

Ruling of the Minister  
Ministry of Municipal Affairs  
and Housing  
777 Bay Street, 2<sup>nd</sup> Floor  
Toronto, ON, M5G 2E5

Ministère des Affaires municipales  
et du Logement  
777, rue Bay, 2<sup>e</sup> étage  
Toronto, ON, M5G 2E5



T: 416 585-4234  
F: 416 585-7531  
W: [www.ontario.ca/buildingcode](http://www.ontario.ca/buildingcode)

T: 416 585-4234  
F: 416 585-7531  
W: [www.ontario.ca/buildingcode](http://www.ontario.ca/buildingcode)

## 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 **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking** subject to the following terms and conditions:

**Ministers Ruling No: 08-13-198 (13191-R)**

**File No: 08-26**

**Issued on December 8, 2008**

### 1. MANUFACTURER

Advanced Environmental Recycling  
Technologies Inc.  
914 N Jefferson  
Springdale, Arkansas  
USA, 72764

Tel: 479 756-7400  
Fax: 479 756-7410

### 2. MANUFACTURING FACILITIES

A.E.R.T., Inc  
Springdale, Arkansas  
USA, 727664

### 3. SPECIFIC CONDITIONS

- (a) The use of **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking** is approved for use as exterior decking in respect of the requirements of Subsection 9.4.2. Articles 9.4.3.1 and 9.23.14.5., of Division B of Ontario's 2006 Building Code, Ontario Regulation 305/06 (the "Building Code");
- (b) **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking** 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 **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking** must be constructed in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report 13191-R issued on July 6, 2005 and revised on February 12, 2008; provided that the references in that report to the model National Building Code of Canada, 1995 including those listed in Table 3.(c), column 1 below, shall be deemed references to the Building Code listed in column 2 below, as described in the Table 3.(c) below;

Table 3.(c)

model National 1995 Building Code References	Ontario's 2006 Building Code Volume 1 References
9. 9.3.2.9. 9.4.2. 9.4.3.1. 9.23.3.1. 9.23.3.1.(2) 9.23.14.5. Authority Having Jurisdiction (AHJ) NBC 1995	Division B, 9. Division B, 9.3.2.9. Division B, 9.4.2. Division B, 9.4.3.1. Division B, 9.23.3.1. Division B, 9.23.3.1.(2) Division B, 9.23.14.5. Principal Authority Building Code (2006)
column 1	column 2

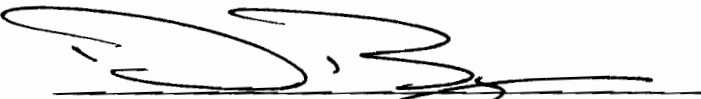
- (d) Where a building permit is issued to construct the **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking**, a certificate of compliance, prepared by the installer of this product, shall be submitted to the principal authority, as defined in the *Building Code Act, 1992*, and the homeowner; the certificate shall contain a minimum of the following information:
- (i) confirmation that the product **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking** was installed in accordance with CCMC Evaluation Report No. CCMC 13191-R, Section 4. "Usage and Limitations" and the restrictions provided in Section "Performance". "Technical Evidence" of the Evaluation Report,"
  - (ii) name and contact information of the certifier,
  - (iii) the address of the installation, and
  - (iv) Minister's Ruling number;
- (e) Where the **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking** is installed by the homeowner, the homeowner shall submit to the principal authority a certificate of compliance containing the information specified in clause (d).
- (f) The certificate of compliance for **ChoiceDek®/MoistureShield® Classic and Premium (WPC) Decking**, referred to in 3(d) above, shall be dated and signed by the installer;
- (g) A copy of this Ruling shall be attached to the application for a building permit; and;
- (h) 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 8<sup>th</sup> Day of December 2008



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