

DRAFT April 7, 1999
Joint CCBFC/PTCBS Task-Group on
Implementation of a New Code Development System

Report of the First Meeting
25, 26 March 1999
Ottawa ON.

Members present

Chair: Bruce Clemmensen

Ann Borooah

Jeannot Fecteau

Chris Fillingham

Tom Makey

Rick McCullough

Dick Miller

Krystyna Paterson

Ross Rettie

Ted Ross

Chuck Sanderson

Bob Thompson

Chris Tye

IRC Staff:

Bob Bowen

Richard Desserud

Luc Saint Martin

Visitors:

Michael Heitshu- Ministry of Municipal Affairs and
Housing –Ontario

Review of the Terms of Reference.

The terms of reference were discussed with respect to responsibilities, tasks, timetable, meeting locations and membership.

Because of the tight timelines and the infrequency of CCBFC and PTCBS meetings the Task Group will ask the CCBFC and PTCBS for the authority to move ahead with implementation of some of the recommendations. CCBFC and PTCBS input and agreement will be sought beforehand of course, using correspondence and/or E-mail.

The Task Group agreed that while coordination of its work with the objective-based codes development was critical, the new code system is independent of acceptance of the concept of objective-based codes. The Terms of Reference will be altered to ensure this Task Group coordinates its activities with the coordinated with the “schedule for production of the next edition of the model codes.”

It was agreed that there were benefits by holding meetings across Canada and that this Task Group would follow the same course.

In order to ensure the plumbing community is fully involved with this activity, the Canadian Advisory Council on Plumbing will be asked to nominate a member to this Task Group.

The Task Group noted that a large percentage of the jurisdictions have the same deputy for the other codes and that they would have received some benefit from exposure to the discussions, such as the meeting of Deputies, which had already taken place.

The revised Terms of Reference are attached as Appendix A.

Implementation of the Recommendations from the Task Group Report-

Each of the recommendations of the previous Task Group was the subject of a discussion paper (except for Recommendation 18 which recommends policies and procedures be prepared and is inherent throughout). These discussion papers, as modified at the meeting, are attached as Appendix B.

Discussion Paper #1- core building, fire and plumbing codes

There was some uncertainty over the relationship of this issue with the analysis of objectives presently being undertaken by the CCBFC and the Task Group on Objective-Based Codes. Although related, the concept of core codes essentially deals with what subjects the provinces and territories wish to assign the CCBFC to deal with under the building, fire and plumbing codes, what subjects remain in the realm of individual provinces and territories, and what subjects become the subject of CCBFC progeny documents.

It does not relate to the issue of technical differences on the same subject, which is covered in discussion paper #6, although it was acknowledged that some overlap will be inevitable.

As a first step, it will be necessary for staff, with the assistance of the P/T representatives, to prepare a paper outlining the subject areas presently contained in provincial and national codes for comparison.

Discussion Paper #2- single coordinated public review

Timing was seen as the key issue here since it is necessary for the provinces and territories to get agreement from their departments to conduct a consultation session. The situation is clearer for the building code as a result of the Deputies meeting, and the next Deputies meeting planned for the end of 1999. This issue will be a key agenda item at the next PTCBS meeting.

Since the fire and plumbing code P/T authorities have not had a similar Deputies session, it may be problematic to conduct a coordinated public review of the code objectives at the same time as the building code. (see discussion paper #5)

Discussion Paper #3- provinces and territories participate at all critical stages

The fire and plumbing code P/T authorities have not had a meeting as with the building code Deputies and therefore there has not as yet been an indication of acceptance of the principle. (see discussion paper #5)

Discussion Paper #4- decision-making body

It was pointed out that CCBFC members' terms expire on October, 31, 1999. Although there is usually not a major rotation during mid cycle, the membership and matrix are normally re-examined at this stage of the process and openings will occur. The provinces and territories will be asked to assist in identifying candidates

Discussion Paper #5- provincial/territorial advisory committee(s).

As expected, there are differences regarding the status of this activity among the building, fire and plumbing codes. The existence of the PTCBS and the Deputies meeting permits greater progress in the short term. In all cases however, the major concern is that policy issues affecting the CCBFC are not being dealt with at a high enough level.

In the case of the building code the essential system may already be in place with the PTCBS. Its terms of reference assign it nominal policy responsibilities, however it may operating differently in the future. It will be necessary for PTCBS to reexamine its terms of reference, membership and operating procedures to ensure the appropriate level of policy advice can be given. Roles of the DM or ADM level also need to be examined and articulated, ideally in time for the next meeting of the Deputies in the fall. This issue will be a major agenda item at the next PTCBS meeting.

In the case of the fire and plumbing codes, contact with the Canadian Council of Fire Marshals and Fire Commissioners, and the regulatory members of the Canadian Advisory Council on Plumbing will be appropriate to move this issue along. It was suggested that the President of NRC write to such groups, collectively or individually, advising of the outcome and success of the Deputies' meeting on the building code, and inviting them to become engaged in the process. NRC could offer to host the meeting(s) as before. Joint meetings covering building, fire and plumbing codes would also be a possibility.

The CCFM/FC have already initiated discussions with P/T decision makers with the view of convening a high level meeting on Fire Code issues. Prior to such a letter being sent, the CCFM/FC will consider the matter and advise whether this is the appropriate action, and if so, who the letters should be addressed to.

The CACP, through its Chair, will be contacted for its reaction to such an initiative for the plumbing code.

Regulatory authorities are also concerned about issues beyond those concerning the CCBFC and it would be valuable to consider how other jurisdictions could be engaged in the process.

Discussion Paper #6- examine, and attempt to resolve, the present technical differences.

It was decided that this topic would be appropriate for a small working group consisting of members from provinces with the most differences or those likely to initiate new ones. Terms of reference will be prepared for the next Task Group meeting spelling out the process of how to identify the changes and how to resolve them. It will be necessary to define which changes are truly technical in nature and which are scope/policy issues, and to set priorities.

The PTCBS members will be asked to assist in identifying the differences.

It was recognized that some differences will fall into a “gray” area. It was also recognized that the timeline will probably be different for the 3 codes and that work should proceed independently.

Discussion Paper #7- multiple points of entry.

Draft procedures will be prepared by staff for the next meeting. Several members agreed (Makey, Tye, Borooah, Paterson, McCullough, Fillingham) to review the draft as it is prepared.

Discussion Paper #8- technical review

It was pointed out that Technical Committee members’ terms expire on October, 31, 1999. Although there is usually not a major rotation during mid cycle, the membership and matrix are normally re-examined at this stage of the process and openings will occur. The provinces and territories will be asked to assist in identifying and selecting candidates

Discussion Paper #9- circulation recommended changes, before and after public review, to the P/T

Item 3 in the “How” section was modified to add “...prior to submission to the CCBFC.”

Discussion Paper #10- National Research Council role.

No changes to the paper were deemed necessary at this time.

Discussion Paper #11- urgent issues.

Since this issue is so dependant on policies of each province and territory, it was agreed that PTCBS should be asked to take the lead role.

Discussion Paper #12- equitable cost sharing for the codes development and distribution system

It will be necessary to be more precise on this issue for the next DM meeting. Guy Gosselin of IRC will prepare a paper describing various options and scenarios. It was recognized that a common approach in all P/T’s may not be possible and that a series of deals may be necessary. In the interim, NRC will be approaching certain individual provinces to begin negotiations.

Discussion Paper #13- participation of French speaking code users

Improved consultation as a result of the new process, together with smaller review packages, should result in better feedback on the translation, and thus higher quality documents.

Discussion Paper #14- open tracking system.

The hope was expressed that the open tracking system would be able to accommodate P/T changes as well.

Discussion Paper #15- standards updating.

Since this issue is so dependant on policies of each province and territory, it was agreed that PTCBS should be asked to take the lead role. It was also noted that the outcome of the Objective-based codes project is

fundamental to this item. The matter will be on the agenda of the Task Group on Objective-Based Codes at its next meeting.

Discussion Paper #16- cycle for publishing of the core codes

No changes to the paper were deemed necessary at this time.

Discussion Paper #17- national model code for renovation of existing buildings.

No changes to the paper were deemed necessary at this time.

Communications.

A Draft CCBFC communications plan was presented (Appendix C). The thrust of the plan is to cover Objective-Based Codes and the new code development process. The plan identifies industry and regulatory associations as targets for the messages on these subjects. The CCBFC Executive Committee has overall responsibility for this subject and has not as yet approved the plan.

The Task Group agreed that the message on the new codes process did not fully define the reasons and benefits for the new system and suggested that it more closely follow the wording of the Executive Summary of the previous Task Group's report.

It was agreed to recommend to the Executive Committee and the objective based Task Group that:

- the examples of audiences under Item 2 be dropped. These gave an incorrect message that only the named group were concerned about the issue. (e.g., only architects and engineers are worried about liability, and that builders only concerns were prescriptive codes).
- building owners be identified as a separate audience for messages particularly about objective-based fire codes.
- objective Based Codes be given prominence, and the new system be promoted using a lower key approach
- timing for the messages be discussed, considering the development timeline
- messages should account for the status of development at a given time. (i.e. don't get ahead of ourselves)
- there be some sort of evaluation process to measure how the communication plan is being received ("measure the smiles")

Implementation timeline and coordination with objective-based codes project

An updated timeline will be prepared for the next meeting.

Other Business

A table prepared by Chris Tye summarizing the action items, the responsible bodies and the role of P/T advisory committees was discussed. This Table is attached as Appendix C. As a first start, it was recommended that all 17 discussion papers be included on the PTCBS agenda for its meeting in May.

Next Meetings

The next meetings are scheduled for:

June 21 and 22 in Winnipeg.

August 19 and 20 in Edmonton

October 25 and 26 in Halifax

Appendix A

Terms of Reference of the Joint CCBFC/PTCBS

Task Group on Implementation of a New Code Development System

Background

In a report issued in November 1998, a Joint Task Group of the Canadian Commission on Building and Fire Codes (CCBFC) and the Provincial/Territorial Committee on Building Standards (PTCBS) proposed a new and improved single, coordinated building, fire and plumbing code review and development system intended to meet the needs of the provinces and territories, and at the same time, retain the best features of the present systems.

Its report contained 18 recommendations to improve the present system including:

- greater participation of provinces and territories throughout the process
- better stakeholder consultation
- adoption of the concept of “core codes”
- creation of a single coordinated public review of proposed changes
- resolution of the present technical differences among the national codes and provincial/territorial codes
- multiple points of entry (local and national) for proponents of change
- creation of provincial/territorial advisory committees (one for each of the building, fire and plumbing codes), to provide policy advice on scope, format, process and content issues
- retention of the CCBFC as the “decision-making body”
- negotiations towards equitable sharing among NRC and the provinces and territories of the cost of maintaining the system.

The report was accepted by the CCBFC and the PTCBS.

At a meeting on November 18, 1998, Provincial and Territorial Deputy Ministers responsible for building standards agreed in principle to move ahead, in the case of the building codes, on the implementation of six key recommendations, and to further consider the remainder. The six are:

- concept of “Core codes.
- one co-ordinated public review
- P/T participation at all stages
- P/T Advisory Committees
- resolution of technical differences
- principle of cost sharing.

A new joint task group will oversee the further refinement and implementation of all the recommendations. Since it is desirable to use the new system for processing of changes for the next editions of the codes and the development of objective-based codes, time will be of the essence.

Tasks

The Task-Group will —

- recommend to the CCBFC and PTCBS, and other appropriate bodies and agencies, policies, procedures and/or actions intended to implement the recommendations of the Joint PTCBS/CCBFC Task Group on Code Review and Development including, in the case of the building codes, the six key areas agreed upon in principle by the P/T deputies
- draft a new version of the “CCBFC Policies and Procedures”
- where the Task Group is not the appropriate body to develop such policies, procedures and/or actions, recommend an alternative approach
- recommend measures aimed at ensuring, to the greatest extent possible, separation of policy and technical issues
- devise strategies designed to gain formal acceptance of the recommendations from appropriate provincial/territorial officials responsible for fire and plumbing codes
- prepare a schedule, with milestones, for the transition plan, coordinated with the schedule for production of the next edition of the model codes
- recommend appropriate communication strategies.

Timetable and Method of Operation

- It is expected that approximately 6-7 meetings will be necessary.
- The Task Group will target to complete its work by April 1, 2000.

Members

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Appendix B

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion #1 Paper- Core Codes

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that the CCBFC, NRC and the provinces and territories endorse the concept of “core building, fire and plumbing codes” which would contain all necessary requirements for widely agreed-upon issues (e.g. health and safety) and which the provinces and territories ideally should not have to amend.

Background

In making this recommendation, the Task Group offered the following definitions.

Model Codes

Model Codes are documents prepared and maintained by the Canadian Commission on Building and Fire Codes (CCBFC) and published by the National Research Council (NRC). They are recommended model codes which may be adopted by an appropriate authority. Although provinces and territories provide advice on scope, content, format and process, and may participate individually in the development process, the normal procedure is for each jurisdiction to conduct a separate review process subsequent to the model codes being published, followed by adoption, usually with modifications and/or additions.

Core Codes

Core Codes are similar to model codes except that provinces and territories participate collectively throughout the review and development process. Provinces and Territories, and CCBFC would agree in advance on scope and content. The “core codes” would contain common requirements for widely agreed-upon issues (e.g. health, safety) and which the provinces and territories ideally should not have to amend.

Provincial/Territorial Changes to the Core Code

Adopting authorities always have the right to make changes and additions, however, it is hoped that, because of greater involvement of these authorities throughout the process, the need for change would be minimized.

Provincial/Territorial Non-Core Code Issues

Many provinces and territories have added subject areas beyond those in the national model codes to their building and fire regulations. Examples include septic systems and existing buildings in Ontario; relocatable industrial buildings in Alberta; combining the building and plumbing codes in some provinces; and special foundation requirements for soil conditions in Manitoba. Such items would only be added to the core codes with the agreement of the Provinces and Territories.

Separate Stand-Alone (Progeny) Documents

Issues considered appropriate for a national document but that are outside the agreed-upon scope of the core codes, would be published in separate stand-alone (progeny) documents, such as the model national energy codes.

The concept was accepted in principle by P/T deputy ministers responsible for building codes.

Who

Preparation of recommendations on this topic should be the direct responsibility of this Task Group, with guidance from the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

1. Acceptance in principle from appropriate P/T authorities responsible for fire and plumbing codes
2. Examination and comparison of scope, objectives and content of the national and provincial building, plumbing and fire codes and related documents and regulations.
3. Preparation of recommendations to the CCBFC.
4. Pre-consultation with provinces and territories.
5. Coordinated public/stakeholder consultation.
6. Review of public/stakeholder comments by the provinces and territories and CCBFC.
7. CCBFC decision.

When

In time for CCBFC decisions on the root objectives of the National Codes presently scheduled for early in the second Quarter of 2000. This would require a recommendation to CCBFC around the end of the 3rd quarter of 1999 and a public review period during the first quarter of 2000.

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #2- single coordinated public review

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that a single coordinated public review of proposed changes to the core codes, as well as provincial and territorial additions to the core codes, be established to ease the burden on reviewers, minimize local variations and reduce the time required for adoption of the core codes.

Background

A coordinated public review process would continue to be the responsibility of the secretariat. Some provinces and territories, however, will want to manage the process and request and receive public comments in their jurisdictions. Comments would be reviewed and forwarded to the Secretariat with provincial/territorial comment and/or recommendations for resolution.

Some provinces have a need to obtain “permission to consult” from government before releasing proposed changes for public consultation. Therefore, all proposals from standing committees would be circulated to all provinces and territories prior to wide release.

Public consultation could occur on a more frequent basis resulting in smaller packages, which are more likely to be examined than the large collections of proposals circulated in the past. Publishing of changes could also be according to a more frequent cycle. Smaller packages would likely improve the level and quality of review.

In order for this to be a coordinated process, provincial/territorial non-core changes would be included in public review packages. Those requesting change packages would receive only such changes for their individual province/territory unless all are specified.

The concept was accepted in principle by P/T deputy ministers responsible for building codes.

Coordinated Public Review would consist of at least the following events:

1. identification by technical committees of recommended changes to the core codes with rationale and impact
2. identification by P/T of non-core code changes
3. pre-circulation to provinces and territories
4. preparation of change packages
5. announcement of availability
6. distribution to stakeholders and individuals by NRC or a P/T
7. public fora to explain changes (optional)
8. receipt and compilation of comments by NRC (or P/T)
9. analysis by NRC (and possibly P/T)
10. consideration of comments by P/T (non-core) and CCBFC technical committees
11. committee action on proposed changes according to agreed-upon procedures

12. circulation of committee actions to P/T
13. convene Technical Advisory Committee (if necessary)
14. CCBFC decision of core code items
15. P/T Decision on non-core code items
16. Commentors informed of committee actions regarding their comments

Who

Preparation of recommendations on this topic should be the direct responsibility of this Task Group, with guidance from the P/T Advisory Committees and the CCBFC.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

1. Acceptance in principle from appropriate P/T authorities responsible for fire and plumbing codes
2. Comparison of CCBFC and P/T policies and procedures for public consultation.
3. Agreement on common procedures.
4. Agreement on roles and responsibilities.
5. Identification of P/T's wishing to conduct the coordinated review on behalf of the system
6. Agreement on timing.
7. Agreement of procedures of pre-consultation with P/T.
8. Operating procedures for the Technical advisory Committees.
9. Publicity communications activities

When

In time to be implemented for the following public review periods:

- Consideration of root objectives/scope/core codes in time for DM meeting on Building Codes
- Consideration of root objectives/scope/core codes during the first quarter of 2000
- Technical updating during the 2nd and 3rd quarters of 2000
- Second Technical updating during the 2nd and 3rd quarters of 2002
- Review of the total objective-based codes during the 2nd and 3rd quarters of 2002

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #3- Provincial / Territorial Participation

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that the provinces and territories participate at all critical stages of core code development, with the opportunity to raise their concerns and the concerns of provincial/territorial stakeholders. The concept was accepted in principle by P/T deputy ministers responsible for building codes.

Background

The existing system tends to be a linear one, with provincial and territorial involvement beginning only after the model codes are issued, and the adoption process begins. Provinces and territories and their stakeholders are not exposed to all information on code changes until the end of the process.

Some of the resources currently directed at the provincial territorial level could be used to participate in the national process, if the opportunity were available.

Lack of formal participation also means there may be no sense of ownership and confidence in the system on the part of the provinces and territories.

Who

At the meeting for P/T Deputy Ministers responsible for the building codes, it was agreed that provinces and territories will participate at all levels of code development, and that the level of participation would be at the discretion of individual provinces and territories. NRC, as secretariat would take a lead role in facilitating communications.

Similar agreements will be necessary for the fire code and the plumbing code.

How

This recommendation is an over-riding principle and many of the other recommendations actually are designed to achieve this goal, namely:

- single coordinated public review
- provincial/territorial advisory committee(s).
- multiple points of entry.
- circulation recommended changes, before and after public review, to the P/T.

Therefore, in the case of the building code, it appears that no other specific actions need be undertaken at this time, except to be opportunistic to other opportunities to further this principle.

In the case of the fire and plumbing codes, it will be necessary to engage P/T officials in these areas. Sources of advice on how this might be achieved could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

When

As quickly as possible in order to take advantage of the momentum and spirit of cooperation fostered by the previous Task Group, and to ensure that as much as possible of the new system is used for development of the next editions of the codes.

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #4- Decision-Making Body

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that there be a Decision-Making Body to oversee the process and make the final decision as to the scope, format, process and content of the core codes and that the Canadian Commission on Building and Fire Codes, appointed by NRC, perform that role. The provinces and territories would assist in the recruiting of its members.

Background

The “Decision Making Body” would have overall responsibility for scope, format, content and process of the core codes. It would decide upon all changes to the core codes as recommended by the technical review process and would establish priorities. It would be responsible for the matrix/membership of any technical committees. It is expected that a single body would be sufficient to deal with all the core codes.

Because of the importance of ensuring independence of the process, seeking wide participation by code users and maintaining a technical focus, the Task Group concluded that the “Decision Making Body” should be made up of members from regulatory bodies, industry and general interest according to a broad-based, balanced matrix similar to the CCBFC. It agreed that NRC was the logical organization to support the selection and operation of this overseeing body.

It was recognized that arriving at an appropriate matrix, and choosing appropriate members while maintaining geographic and sector balance is a difficult task requiring a considerable degree of independence.

It was duly noted that the existing process for appointment to the CCBFC was through NRC’s governing council (not NRC staff) on the recommendation of the CCBFC Chair. The CCBFC Policies and Procedures provide for a Chair’s Selection Committee, which includes a representative of a provincial/territorial authority.

Who

Preparation of any new procedures on this topic should be the responsibility of the CCBFC, with guidance from the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

CCBFC Policies and Procedures will have to be modified to account for the all changes recommended by the Task Group. The only ones specific to this recommendation are for procedures relating to having the provinces and territories take a role in identifying potential members for the CCBFC. The existing terms of reference for the Chair’s Selection Committee are attached.

When

The CCBFC members' terms expire on October, 31, 1999. Although there is usually not a major rotation during mid cycle, the membership and matrix are normally re-examined at this stage of the process and openings will occur. The provinces and territories will be asked to assist in identifying candidates.

The new procedures will be necessary for the next major appointment exercise which would occur after approval of the 2003 codes, presently scheduled for the last quarter of 2002.

CCBFC
POLICIES AND PROCEDURES
1991

1.28 The Chair of the Commission shall appoint a **Chair's Selection Committee** to assist in recommending to NRC, a nominee for Vice-Chair and a slate of nominees for appointment or reappointment to the CCBFC. The terms of reference, committee matrix, and operating procedures are described in Appendix F.

APPENDIX F

CHAIR'S SELECTION COMMITTEE

Objectives

- To assist the Chair of the CCBFC in preparing advice to Council by recommending, upon request from the Chair, a nominee for appointment as Vice-Chair*.
- To assist the Chair of the CCBFC in preparing advice to Council by recommending, at appropriate times, a slate of nominees for appointment or reappointment to the Canadian Commission on Building and Fire Codes.

*Note - The CCBFC Policies and Procedures 1990 provide (Clause 1.11) that "A new chair should be designated by NRC to act as Vice-Chair at least 12 months before the Chair's retirement to provide continuity." The Policies and Procedures (Clause 1.12) differentiates between a vice-chair and an alternate chair, who may be designated by the Chair at any time to act on behalf of the Chair in case of absence.

Matrix - CCBFC Selection Committee

- Chair, CCBFC
- Vice-Chair, CCBFC (if or when appointed)
- Chair, CCRB
- Director General, IRC
- Individual member ** ***
- Individual member **
- Deputy Chair, CCBFC (Head, IRC Canadian Codes Centre)

**Note - The two individual members are to be broadly knowledgeable of the CCBFC and the National Codes System, and should be selected to enhance the geographic base of the Selection Committee. (Former chairs of the CCBFC (or ACNBC and ACNFC) and its standing committees would be excellent candidates for appointment.)

***Note - One of the two individual members should have code administrative experience at the provincial and territorial level. This individual should be designated in consultation with the chair of the Provincial/Territorial Committee on Building Standards.

Members of the CCBFC Selection Committee are appointed at pleasure by the Chair of the Commission.

Operating Procedures

- The Selection Committee and its members shall, where practicable, seek advice and recommendation from members of the Commission and its standing committees, from the Provincial/Territorial Committee on Building Standards and from concerned associations and individuals. Such advice may be solicited via the NBC/NFC News, through correspondence and in person via Selection Committee members and IRC staff.
- The Selection Committee's recommendation for a nominee as Vice-Chair should be made to the Chair in sufficient time to allow for the appointment process of NRC, recognizing that it is desirable to appoint the Vice-Chair a year in advance of the Chair's intended retirement. A lead time of 15 months will normally be sufficient.
- The Selection Committee's recommendation for a slate of nominees for appointment or reappointment to the Commission should be made to the Chair at least 5 months in advance of the date on which the appointments are intended to take effect (normally by 1 June for 1 November appointment).
- The Selection Committee shall follow the procedure laid down in Section 10.3 and 10.4 of the CCBFC Policies and procedures with respect to minutes and Section 12.1(2) with respect to voting.

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System

Discussion Paper #5- Provincial/Territorial Advisory Committee(s)

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that a Provincial/Territorial Advisory Committee be created to provide the CCBFC with advice and guidance on scope, format, process and content of the core codes. Should it not be practical for one body to be created because of jurisdictional difficulties, initially there could be one committee for each of the building, fire and plumbing codes.

Background

A mechanism will be needed to ensure the CCBFC can obtain advice from provincial and territorial authorities in a formal way on policy matters as well as on major proposed changes to the core codes. There will also be a need to obtain advice on the position of provincial and territorial governments on matters that are considered to have considerable economic or policy implications. The mechanism should provide information on the acceptability of proposals on an individual provincial/territorial basis, and CCBFC would be expected to make final decisions on the core codes, taking such information into account.

A provincial/territorial advisory committee could perform this role and would act at a policy advisory level rather than focus on technical matters. As such, membership should be able to present the provincial/territorial position on which issues should be addressed by regulation and be able to discuss the impact of codes on industry and the regulatory community in their jurisdiction.

The Task Group came to the conclusion that the level of representation on such an advisory committee would have to be at the discretion of individual provinces and territories according to local priorities and capabilities.

A single body that could perform this advisory role would be the most desirable arrangement. However, differences in departmental organization and responsibilities at the provincial/territorial level suggest that the only practical arrangement at the outset would be to create three separate advisory committees for each of the building, fire and plumbing codes.

Who

At the meeting for P/T Deputy Ministers responsible for the building codes, there was general agreement that advisory committees be established to ensure the system receives necessary advice on policy and technical issues. Collectively, provinces and territories will decide the appropriate structure of those committees. It was suggested that the CCBFC and the PTCBS examine the advantages and disadvantages of various options including a joint building-fire-plumbing code advisory committee.

How

At the meeting for P/T Deputy Ministers responsible for the building codes, it was also recognized that codes have become more than technical documents and that many underlying policy issues are addressed through code requirements. It was suggested that provincial and territorial governments need to develop a framework to deal with policy issues and that resolution of these issues would be central to the establishment of a "core code". The deputy ministers and PTCBS will need to consider how the system will reflect the views of their respective

governments on matters related to scope and policy issues. Deputy ministers meetings and the proposed provincial/territorial advisory committees were suggested as possible vehicles.

Terms of Reference and Operating Procedures will need to be developed. This Task Group could take responsibility for their drafting, possibly using the PTCBS procedures as a model.

When

As quickly as possible in order to take advantage of the momentum and spirit of cooperation fostered by the previous Task Group, and to ensure that as much as possible of the new system is used for development of the next editions of the codes.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #6- Resolution of Technical Differences.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that a joint effort be initiated among code users to examine, and attempt to resolve, the present technical differences among the national and provincial/territorial codes.

Background

While the proposed system addresses revisions to the core codes, there presently exist many technical differences among the core code issues in the national codes and provincial codes. In order to achieve a true core code acceptable to all, some effort will have to be made to resolve these differences. Additional provincial/territorial provisions not included in the national codes are considered to be non-core issues, and need not be addressed at this time.

It is expected that some of these differences may be eliminated in the context of objective-based codes.

An opportunity now exists to make some commitment to eliminating these differences. It is recognized that resource limitations and differences in approach may make it difficult to completely achieve this goal in time for the next codes, however, this does not mean it should not be tried.

Who

Preparation of recommendations on this topic should be the direct responsibility of this Task Group, with guidance from the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

Stakeholders, CCBFC technical committees together with technical staff from the provinces and territories and IRC will need to be involved.

It is anticipated that industry, and other national organizations, would see the value of this goal and may contribute towards its achievement.

How

Preparation of protocols, procedures and timelines.

At the meeting for P/T Deputy Ministers responsible for the building codes, it was agreed in principle to work towards resolving differences among codes. The consensus was that there is a need to separate issues that are strictly technical from those that are driven by policy considerations. There was an acknowledgement that meetings of Deputy Ministers and the advisory committees could play roles in resolving policy differences.

When

In time to be implemented for the second technical updating public review period during the 2nd and 3rd quarters of 2002

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #7- Multiple points of entry.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that proponents recommending changes to the core codes have the choice of submitting these at the provincial/territorial level, or at the national level. All proposals received, regardless of source would be circulated to all the provinces and territories, giving the opportunity for them to raise their concerns and the concerns of provincial/territorial stakeholders at early stages in the process. Where concerns are raised, such proposals will not be dealt with by technical committees until the issue is resolved by the CCBFC in consultation with the appropriate provincial/territorial committee.

Background

There is a perception in some parts of Canada that local stakeholders have little influence on the system. A true coordinated process needs to reinforce the sense of ownership by provinces and territories of their building regulations and the process by which they are prepared. It is also necessary to ensure a critical understanding among stakeholders that the processes is driven at the provincial/territorial level and that the building, fire and plumbing regulations are the responsibility of the provinces and territories.

Advantages of multiple points of entry to the process include easier access at a regional level to the system and an opportunity for all to be aware of what is happening in other jurisdictions. It would also ensure an opportunity to flag potential policy, scope or procedural issues before a proposal goes for further development.

Who

Preparation of recommendations on this topic should be the direct responsibility of this Task Group, with guidance from the CCBFC and the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

1. Prepare procedures to permit those proposing changes to the core codes to have the choice of submitting these at the provincial/territorial level or at the national level.
2. Prepare agreed-upon criteria for change submission format and contents
3. Prepare guidelines for optional review of proposals by individual provinces and territories prior to forwarding to the national system.
4. Prepare guidelines for the secretariat to evaluate proposals as being significant, controversial, scope and policy issues
5. Prepare procedures regarding circulation of all proposals to all the provinces and territories, giving the opportunity for them to raise their concerns and the concerns of provincial/territorial stakeholders at early stages in the process.
6. Prepare guidelines for CCBFC handling of provincial/territorial objection to any proposal on policy, scope or procedural grounds

When

For discussion. Will depend upon the situation at the provinces and territories, and the development of the objective-based codes.

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #8- Technical Review

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that the technical review of proposals by broad-based committees of experts such as those presently operating under the auspices of the CCBFC, continue. Provinces and territories would play a role in assisting the CCBFC on the selection process for technical committee members.

Background

A technical review of proposals by broad-based balanced technical committees of experts is the most appropriate approach. Committee matrices should ensure appropriate representation from affected stakeholder groups. The CCBFC framework of standing committees is seen to be one that meets these criteria.

It is important that the membership appointment process is seen to be fair and equitable by all stakeholders and that the false impression that it is a closed shop controlled by NRC be dispelled. The existing process for appointment to a CCBFC Standing Committee is through the CCBFC Nominating Committee (not NRC staff) on the recommendation of the Standing Committee Chair. The Nominating Committee consists of CCBFC members. Final approval is by the CCBFC Chair.

However, it was agreed that there would be value in enhancing the role of the provinces and territories in the process by having the provinces and territories assist in soliciting members for the technical committees. The pool of candidates would increase and a greater provincial/territorial presence in the new process would be established.

The provinces and territories would probably have greater confidence in the selection process if they had the opportunity to comment on the matrices and the memberships of the technical committees proposed by the nominating committee prior to submission to the CCBFC for consideration.

The level of participation by provincial/territorial adopting authorities on each technical committee needs further examination. A key is to build confidence among provincial/territorial stakeholder groups that they are fully engaged in the process. It is important, however to ensure technical focus. Policy issues are best dealt with at the provincial/territorial level. Some provinces and territories may set up their own technical advisory process to feed local concerns into the system.

Who

Preparation of any new procedures on this topic should be the responsibility of the CCBFC, with guidance from the P/T Advisory Committees. The level of participation by provincial/territorial adopting authorities on each technical committee also needs further examination.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

CCBFC Policies and Procedures will have to be modified to account for the all changes recommended by the Task Group to cover:

1. assistance from provinces and territories in soliciting members for the technical committees
2. comments from provinces and territories on the matrices and the memberships of the technical committees proposed by the nominating committee prior to submission to the CCBFC

Improvement in communication of the process and procedures to stakeholders is seen as critical since many are unaware of even the existing system for membership appointments, matrices and decision-making. Under the co-ordinated system, the provinces and territories would play a role in such communication

When

The technical committee members' terms expire on October, 31, 1999. Although there is usually not a major rotation during mid cycle, the memberships and matrices are normally re-examined at this stage of the process and openings will occur. The provinces and territories will be asked to assist in identifying and selecting candidates.

The new procedures will be necessary for the next major appointment exercise which would occur after approval of the 2003 codes, presently scheduled for the last quarter of 2002.

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System

Discussion Paper #9- Circulation of Recommended Changes to the P/T.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that all proposed changes recommended by standing committees, before and after public review, be circulated to the appropriate provincial and territorial departments responsible for building, fire or plumbing regulations. Where there are provincial/territorial concerns, such proposals will not proceed until the issue is resolved by the CCBFC in consultation with the appropriate Provincial/Territorial Advisory Committee

Background

The existing system tends to be a linear one, with provincial and territorial involvement beginning only after the model codes are issued, and the adoption process begins. Provinces and territories and their stakeholders are not exposed to all information on code changes until the end of the process.

Who

Preparation of recommendations on this topic should be the direct responsibility of this Task Group, with guidance from the CCBFC and the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

Prepare procedures to ensure proposed changes are circulated at the following stages:

1. At the point of entry
2. After discussion by the technical committee prior to release for public review.
3. After discussion by the technical committee subsequent to public review prior to submission to the CCBFC.

Guidelines and procedures will also be needed to deal with issues such as time allowed for P/T comment and how the CCBFC should deal with concerns raised.

When

In time to be implemented for the following public review periods:

- Consideration of root objectives/scope/core codes during the first quarter of 2000.
- Technical updating during the 2nd and 3rd quarters of 2000
- Second Technical updating during the 2nd and 3rd quarters of 2002
- Review of the total objective-based codes during the 2nd and 3rd quarters of 2002

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #10- National Research Council role.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that the National Research Council provide technical and secretariat services to the provincial/territorial committees and the CCBFC through the Canadian Codes Centre of the Institute for Research in Construction. IRC would be empowered to explain the core codes, but not legally interpret them.

Background

NRC has provided a Secretariat for the code development system since work was begun in the 1930's on the first NBC, published in 1941. This includes administrative support such as arranging committee meetings, distributing meeting notices, agenda and supporting papers, preparing formal minutes and handling committee correspondence. Similar support will be needed for the proposed system, however, some changes are suggested to ensure greater provincial/territorial involvement.

The system of technical committees requires technical and research support to ensure decisions are made with full knowledge of the technical and economic implications. This role has traditionally been provided by NRC's Institute for Research in Construction.

Who

Preparation of any new procedures on this topic should be the responsibility of NRC and the CCBFC, with guidance from the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

This recommendation does not significantly modify the role of NRC in the system. It will be necessary to review Canadian Codes Centre operating procedures and modify them where necessary to account for the new system.

When

- As required

Joint CCBFC/PTCBS Task-Group on
Implementation of a New Code Development System
Discussion Paper #11- Urgent Issues.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that the four stages of the proposed process would be able to deal with urgent issues, such as health or safety issues, and unreasonable restrictions placed on industry by existing code requirements. Timing, duration and extent of the public consultation may need to be tailored to fit the situation..

Background

As with the existing national and provincial/territorial code development processes, there is a need for the new system to deal with urgent issues, such as health or safety issues, and unreasonable restrictions placed on industry by existing code requirements. Such processes usually by-pass, or lessen the level of, public consultation. There was concern over the suggestion that there would be no public consultation on such matters. In fact some provinces and territories would not permit such a process to take place.

Industry groups have become accustomed to using the CCBFC “special change process.

Who

Preparation of recommendations on this topic should be the direct responsibility of this Task Group, with guidance from the CCBFC and the P/T Advisory Committees.

Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), would be the most appropriate source of policy guidance on the building codes.

Regarding the other codes, sources of advice could be the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

Preparation of guidelines for CCBFC and the provinces and territories in handling such requests.

Stakeholders that have become accustomed to the CCBFC “special change” procedures will have to be consulted.

When

To be determined.

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #12- Equitable Cost Sharing.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that all provinces and territories and NRC endorse the principle of equitable cost sharing for the codes development and distribution system.

Background

NRC makes a considerable contribution by funding the CCBFC and its committees, the Canadian Codes Centre and technical research in support of codes.

Most provinces and territories make contributions to the CCBFC process to help offset a portion of these costs:

- through sales of the national codes in their jurisdiction,
- by having NRC publish provincial codes,
- by making a direct contribution to NRC on the basis of sales of provincial codes, or
- by taking the lead in the technical development of significant new or revised code provisions.

No formal assessment has been made regarding cost and revenue implications of the proposed process. Since there are presently 13 centres acting independently responsible for code development and/or adoption (NRC plus 12 provinces and territories) it is believed that by pooling resources, and working towards the collective good, the proposed overall process will be more timely, effective and efficient.

There was general agreement by P/T deputy ministers responsible for building codes to work towards a system to equitably share the costs of code development and related revenues.

Who

This Task Group may not be the best forum to deal with this topic.

How

Further discussions among provinces and territories, and NRC will be necessary to elaborate this principle. One-on-one negotiations may be necessary, and guidance on approaches will be required from the P/T Advisory Committees.

It will also be necessary to gain acceptance in principle from appropriate P/T authorities responsible for fire and plumbing codes

When

To be determined

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #13- Participation by French-Speaking Code Users.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that attention be given to the goal of ensuring appropriate participation of French speaking code users in the code development process.

Background

An often repeated comment from code users in Quebec is that the existing system makes it difficult for French-speaking stakeholders to participate in code development. Although reports and public comment packages are issued in both languages, technical committee meetings are normally held in English. Simultaneous translation is provided for the CCBFC meetings, however, experiments with technical committee discussions have not been entirely successful because of the specialized nature of the discussions.

However, it is expected that participation by Québec in the co-ordinated public review process would stimulate the earlier participation of Québec stakeholders. Problems of translation could be noted and dealt with prior to final publication of the codes.

There will also be a general benefit to all francophone code users across Canada in having improved French language editions of the documents.

Who

Preparation of recommendations on this topic should be a matter of discussion between NRC/CCBFC and stakeholder groups in Québec.

How

- IRC will consider simultaneous interpretation of all technical committee meetings.
- French Technical Committee (FTV) procedures will be reviewed.
- Opportunities will be sought for closer relations between CCBFC/IRC and stakeholder groups in Québec, including municipalities.

When

To be determined

Joint CCBFC/PTCBS Task-Group on
Implementation of a New Code Development System
Discussion Paper #14- open tracking system.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that an open tracking system be created to allow proponents of code change to track the progress of their proposal throughout the process, possibly via the Internet.

Background

A complete and user friendly tracking and information system, using the world-wide web for example, would enhance openness and comfort among code users. It would also increase involvement and awareness of the status of code development. The system should allow proponents to track the progress of the proposal throughout the provinces, possibly via the Internet. Responses to questions from stakeholders regarding the process would be handled by the Secretariat.

Who

Preparation of any new procedures on this topic should be the responsibility of the NRC, with guidance from the CCBFC, the provinces and territories and stakeholder groups.

How

NRC will investigate establishment of such a system, including hardware and software requirements. Attempts will be made to incorporate P/T non-core code changes as well.

When

In time to be up and running for:

Technical updating during the 2nd and 3rd quarters of 2000

Second Technical updating during the 2nd and 3rd quarters of 2002

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #15- Standards Updating.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that a study be undertaken to address the issue of standards updating in the provinces and territories..

Background

There are differences in approach among jurisdictions over how to deal with new standards proposed for referencing, and with updates to existing referenced standards. This results in differences as some provinces and territories recognize these and others do not.

New standards proposed for referencing should be treated as a technical change and be subject to the complete process as with any proposal for change. The CCBFC publishes a list of updates to reference standards annually after consultation with its technical committees. Not all provinces and territories formally adopt these updates.

Who

Preparation of recommendations on this topic should be the direct responsibility of Provincial/Territorial Advisory Committees.

Until such committees are formally established, the matter should be referred to the Provincial/Territorial Committee on Building Standards (PTCBS), the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP).

How

To be determined

When

To be determined

Joint CCBFC/PTCBS Task-Group on Implementation of a New Code Development System Discussion Paper #16- Cycle for the Core Codes

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that decisions regarding a permanent cycle for publishing of the core codes, if necessary, be determined when the impact of objective-based codes is clearer.

Background

There is no obvious consensus nationally over an ideal code cycle. Benefits of a shorter cycle include responsiveness to innovation, as well as fewer revisions to absorb and be retrained to use. Liabilities include reluctance to initiate more frequent legislative changes and industry concerns over instability and frequent retraining needs.

A “continuous” process whereby new editions are published and revisions are released as they are completed, presents problems to adopting authorities in establishing legislative agendas. This situation could also result in legal difficulties in the future should there be disputes over which requirements applied to older buildings.

Codes, however, should be more stable if all agree with the concept of core codes. As well, objective-based codes offer opportunities so that legislative revisions could be reduced in favour of some other mechanism to recognize new acceptable solutions. It is clear, however, that there will be a need for the foreseeable future to continually improve the existing (1995) set of requirements which will form the bulk of the first set of acceptable solutions (Part B).

It is concluded that code technical development should continue in a continuous mode, but a timed cycle would be necessary for public consultation and adoption.

Recommendations regarding a more permanent cycle, if necessary, will have to wait until the impact of objective-based codes is clearer; however, given the steps contained in the proposed system, a three-year cycle seems to be the most manageable.

Who

This matter will be the responsibility should be the direct responsibility of the CCBFC, with guidance from the P/T Advisory Committees. Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS) , Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP) would be the most appropriate sources of policy guidance.

How

Discussion and negotiation.

When

Post 2003 documents.

Joint CCBFC/PTCBS Task-Group on
Implementation of a New Code Development System
Discussion Paper #17-National Model Code for Renovation of Existing
Buildings.

Recommendation

The Joint CCBFC/PTCBS Task Group on the Code Review and Development Process recommended that the CCBFC and the Provincial/Territorial Advisory Committees revisit the issue of the need for and practicality of a national model code for renovation of existing buildings.

Background

Code user groups have stated that the issue of existing buildings is not adequately dealt with in the model codes. The CCBFC has been advised in the past by the PTCBS that a national model renovation code for existing buildings was not the preferred approach, and that guidelines for the application of the National Building Code to existing buildings gave the needed flexibility.

The CCBFC has produced such guidelines, however some provinces and municipalities have seen the need to create code documents. Renovators have also encountered difficulties in having regulators accept proposed renovation solutions.

In the case of the Fire Code, there are differing levels of provisions for mandatory retrofit of existing buildings, and this may be a factor in future discussions on the scope of the core National Fire Code. A Joint CCBFC and provincial/territorial task group will be looking into the retrofit provisions in the NFC.

Who

This matter will be the responsibility of the CCBFC, with guidance from the P/T Advisory Committees. Until such committees are formally established, the Provincial/Territorial Committee on Building Standards (PTCBS), Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) and the Canadian Advisory Council on Plumbing (CACP) would be the most appropriate sources of policy guidance.

How

Possibly a joint Task Group to consider the matter.

When

To be determined



1. Introduction

Implementation of the CCBFC Strategic Plan has resulted in two major initiatives: the development of objective-based codes and a framework for an improved code development and review process. Recommendations on the code development and review process and a progress report on objective-based codes were recently presented to the CCBFC and the PTCBS, as well as provincial and territorial deputy ministers responsible for building regulations and received approval in principle. All concerned have identified the need to communicate these developments to stakeholders in order to explain the nature of the changes and the reasons for them, and to gain acceptance from the code using community. Furthermore, the importance of informing provincial and territorial ministers responsible for construction of the significance of the changes was emphasized at the recent meeting of deputy ministers.

The purpose of this paper is to present a strategy for effectively communicating the changes being introduced to Canada's national codes to all concerned. Given that changes proposed to the code development and review process will coincide with the introduction of the new generation of objective-based codes and, given that it is intended to begin using the revised process to carry out consultations on code objectives and format, there is also a need to begin communicating changes to the system to users.

The plan examines the audiences to be considered, appropriate messages for the intended audiences and the means of delivery.

2. Audiences

The primary audience is obviously code users. From the point of view of the introduction of objective-based codes, this audience can be separated into six major groups:

- those who have a professional liability (architects, engineers);
- those who are responsible for enforcement of codes (building, plumbing and fire officials, local authorities) or wish to limit the exposure of their employer (primarily municipal engineers and technologists);
- those who have an interest in a prescriptive code (builders);
- those who wish to facilitate product development (manufacturers);

- those who have an interest in protecting the rights of consumers, including advocacy groups for disabled persons; and
- public-policy-makers who wish to ensure that changes in the system will continue to serve the needs of their constituents (provincial/territorial governments, i.e. ministers and their deputies.)

With regard to changes in the code review and development process, there are really only two major audiences:

- jurisdictional authorities (provinces, territories and municipalities); and
- code users (designers, builders and manufacturers).

While both groups share concerns over regulatory burdening and cost increases, provincial and territorial authorities are also faced with enforcement issues and political accountability. All users want a responsive and efficient system.

3. Messages About Objective-Based Codes

The audiences identified above have different concerns and priorities.

3.1 All audiences.

- A common message to all is that objective-based codes will clearly spell out the intent of the requirements. This will facilitate the evaluation of alternative solutions and the application of codes to existing buildings. It will also set the framework for the gradual introduction of performance-based requirements as our knowledge progresses.
- An additional message is that codes will retain the current prescriptive requirements. There will likely be changes in the structure and format, but every effort is being made to maintain familiarity. NRC, in partnership with others will ensure that appropriate and timely training is delivered to all sectors to make the transition.

3.2 Architects and engineers.

Architects, as well as engineers, are severally and jointly responsible for their designs by law. Their liability is neither increased nor decreased by using alternatives as is currently permitted under NBC Section 2.5, Equivalencies, than by conforming to the specific requirements in the Code. This is particularly true for structural design which is entirely based on design criteria. The introduction of objective-based codes should facilitate the design of alternative solutions by providing clear intents and objectives.

- The message to architects and engineers is one of increased knowledge and flexibility in the application of code requirements thanks to clearly stated intents that will help them understand what it is they need to achieve. The message should also make it clear that they are responsible for their design and that departure from accepted solutions will put an onus on them to demonstrate conformity, just as it does now under Section 2.5, Equivalencies.

3.3 Building, plumbing and fire officials

Building and fire officials will always be faced, as they are now, with singular situations where they have to accept or reject alternative solutions based on their judgement or on third party opinion. However, it can be anticipated that, with time, building officials will be presented with more alternative designs, systems or products that do not meet accepted solutions. As those responsible for issuing building construction and occupancy permits, they are the ones who come under the most pressure, but they will also have more information at their disposal to make a decision.

- The message to them is that in the end they are still the ones who will assess compliance and either accept or reject a proposed solution. They will however have clearly stated objectives and intents to use in discussions with proponents of alternative solutions. Then as now, they can put the onus for proving that the proposed design, system or product meets the intent of the code with the proponent.

3.3 Builders

For the most part, builders will want to continue with business as usual and Part B should satisfy their needs. However, the introduction of objectives and functional requirements will help them understand why they are doing things and help them innovate.

- The message to builders is that they can go about their business as usual. They need not be concerned with the introduction of objective-based codes, but they will have additional information to help understand why things are required. Similarly to designers, they will benefit from increased flexibility if they wish to venture into alternative solutions.

3.4 Manufacturers

Manufacturers always seek a faster, less cumbersome way of getting products through to market. The introduction of intent statements and objectives will facilitate the task of evaluating products compliance with code requirements, particularly as more performance criteria find their way into the accepted solutions.

- The message to manufacturers is that they will have additional tools to help assess the performance of their systems and products against accepted solutions.

3.5 Consumer Groups

Consumer will not nominally be affected by the change to objective-based codes. This includes building owners.

They could however be affected by changes in scope that will be the possible outcome of public review, and by discussions of policy-driven requirements at future meetings of provincial and territorial deputy ministers. These policy issues are the responsibility of provincial and territorial jurisdictions and the Commission will respond accordingly.

Provincial and territorial governments will very likely involve consumer associations during the debate on objectives and I suggest that there is no need at this time to deal directly with consumer groups. Depending on the outcome of the consultation on objectives, the Commission might consider a much scaled down version of the codes awareness campaign designed for NRC by Hewson, Bridge and Smith.

At the recent meeting of deputy ministers, it was noted that ministers responsible for building regulations need to be made aware of the impending changes and to ensure that they could answer to their electorate on the potential impact of the changes. This is contingent both on delivering appropriate messages to their constituents and ensuring that ministers also have the opportunity to be appraised of the changes in readily absorbable briefing notes. It should be noted that in many jurisdictions, different ministers are responsible for building, fire and plumbing regulations.

- The message to ministers has to encompass the essence of the statements offered to the construction community described above, including the advantages and potential disadvantages of the restructured codes. They should also be aware that changes to legislation governing building regulations and liability could be necessary.

4. Messages About the Code Development and Review Process

Code users are mainly concerned with increased complexity of regulations and costs. The Task Group on the Code Development and Review Process heard repeatedly that numerous and frequent changes to codes as well as differences between provincial regulations are a burden to all code users.

The message is that the new coordinated system is intended to increase participation on the part of both the regulators and the industry. In addition to having more checks and balances, the system should also result in more timely adoption and increased uniformity of regulations.

As mentioned earlier, ministers are concerned with regulatory burdening, enforcement, cost increases, and political accountability. Hence, with regard to the code development and review system, it is even more important to ensure that they get the right message.

The message should therefore stress the intended participation of provincial/territorial governments at all stages of development with the opportunity to consult their constituency before decisions are made. Provinces and territories will have greater access to national resources while retaining control and public accountability. Depending on the desired degree of active participation, additional resources might be necessary at the provincial/territorial level.

This message must be delivered during the coming year before the consultation on objectives occurs.

5. *Delivery Mechanism*

We are bombarded with information every day from every direction. In trying to deliver a message about objective-based codes and the code development and review process, the CCBFC is competing with many others for people's attention. Furthermore, something that is brewing in a far-away place called Ottawa that could affect people sometime after the year 2003 is not likely to get top priority.

As people join association out of professional interest or duty and pay a membership fee; they typically read newsletters and other literature sent to them by their association. I therefore recommend that we use associations as the primary vehicle to communicate with the industry.

The following plan can be carried out by IRC for the CCBFC or directly by provincial authorities. IRC will consult PTCBS representatives prior to enacting the plan to determine their preference.

I recommend that we produce very short target-specific notices (250 – 300 words) that can be inserted in appropriate literature with appropriate references (Internet address, e-mail and fax numbers) for additional information.

These notices should be sent to Executive Directors of associations representing the stakeholders identified above (approx. 60 organizations, see attached list). An accompanying letter will draw the attention of association executives to the almost irrevocable nature of the impending changes to both the system and the codes and impress them with the need to ensure their members are informed. A copy of the Final Report of the Task Group on Code Development and Review Process should be enclosed with an offer to send a copy to any of their members making the request. The letter should offer a speaker at their next AGM or at a meeting of the board of directors, together with regional representatives if possible. All correspondence should include a short description of the CCBFC and the regulatory system since we cannot assume that everyone has the same level of awareness.

Follow-up to that letter should be made by phone within one-month of mailing. An offer to address their membership at their AGM or to brief their board of directors should be repeated at that time. Speaking to groups on these topics is one of the most effective means of ensuring that the messages get through.

An updated set of notices could be sent by the end of 1999 or when the CCBFC and the provinces are preparing to consult the public on code objectives.

Longer pieces on objective-based codes should be prepared to satisfy requests for more information and for publishing in various industry journals and other literature. The pieces should be no more than two pages long, preferably one page (550 – 650 words) and suitable for faxing.

Where communications are managed by IRC, PTCBS representatives and members of the Council of Canadian Fire Marshals and Fire Commissioners (CCFM/FC) will be copied on all communications within their respective jurisdiction and made aware of organizations contacted. They should also be informed of follow-up by the organizations particularly with regard to speakers so that they have an opportunity for input or participation.

It is assumed that the PTCBS, the CCFM/FC and the Canadian Advisory Council on Plumbing would be the normal vehicle to the Ministers. It would help if messages could be reinforced through influential industry spokespeople.

Appendix C

Code Development and Review Process

Action Item	Activity	Champion	PTAB Action		Major Policy Issue	
			Implementation	Ongoing	Implementation	Ongoing
#1	Core Codes	Task Group	Yes	N/A	Yes	N/A
#2	Single Review Process	Task Group	Yes	N/A	Yes	N/A
#3	Critical Stage Participation	No Action	N/A	N/A	N/A	N/A
#4	Decision Making Body Terms	CCBFC	Yes	N/A	No	No
#5	Provincial/Territorial Bodies	Provinces & Territories	Yes	N/A	Yes	N/A
#6	Technical & Policy Differences	Provinces & Territories	Yes	Yes Technical	Yes	Yes Policy
#7	Multiple Entry Points	NRC/Provinces & Territories	Yes	N/A	Yes	N/A
#8	Technical Review	CCBFC & PTABS	Yes	Yes Technical	No	Yes Policy
#9	Circulation of Changes	CCBFC & PTABS	Yes	Yes	No	No
#10	NRC Role	NRC	Yes	N/A	Yes	N/A
#11	Urgent Issues	CCBFC & PTABS	Yes	Yes Technical	No	Yes Policy
#12	Cost Sharing	NRC/Provinces & Territories	Yes	Yes	Yes	Yes
#13	French Participation	NRC & Quebec	No	No	No	No
#14	Open Tracking	CCBFC & PTABS	Yes	Yes	No	No
#15	Standards Updating	CCBFC & PTABS	Yes	Yes Technical	Yes	Yes Policy
#16	Core Code Cycle	NRC/Provinces & Territories	Yes	N/A	Yes	N/A
#17	Renovation Code	NRC/Provinces & Territories	Yes	N/A	Yes	N/A

Notes

1. Table prepared for discussion purposes
2. Activity is taken from the recommendations of the Task Group on Code Development
3. PTAB means Provincial/Territorial Advisory Body (the PTCBS for the Building Code)
4. Major Policy Issue items are those suggested as requiring Deputy Minister agreement

Prepared: April 7, 1999