

**Building Code Act as amended by
Building Code Statute Law Amendment Act
(Bill 124)**

&

“Designers”

presentation to BWG Builders, April 2005

(by Jack Tosta, Chief Building Official – Town of Bradford West Gwillimbury)



WHAT'S NEW FOR DESIGNERS?

- New BCA and OBC amendments will affect various building practitioners
 - municipal building officials
 - designers
 - builders with in-house design
 - registered code agencies

Designers

- qualification exams, registration, insurance



Who is a Designer?

An individual who:

- prepares designs/drawings for permit
- provides advise/info in relation to permit
- prepares general review reports where required by code



What is a Design Firm?

- may be a sole proprietor, a partnership or corporation
- engaged in the business of providing design services or activities to others
- may need to be registered and have insurance as required by OBC



How to Become Qualified

- successfully pass MMAH exam in area(s) of your practice and of your knowledge of code - legal exam and technical exam(s)
- file your qualification info with the MMAH
- BCIN (Building Code Identification Number)
- BCIN required when submitting permit application



Qualification Exemptions

- design a house or components of a house that you own (up to 2 dwelling units)
- ancillary building that serves a house
- farm buildings of low human occupancy not more than 600m² up to 2 stories
- some tents and all signs
- septics designed by registered installer or when constructed by owner



Qualification Exemptions

- site services including surface drainage and plumbing located underground
- construction of factory built houses
- construction of mobile homes
- construction of pre-engineered elements
- construction of appliances, equipment, and similar components of a building



What else?

You can only carry out design activities in areas of practice for which you have the required qualifications or in another category where to do so does not constitute a substantial part of the design activities on any project



How to Become Registered

A design firm must:

- ensure all designers in the firm that are responsible for design activities are qualified
- Carry insurance
- File info with MMAH (firm also receives a BCIN)
- renew registration annually
- individuals who run their own design business may need to be registered in each category of practice



Registration: Exemption

- design is done “in-house” by a home builder regulated by Tarion
- Buildings owned by the firm or person undertaking the design
- house additions and renovations
- farm buildings of low human occupancy less than 600m² up to 2 storeys, tents and all signs
- septic systems (if the designer is registered as an installer)
- design of plumbing, HVAC, and ancillary buildings



Registration: Exemption

- site servicing, grading, and underground plumbing
- design of factory built structures
- pre-engineered elements
- permits issued before July 1, 2005



Registration: Insurance Requirements

Insurance coverage based on fees revenue:

- \$1M per claim (\$2M in the aggregate) where billings \$100K or more
- \$500K per claim (\$1M in the aggregate) where billings more than \$50K, but less than \$100K
- \$250K per claim (\$500K in the aggregate) where billings \$50K or less



Process for Becoming Registered

1. Assess whether designer registration is required (Firm)
2. Assess "advanced standing" from web (Individual)
3. Apply for examinations (Individual)
4. Take examinations (Individual)
5. Obtain insurance (Firm)
6. Apply for registration to the Director of MMAH's Building and Development Branch (Firm)
7. Receive registration (Firm)
8. Registration renewal and maintenance (Firm)
9. Maintain Code knowledge (Individual)



Qualification Process (Individual)

1. Assess whether qualification as an “other designer” is required
2. Assess “advanced standing” based on previous courses completed
3. Apply for examinations
4. Take examinations
5. File information with the Director of MAH’s Building and Development Branch
6. Maintain Code knowledge



New Permit Application Form

- standardized permit application form used across Ontario is prescribed by code
- require BCIN of designer and/or design firm unless otherwise exempted



Permit Timeframes

- municipality must either issue or refuse a permit application within code-prescribed timeframe
- when refused (incomplete permit info), the timeframe no longer applies



Inspections

- mandatory notification to inspect by permit holder
- mandatory inspections within code-prescribed timeframes
 - 2 days for all inspections
 - 5 days for septic inspection



Recap

- Tarion-registered home builders with in-house design
 - must be qualified but not registered, no insurance
- Firms that provide design services to builders and to others need not be qualified and/or registered, including:
 - HVAC designer/installer (Single Family Dwelling)
 - truss designer
 - wood-I designer
 - out of province/country designers
 - plumbers



For Further Information...

Ministry of Municipal Affairs and Housing

www.obc.mah.gov.on.ca

click on:

Qualification and Registration

then:

Designers



Designer Information on Ministry Web Site

- Links to the Building Code Act, 1992 and the regulations (OBC)
- Fact sheet, Questions and Answers
- Common Application Form
- Examination protocol, syllabi, schedule
- Qualification filing and Registration Forms
- Sample examination questions
- Subscription to CodeNews



