Restrooms: Where restrooms to accommodate the public are required or are provided, at least one water closet and one lavatory in each restroom on an accessible floor shall be designed to accommodate use by persons in wheelchairs in accordance with the following criteria:—

- (a) water closet centreline no closer than 18" to any side partition or side wall;
- (b) a clear unobstructed space in front of the water closet bowl 3 ft wide and 4 ft long;
- (c) provided with grab bars capable of supporting a load of 300 pounds and positioned 32" above the floor and along both sides of the water closet or along one side and the back if the water closet is in a corner. Side grab bars shall be 42" long and back grab bars shall be 24" long;
- (d) lavatories with rims at 32" above the floor and at least 27" of clearance between the floor and the lower edge of the front apron of the fixture or countertop;
- (e) lavatory faucet handles with levers, pushbuttons or spades to be capable of operation without grasping;
- (f) restroom door hardware to allow a push/pull operation or, if latching, with lever-handle knobs;
- (g) doors into restroom and doors within restroom minimum 32" clear width.

Exceptions

- 1 If required plumbing fixtures are installed in two or more toilet rooms for use by the same sex on the same floor, fixtures in only one room are

BUILDING CODE REGULATIONS 1991

required to comply with these provisions, provided that the room is accessible and marked to indicate that facilities for the physically handicapped are available therein.

2 Use Groups R-3, S, H and U.

3 Single-occupant handicap restrooms for the physically handicapped for use by both sexes.

A-100.5 Elevators: Where elevators are utilised to comply with Section A-100.3(c), such elevators shall have a minimum clear cab floor area of 24 square feet, shall have all operating controls within 54" of the floor and shall have photo-electric door safety switches.

A-100.6 Maintenance: All features of design and construction which are required by this Section shall be maintained in a fully accessible condition by the owner of the building or the owner's agent.

A-100.7 Deviations: Deviations from this Section which are proposed in lieu of strict compliance with specific provisions shall be determined by the Building Official.

A-100.8 Alternatives: Nothing in this Section shall prohibit alternative features of design or construction provided the alternative feature accomplishes an equal level of accessibility, as determined by the Building Official.

[Schedule amended in Part II by 2014 : 24 s. 10 effective 29 July 2014; Schedule amended by 2014 : 33 s. 55 effective 1 January 2018]

[Amended by:

2007 : 23

2014 : 24

2014 : 33]