



## **Safety Codes Services Construction Bulletin**

### **National Energy Code & Alberta Building Code 2014 Section 9.36**

April 7, 2016

*Energy efficiency requirements under Section 9.36 of the Alberta Building Code 2014 (ABC 2014) and the National Energy Code of Canada for Buildings 2011 (NECB 2011):*

#### **ISSUE #1- Discussion:**

##### **Extension of Transition Period**

Input from municipalities, construction industry, professionals, safety codes officers and the Building Sub-Council of the Safety Codes Council, has indicated that the May 1, 2016 mandatory application of the NECB 2011 will not be practical or feasible. There has also been considerable confusion respecting the transition period for energy efficiency, between voluntary usage and mandatory application of the energy codes.

##### **Interpretation: Conclusion**

The May 1, 2016 transition period for voluntary application of the NECB 2011 has been extended to November 1, 2016. This extension provides consistency with the mandatory application date for Section 9.36 ABC 2014, which is also November 1, 2016.

Where an application for a building permit for a site-constructed building is received by Planning and Development Services on or before October 31, 2016, the design of the building is not required to comply with the requirements of Section 9.36 ABC 2014 or the NECB 2011 as appropriate.

All building permit applications received November 1, 2016 or after, must comply with 9.36 ABC and NECB 2011.

#### **ISSUE #2- Discussion:**

##### **Manufactured Homes and Energy Efficiency**

Manufactured homes and other factory-built structures, unlike site-constructed buildings, are typically not constructed using a building permit process. Factory-constructed buildings may be

constructed long before the buildings are placed on site. Consequently, the information or evidence to demonstrate compliance with respect to enforcement dates for factory-constructed buildings and site-constructed buildings, are not the same.

### **Manufactured Homes:**

Where a manufactured home is constructed prior to November 1, 2016, the building design is not required to meet the requirements of Section 9.36 ABC 2014. The builder will be required to provide the homeowner and permit issuer with appropriate documentation that proves that the construction completion date occurred prior to October 31, 2016. In cases where the home is not substantially completed in the manufacturer's facility, the manufacturer's record of completion date will be used.

A manufactured home that has had its factory-related construction completed on or after November 1, 2016, will be required to meet the requirements of Section 9.36 ABC 2014.

### **All Other Factory-Constructed Buildings:**

Factory-constructed buildings other than manufactured homes will not be required to meet the energy efficiency requirements (Section 9.36. ABC 2014 or NECB 2011) provided the factory-related construction is completed before November 1, 2016. Similar to manufactured homes, appropriate documentation demonstrating date of completion must be provided to the owner and permit issuer.

A factory-constructed building that has had its factory-related construction completed on or after November 1, 2016, will be required to meet the requirements of Section 9.36 ABC 2014 or NECB 2011 as appropriate.

The Building Owner is responsible for providing the appropriate documentation to the Planning and Development Services Department at time of permit application. This documentation must prove the date of construction for the Manufactured Home or Factory-Built Building, and is required to determine if and when the Energy Codes apply to the project. Any Building permit applications made after November 1, 2016 must contain these supporting documents.

Further information is available from Alberta Municipal Affairs web site.

<http://www.municipalaffairs.alberta.ca/documents/ss/STANDATA/building/bci/14-BCI-001-ApplicationEnergyEfficiencyRequirements.pdf>

The City of Medicine Hat Safety Codes Services, in an ongoing effort to provide updates to Home Builders, Contractors, Designers and Trades people, regarding the Alberta Building Codes, provide these bulletins as a service.