



Province of Alberta

SAFETY CODES ACT

ELEVATING DEVICES, PASSENGER ROPEWAYS AND AMUSEMENT RIDES PERMIT REGULATION

Alberta Regulation 28/2012

With amendments up to and including Alberta Regulation 16/2017

Office Consolidation

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(Consolidated up to 16/2017)

ALBERTA REGULATION 28/2012

Safety Codes Act

**ELEVATING DEVICES, PASSENGER ROPEWAYS
AND AMUSEMENT RIDES PERMIT REGULATION**

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Definitions

1 In this Regulation,

- (a) “acceptance inspection” means an inspection and series of tests performed by a safety codes officer before a new or altered device is put into operation to provide evidence of the proper installation of the device in accordance with the accepted plans and applicable codes;
- (b) “Act” means the *Safety Codes Act*;
- (c) “amusement ride” means an amusement ride or amusement device within the meaning of CAN/CSA Standard Z267-00 Safety Code for Amusement Rides and Devices as varied by and declared in force by the *Amusement Rides Standards Regulation* (AR 223/2001), but does not include anything to which that Standard is stated by its Clause 1.5 not to apply;
- (d) “applicable code” means

- (i) with respect to an elevating device or passenger ropeway, a code that was in force in Alberta on the date that the owner of the elevating device or passenger ropeway entered into a contract to purchase it, and
 - (ii) with respect to an amusement ride, a code that was in force in Alberta on the date that the design of the amusement ride was completed;
- (e) “authorized accredited agency” means an organization listed in the Schedule to the *Authorized Accredited Agencies Regulation* (AR 184/95);
- (f) “certificate of alteration permit” means a permit to authorize the undertaking of a major alteration of an elevating device, passenger ropeway or fixed amusement ride;
- (g) “certificate of construction permit” means a permit to authorize construction of an elevating device, passenger ropeway or fixed amusement ride;
- (h) “certificate of operation permit” means a permit to authorize the operation of an elevating device, passenger ropeway or amusement ride;
- (i) “delegated person” means a delegated person as defined in Schedule 10 to the *Government Organization Act* who has been delegated by a regulation under section 2 of that Schedule with the powers of a safety codes officer under the *Safety Codes Act*;
- (j) “elevating device” means, with respect to the following Standards or Codes as varied by and declared in force by the *Elevating Devices Codes Regulation* (AR 62/2009),
 - (i) respecting CAN/CSA Standard B355-00 Lifts for Persons with Physical Disabilities, including CAN/CSA s1-02 Supplement No. 1, a lift as defined in that Standard and as listed in its Clause 1.2, but does not include things to which that Standard is stated not to apply by its Clause 1.4,
 - (ii) respecting CAN/CSA Standard B311-02 Safety Code for Manlifts, a manlift (endless-belt type, hand-powered counterbalanced type and power-type) as defined in that Standard and for which minimum requirements are specified by that Standard, but does not include things to which that Standard is stated not to apply by its Clause 1.2,

- (iii) respecting ASME A17.1/CSA Code B44-07 Safety Code for Elevators and Escalators, the equipment covered by that Code as stated in its Clause 1.1.1, but does not include the equipment not covered by that Code as stated by its Clause 1.1.2, and
 - (iv) respecting CAN/CSA Standard Z185-M87 (R2001) Safety Code for Personnel Hoists, the things to which that Standard applies as stated in its Clause 1.1, but does not include things to which that Standard does not apply as stated by its Clause 1.3;
- (k) “major alteration” means an alteration that, in the opinion of a safety codes officer, significantly changes the structural or operational characteristics of the original design, layout drawings, data or any other information submitted in support of an application for a permit for the elevating device, passenger ropeway or fixed amusement ride;
- (l) “passenger ropeway” means a passenger ropeway or passenger conveyor within the meaning of Clause 1.2 of CSA Standard Z98-07 Passenger Ropeways and Passenger Conveyors as varied by and declared in force by the *Passenger Ropeways and Passenger Conveyors Standards Regulation* (AR 190/2008);
- (m) “permit” means
 - (i) a certificate of alteration permit,
 - (ii) a certificate of construction permit, or
 - (iii) a certificate of operation permit;
- (n) “safety inspection report” means a report prepared by a designated safety codes officer employed by
 - (i) an authorized accredited agency that has been authorized to conduct and report on safety inspections for existing elevating devices, or
 - (ii) the Alberta Elevating Devices and Amusement Rides Safety Association.

Restricted application

- 2** This Regulation applies to

- (a) amusement rides that are located in a place to which the general public is allowed access, including but not limited to public events, fairs, carnivals and amusement parks,
- (b) elevating devices, and
- (c) passenger ropeways.

Permits required

3(1) A prospective owner or a prospective owner's agent must obtain a certificate of construction permit before constructing an elevating device, passenger ropeway or fixed amusement ride.

(2) An owner or an owner's agent must

- (a) obtain a certificate of alteration permit before undertaking a major alteration of an elevating device, passenger ropeway or fixed amusement ride, or
- (b) obtain a certificate of operation permit before operating an elevating device, passenger ropeway or amusement ride.

Application for permit

4 An application for a permit under this Regulation must be made to a delegated person

- (a) in the form and manner and containing any information required by the delegated person,
- (b) setting out the information necessary to demonstrate compliance with this Regulation and the applicable codes as required by the delegated person, and
- (c) accompanied by the required fee.

Application for construction or alteration permit

5(1) The prospective owner of a new elevating device, passenger ropeway or fixed amusement ride, or the prospective owner's agent, must apply to a delegated person for a certificate of construction permit.

(2) The owner of an elevating device, passenger ropeway or fixed amusement ride, or the owner's agent, must apply to a delegated person for a certificate of alteration permit.

(3) In addition to the requirements set out in section 4, an application under this section must be accompanied by plans that

are signed and stamped or sealed by a professional engineer as required by the *Engineering and Geoscience Professions Act*.
AR 28/2012 s5;170/2012

Acceptance inspections

6(1) If a certificate of construction permit or a certificate of alteration permit is required under this Regulation, the elevating device, passenger ropeway or fixed amusement ride that is the subject of the permit may not be put in service until an acceptance inspection is successfully completed.

(2) The owner or the owner's agent must apply to a delegated person on completion of the construction or major alteration for the acceptance inspection.

Application for operation permit

7(1) The owner of an elevating device, passenger ropeway or amusement ride, or the owner's agent, must apply to a delegated person for a certificate of operation permit in accordance with this section and section 4 and include a copy of a safety inspection report if it is required by a delegated person.

(2) An application for a certificate of operation permit for an amusement ride must be accompanied by

- (a) a brief description of the ride, the year it was manufactured and its identification number, if previously issued, and
- (b) confirmation by the owner that
 - (i) the log book is up to date,
 - (ii) all applicable manuals are readily available at the amusement ride,
 - (iii) the manufacturer's directives respecting ride safety have been performed, and
 - (iv) the manufacturer's recommendations respecting non-destructive testing have been performed.

Portable amusement rides

8(1) In addition to the requirements in sections 4 and 7,

- (a) an application for a certificate of operation permit for a portable amusement ride must be accompanied by

- (i) the plans for the original construction of or any major alteration to the portable amusement ride, which must be signed and stamped or sealed by a professional engineer as required by the *Engineering and Geoscience Professions Act*,
- (ii) plans that are signed by a person from another jurisdiction who has a professional designation from that jurisdiction equivalent to that of a professional engineer under the *Engineering and Geoscience Professions Act*, or
- (iii) plans that are signed by the manufacturer or the manufacturer's authorized representative,

and

- (b) an owner of a portable amusement ride must file an itinerary with a delegated person at least 21 business days before the operation of the ride, indicating
 - (i) the type of portable amusement ride,
 - (ii) the portable amusement ride identification number,
 - (iii) each location where the portable amusement ride will be operated, and
 - (iv) the dates when the portable amusement ride will be operated in each location.

(2) The dates referred to in subsection (1)(b)(iv) must not extend beyond December 31 of the calendar year to which the permit applies.

(3) Any change to the itinerary must be filed with a delegated person at least 7 business days before the date the change takes effect.

AR 28/2012 s8;170/2012

Term of operation permit

9(1) Subject to subsection (2), a certificate of operation permit is valid

- (a) for 12 months from the date of issue, or
- (b) for portable amusement rides, until December 31 of the issuing year.

- (2) A certificate of operation permit may be issued under subsection (1)(a) for a term of less than 12 months if a delegated person considers it appropriate in the circumstances.
- (3) An owner or the owner's agent who has been issued a certificate of operation permit for an elevating device, passenger ropeway or fixed amusement ride who wishes to obtain a new certificate of operation permit must apply for a new certificate of operation permit in accordance with the requirements of sections 4 and 7 before the date on which a previously issued permit expires.
- (4) If an application for a new certificate of operation permit is made before the expiry of the existing permit issued in respect of the same device, the existing permit is valid until the new permit is issued or the application is refused.

Permit refused or cancelled

- 10** A delegated person may refuse to issue a permit or cancel a permit if
- (a) incorrect or incomplete information was submitted with the permit application,
 - (b) required information including but not limited to plans, drawings and specifications for an elevating device, passenger ropeway or amusement ride have not been submitted,
 - (c) the applicant fails to comply with a requirement of this Regulation, or
 - (d) in the case of a portable amusement ride, a required or amended itinerary has not been submitted in accordance with section 8(1)(b) or (3).

Identification number

- 11** A delegated person may issue an identification number with respect to an elevating device, passenger ropeway or amusement ride and may require that the owner or the owner's agent affix the number to the device, ropeway or ride in a manner acceptable to the delegated person.

Repeal

- 12** The *Elevating Devices, Passenger Ropeways and Amusement Rides Permit Regulation* (AR 286/2002) is repealed.

Expiry

13 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on February 28, 2022.

AR 28/2012 s13;16/2017

Coming into force

14 This Regulation comes into force on February 28, 2012.



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