

# Spring 2017 Newsletter

Volume 46, 2017

Dale Wagner: Editor



Saskatchewan  
Building  
Officials  
Association Inc.

Founded 1965

MARCH 30, 2017

## PRESIDENT'S REPORT

Spring is almost here, and that means busy times for our industry. I want to thank the SBOA Conference team, and the host committee for putting together a great conference in Regina. I'd like to also thank our hard-working board of directors and committee chairs who work tirelessly to ensure we are moving in the right direction – currently, that is on many fronts.

The Saskatchewan Building Officials Association (SBOA) has begun work on taking on a key new role, and one of the most significant challenges in our 50-year history.

After years of dealing with an out-dated, unmaintained licensing program for Building Officials, the SBOA has taken the lead on developing a new Certification Program for Building Officials. Because we could demonstrate to Government that the new program will be rigorous and credible, and that it will be based on the three pillars of competence; education, examination, and experience, the Government took very little time in recognizing this is an appropriate time and place for the change, and we are proud to say that Government has chosen to work with us to make this program the new path to licensing.

It is important to understand, that in no way will this simplify the path to licensing. But for those who continue to develop skills, gain experience, take on training, and want to advance, the light at the end of the tunnel will now shine brighter. We haven't shortened the path, but the path will now be clear and achievable for those with the skills to get there. Watch for more details to follow.

On another important issue, many are likely wondering where the ACM initiative is at, or what the Government might be looking at as next steps. The SBOA continues to consider this a priority in terms of staying involved and having influence on where it might land. It has not gone away, or come to any final outcome in any way.

Phase II of the Consultation happened in December with stakeholder groups getting together in Regina and Saskatoon. We felt that Phase II was very narrow in scope – it was simply to consult on still having an owner driven ACM, but that perhaps



some monetary thresholds would help hit the target.

Our goal going into those meetings was to demonstrate that monetary thresholds are arbitrary, there is still only one group looking for any version of an ACM, and most importantly, that any owner-driven ACM is still two things; at odds with the concept of municipal autonomy, and a weakening of public safety. We know our municipal partners, and almost everyone else in industry agree. We will stay focused on this, and be ready for further discussions and opportunities to demonstrate our position.

On the national front, SBOA continues to be a strong contributor to our national voice, the Alliance of Canadian Building Officials Association (ACBOA). The role of ACBOA has recently been acknowledged and enhanced by a significant new relationship with the National Research Council (NRC). NRC has reached out to Building Officials across the country through ACBOA, recognizing Building Officials as a major stakeholder and code user group, and looking to enhance their service to our industry. One of the first undertakings will be an NRC review and endorsement of the ACBOA curriculum. Training that forms the foundation of our new SBOA Certification Program.

This new partnership, recognition of our role in industry as Building Officials, and recognition of ACBOA as the national voice for Building Officials, is monumental and will serve this industry in the future.

With all these initiatives and many others, it is obvious we have some work ahead. We will be looking for help from our members with many future projects. I promise you that the SBOA will continue to be the industry leader in Saskatchewan for providing training, skill development, and professional development opportunities for Building Officials, and many other stakeholders.

As always, we continue to work towards our association objectives, and to help our members be better Building Officials.

Chris Gates, LBO-3, A.Sc.T., CRBO  
President  
Saskatchewan Building Officials Association

His request approved, the CNN News photographer quickly used a cell phone to call the local airport to charter a flight. He was told a twin-engine plane would be waiting for him at the airport. Arriving at the airfield, he spotted a plane warming up outside a hanger. He jumped in with his bag, slammed the door shut, and shouted, 'Let's go'. The pilot taxied out, swung the plane into the wind and took off. Once in the air, the photographer instructed the pilot, 'Fly over the valley and make low passes so I can take pictures of the fires on the hillsides.'

'Why?' asked the pilot.

'Because I'm a photographer for CNN', he responded, 'and I need to get some close up shots.'

The pilot was strangely silent for a moment, finally he stammered,

'So, what you're telling me, is . . . You're NOT my flight instructor?'

**Wednesday, March 29, 2017**

## **UBAS Act – Part V Enforcement**

*Presented by Margaret Ball and Marvin Meickel from the Building Standards Branch.*

Building Standards and Licensing (BSL) delivered an afternoon workshop titled, Enforcement, Powers, Orders and Appeals. The workshop was well attended and included Building Officials, Fire Officials, Municipal Administrators, Designers, and Design Professionals. In addition to the application of The Uniform Building and Accessibility Standards Act (UBAS) and Regulations to the five principles, the workshop also provided information pertaining to Building Official orders, service of orders, the appeal process and types of enforcement. Five case studies were provided where participants could challenge themselves on strategies of enforcement.

Thanks to Margaret and Marvin on the work they put in to provide the delegates with an educational and entertaining afternoon.

### **S.B.O.A.**

#### **LIST OF NEW MEMBERS**

**November 10, 2016 to May 8, 2017**

David "Andy" Beattie	Swift Current, SK
Francis Belle	Regina, SK
Chester Brucks	Meadow Lake, SK
Shenah Cartier	Saskatoon, SK
Blair Clute	Regina, SK
Mark Desjarlais	Punnichy, SK
Lacey De Gennaro	Regina, SK
Ron Diller	Tisdale, SK
Martin Glynn	Saskatoon, SK
Derek Gould	Regina, SK
Cal Harvey	Crossfield, AB
Chris Hudyma	Nipawin, SK
Sherlyn Hunter	Weyburn, SK
Curtis John	Prince Albert, SK
Dan Kirkpatrick	Regina, SK
Rick Laliberte	Beauval, SK
Michelle Lavallee	Regina, SK
Greg Lawrence	Saskatoon, SK
Derek Melsted	Wynyard, SK
Keith Olsen	Air Ronge, SK
Braden Uleryk	Regina, SK
Mike Vilness	Saskatoon, SK
James Wagner	Saskatoon, SK
Peter Wotherspoon	Regina, SK

**Thursday, March 30, 2017**



*Assistant Deputy Minister Laurier Donais provided remarks on behalf of Government Relations and the Sask. Party.*



*Deputy Mayor gave greetings on behalf of the City of Regina.*

### **Building Code Training for Canadians – Series 1 – 2010**

This online course is a key prerequisite in obtaining a Class 1 Building Official License.

"A comprehensive home study of the National Building Code of Canada, one & two unit dwellings."

**Please note that applicants will not be able to register over the phone**

For information contact Southeast College Weyburn Campus  
 At 306-848-2500 or [wbexams@southeastcollege.org](mailto:wbexams@southeastcollege.org)  
[www.southeastcollege.org](http://www.southeastcollege.org)  
 P.O. Box 1565  
 Weyburn, Saskatchewan S4H 0T1

Thursday, March 30, 2017

# Canadian Wood Council

*presented by Ineke Van Zeeland Professional Engineer.*

Ineke's presentation included an overview of the different associations that the Canadian Wood Council (CWC) works with in Canada. The CWC represents over 1000 associations in Canada. The CWC's principal activities are in the National Building Code, Engineering design in wood and Standard Methods of Fire Endurance Tests of Building Construction and Materials. Ineke talked about the different characteristics of combustible construction, non-combustible construction as well as building size and construction relative to occupancy. SBOA would like to thank you for your interesting presentation and look forward to having you back.



*Ineke Zeeland & Norm Kindred*

Thursday, March 30, 2017

# CCMC

*Helene Roche  
Technical  
Advisor for  
CCMC was the  
presenter*

- NRC has more than 3,500 employees and over 500 volunteers and independent visitors. They provide a variety of disciplines and broad array of services



*Helene Roche & Dale Wagner*

- and support to regulators and industry in the construction world. Canadian Construction Materials Centre (CCMC) was created in 1988 at NRC under an agreement (MOU) with the 10 provinces and 2 territories. The CCMC mandate is to provide an evaluation service (equivalency to NBC) for construction innovations to assist AHJ in making code approvals with CCMC Evaluation Reports for innovation (no standard) and CCMC Evaluation Listings for compliance to standards.
- CCMC is mentioned in the NBC 2015
- CCMC stands behind all of the Evaluation Documents it prepares
- CCMC's Evaluation Reports are valid in all Canadian jurisdictions and CCMC is here to help Building Officials make decision/approval.
- Prior to 2005 NBC, evaluation and acceptance of innovations was based on 'equivalency' to code-compliant products
- After 2005 NBC – Objective-Based Code – Innovations are considered as 'Alternative Solution' and must meet code objectives and functional statements which is similar to equivalency but more explicit.

To see evaluation reports visit the home page address [http://www.nrc-cnrc.gc.ca/eng/solutions/advisory/ccmc\\_index.html](http://www.nrc-cnrc.gc.ca/eng/solutions/advisory/ccmc_index.html)

Helene expressed to us how CCMC has a mandate to work very closely with Building Officials in order to provide us with information on construction materials and ensure that they meet Canadian Standards. The link for this Building Official Help Desk is [const.ccmcbuildingofficialhelpdesk@nrc-cnrc.gc.ca](mailto:const.ccmcbuildingofficialhelpdesk@nrc-cnrc.gc.ca).

We would like to thank Helene for spending time with our membership and providing a very informative presentation.

NRC-CNRC

[Le français suit...]

## Canadian Construction Materials Centre Launches BUILDING OFFICIAL HELPDESK

Canadian Construction Material Centre(CCMC) has launched the **Building Official HelpDesk** in Saskatchewan. The Helpdesk is only for Building Officials and is designed to meet their needs.

CCMC is available to answer building official enquiries during the hours of 8:30AM to 4:30PM (Eastern), Monday to Friday.

Questions from building officials should relate to construction products evaluated by CCMC that are published on our On-line Registry.

CCMC would also be pleased to hear about any concerns or challenges you might be experiencing on construction sites.

**Phone: 1-613-993-6189**  
**Email: [CONST.CCMCBuildingOfficialHelpdesk@nrc-cnrc.gc.ca](mailto:CONST.CCMCBuildingOfficialHelpdesk@nrc-cnrc.gc.ca)**  
**On-line Registry: [http://www.nrc-cnrc.gc.ca/eng/solutions/advisory/ccmc/registry\\_product\\_evaluations.html](http://www.nrc-cnrc.gc.ca/eng/solutions/advisory/ccmc/registry_product_evaluations.html)**

CCMC REGISTRY

Canada's Official Evaluation Service for building officials and the construction industry since 1988



ACBOA  
alliance  
Association of Canadian Building Officials

Initiative supported by ACBOA and SBOA

Canadian Construction Materials Centre  
1200 Montreal Rd., Ottawa, ON  
Building M24



SBOA  
Professional Institute of Building Officials

NRC-CNRC

The light turned yellow, just in front of him. He did the right thing and stopped at the crosswalk, even though he could have beaten the red light by accelerating through the intersection.

The tailgating woman behind him was furious and honked her horn, screaming in frustration, as she missed her chance to get through the intersection.

As she was still in mid-rant, she heard a tap on her window and looked up into the face of a very serious police officer. The officer ordered her to exit her car with her hands up. He took her to the police station where she was searched, fingerprinted, photographed and placed in a holding cell.

After a couple of hours, a policeman approached the cell and opened the door. She was escorted back to the booking desk where the arresting officer was waiting with her personal effects.

He said, "I'm very sorry for this mistake. You see, I pulled up behind your car while you were blowing your horn, giving the guy in front of you the finger and cursing at him. I noticed the 'What Would Jesus Do' bumper sticker, the 'Choose Life' license plate holder, the 'Follow Me to Sunday-School' bumper sticker, and the chrome-plated Christian fish emblem on the trunk, so naturally I assumed you had stolen the car."



ACBOA certificate recipients Kim Johnson - Canadian Registered Building Official, Ryan Thiessen - CCBO Housing and Part 9 Buildings, Lara DeRosier and Dan Knutson - Canadian Registered Building Official



BCTC certificates Norm Kindred, Martin Glynn, David Neufeld & Jody Holzmilller (SERC)

**Thursday, March 30, 2017**  
**SBOA Business Meeting and Elections:**  
Minutes and reports from the executive and committee chairman were presented and adopted. There were a number of changes to our Bylaw that were presented and voted on.

**Thursday, March 30, 2017**  
**Haven Fire Safety**

*presented by Damon Bennett*

The original presenter Matthew Perry was unable to attend because of a family emergency and we were fortunate that Damon Bennett from Haven Fire Safety provided us with an energetic presentation of their suppression system designed for single family dwellings. Damon who is well known for being on episodes of Holmes on Homes that can be seen on HGTV and they were also on Dragon's Den and pitched their suppression system.

Modern homes with modern furniture made from "modern" materials (inexpensive plastics and other synthetics from other parts of the world) have created an epidemic of "blazing fast" burning homes. This is why the founder and the creator of the HAVEN, Matthew Perry, created this simple, but highly effective solution. Since the HAVEN is heat-activated, not smoke-activated, it won't trigger in low-risk instances of accidental smoke. Only when a real fire is present will the HAVEN discharge the MSDS safe, non-toxic, dry chemical into the room. Because modern homes and furnishings burn 8x faster and produce 200x more poisonous smoke, firefighters are fighting the clock more than ever. They love the HAVEN, as it buys them, and you, precious time. Nobody



*Damon Bennett & Todd Russell*

expects a fire. But the statistics are shocking, and we need to do something about it. Water sprinklers have been the only automatic option, but they can cost 10's of thousands of dollars. Each unit will protect 16 feet by 16 feet when discharged and normally 3-5 units will adequately protect a house. Damon expressed that in remote areas where fire suppression is not close and water might be not available is where the Haven system can save many homes.

The SBOA membership would like to thank Damon for this interesting presentation.

Thursday, March 30, 2017

# 3twenty Modular

presented by Bryan McCrea



Bryan McCrea & Lara DeRosier

When Bryan McCrea, Evan Willoughby and Channing McCorrison, who left the company in 2011, entered the Dragon's Den in Season 5, they had a prototype, a business plan and a few small projects under their belts. "We were just on the edge of commercialization," McCrea said.

It was enough for Brett Wilson, who liked Saskatoon based 3twenty Modular's concept, which was to convert used shipping containers into offices and structures for mining and oil and gas companies.

"We saw containers as durable, stackable and easily transportable with great utility to the mining and resource sector," McCrea said

3twenty Modular is a Saskatoon-based designer and manufacturer of modular structures. With an initial focus on workforce housing and offices, 3twenty has been providing Canada's mining, oil and gas, and construction industries with high quality, durable modular structures since 2009.

3twenty's original growth strategy has been centered on camps and work site offices, however, customized modular solutions has quickly become our mainstay. When speed, durability, and customization are the customers' main priorities, they will be most competitive. 3twenty has also grown significantly by establishing a rental division. They own and rent over 100 of their own modular structures across Canada.

In October 2015, 3twenty moved to a newly constructed manufacturing facility on 5 acres of land in Saskatoon's Biz Hub Industrial Park. This space allows us to build 16 modular units at one time. Depending on the type of unit, modular structures are completed within 2-12 weeks.

3twenty employs between 15-25 full time staff who lead the design, project management, safety, quality control, and contribute to several aspects of production.

SBOA would like to thank Bryan for sharing his story and enlighten us of new found innovative building solutions.

## Life just gets better as you get older, doesn't it?

*I was in Tim Hortons recently when my stomach started rumbling and I realized that I desperately needed to fart. The place was packed but the music was really loud so to get relief and reduce embarrassment, I timed my farts to the beat of the music.*

*After a couple of songs I started to feel much better. I finished my coffee and noticed everyone was staring at me. I suddenly remembered that I was listening to my iPod. This is what happens when old people start using technology.*

Thursday, March 30, 2017

## Wood – Works

presented by Rory Koska

Rory's presentation provided us with a look at traditional wood products and new innovations in wood to assist in understanding where the future of wood design and Tall wood projects are heading. Featuring conceptual designs and actual



Rory Koska & Chris Gates

projects either finished or in the construction phase. Rory also showed us what could be accomplished in buildings throughout Canada in the future. Rory guided us through the changes in the National Building Code 2015 (NBC 2015) for up to six story wood construction buildings that are classified as D and C occupancies.

The presentation also included showing us how building assemblies are tested for Sound Transmission Class including Sound Flanking as well as fire resistance ratings in test facilities.

In conclusion Rory showed us some high rises that are built out of wood such as conceptual plans for London's first timber skyscraper that is 80 stories and 300 meters high..



We always enjoy having Rory at our conferences and explaining what the Canadian Wood Council is involved with.

Thursday, March 30, 2017

# NFPA 13D

*presented by Shane Mintz who works with NFPA*

Shayne talked to us about sprinkler systems that are designed to NFPA 13 D for residential Fire Sprinklers and specifically on the myths and fallacies relating to them. He also talked about the industry and an overview of what is happening elsewhere in Canada as well as the tools and initiatives the NFPA has developed to help educate and advocate for the use of sprinklers in new one and two family dwellings.

## The following are facts about home fire deaths and losses

- Approx. 300 - 400 fire deaths occur each year in Canada
- Approx. 37,000 home fires per year in Canada
- 92% of all structural fire deaths occur in the home
- In U.S. 67% of all fire fighters fatalities occur in 1 & 2 family dwellings
- Burns are 3rd leading cause of unintentional injuries in homes
- Burn treatment costs and productivity losses approx. \$750 Million in Canada
- Risk of death is reduced by 80% when sprinklers are present
- Sprinklers reduce likelihood of serious injuries

## The following are facts about home fire sprinklers

- Quick response provides valuable escape time for occupants and structural integrity for fire fighters when they arrive
- Protects occupants from FLASHOVER in lightweight frame construction and minimizes TOXIC SMOKE EXPOSURE
- Sprinklers may suppress fire with 1/10 the water fire fighters would use and reduce amount of water runoff and mop up needed by up to 91%
- 85% - 90% of time fires are suppressed by a single sprinkler head activation
- Sprinklers reduce property damage by approx. 70%
- Reduce contaminated run-off, landfill waste removal and atmospheric pollution by 71% and
- Residents can often return to their home the same day

## The following are facts and fallacies:

- There are smoke alarms installed so sprinklers aren't needed
- Smoke alarms only alert - there is no extinguishing capability
- Smoke Alarms and Sprinklers together reduce risk of death in a home fire by 82%
- If one sprinkler goes off they all go off
- Sprinklers will leak (fallacy)
- Sprinklers will freeze in the winter
- Burned Toast will activate them
- The fire department will be able to put out the fire and save me and my possessions
- Insurers won't cover them
- Water damage due to sprinklers is worse than fire damage
- Builders don't want them because they cost too much
- Homeowners are frightened of them and don't understand how to maintain them
- Real estate agents don't know how to promote sprinklers
- CBO's and Waterworks Departments are against them

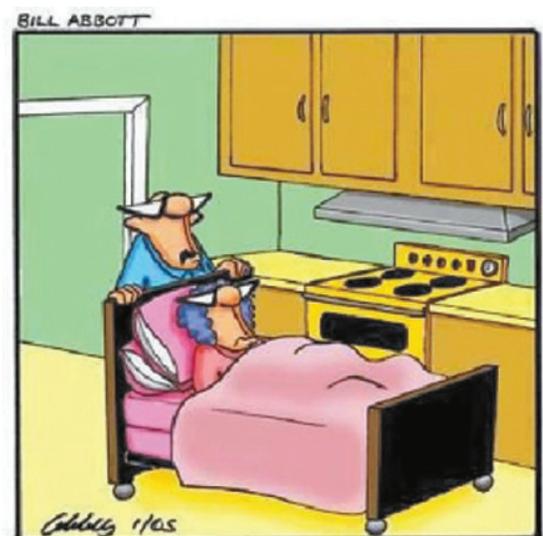
Some homebuilders that NFPA talked to, despite never having gone



*Gary Shayne Mintz & Ryan Shepherd*

through the process, were adamant that sprinklers would cost as much as \$10 per square foot for new construction,” Klaus writes in his “In Compliance” column. While NFPA places the national average at \$1.35 per sprinklered square foot, it’s not uncommon for installation costs per square foot to exceed \$5 due to authorities having jurisdiction (AHJ) adding additional features not found in NFPA 13D, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, he added. “It is important that AHJs understand the purpose of [sprinklers in accordance with NFPA 13D] and that adding bells and whistles does not necessarily improve life safety—but will drive up costs. Educating real estate agents is important to help them understand how sprinklers work and the simplicity of the systems would help. Nine out of 10 fire deaths occur in the home where people typically feel the safest and real estate agents need to be educated on the benefits of sprinklers.

SBOA would like to thank Shayne for his very interesting presentation and we wish we could have allotted more time.



**“I figured you should have breakfast in bed on your birthday. Can you reach the stove okay?”**

Friday, March 31, 2017

# FM Residential

*presented by Francis Belle*

In the presentation Francis explained that ventilation shall maintain minimum levels of outside fresh air for good health and the fan controls should be on at all times when the house is occupied, unless there is severe outdoor air contamination. In the National Building Code (NBC) ventilation is required when a house /dwelling has a heating system or electric power connection and 9.32 can be applied to houses with 5 bedrooms or less. If over 5 bedrooms use part 6 or CSA F-326-M.

The following are types of ventilation systems according to NBC.

- A - Basic system with principal fan and Supplemental fan(s) coupled with forced air.
- B - HRV based system with supplemental fan(s) forced air.
- C - Basic system no forced air principal and supplemental fans.
- - HRV and supplemental fan(s) no forced air.
- E - Dual capacity system no HRV with forced air.
- F - HRV system with forced air no supplemental fans.
- J - Exhaust only.
- K - Ventilation system complying with CSA F-326.

Protection against depressurization is found in 9.32.3.8 and:

- Applies to dwellings with fuel-fired space-heating appliances or fuel-fired water heaters.
- Make-up air is not required if all devices are direct vent or power vent.
- If a solid fuel burning appliance is in a dwelling where all other appliances are direct vent or power vent no make-up air is required.
- Radon fans are also exempt in sub slab systems.

Other things to know are:

- Duct sizing tables are in the code
- Table 9.32.3.11.A.
- When ventilation system is activated and forced air system is used to distribute fresh air to living areas it must be able to activate the blower at circulation speed or not greater than the heating speed. 9.32.4.9)a)b)c)
- HRV's should be labelled with 4 measurements  
High: fresh /exhaust Low: fresh/exhaust

*A man was driving when he saw the flash of a traffic camera. He figured that his picture had been taken for exceeding the limit, even though he knew that he was not speeding. Just to be sure, he went around the block and passed the same spot, driving even more slowly, but again the camera flashed. Now he began to think that this was quite funny, so he drove even slower as he passed the area again, but the traffic camera again flashed. He tried a fourth time with the same result. He did this a fifth time and was now laughing when the camera flashed as he rolled past, this time at a snail's pace.*

*Two weeks later, he got five tickets in the mail for driving without a seat belt!!!*



*Jerry Wintonyk & Francis Belle*

Francis concluded his presentation with items that Building Officials should be checking on their final inspection:

- Is HRV or Principal fan interconnected to furnace blower?
- Is blower on low speed?
- Are four measurements recorded on HRV and do they match the principal fan requirements?
- dampers locked in place if equipped?
- Is duct work sealed as required by building code?
- Are controls centrally located, can system be turned off and are there switches in bathrooms?
- Is supplemental fan exhausted outside?
- CO2 detector (s) installed?

SBOA would like to thank Francis for another worthwhile interesting presentation.





*Lara DeRosier, Doug Mulhall & Kelsey Longmoore*

## **SBOA – Building Code Forum**

*The moderators on the panel were Doug Mulhall, Kelsey Longmoore and Lara DeRosier.*

### **Background:**

The purpose of the SBOA Code Forum is to facilitate constructive code review and interpretations amongst the membership. The goal is to have as much audience participation as possible. Questions can come from the floor, but we will have some questions sent in prior to allow for a good start.

The job of the panel is to provide key code components to help guide the audience to answers and interpretation, engage the audience where suitable, and facilitate the discussion. The goal

## **Editorial by Newsletter Chairperson Dale Wagner**

This time around I will not have an editorial but will provide information about our upcoming SBOA golf tournament. I should not call it a tournament because it will be a non-competitive golf outing and supper.

The format will be a 4-person scramble so try to arrange for your own team of four.

The tournament will be held on Friday September 8, 2017 at tentatively 10:00 am at the Valley Regional Golf Course just North of Rosthern. Visit their web site at <http://www.valleyregionalpark.com/home>

The fee to enter will be a cost recovery and we will not make any money on this venture nor do we want to lose any money. The cost of the round is \$50.00, the meal is \$25.00 and if you want to rent a cart it is \$21.00 per person. Therefore the cost if you are walking is \$75.00. If anyone would like to come for just the supper and not golf, that is fine as well and your cost is \$25.00. Provide us with first and last names of the golfers attending and preferably in groups of 4 golfers or I will add you to a team.

So you are asking who is supplying the prizes! Well you are of course. Each golfer is asked to bring a prize worth at least \$20.00 and therefore everyone gets a prize and they should all be valued close to the same. So as you can see there is no prize for being a

is not necessarily a 'presentation' to an audience, but more of an engaged conversation.

### **The following topics were discussed:**

#### **Protection of foamed plastic**

- Solution for joist spaces – can use anything permitted by Article 3.1.4.2 in a combustible building including gypsum board, plywood, OSB, or a thermal barrier that has been tested to CAN/ULC-S124 or CAN/ULC-S101 with 140 C average temp rise or maximum temp rise of 180 C within 10 minutes (thermocouples must be located on the test specimen as required by the test or an alternative solution is required).

- Attic space is living space or occupied space when it shelters any use or occupancy, including storage. Not based on lighting or ladder access although that may facilitate it being occupied.

#### **Spatial separations**

- Greenhouses and sunrooms in residential applications – spatial separation requirements apply unless there is a municipal policy allowing for exclusions.

- Spatial separations apply as per Subsection 9.10.14 for residential garages that serve more than just one dwelling unit.

SBOA would like to thank our Code Panel for sharing their time and expertise. This session was proven to be very informative and a presentation that we would like to continue at future conferences.

good golfer. All that is expected of you is to socialize and have fun. Those that do not have fun will be evicted!

Now I need to get a commitment from all of you so that the golf course can block off tee times for us and so that we will know that the tournament will go ahead. If you want to attend contact Dale Wagner not later than 1 week prior to the date and send in your payment or a promise to pay on arrival or be billed for it if you do not show.

This should be a fun outing and I know I am looking forward to it, so make the effort to attend.

**SBOA Newsletter is published twice a year for the information of our association members. Its purpose is to inform the members about conference topics and up-coming events. Comments, story ideas and suggestions about contents and format as well as any retirements or deaths, should be directed to:**

**Dale Wagner Newsletter Chairperson**

**P.O. Box 35**

**Hague, Saskatchewan**

**S0K 1X0**

**Home: (306) 225-2265**

**newsletter@sboa.sk.ca**

*The SBOA wishes to thank all those individuals and organizations that donated prizes for the conference.*

**Friday, March 31, 2017**

*Presented by Mike Morris*

Mike Morris is a lawyer who represents the Saskatchewan Association of Rural Municipalities and his discussion was in regards to Liabilities of Building Officials and the Municipalities that the Building Official serves.

**Essential elements in a claim in negligence are:**

- Loss or damage on the part of the plaintiff
- Duty of care owed by the defendant to the plaintiff
- Failure by the defendant to exercise standard of care
- Proof by the plaintiff that the defendant's negligence caused the injury or loss

The question is does a Building Official and/or Local Authority owe a duty of care in relation to the enforcement of the building standards, the breach of which might give rise to civil liability for the resulting damage? Starting point ... The Uniform Building and Accessibility Standards Act ("the Act")



*Norm Kindred & Mike Morris*

- Section 7 requires that all buildings be designed and constructed in accordance with building standards
- Saskatchewan has adopted The National Building Code of Canada, 2010 as its standards
- Primary responsibility to ensure that buildings are constructed to Code lies on the owner and/or builder ...
- However section 4 of the Act imposes on local authorities the legal obligation to "administer and enforce" the Act and Regulations
- Courts have said if a municipality is negligent in the performance of its duty it will be civilly liable to anyone who sustains damage as a result
- See Kamloops v. Nielsen, [1984] 2 S.C.R. 2, Rothfield v. Manolakos, [1989] 2 S.C.R. 1259 and Ingles v. Tutkaluk Construction Ltd., [2000] 1 S.C.R. 298

Additionally, courts have said this duty extends to any subsequent owners or occupiers, neighbors and anyone who may be lawfully on the premises.

**Standard of Care/Breach of Duty:**

1. Not bound to discover every latent defect in a project, nor every derogation from applicable standards
2. Show reasonable care in the exercise of its powers of plan review and inspection
3. Only incur liability for defects it could reasonably be expected to have detected and ordered remedied

**Standard of Care/Breach of Duty:**

1. Must show that inspectors exercised standard of care expected of an ordinary, reasonable and prudent inspector in same circumstances
2. What constitutes a reasonable inspection will vary depending on facts of each case
3. Greater care may be required where put on notice of possibility construction project may be defective or where work is integral to the structure of the building

In conclusion a duty of care is up for interpretation and Building Officials and Municipalities could be found liable if the duty of care was deemed to be unacceptable.

SBOA appreciates the insight that Mike Morris provided our membership and once again it was one of those presentations that could have easily used more time.



*Bobby Baker & William Hawkins*

**Building Standards – Information Session:**

*Presented by William Hawkins*

William Hawkins, Chief Building Official with Building Standards and Licensing provided a presentation at the SBOA conference on a range of issues. Mr. Hawkins updated the conference attendees with information pertaining to regulatory changes involving farm buildings and alternative family care homes. He also announced a tentative legislative review of the UBAS Act. Information regarding the current status of the alternative compliance model was also provided. Educational training and examinations required by Building Officials is currently under review by BSL and in conjunction with SBOA. Adoption of the National Building Code 2015 and the National Fire Code 2015 is tentatively set for July 1, 2017 and code adoption workshops have been provided in Regina and Saskatoon. The Ad-Hoc Committee is active and will soon be releasing its first advisory called Fire Alarm Systems. On May 8 and 9, 2017, BSL will be offering the Spring workshop on legislative framework which is a requirement for new Building Official licenses issued after July 1, 2014 and for renewal of Building Official licenses after July 1, 2019.

SBOA would like to thank William for his presentation.

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### **This actually took place in Charlotte, North Carolina.**

*A lawyer purchased a box of very rare and expensive cigars; then insured them against, among other things, fire.*

*Within a month, having smoked his entire stockpile of these great cigars, the lawyer filed a claim against the insurance company. In his claim, the lawyer stated the cigars were lost 'in a series of small fires.'*

*The insurance company refused to pay, citing the obvious reason, that the man had consumed the cigars in the normal fashion.*

*The lawyer sued and WON! (Stay with me.)*

*Delivering the ruling, the judge agreed with the insurance company that the claim was frivolous. The judge stated nevertheless, that the lawyer held a policy from the company, in which it had warranted that the cigars were insurable and also guaranteed that it would insure them against fire, without defining what is considered to be unacceptable 'fire' and was obligated to pay the claim. Rather than endure lengthy and costly appeal process, the insurance company accepted the ruling and paid \$15,000 to the lawyer for his loss of the cigars that perished in the 'fires'.*

*NOW FOR THE BEST PART...*

*After the lawyer cashed the check, the insurance company had him arrested on 24 counts of ARSON!!!*

*With his own insurance claim and testimony from the previous case being used against him, the lawyer was convicted of intentionally burning his insured property and was sentenced to 24 months in jail and a \$24,000 fine.*

*This true story won First Place in last year's Criminal Lawyers Awards contest.*

## **SBOA Fall Conference September 27-29, 2017**

**Travelodge Hotel**  
**106 Circle Drive West**  
**Saskatoon, Saskatchewan**  
**S7L 4L6**

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period of time.***

