

Ruling of the Minister
Ministry of Municipal Affairs
and Housing
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RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

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 (the "Minister"), hereby approves the use of **HardiePanel® HZ5™ Vertical Siding, HardiePlank® HZ5™ Lap Siding, HardieShingle® HZ5™ Notched Panel, and HardieSingle® HZ5™ Individual Shingle** subject to the following terms and conditions:

Minister Ruling No: 95-17-36 (12678-R)

File No: 09-51

Revised on December 24, 2009

1. MANUFACTURER

James Hardie Building Products Inc.,
26300 La Alameda
Suite 250
Mission Viego, California
USA 92691

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Fax: 909 427-0634

2. MANUFACTURING FACILITIES

Plant City, FL, USA
Peru, IL, USA
Cleburne, TX, USA
Waxahachie, TX, USA
Pulaski, VA, USA
Tacoma, WA, USA
Sparks, NV, USA
Santiago, Chile

3. SPECIFIC CONDITIONS

- (a) **HardiePanel® HZ5™ Vertical Siding, HardiePlank® HZ5™ Lap Siding, HardieShingle® HZ5™ Notched Panel, and HardieSingle® HZ5™ Individual Shingle** is approved as an exterior cladding applied to vertical walls and masonry or concrete, as well as cementitious and wood sheathing boards that are attached to wood or steel framing in respect of the requirements of Articles 3.1.5.1., 9.27.2.3., 9.27.3.1., and Sentences 5.6.1.1.(1), 9.27.1.1.(1), 9.27.2.2.(2), 9.27.2.2.(5), 9.27.2.1.(1), and Clause 9.27.2.2.(1)(a) of Division B of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");

- (b) **HardiePanel® HZ5™ Vertical Siding, HardiePlank® HZ5™ Lap Siding, HardieShingle® HZ5™ Notched Panel, and HardieSingle® HZ5™ Individual Shingle** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this ruling, with the Building Code;
- (c) The use of the **HardiePanel® HZ5™ Vertical Siding, HardiePlank® HZ5™ Lap Siding, HardieShingle® HZ5™ Notched Panel, and HardieSingle® HZ5™ Individual Shingle** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report No. 12678-R (the "Evaluation Report") issued on April 28, 1995; re-evaluated on November 16, 2009 provided that the references in that report to the model National Building Code of Canada, 2005 listed in column 1 below, shall be deemed references to Ontario's Building Code listed in column 2 below, as described in the following Table 3(c);

Table 3.(c)

model National Building Code, 2005 References	Ontario's 2006 Building Code References
Division A, 1.2.1.1.(1)(a) Division B, 1.2.1.1.(1)(b) Division B, 3.1.5.1. Division B, 5.6.1.1.(1) Division B, 9.10.16.1. Division B, 9.27.1.1.(1) Division B, 9.27.2.1.(1) Division B, 9.27.2.2.(1)(a) Division B, 9.27.2.2.(2) Division B, 9.27.2.2.(5) Division B, 9.27.2.3. Division B, 9.27.3.1. Division B, 9.27.3.2. Division B, 9.27.3.7. Division B, 9.27.3.8. Division B, 9.27.4 Division B, 9.27.5. Division B, 9.27.5.3. Division B, 9.27.5.4. Division B, 9.27.5.7.(2) NBC 2005	Division A, 1.2.1.1.(1)(a) Division B, 1.2.1.1.(1)(b) Division B, 3.1.5.1. Division B, 5.6.1.1.(1) Division B, 9.10.16.1. Division B, 9.27.1.1.(1) Division B, 9.27.2.1.(1) Division B, 9.27.2.2.(2) Division B, 9.27.2.3. Division B, 9.27.3.1. Division B, 9.27.3.2. Division B, 9.27.3.7. Division B, 9.27.3.8. Division B, 9.27.4 Division B, 9.27.5. Division B, 9.27.5.3. Division B, 9.27.5.4. Division B, 9.27.5.7.(2) Building Code (2006)
column 1	column 2

- (d) A copy of this Ruling shall be attached to the application for a building permit, and
- (e) This Ruling is valid only for products 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 relevant law as they may be amended or re-enacted from time to time; or
 - (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto This 24th Day of December 2009.

David Brezer, P.Eng, MBA
Director, Building and Development Branch