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Pine Shakes Information



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Frequently Asked Questions About Untreated Pine Shakes

1. Q. What is the responsibility of the Department of Municipal Affairs regarding the Alberta Building Code?

The Department of Alberta Municipal Affairs, through the Safety Codes Council, has the responsibility for developing and maintaining the Code.

2. Q. What does the Alberta Building Code do?

The Code provides minimum construction standards or requirements for buildings and building materials. It is based on the National Building Code of Canada. The Code applies to buildings and materials at the time of construction and its purpose is to ensure that the assembly of all construction materials creates a safe structure.

The Code does not provide, or refer to, guarantees or warranties regarding durability or longevity of building materials.

3. Q. On what basis did the government allow the use of untreated pine shakes?

In allowing untreated pine shakes

fast facts

Did you know...

The Fire Commissioner's Office has a variety of **educational resources** available for fire departments, safety organizations and teachers.

These include portable display units, a talking robot, Hazard Houses, and Sparky costumes. Please contact the Office for more information about how to borrow these fine products or look under "Educational Resources".

For additional information on obtaining any of the above mentioned items, contact:

Alberta Municipal Affairs
Fire Commissioner's Office

Phone: 780-427-8392
Fax: 780-427-5898
Email:
firecomm@gov.ab.ca

under the Building Code, the department relied on the evaluation of nationally recognized housing and industry agencies and associations.

4. Q. When was the use of untreated pine shakes allowed?

Untreated pine shakes have been used as a roofing material in Alberta since the late 1980s. Their inclusion in the Building Code was based on reports from national housing agencies, research agencies and standard writing organizations, such as the Canadian Standards Association. Untreated pine shakes were acceptable for use in areas receiving less than 500 mm average annual precipitation. The average annual precipitation, as reported by Environment Canada, for Edmonton is 460 mm and 425 mm for Calgary.

In 1993, the CSA, a national standard writing organization, developed a grading standard outlining minimum manufacturers' specifications. Alberta Labour then notified manufacturers that they would have to comply with the CSA standard.

5. Q. When did the government receive reports regarding the deterioration of pine shakes?

Alberta Labour received reports of deterioration in untreated pine shakes in June 1997.

6. Q. What did the province do about it?

In June 1997, Alberta Labour participated in a field inspection along with industry and testing agencies.

In August 1997, Alberta Labour reviewed a report prepared by Intertek Testing Services.

In September 1997, Alberta Labour reviewed a survey and comments from several manufacturers.

In November 1997, Alberta Labour wrote to manufacturers, municipalities and others about the reported concerns. The department wrote the same group again in November, informing them that the Safety Codes Council was examining concerns about untreated pine shakes.

In December 1997, information obtained from persons and firms involved in pine shake manufacturing, treatment, certification, inspection and timber research was reviewed by the Building Technical Council of the Safety Codes Council.

In January 1998, Alberta Labour and the Safety Codes Council advised manufacturers, municipalities and others of the Council's recommendation that all pine shakes used for roofing purposes be treated.

In March 1998, the new Building Code was adopted, which stated pine shakes are to be treated with appropriate preservatives prior to use. The Code came into force June 1998.

7. Q. Why did the government change the Building Code to permit only treated pine shakes?

Evidence was submitted to the Safety Codes Council regarding the deterioration of untreated pine shakes. The department accepted the Council's recommendations to allow only treated pine shakes.

8. Q. Who is responsible for the pine shakes product if they decay?

Consumers with untreated pine shakes should consult with installers, suppliers, home builders and manufacturers regarding their legal options including replacement warranties, policies and compensation.

9. Q. Will the government compensate consumers who are not covered by warranties?

The government does not compensate consumers for an issue that is between the consumer and a business. Warranties are the responsibility of the manufacturers, installers and suppliers.

Copies of this Bulletin and a Fact Sheet on pine shakes can be obtained from the Alberta Municipal Affairs Website or phone 427-8862.

Hiring A Roofing Contractor

Step 1 - Get Recommendations

- When looking for a contractor be sure to ask friends, family members and neighbours for recommendations. Ask about the quality of the work and whether it was completed on time and at the agreed price.
- Make sure the contractor provides a written contract and doesn't ask for payment in cash "under the table."
- Call the Alberta Home Builders' Association at **(780) 424-5890**, toll free at **1-800-661-3348** or the Alberta Roofing Contractor's Association at **1-800-382-8515** for a list of professionals.

Step 2 - Get and Check References

- Ask contractors for a list of customer references - people who can verify the contractor's past performance. Ask the homeowners the same questions as you did when gathering recommendations. Would the homeowner hire the contractor for future work?
- Use proven or reputable companies. Any warranty is only as good as the company that offers it.
- If a contractor is unable or unwilling to provide references, don't hire them.
- Phone the Better Business Bureau. It keeps a record of complaints against member contractors working in the area.

Step 3 - Asking Questions

If you are getting your roof repaired or replaced there are several questions you should ask.

- If you want cedar shakes to be installed ask what type of shakes (split and

resawn or tapersawn) will be used. The two different types of shakes produce different looks and there are also different thicknesses and qualities.

- What mill produces the shakes and will they be graded and tagged to meet CSA standards? All shakes to be used as roofing must be graded and tagged as meeting CSA standards.
- Is the mill inspected by an authorized third-party agency?
- What product warranty is available from the mill and is the roofing contractor authorized to offer it? Some warranties are only valid if an approved roofing installer is used.
- Make sure the new product is installed according to the current Alberta Building Code and manufacturer's specifications.
- If areas of the roof deck are rotten, will there be an extra charge to repair it and if so, how much?
- Will the existing flashings, attic vents, gooseneck vents or plumbing vent collars be reused or replaced? The Cedar Shake and Shingle Bureau recommends metal valley flashing be replaced and not reused.
- Will the contractor be providing additional oversight or final inspection in writing? Will the company be actively involved in checking the job done by its own workers?
- How large will the crew be? What is their experience and what training have they received?
- How will the existing shakes be disposed of - truck, trailer or bin?
- What driveway access will be required and for how long?

Step 4 - Get Protection from Risks

- Professional contractors carry liability insurance and Workers Compensation Board (WCB) coverage. They comply with municipal building permit and licensing rules. This protects you. Without this protection, you could be liable for any injuries or damages that result from your roofing work.
- Make sure you get proof of protection from these risks. Ask the contractor for insurance and WCB certificates.
- Hire a professional contractor and get value for your money. Don't be taken in by promises of low price by someone who's cutting corners.
- Avoid contractors who offer a low price, provide nothing in writing and ask for payment in cash, without a receipt.

Step 5 - Get It in Writing

- Professional roofing contractors always provide customers with a clear, written contract.
- Always get a written contract that lays out the essentials, including, but not limited to, what it will cost and how payments will be made. Never agree to anything before you have it in writing.
- A contract is important. Without one, there is little you can do if the work is of poor quality or incomplete; you risk being charged far more than you expected; and it's unlikely you will get any warranty or after-sales service.
- Before final payment, insist that the contractor meet you at the job site to do a final inspection to make sure that all finishing work and other details have been completed and that the job site has been cleaned up.
- Protect yourself from liens. If a contractor does not pay his suppliers and subcontractors, they can place liens on your property. A lien is a notice that someone is claiming a right to be paid out of the value of a particular piece of property. You can find out if a lien has been registered on your property by checking your certificate of title at a registry agent. You can protect yourself from a lien by using the provisions outlined in the Builder's Lien Act.
- Be sure to obtain all warranty cards or written guarantees before final payment is made and make sure you obtain a phone number and address for any follow-up that may be required.

Copies of this Fact Sheet and other information on pine shakes can be obtained from the Municipal Affairs website at www.gov.ab.ca/ma or by phone (780) 427-8862. Alberta Government Services tip sheets-Home Renovations and Repair, Dealing with Door-to Door Sales-are available at www.gov.ab.ca/gs or by calling 1-877-427-4088.

Insurance Coverage and Pine Shakes

The following information was provided by the Insurance Bureau of Canada:

Are deteriorated pine shakes covered under normal home insurance policies for replacement costs?

No. Home insurance policies cover direct

physical damage to your home resulting from an external cause or "peril", such as fire, wind or hail. They do not cover repair or replacement of any part of the home that has failed, due to a defect, or because its useful life span has come to an end.

In the case of rotting pine shakes, to our knowledge, all homeowners policies specifically exclude loss or damage caused by or resulting from dry or wet rot. The cost of repairing or replacing damaged shakes is not covered by homeowners insurance.

Is there insurance coverage if other structural damage is done because of the leakage caused by deteriorated shakes?

Generally speaking, no. Coverage for interior damage is quite limited where water has leaked or seeped into the home from outside. Most policies require that a wind or hail storm damage the home first (shingles blown off, a window broken, etc.) with water then entering the home as a result of storm damage. This would not include water damage to the interior of your home where the direct cause of the water entering the home is the failure of the shake.

Homeowners faced with interior damage should review their situation with their insurance agent or broker - policy wordings and interpretations are different for each insurance company and the decision will depend upon the terms and conditions of your particular policy.

If I can't get an installer to replace my deteriorated shakes right away, will I qualify for insurance coverage on any damage that may occur until I can get an installer?

No, since the cost of repairing/replacing damaged shakes or the interior water damage to your home is not covered by most homeowners policies, a delay in having repairs completed does not change the fact that the damage is excluded.

Once you have determined you have a problem with your roof, it is important to take whatever remedial steps are necessary to prevent further damage. Cover the damaged area with strong plastic or plywood, or whatever else can provide temporary protection.

Explain product liability insurance. Would I be able to recover any insurance monies on manufacturers' policies?

Businesses protect themselves against legal responsibility for damage or injury to others through a Commercial General Liability Insurance policy, which usually includes product liability coverage.

Product liability insurance is NOT a warranty. It protects the business if a product they manufacture, distribute, sell or install fails and someone else demands compensation because they have suffered injury or damage as a result of the product failure.

The business is NOT insured for the cost of replacing or repairing the product that failed (roofing shakes in this instance). Assuming there has been no violation of any policy condition, product liability insurance will respond if other damages, such as water damage to the interior of a client's home, can be directly attributed to the failure of the product and the responsibility of the policy holder is clear or proven.

There is no law requiring that businesses involved in the manufacture, sale or installation of pine shakes carry liability insurance. There is also no Alberta law that requires them to declare the extent to which they are insured. Any claims for damage must be advanced against the firms that have allegedly provided a defective product. It is their choice whether or not to get their insurance company involved.

Who is responsible for insurance claims against manufacturers that have gone out of business?

The only person who can make a claim against an insurance policy is the policyholder, in this case the manufacturer. However, a business cannot absolve itself of responsibility for negligence just by closing its doors.

Homeowners who believe they have suffered damage due to negligence of the manufacturer have the right to seek compensation for damages from the manufacturer.

It is likely that the courts will have to rule on the question of negligence. If a homeowner obtains a court judgment against the manufacturer, he gains the right to seek recovery of the damages awarded directly from whoever insured the manufacturer for the loss.

The manufacturer may have purchased a certain dollar amount of liability insurance, perhaps as low as \$1 million. If that is not enough to satisfy all successful claims, the

courts may also have to determine how the insurance proceeds are to be distributed.

Can I claim insurance from out of province manufacturers?

No, and yes. You cannot claim directly from the manufacturer's insurer unless the court system has awarded you a legal judgment against the manufacturer. However, you can certainly claim for damages from a manufacturer no matter where it is located. Your legal advisor will tell you in what province you should commence your legal action.

Are the manufacturers of pine shakes the only ones liable if my shakes are rotting?

Claims for damage can be filed against anyone who was involved in the process of providing the pine shake roof - the manufacturer, the installer, perhaps even whoever established the architectural guideline requiring pine shake roofs. It may be necessary for the courts to determine who, if anyone, is liable for the losses faced by homeowners with pine shake roofs.

Spray Applications for Pine Shake Roofs

- Effective June 1, 1998, pine shakes used as a roofing material in Alberta must be *pressure treated* according to the Alberta Building Code.
- Previously, *untreated* pine shakes could be used as a roofing material. However, it has been determined that *untreated* pine shakes can decay due to a fungus that thrives under moist conditions.
- In July 1998, the manufacturer of PQ-57 undertook research to determine its ability to prevent new infection, control the spread of decay, kill infection within an untreated pine shake and to evaluate the leachability of PQ-57 and its long-term effectiveness.

Results of PQ-57 Research

- Based on the July 1998 research results, the manufacturer of PQ-57 does not consider PQ-57 to be an effective long-term remedial roof preservative treatment for untreated pine shake roofs.
- Distribution beneath shakes and penetration of PQ-57 into shakes was less than the test criteria for killing

established fungus and preventing new decay or the spread of decay. In addition, the research indicated higher than anticipated leaching.

- The manufacturer, based on the new research data, has discontinued long-term testing related to the remedial treatment of untreated pine shakes with PQ-57.

Copper and Zinc Ridge Strips

- The installation of copper or zinc strips at ridge caps may provide some limited benefit. The chemical reaction of copper or zinc strips and rainwater will wash a mild metal solution over the roof, which is intended to inhibit the growth of the fungus, moss and algae. Effectiveness on decay prevention has not been tested.
- It is recommended that rainwater collected from roofs using copper or zinc ridge strips not be used in fish ponds or other ornamental ponds.
- The use of copper ridge caps may result in a blue/green colouration of the shakes.
- Roof treatment services using chemicals or applications causing airborne drift or excessive run-off from roofs, should be reported to Alberta Environmental Protection (1-800-222-6514).

Information in this fact sheet was gathered by Alberta Municipal Affairs and Alberta Environment.

For information on environmental concerns phone Alberta Environment at 427-8636.

For consumer information on after-market spray application phone Consumers Services of Alberta Government Services at 1-877-427-4088.

Copies of this Fact Sheet and other information on pine shakes can be obtained from the Municipal Affairs website at www.gov.ab.ca/ma or by phone (780) 427-8662.

Contact the Government of Alberta toll-free outside of Edmonton or Calgary by dialing 310-000 then the number.

Treated Pine Shakes Fact Sheet

Effective June 1, 1998, all pine shakes used as a roofing material in Alberta were required by regulation to be treated. The Canadian Standards Association (CSA) has established national standards for the preservative treatment and grading of pine shakes.

Pressure preservative treatment of pine shakes must conform to the requirements of a CSA standard. In February 1999, the CSA published a new standard for the preservative treatment of pine shakes and shingles. This standard introduces new requirements for the treatment of shakes and shingles.

Under the CSA Standard for Northern Pine Tapersawn Shakes, manufacturers are required to have a third-party certification agency oversee their grading and quality control procedures to ensure their product meets the requirements of the national standard, published by the CSA.

In Alberta, it is the policy of the third-party certification agency to inspect product and grading procedures at the manufacturers plant site approximately two times per month.

INFORMATION FOR CONSUMERS:

Prior to purchasing any roofing material, consumers should review the warranty to see what is covered. In addition, consumers should ask if there are any maintenance or inspection requirements for the product under warranty and obtain a copy of the warranty in writing.

Consumers purchasing treated pine shakes should obtain assurance from their builder, manufacturer, supplier or roofer that the product being used complies with the CSA standards. A CSA label should appear on any bundle available for sale.

Performance is not referenced in the CSA standards or in the Alberta Building Code. Consumers with concerns about performance should seek appropriate assurance from their builder, manufacturer, supplier or roofer.

Consumers with questions about existing treated pine shakes roofs should contact their builder, manufacturer, supplier or roofer.

For information contact:

Alberta Municipal Affairs: 780-427-8862
To dial toll free, call 310-0000 and enter 427-8862.

Untreated Pine Shakes Fact Sheet and Information For Owners

- Untreated pine shakes have been used as a roofing material in Alberta since the late 1980s. Their inclusion in the Building Code was based

on reports from national housing agencies, research agencies and standard writing organizations, such as the Canadian Standards Association.

- Untreated pine shakes were not authorized for use under the Building Code for areas receiving more than 500 mm of precipitation annually.
- Neither the Canadian Standards Association nor the Alberta Building Code deals with the service life of any given product.
- In June 1997, Alberta Labour became aware of a concern that untreated pine shakes were being infested by fungus.
- As a result of concerns raised about fungal infestation, the Building Technical Council of the Safety Codes Council reviewed submissions from companies and individuals involved in manufacturing, treating, certifying and inspecting pine shakes, and in timber research.
- Alberta Labour and the Building Technical Council wrote to manufacturers of pine shakes, to municipalities, and to other interested parties in January 1998 setting out concerns that had arisen about untreated pine shakes, and recommended that customers become informed about the product's performance history before deciding to use it, or to continue using it.
- The Building Technical Council recommended that pine shakes be treated. That recommendation was accepted and as of June 1, 1998 all pine shakes had to be treated with appropriate preservatives prior to use.
- Anyone concerned about the durability or suitability of untreated pine shakes should promptly take those concerns to the manufacturers, suppliers, roofers or home builders involved. These persons may have provided warranties on untreated pine shakes. Legal advice can be sought about whether there is a warranty, and how to enforce it.
- Concerned individuals should also obtain information about whether their concerns with untreated pine shakes are covered by insurance. A useful source for general insurance information is the Insurance Fact Sheet at www.gov.ab.ca/ma.
- Concerned individuals should also be aware warranty claims respecting untreated pine shakes, insurance claims or any other claims are subject to a legal limitation period. A limitation period imposes a deadline for bringing a claim. Legal advice should be sought concerning any possible limitation period.
- It is wise practice to have all roofs using wood shakes or shingles, including those made of untreated pine shakes, inspected by a qualified person at least annually.
- If black spots or other indications of fungus appear on an untreated pine shake roof, a

qualified person should inspect the roof promptly. As with other wood on or in a building, if shakes become infested with fungus, this could lead to safety and health issues.

- In any case of doubt, one should obtain the opinion of a qualified person who can identify fungal infestation and offer advice on remedial action.

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