

BC BUILDING CODE INTERPRETATION COMMITTEE

A joint committee with members representing
AIBC, EGBC, BOABC

File No: 18-0150

INTERPRETATION

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Interpretation Date:	November 16, 2021
Building Code Edition:	BC Building Code 2018
Subject:	Picnic Shelters, Open Air Pavilions
Keywords:	picnic shelter, pavilion, open-air structure, occupancy
Building Code Reference(s):	Division A, 1.1.1.1., 1.4.1.2., Division B, 3.1.2.1., 3.7.2.

Question(s):

1. Does the definition of "*building*" in Division A, Article 1.4.1.2 apply to picnic shelters, or other open-air pavilion-like structures with roofs but no walls, where the structure is larger than 10m² in building area.
2. Is a Group A, Division 2 major occupancy classification appropriate for a picnic shelters, or other open-air pavilion-like structures with roofs but no walls?
3. Do minimum plumbing requirements for washroom facilities such as the health requirements of Section 3.7. of the BCBC apply to picnic shelters, or other open-air pavilion-like structures with roofs but no walls?

Interpretation:

1. Yes – but to a limited extent.

The definition of the building is particularly broad, and was intended as such, to be able to encompass many possible structures.

Building means any structure used or intended for supporting or sheltering any use or *occupancy*.

Occupancy means the use or intended use of a *building* or part thereof for the shelter or support of persons, animals or property.

This combination of definitions is sufficient to cause the definition of building to include picnic shelters, or other open-air pavilion-like structures with roofs but no walls. However, as noted in the most recent User's Guide to the National Building Code (1995), common sense must be exercised in its interpretation, identifying that:

"An authority, at the time of adopting the NBC 1995, may exclude certain specific structures from the provisions of the NBC 1995 and also exclude structures covered by other legislation. In most cases, there is no doubt that a structure is a building, but in a number of instances, a structure might not be considered a building for the purposes of the NBC 1995 [...]"



Patrick Shek, P.Eng., CP, FEC, Committee Chair

The views expressed are the consensus of the joint committee with members representing AIBC, EGBC and BOABC, which form the BC Building Code Interpretation Committee. The Building and Safety Standards Branch, Province of BC and the City of Vancouver participate in the committee's proceedings with respect to interpretations of the BC Building Code. The purpose of the committee is to encourage uniform province wide interpretation of the BC Building Code. These views should not be considered as the official interpretation of legislated requirements based on the BC Building Code, as final responsibility for an interpretation rests with the local *Authority Having Jurisdiction*. The views of the joint committee should not be construed as legal advice.

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Many building uses do not fall precisely into the categories given in the NBC 1995 and in these instances the designer and the authority must agree on the most appropriate fit. [...]

Good judgment must be exercised in determining whether to apply a requirement under extenuating circumstances, provided always that the safety of the occupants is not threatened.”ⁱ

Thus in the case of a picnic structure, as this may be classified as a building, the designer should go through an exercise of determining what requirements of the Code are reasonably relevant to the structure at hand in the context of what was intended by the Code. Should there be a question on the applicability of a particular requirement, then this needs to be discussed with the local AHJ in order to find a consensus on how the requirements of the BCBC should be applied in this circumstance.

For example it is appropriate to apply the requirements of Part 4 for structural sufficiency against earthquake and wind forces for a picnic structure, as it collapse could reasonably be expected to severely injure occupants or damage objects sheltering beneath, and it would not be unreasonable to expect it to perform similar to a building in this respect. Similarly, following the same logic, the application of thermal resistance of Part 5 Environmental separation requirements to this structure is inappropriate – not because this is not feasible, but because this is inconsistent with the intended purpose of the picnic structure. A similar exercise should be applied to all other requirements which might apply to the building to establish what requirements might apply if compliance with the Code is not readily apparent.

2. Maybe – Group A, Division 2 is one possible outcome.

The occupancy of a picnic structure, or other open-air pavilion-like structures with roofs but no walls, if seen to be a building can readily be determined from Division B, 3.1.2.1. and the associated note A-3.1.2.1.(1). As the intended use of most such structures may be expected to house a gathering of many persons, it would seem that it is appropriate to classify this as an Assembly occupancy of some sort, probably as a Group A, Division 2, or Group A, Division 4, depending on the details of its use and design.

As discussed in the previous response above, it is likely that some or even many Code requirements may not apply, and this may necessitate further discussion with the AHJ if these appear unclear or there is disagreement on the concepts.

3. No – But this will depend upon the specifics of the design.

A typical picnic shelter need not comply with the literal requirements of Subsection 3.7.2. for washrooms.

However, for larger structures, it may be reasonable to consider providing means to satisfy the washroom requirements of Subsection 3.7.2., as these are relevant to the public health objectives of the Code.



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A reasonable alternative to direct compliance, may be to provide suitable washroom facilities and capacity in an adjacent building, or through separate purpose-built facilities providing so as to such capacity in a certain area or zone. Discussion with the local AHJ is likely appropriate so as to properly consider what needs are relevant for that community.

ⁱ Ref.: User's Guide to the National Building Code (1995), What is a Building, Chapter 3, Pg. 5.



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