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Proposed Change 1651

Code Reference(s):	NECB20 Div.B 4.1.1.2.(2) (first printing) NECB20 Div.B 5.1.1.2.(2) (first printing)
Subject:	Defined Terms
Title:	Use of the Defined Term "Occupancy" in the NECB
Description:	This proposed change removes the defined term "occupancy" from provisions where its use could cause confusion.
Related Code Change Request(s):	CCR 1390, CCR 1668, CCR 1708
Related Proposed Change(s):	PCF 1721

This change could potentially affect the following topic areas:

- | | |
|-------------------------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Division A | <input checked="" type="checkbox"/> Division B |
| <input type="checkbox"/> Division C | <input checked="" type="checkbox"/> Design and Construction |
| <input type="checkbox"/> Building operations | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Small Buildings | <input checked="" type="checkbox"/> Large Buildings |
| <input type="checkbox"/> Fire Protection | <input type="checkbox"/> Occupant safety in use |
| <input type="checkbox"/> Accessibility | <input type="checkbox"/> Structural Requirements |
| <input type="checkbox"/> Building Envelope | <input checked="" type="checkbox"/> Energy Efficiency |
| <input checked="" type="checkbox"/> Heating, Ventilating and Air Conditioning | <input type="checkbox"/> Plumbing |
| | <input type="checkbox"/> Construction and Demolition Sites |

Problem

The use of the defined term "occupancy" in Sentences 4.1.1.2.(2) and 5.1.1.2.(2) of Division B of the National Energy Code of Canada for Buildings (NECB) is causing confusion among Code users.

Although "occupancy" has the same definition in the National Building Code of Canada (NBC) and the NECB, it serves a different purpose in each Code. In the NBC, it is used to describe the level of risk of a building for occupants and adjacent properties and to describe the requirements for the construction and protection of the building.

However, in the NECB, "occupancy" is used in the context of describing energy use requirements. The NECB also uses building or space types to describe the intended use of a building or part of a building for the purposes of describing the energy use requirements.

Justification

To avoid confusion and misinterpretation, the defined term "occupancy" should be removed from the NECB provisions that aim to describe energy use requirements for buildings.

PROPOSED CHANGE

[4.1.1.2.] 4.1.1.2. Application

- [1] 2) This Part does not apply to the following lighting systems:
- [a] a) emergency lighting that is automatically off during normal hours of *building* operation,
 - [b] b) lighting within *dwelling units*, and
 - [c] c) lighting in *buildings* or parts of *buildings* and in certain exterior spaces associated with the *building* where it can be shown that ~~the nature of the occupancy makes~~ it is impractical to apply these requirements (see Note A-4.1.1.2.(2)(c)).

[5.1.1.2.] 5.1.1.2. Application

- [1] 2) A heating, ventilating or air-conditioning system or part thereof may be exempted from some or all of the requirements in this Part where it can be shown that ~~the nature of the occupancy or the type of heating, ventilating or air-conditioning equipment used makes~~ it is impractical to apply these requirements. (See Note A-5.1.1.2.(2).)

Impact analysis

This proposed change has no cost implications since the new term clarifies that the NECB requirements apply regardless of the type of occupancy.

Enforcement implications

This change can be enforced by the infrastructure currently available to enforce this Code.

Who is affected

Designers, engineers, builders, energy advisors and building officials.

OBJECTIVE-BASED ANALYSIS OF NEW OR CHANGED PROVISIONS

[\[4.1.1.2.\]](#) 4.1.1.2. ([\[1\]](#) 2) no attributions

[\[5.1.1.2.\]](#) 5.1.1.2. ([\[1\]](#) 2) no attributions