

Ruling of the Minister
Ministry of Municipal Affairs and Housing
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BUILDING CODE ACT, 1992

RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

No. 03-01-90 (13025-R)

Dated March 18, 2003

Pursuant to Section 29(1)(a) of the *Building Code Act, 1992*, the Director of the Building and Development Branch, as delegate of the Minister of Municipal Affairs and Housing (Minister), hereby approves the use of **FIBEROCK® Sheathing Aqua-Tough** subject to the following terms and conditions:

1. MANUFACTURER/AGENT 2. MANUFACTURING FACILITIES

CGC Inc.
350 Burnhamthorpe Road West
Mississauga, Ontario
L5B 3J1

Tel: (905) 803-5600
Fax: (905) 803-5688

USG Corporation
Lake Street
Gypsum, Ohio
U.S.A.
42433

3. SPECIFIC CONDITIONS

- (a) The use of **FIBEROCK® Sheathing Aqua-Tough** is approved in respect of the requirements for a wall sheathing as contained in Subsection 9.23.16. of the Ontario Building Code, Ontario Regulation 403/97 (the "Ontario Building Code"), as amended or remade from time to time;
- (b) The use of **FIBEROCK® Sheathing Aqua-Tough** must comply with the *Building Code Act, 1992*; and except for Sentence 9.23.16.2.(1)., and as specifically provided otherwise in this Ruling, with the Ontario Building Code.
- (c) The use of **FIBEROCK® Sheathing Aqua-Tough** must be in accordance with Canadian Construction Materials Centre (CCMC) Evaluation Report N^o CCMC

13025-R, issue date July 18, 2001 (the "Evaluation Report"), provided that references in the Evaluation Report to Subsections 9.10.15 and 9.23.16., and Article 9.23.3.5. of the National Building Code of Canada, 1995 shall be deemed to be reference to Subsections 9.10.15. and 9.23.16., and Article 9.23.3.5. of the Ontario Building Code as amended;

- (d) A copy of this Ruling shall be attached to the application for a building permit; and,
- (e) This Ruling is valid only for **FIBEROCK® Sheathing Aqua-Tough** manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

4. GENERAL CONDITIONS

The Minister or his/her delegate may amend or revoke this Ruling if:

- (a) the Evaluation Report is amended by the CCMC;
- (b) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;
- (c) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports by reason of alterations to the product or relocation of manufacturing facilities, described in the Evaluation Report, without prior agreement by the CCMC;
- (d) the Evaluation Report is withdrawn by the CCMC in accordance with the CCMC's General Conditions for Evaluation Reports where, in the opinion of the CCMC:
 - (i) the level of performance, in-situ, of the product described in the Evaluation Report is unsatisfactory;
 - (ii) the proponent of such product fails to fulfil its obligations as set out in the CCMC's General Conditions for Evaluation Reports; or
 - (iii) such product may pose any danger to the health or safety of the user of such product;
- (e) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:
 - (i) will not comply with the *Building Code Act, 1992* or any other relevant law

as may be amended or reenacted from time to time; or

- (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any Ontario Building Code provision relevant to this Ruling is amended or remade.

DATED AT TORONTO THIS 18th DAY OF MARCH 2003

ALI ARLANI, DIRECTOR
BUILDING AND DEVELOPMENT BRANCH