

IMPORTANT INFORMATION REGARDING THE ADOPTION OF THE NEW 2019 ALBERTA BUILDING, FIRE, AND ENERGY EFFICIENCY CODES

The new Alberta Fire, Building, and Energy Efficiency Codes come into force April 1, 2019. See below for important information regarding the adoption of the new 2019 Alberta Building, Fire, and Energy Efficiency codes.

(Excerpt from Safety Codes Council Notice distributed March 13, 2019)

Transition Period for Building and Energy Codes

The objective of a transition period is to facilitate safe new construction and installation with minimum undue hardship or cost during the transition period. While the new edition of the Fire Code applies to construction under the new Building Code, both the Building and Energy codes require a period of transition so that existing construction and plans are not unreasonably disrupted. There are three conditions that allow for construction to proceed under the previous building code edition when a new building code edition comes into effect (becomes law):

1. If construction has been permitted by the authority having jurisdiction (AHJ) and is underway, this construction is to proceed under the previous building code edition. Unless an unsafe condition exists in the opinion of the AHJ, construction in progress is not required to be updated to the new building code. The person having care and control over the construction (i.e. contractor) may choose to update to the new building code edition.
2. There is a six-month transition period related to building permits once a new building code edition comes into effect. Construction may continue under the previous building code edition if the AHJ received the building permit application prior to the new building code edition coming into effect for a period of up to six months from the coming into effect date. For example, as the coming into effect date of the National Building Code – 2019 Alberta Edition is April 1, 2019, the building permit application shall be received by the AHJ (i.e. municipality) prior to October 1, 2019, for construction to be allowed under the Alberta Building Code 2014 edition. At any time during this six-month period, a person may choose to construct to the new building code edition.
3. If the AHJ is satisfied that the preparation of plans and specifications for the project began prior to April 1, 2019 and the AHJ receives the building permit application prior to October 1, 2019, construction is allowed under the Alberta Building Code 2014 edition. The person having care and control may also choose to change their plans and specifications to meet the new building code edition.

These transition periods also apply to Section 9.36 energy efficiency for housing and small buildings under the National Building Code – 2019 Alberta Edition and the National Energy Code for Buildings - 2017 Edition.

Timely Code Adoption

The Building Code Regulation and Fire Code Regulation have been amended to allow for timely code adoption. Under timely code adoption, a code, standard or body of rules under regulation is adopted automatically upon publication and comes into effect on the first day of the month after 12 months from the publication date.

For example, if the National Energy Code for Buildings is published by the National Research Council on November 30, 2020, it will automatically be adopted in Alberta on November 30, 2020 and come into effect (become law) on December 1, 2021. The Minister by order may bring a code into effect earlier or later should that be necessary. Timely code adoption will apply to the 2020 publication of the National Building, Fire, Plumbing and Energy codes.

Along with national code consultations, code changes will continue to be reviewed by Municipal Affairs and the Safety Codes Council during the normal 5-year cycle between code editions. With timely code adoption stakeholders can reliably plan for when the codes come into effect, and be able to prepare and train for any changes to the codes ahead of time, including safety codes officer training.