

Schedule “A”

Amendment to the *Nova Scotia Building Code Regulations* made by the Minister of Municipal Affairs and Housing under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*

- 1** The *Nova Scotia Building Code Regulations*, N.S. Reg. 26/2017, made by the Minister of Municipal Affairs and Housing by Order dated February 28, 2017, is amended by adding immediately after Sentence 1.2.1.1.(10) the following sentences:

 - (11)** Except as provided in Sentences (8), (9), and (10), if a *building* or part thereof has a change of the *occupancy* classification in Sentence (1) or under Sentence 1.2.1.4.(2), the accessibility requirements in Section 3.8. of Schedule “C” of the regulations, including for *barrier-free* entrances, apply to the construction of the *building* or part thereof undergoing the change.
 - (12)** Where a Group A Division 2 *assembly occupancy building* or part thereof is constructed or altered for use as a restaurant, as defined in Sentence 1.2.1.4.(1), the exemptions in Sentences 3.8.2.3.(1), 3.8.2.7.(2) and 3.8.2.7.(3) under Schedule “C” of the regulations do not apply to the construction of the restaurant part of the *building*.

- 2** The regulations are amended by adding immediately after Article 1.2.1.3. the following article:

1.2.1.4. Restaurants

 - (1)** For the purposes of this Article and Sentence 1.2.1.1.(12), a restaurant means a restaurant as defined in the *Food Safety Regulations* made under Section 105 of the *Health Protection Act*.
 - (2)** If a Group A Division 2 *assembly occupancy building* or part thereof changes from a non-restaurant use to a restaurant use, the change shall be considered equivalent to a change of *occupancy* classification for the purpose of Sentences (3), or 1.2.1.1.(11).

- (3) The exemptions set out in Sentences 3.8.2.3.(1), 3.8.2.7.(2), and 3.8.2.7.(3) under Schedule “C” of the regulations, do not apply to a *building* or part thereof with a change of *occupancy* classification under Sentence (2).