

RULE ADOPTIONS

AGRICULTURE

(a)

DIVISION OF PLANT INDUSTRY

Nursery Inspection Fees

Readoption with Amendments: N.J.A.C. 2:18

Proposed: February 7, 2022, at 54 N.J.R. 221(a).

Adopted: April 20, 2022, by the State Board of Agriculture and

Douglas H. Fisher, Secretary, Department of Agriculture.

Filed: May 9, 2022, as R.2022 d.066, **without change**.

Authority: N.J.S.A. 4:1-21.5 and 4:7-1 et seq.

Effective Dates: May 9, 2022, Readoption;
June 6, 2022, Amendments.

Expiration Date: May 9, 2029.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

Federal law imposes standards for the inspection and issuance of Federal phytosanitary certifications and for post-entry quarantine. This adopted rulemaking does not exceed Federal standards. With respect to Federal phytosanitary inspections, the adopted rulemaking uses the same criteria for “commercial shipment,” “low-value commercial shipment,” and “non-commercial shipment” as used by USDA, Animal and Plant Health Inspection Service at 7 CFR 354.3. There are no Federal standards governing nursery or plant dealer inspections or special/State phytosanitary inspections.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 2:18.

Full text of the adopted amendments follows:

SUBCHAPTER 1. FEES

2:18-1.2 Nursery inspection fees

(a) The following fee schedule shall apply to all nursery inspections conducted by the New Jersey Department of Agriculture:

Nursery

<u>Acreage</u>	<u>Base Fee</u>	<u>Acreage Assessment</u>
Less than 2.00	\$85.00	no additional assessment
2.00 or more	\$85.00	plus \$7.00 for each acre or part thereof

(b)-(e) (No change.)

2:18-1.3 Dealer fee

Fees for inspection of dealers shall be \$85.00. Dealers with more than one place of business in the State shall be charged an additional \$85.00 for each location.

2:18-1.4 Phytosanitary inspection fee

(a) There shall be a \$60.00 fee for each Federal or special phytosanitary inspection of a commercial shipment necessary for the issuance of a phytosanitary certificate.

(b) There shall be a \$30.00 fee for each Federal or special phytosanitary inspection of a low value commercial shipment necessary for the issuance of a phytosanitary certificate.

(c) There shall be a \$20.00 fee for each Federal or special phytosanitary inspection of a non-commercial shipment necessary for the issuance of a phytosanitary certificate.

(d) (No change in text.)

COMMUNITY AFFAIRS

(b)

DIVISION OF CODES AND STANDARDS

Notice of Administrative Correction

Uniform Construction Code

N.J.A.C. 5:23-2.24, 3.14, 6.26, 6.27, and 8.5

Effective Date: May 2, 2022.

Take notice that the Department of Community Affairs (Department) discovered numerous errors within the text of the Uniform Construction Code. This notice of administrative correction seeks to revise these errors, as follows:

1. At N.J.A.C. 5:23-2.24 and 8.5, the Department is removing references to the now-dissolved Bureau of Code Services to refer instead to the Department (with the mailing address updated, as well). At N.J.A.C. 5:23-8.5, an email address is also included as an option for providing information to the Department.

2. At N.J.A.C. 5:23-3.14, the Department is correcting an erroneous Section title within the building subcode.

3. At N.J.A.C. 5:23-6.26 and 6.27, the Department inadvertently deleted a parenthetical note that N.J.A.C. 5:23-6.26(o) and 6.27(f) are the responsibility of the electrical subcode official. This note existed in a section of the text that has since been deleted, but the note should have remained pursuant to N.J.A.C. 5:23-6.2(e), Enforcement Responsibilities. Wording revisions are also made for consistency within the sections.

The Department has requested, and the Office of Administrative Law has agreed to, such correction be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 2. ADMINISTRATION AND ENFORCEMENT; PROCESS

5:23-2.24 Conditions of certificate of occupancy

(a)-(f) (No change.)

(g) Whenever a liquefied petroleum gas installation subject to the Department’s jurisdiction pursuant to N.J.A.C. 5:23-3.11(j) is part of a project that requires a construction permit, no certificate of occupancy or certificate of approval shall be issued, except after filing by the owner with the construction official of a photocopy of a permit to operate and fill issued by the New Jersey Department of Community Affairs, Division of Codes and Standards, [Bureau of Code Services,] PO Box [816] **821**, Trenton, New Jersey [08625-0816] **08625-0821**.

(h) (No change.)

SUBCHAPTER 3. SUBCODES

5:23-3.14 Building subcode

(a) (No change.)

(b) The following chapters of the building subcode are modified as follows:

1.-8. (No change.)

9. Chapter 10, Means of Egress, shall be amended, as follows:

i.-xxvii. (No change.)

xxviii. In Section 1015.8, Window [sills] **openings**, “36 inches (95mm)” shall be deleted and “24 inches (610 mm)” shall be inserted.

xxix.-xxxv. (No change.)

10.-27. (No change.)

SUBCHAPTER 6. REHABILITATION SUBCODE

5:23-6.26 Basic requirements—Groups R-2 and R-4

(a)-(n) (No change.)

(o) Electrical Equipment and Wiring: