

January 19, 2026

To: Municipal Clerks and Chief Administrative Officers

Re: Amendments to the Nova Scotia Building Code Regulations

I am writing to give you formal notice of proposed amendments to the Nova Scotia Building Code Regulations pursuant to the *Building Code Act*, R.S. N.S. 1989, Chapter 46 which will come into effect on or about April 1, 2026.

The proposed amendments to the remove the requirement for smoke dampers in ventilation ducts penetrating zero-rated fire separations between resident sleeping rooms and corridors, where those rooms are located within a single fire compartment; and remove the requirement for self-closing devices on resident room doors in provincially licensed long-term care facilities.

The amendments are intended to maintain resident safety while reducing unnecessary cost and operational barriers, recognizing that long-term care facilities are fully sprinklered, that doors to resident rooms are not positively latched under the current Code, and that resident safety is supported through continuous staffing, licensing requirements, and operational oversight comparable to hospital settings.

Please find enclosed a copy of the proposed amendments to the Regulations. This will be advertised in the Royal Gazette Part 1 in Nova Scotia.

The *Building Code Act* requires that the proposed amendments be circulated to each municipality and be made available to the public. Copies of the regulations are available on our website: <https://novascotia.ca/building-code-regulations-public-notice/>

Written comments on the proposed amendments to the regulations are welcome and should be forwarded via email on or before March 6 2026, at:

buildingcodes@novascotia.ca

Please note that recent amendments to the *Building Code Act* created the ability to notify municipalities electronically via email rather than mail. This method will be continue to be used going forward.

Sincerely,

Micah Richardson
Executive Director,
Housing Acceleration and Performance

Schedule “A”

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

The *Nova Scotia Building Code Regulations*, N.S. Reg. 198/2024, made by order of the Minister of Municipal Affairs and Housing dated September 20, 2024, are amended by adding the following Sections immediately after Section 69:

Article 3.1.8.9. (Smoke Dampers Waived) amended

69A Sentence 3.1.8.9.(1) (Part 3 of Division B) of the *National Building Code* is amended by

- (a) striking out “or” at the end of Clause (b);
- (b) striking out the period at the end of Clause (c) and substituting “, or”; and
- (c) adding the following Clause immediately after Clause (c):
 - d) that penetrate a vertical *fire separation* not required to have a *fire-resistance rating* by Sentence 3.3.3.5.(8), provided that the *fire separation* is located within a *fire compartment* required by Sentence 3.3.3.5.(2).

Article 3.1.8.13. (Self-closing Devices) amended

69B Sentence 3.1.8.13.(2) (Part 3 of Division B) of the *National Building Code* is amended by

- (a) striking out “or” at the end of Clause (c);
- (b) adding “, or” after the period at the end of Clause (d); and
- (c) adding the following Clause immediately after Clause (d):
 - e) a residents’ sleeping room and a corridor serving the residents’ sleeping room in a *care occupancy* that is licenced as a residential

care facility under the *Homes for Special Care Act*, provided that the room and corridor are within a *fire compartment* that complies with the requirements of Article 3.3.3.5.