

WRCBOC Interpretation	File No:	003
Interpretation Date:	April 24 2018	
Building Code Edition:	O.Reg 332/12	
Subject:	Sign permit administration	
Keywords:	Signs, Professional Design and Review,	
Building Code Reference:	BCA 8.(2)(b.1), 3.15.3.1.(1), Div.B 4.1.1.4(1), Div.C 1.2.1.2(6), Div.C 1.2.2.1(8)	
<p>Question:</p> <p>Who is responsible to design signs under Part 4 as required by sentence 3.15.3.1.(1) of Div. B. where a Professional Engineer or Architect is not specified in the building code?</p> <p>As qualified designers are not required for signs as per clauses 3.2.4.1.(3)(g) & 3.2.5.1.(2)(f) of Div. C., how is compliance with sentence 4.1.1.4.(1) of Div. B demonstrated to a building official? (Note that the majority of municipalities in Ontario do not have Professional Engineers on staff to review these designs).</p> <p>Also, many signs that are lower in height and lighter in weight than the limits defined in Div. C, fall within the definition of "practice of professional engineering" in the Professional Engineers Act.</p> <p>How can CBO's allow a permit to be issued for these signs not designed by a professional engineer considering section 8.(2)(b.1) of the BC Act?</p>		

to promote the uniform administration of building standards

Interpretation:

As signs that are less than the weight and height limits defined in Div. C for prescribed design and review by a professional engineer fall within the definition of "practice of professional engineering" in the Professional Engineers Act, and must be designed in conformance with the provisions of 4.1.1.4.(1) of Div., the requirement of design and review by a professional engineer will be required for fascia signs with a weight exceeding 25 kg, and free standing/ground signs exceeding 1.8 m in height.

Nielsen, Peter

From: Robert.Schipper@kitchener.ca
Sent: Thursday, May 23, 2019 9:54 AM
To: Nielsen, Peter
Subject: RE: Kitchener Sign By-law
Attachments: WRCBOC Interpretation 003 Sign administration.pdf

Good morning Peter,

Thanks for the email, and the voicemail message. This subject has been reviewed by our local area Municipalities quite extensively. I have added some email correspondence below to help clarify how we got to this point. I am also attaching a decision by our Waterloo Region Chief Building Officials Committee, showing consistency of enforcement in our area.

Let me know if you have any further questions.

Thanks,

Robert Schipper, CBCO, ASCT

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From: Mike Seiling
Sent: Monday, June 11, 2018 4:27 PM
To: 'Rob.Reynen@guelph.ca'; Adrian.VanEck@guelph.ca; beth.maxwell@waterloo.ca; fosterbob72@gmail.com; dsharina@get.on.ca; ddenny@wellesley.ca; dheuchert@woolwich.ca; purcell@cambridge.ca; gmoore@northdumfries.ca; Jeremy.Laur@guelph.ca; lynn@oboa.on.ca; Matt Ruetz; Paul.Evans@erin.ca; ralph.kaminski@waterloo.ca; rbossence@centrewellington.ca; Robert Schipper; Tammy Hogg; giest@cambridge.ca; terry.gerber@wilmot.ca
Cc: Bill.Bond@guelph.ca
Subject: RE: NOTICE- Changes to Permanent Sign Program

Thanks to Guelph for leading the way on revisions for signs (program).

Some of us missed the last WRCBOC meeting and until the PEO and/or MMA (OBC) provide greater clarification, Kitchener supports one set of requirements for when a professional engineer needs to complete the sign design and seal documents for sign permits. No idea if the OBC will be revised to provide greater clarity, maybe reference to the PEO Act and the timing.

Recently, a handful of CBO's had an informal meeting with PEO on the sign issue (Also Prime Consultant and Professional Design). PEO reiterated there are 3 factors and when they apply an engineer is required because its engineering, therefore a majority of the signs require professional design, more than current OBC i.e. >7.5m high pylon sign. PEO says a 7m high pylon sign requires an engineer design.

thanks

From: Jeremy.Laur@guelph.ca <Jeremy.Laur@guelph.ca>
Sent: May 31, 2018 4:28 PM
To: Brad Hillis <bradhillis@pridesigns.com>
Subject: RE: NOTICE- Changes to Permanent Sign Program

Good Afternoon Brad,

Unfortunately this legal opinion does not at all address or even speak to the reason we are requiring an Engineers design and general review for signs.

We did quite a bit of research on this topic and, while there are discrepancies in Section 1.2 of Division C of the OBC, our ultimate conclusion was that Professional Engineer's design and general review was required for the signs in our Notice.

This conclusion is based on the fact that signs less than those described in 1.2 of Division C of the OBC still meet the criteria of the "Practice of Professional Engineering" as defined in the Engineers Act.

In these cases, regardless of what Section 1.2 of Division C of the OBC states, 8(2)(b.1) of the Building Code Act does not allow a permit to be issued unless a Professional Engineer's design is provided.

While we haven't received a formal position from the Professional Engineers of Ontario, we have received informal advice from Engineers that signs less than those described in 1.2 of Division C of the OBC still meet the criteria of the "Practice of Professional Engineering" as defined in the Engineers Act. We understand that this was also the outcome of a recent court challenge in Ontario.

This was also the informal answer given by the Ministry of Municipal Affairs at a recent meeting of the Large Municipality Chief Building Officials, in which they indicated that signs outside of those outlined in Section 1.2 of Division C of the OBC still require an Engineers Design and General Review under the Engineers Act. As I have previously indicated, 8(2)(b.1) of the Building Code Act does not allow a permit to be issued unless a Professional Engineer's design is so provided.

As stated in the Notice, the reason for this is improved safety.

Some other key information:

A sign that is attached to a building is considered part of the "building", as defined in the Building Code Act.

No different than a door forming part of a "building" or a window forming part of a "building", the sign forms part of the "building". This is clear by virtue of there being a whole section in the OBC (B.3.15.) that identifies requirements for Signs. It is part of the "building".

As for pylon type signs, a "building" also means (d) structures designated in the Building Code. Clause 1.3.1.1.(1).(e) of Division A includes "signs regulated by Section 3.15. of Division B that are not structurally supported by a building" as designated structures.

Therefore, Engineering for sign designs is included as part of 8(2)(b.1) of the Act .

Regards,

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From: Nielsen, Peter [mailto:PNielsen@ptbocounty.ca]
Sent: Wednesday, May 22, 2019 1:23 PM
To: Robert Schipper
Subject: Kitchener Sign By-law

Good afternoon Robert

Per my voicemail message to you this afternoon.

The County of Peterborough is currently reviewing our Sign By-law.

I came across the City of Kitchener website that makes reference to the requirement for signs over 1.8 m in height above ground level to be reviewed by a Professional Engineer.

https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_BUILD_Sign-Permit-Changes.pdf

I am not well versed in the Ontario Building Code and it would be a great help if you could direct me to the appropriate section that presents that height requirement.

Please advise at your earliest convenience.

Thank you.

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