

## Special Inspector Rules

### 5:23-2.20 Tests and special inspections

(a) All tests required by the provisions of the regulations shall be made and conducted under the supervision of the enforcing agency and in accordance with such inspection and test procedures as may be prescribed by the provisions of the regulations, with the expense of all test and inspections to be borne by the owner or lessee, or the contractor performing the work.

(b) All special inspections, as provided in the building subcode, shall apply to Class I buildings. A special inspector shall be independent of the contractor and shall be responsible to the building owner or building owner's agent. Special inspectors shall be certified in the appropriate specialty.

1. Special inspections for soil conditions and pile foundations shall be performed under the direct supervision of a New Jersey licensed engineer.

(c) The construction official may accept tests and test reports of the Department and other government agencies, as well as signed statements and supporting inspection and test reports filed by qualified licensed professionals or approved agencies or firms.

(d) The construction official may accept a Chimney Certification for Replacement of Fuel-Fired Equipment (Form F-370), signed by the contractor who installed the replacement fuel-fired equipment, in lieu of requiring the removal and reinstallation of the chimney vent connector for purposes of inspection of the chimney or vent. Certifications from homeowners shall not be accepted in lieu of the required inspection.

(e) The bonding and grounding certificate for swimming pools, spas and hot tubs, shall be issued by a recognized electrical testing agency or a New Jersey State licensed electrical contractor. This certificate shall verify the continuity and integrity of the bonding and grounding system. It shall be valid for five years from the date of issuance.

### 5:23-5.3 Types of licenses

(a) Rules concerning code enforcement licensure categories are:

1. Technical licenses: Subject to the requirements of this subchapter, persons may apply for and may be licensed in the following specialties:

i. Building inspector: Building inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Building inspector with a specialty in high-rise and hazardous structures (H.H.S.): Building inspectors H.H.S. are authorized to review plans and carry out field inspection activities for structures in classes I, II and III.

(2) Building inspector with a specialty in industrial and commercial structures (I.C.S.): Building inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

(3) Building inspector with a specialty in residential and small commercial structures (R.C.S.): Building inspectors R.C.S. are authorized to review plans for structures in class III and to carry out field inspection activities for structures in classes I, II and III.

ii. Electrical inspector: Electrical inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Electrical inspector with a specialty in high-rise and hazardous structures (H.H.S.): Electrical inspectors H.H.S. are authorized to review plans and carry out field inspection activities for structures in classes I, II and III.

(2) Electrical inspector with a specialty in industrial and commercial structures (I.C.S.): Electrical inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

iii. Fire protection inspector: Fire protection inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Fire protection inspector with a specialty in high-rise and hazardous structures (H.H.S.): Fire protection inspectors H.H.S. are authorized to review plans and carry out field inspection activities for structures in classes I, II and III.

(2) Fire protection inspector with a specialty in industrial and commercial structures (I.C.S.): Fire protection inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

(3) Fire protection inspector with a specialty in residential and small commercial structures (R.C.S.): Fire protection inspectors R.C.S. are authorized to review plans for structures in class III and to carry out field inspection activities for structures in classes I, II and III. This license will no longer be available after July 31, 1991, and all licenses issued on or before that date shall cease to be valid after July 31, 1993.

iv. Plumbing inspector: Plumbing inspectors are authorized to carry out field inspection and plan review work pursuant to the regulations subject to the limitations specified herein.

(1) Plumbing inspector with a specialty in high-rise and hazardous structures (H.H.S.): Plumbing inspectors H.H.S. are authorized to review plans and carry out field inspection for structures in classes I, II and III.

(2) Plumbing inspector with a specialty in industrial and commercial structures (I.C.S.): Plumbing inspectors I.C.S. are authorized to review plans for structures in classes II and III, and to carry out field inspection activities for structures in classes I, II and III.

v. Inplant inspector: Inplant inspectors are authorized to carry out field inspections and plan review work of premanufactured components pursuant to this subchapter.

vi. Elevator inspector with a specialty in high-rise and hazardous structures (H.H.S.): Elevator inspectors H.H.S. are authorized to review plans and carry out the elevator device inspections, or to witness tests required by this chapter in all structures.

vii. Mechanical inspector: Mechanical inspectors are authorized to carry out field inspection and plan review work for all work under the mechanical subcode in structures of Group R-3 or R-5.

Only a person already holding a valid inspector's license may apply for a mechanical inspector's license.

2. Administrative licenses: In addition to the basic required technical licenses specified in N.J.A.C. 5:23-5.3(b)1, a person may apply for the administrative licenses specified herein.

i. Construction official: A construction official is authorized to act as the chief administrator of the enforcing agency as required by N.J.A.C. 5:23-4.4.

ii. Building subcode official: A building subcode official is authorized to act as the administrator of the building subcode as required by N.J.A.C. 5:23-4.4.

iii. Electrical subcode official: An electrical subcode official is authorized to act as the administrator of the electrical subcode as required by N.J.A.C. 5:23-4.4.

iv. Fire protection subcode official: A fire protection subcode official is authorized to act as the administrator of the fire protection subcode as required by N.J.A.C. 5:23-4.4.

v. Plumbing subcode official: A plumbing subcode official is authorized to act as the administrator of the plumbing subcode as required by N.J.A.C. 5:23-4.4.

vi. Elevator subcode official: An elevator subcode official is authorized to act as the administrator of the elevator safety subcode, as required by N.J.A.C. 5:23-4.4.

3. State-jurisdiction licenses: Subject to the requirements of this subchapter, persons may apply for and may be licensed in the following specialties:

i. Amusement rides subcode official: An amusement rides subcode official is authorized to act as an administrator in the enforcement by the Department of the amusement rides subcode;

ii. Amusement ride inspector H.H.S.: An amusement ride inspector H.H.S. is authorized to carry out field inspection, accident investigation and plan review work in the enforcement by the Department of the amusement rides subcode;

iii. Amusement ride inspector I.C.S.: An amusement ride inspector I.C.S. is authorized to carry out field inspection and plan review work in the enforcement by the Department of the amusement rides subcode;

iv. Boiler, pressure vessel and refrigeration subcode official: A boiler, pressure vessel and refrigeration subcode official is authorized to act as an administrator in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode;

v. Boiler, pressure vessel and refrigeration inspector H.H.S.: A boiler, pressure vessel and refrigeration inspector H.H.S. is authorized to carry out field inspections and shop inspections and plan review work in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode;

vi. Boiler, pressure vessel and refrigeration inspector I.C.S.: A boiler, pressure vessel and refrigeration inspector I.C.S. is authorized to carry out field inspections and plan review work in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode;

vii. Boiler, pressure vessel and refrigeration inspector R.C.S.: A boiler, pressure vessel and refrigeration inspector R.C.S. is authorized to carry out field inspections and plan review work in the enforcement by the Department of the boiler, pressure vessel and refrigeration subcode.

4. Special inspector certifications: Subject to the requirements of this subchapter, persons may apply for and may be certified in the following specialties:

i. Structural welding special inspector: Structural welding special inspectors are authorized to carry out field inspections pursuant to section 1704.3.1 of the building subcode.

ii. Structural steel and bolting special inspector: Structural steel and bolting special inspectors are authorized to carry out field inspections pursuant to sections 1704.3.2 and 1704.3.3 of the building subcode.

iii. Concrete placement special inspector: Concrete placement special inspectors are authorized to carry out field inspections pursuant to section 1704.4 and Table 1704.4, rows 3, 4, 5, 6, 7, 9, 10 and 11 of the building subcode.

iv. Reinforced concrete special inspector: Reinforced concrete special inspectors are authorized to carry out field inspections pursuant to section 1704.4 and Table 1704.4, rows 1, 2, 3, 4, 5, 6, 7, 9 and 11 of the building subcode.

v. Prestressed concrete special inspector: Prestressed concrete special inspectors are authorized to carry out field inspections pursuant to section 1704.4 and Table 1704.4, rows 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the building subcode.

vi. Structural masonry special inspector: Structural masonry special inspectors are authorized to carry out field inspections pursuant to section 1704.5 of the building subcode.

vii. Spray-applied fireproofing special inspector: Spray-applied fireproofing special inspectors are authorized to carry out field inspections pursuant to section 1704.10 of the building subcode.

viii. Exterior insulation finish system (EIFS) special inspector: EIFS special inspectors are authorized to carry out field inspections pursuant to section 1704.12 of the building subcode.

#### 5:23-5.4 Licenses required

(a) No person shall be appointed to, or shall hold, the position of construction official or subcode official unless that person has received a license required for that position pursuant to these regulations.

(b) No person shall be appointed to, or shall hold, a technical inspector position in an enforcing agency for which a license requirement has been established by this chapter unless that person has received the license required by these rules for that position.

(c) No person shall act to enforce any special technical provision or article of the rules for which the Commissioner shall have established in N.J.A.C. 5:23-5.3 a requirement for an additional special technical license, unless such person shall have received the required special technical license within one year following the effective date of the requirement for such license.

(d) Enforcing agencies may establish code enforcement trainee positions subject to the following rules:

1. Persons applying for a trainee position with an enforcing agency must be officially registered with the Department of Community Affairs on the form provided by the Licensing Unit of the Bureau of Code Services prior to being hired as a trainee.

i. Trainees shall renew their registration yearly and shall notify the Department of Community Affairs, Bureau of Code Services, Licensing Unit, of any change in employment status or address within one month of the change.

ii. A nonrefundable processing fee of \$ 20.00 is required for the initial Trainee Registration Request and for each subsequent renewal request.

2. Persons meeting the following experience requirements shall be eligible to register as trainees:

i. Fire protection inspector trainee--a minimum of one year of experience in the fire service (other than as an apprentice or person in training) with fire prevention, fire protection or firefighting responsibilities, or with one year experience in building construction as a journeyman, contractor, or design draftsman relative to the fire protection subcode.

ii. Building inspector trainee--a minimum of one year of experience in building construction as a journeyman, inspector, contractor or design draftsman relative to the building subcode.

iii. Plumbing inspector trainee--a minimum of one year of experience as a journeyman plumber, contractor or design draftsman relative to the plumbing subcode.

iv. Electrical inspector trainee--a minimum of one year of experience as a journeyman electrician, contractor or design draftsman relative to the electrical subcode.

v. Persons who have graduated from an accredited institution of higher education with a bachelor's degree in architecture or engineering, or in architectural or engineering technology, or in any other major area of study significantly related to building construction, or who possess an associate's degree in code enforcement, or have a current New Jersey registration/license as an architect or engineer shall be exempt from the experience requirement for trainee employment.

3. Trainees shall be evaluated by their supervisors on a quarterly basis. This evaluation shall include a brief description of the trainee's code enforcement activities and an assessment of the trainee's performance in these activities. Trainees who receive satisfactory evaluation ratings by their supervisors and who occupy enforcing agency trainee positions while registered with the Department may use the trainee experience toward satisfying the experience requirement for licensure in accordance with this subchapter. The effective date of the trainee experience begins at the time the person is hired as a registered trainee by an authorized agency.

4. The following conditions apply to work performed by a trainee:

i. Trainees may perform inspections required by N.J.A.C. 5:23-2.18 only under the direct supervision of an official or inspector licensed in the subcode area in which the trainee position has been approved. The licensed supervisor must be on site with the trainee during the performance of all required inspections.

ii. Trainees may perform an inspection of a singular specific point on a project, or a repetitive singular specific point on one or more projects, if directed to do so by a licensed supervisor where no code interpretation is required. In any such case, the inspection report shall be completed and signed by the trainee and reviewed and countersigned by the licensed supervisor.

iii. Trainees shall not act as subcode or construction officials or sign any permits, stickers, approved plans or inspection reports except as otherwise permitted by (d)5i and ii above.

5. The supervisor of the trainee shall possess a valid code enforcement license in the same subcode as the registered trainee working under his or her direct supervision.

i. A qualified licensed inspector shall not supervise more than one trainee.

ii. Failure of a supervisor to properly oversee a registered trainee in accordance with the provisions of the rules may result in disciplinary action against the supervisor.

6. To remain employed by an enforcing agency, a trainee must enroll in, and successfully complete, the appropriate approved course within two years of the effective date of his or her employment. Trainees who fail to successfully complete the appropriate course within two years of the effective date of their employment shall not be permitted to renew their registration until successful completion is achieved.

7. To remain employed by an enforcing agency, a trainee must pass the appropriate modules of the National Certification Test in his specific code area within two years of the effective date of employment.

(e) Enforcing agencies may establish code enforcement intern positions subject to the following:

1. Persons applying for an intern position with an enforcing agency must be officially registered in accordance with this subchapter with the Department of Community Affairs on the form provided by the Licensing Unit of the Bureau of Code Services prior to being hired as an intern.

i. Interns shall renew their registration yearly and shall notify the Department of Community Affairs, Bureau of Code Services, Licensing Unit within one month of any change in employment status prior to accepting any new position and of any change of address.

ii. A nonrefundable processing fee of \$ 20.00 is required for the initial Intern Registration Request and for each subsequent renewal request.

2. Persons meeting the following requirements shall be eligible to be employed as interns:

i. Fire protection inspector intern: possession of an associate degree in code enforcement with a major in the fire protection subcode;

ii. Building inspector intern: possession of an associate degree in code enforcement with a major in the building subcode area;

iii. Plumbing inspector intern: possession of an associate degree in code enforcement with a major in the plumbing subcode area; and

iv. Electrical inspector intern: possession of an associate degree in code enforcement with a major in the electrical subcode area.

3. Interns shall be evaluated by their supervisors on a quarterly basis.

i. The evaluation must include a brief description of the intern's code enforcement activities and an assessment of the intern's performance in these activities.

ii. Interns who receive satisfactory evaluation ratings from their supervisors and who occupy enforcing agency intern positions while registered with the Department may use the intern experience toward satisfying the experience requirement for licensure.

iii. The period of intern experience begins at the time a person is hired as a registered intern by an authorized agency.

4. The following conditions apply to work performed by interns:

i. Interns may perform all inspections allowed for a trainee as described in (d)5i and ii above.

ii. In addition, with the written approval of an intern's supervisor, the intern may perform the following types of inspections without the supervisor being present during the inspection:

(1) Reinspections of previously failed documented inspections for one and two family dwellings;

(2) Footing inspections as described in N.J.A.C. 5:23-2.18(b)1i(1) for one and two family dwellings (building inspector interns with written approval of their supervisors only).

iii. An intern shall not act as a subcode or construction official nor sign any permits, stickers, approved plans or inspection reports, except as permitted in (e)4i and ii above.

5. The supervisor of the intern must possess a valid code enforcement license in the same subcode as the registered intern working under his or her supervision.

i. A qualified licensed inspector shall not supervise more than one intern.

ii. Failure of a supervisor to properly oversee a registered intern in accordance with the provisions of this subsection may result in disciplinary action against the supervisor.

iii. The supervisor must complete the quarterly reports and keep a written file on the progress of the intern. This file must include written authorization to perform inspections as listed in N.J.A.C. 5:23-5.4(e) 4. At the end of one year of full time internship, the supervisor shall forward notice to the Department of Community Affairs, Bureau of Code Services, Licensing Unit of successful completion of the internship. If the internship is not for a full year, or is part time, that time may also be documented.

6. To remain employed by an enforcing agency, an intern must pass the appropriate module(s) of the National Certification Test in his or her specific code area within one year of the effective date of employment.

(f) Effective November 6, 2008, special inspectors shall be certified in accordance with the administrative provisions of the Uniform Construction Code. No person shall act as a special inspector to enforce any provision of the building subcode for which this chapter has established a certification requirement unless that person has received the certification required by these rules for that specialty.

(g) Violations:

1. It shall be a violation of these regulations for any construction or subcode official or technical inspector to represent himself or herself to be qualified for a position that the person does not currently hold, or to use a title or otherwise represent himself to be qualified for a position that the person does not currently hold, or to use a title or otherwise represent himself as licensed or authorized to act under the code if that person does not possess the required license. In addition to any other remedy available under law, such shall be deemed a violation of this section subject to penalty of not more than \$ 500.00 for each offense.

2. It shall be a violation of these rules for any person to hold or perform the duties of an office for which a license is required herein, or for any person to represent himself or herself as qualified for such position, or to use any title or otherwise represent himself or herself as licensed or authorized to act under the code if the person does not possess that license. In addition to any other remedy available under law, such action shall be deemed a violation of this section and subject to a penalty of not more than \$ 500.00 for each offense.

3. It shall be a violation of these rules in the case of construction and subcode officials and technical inspectors for any enforcing agency, including private on-site inspection and plan review agencies, to offer employment to or to retain for employment any person who is not licensed in accordance with these rules if such person has not been previously and continuously employed by such agency. Further, it shall be a violation of these rules for an enforcing agency to continue an individual in employment in a position for which a license is required pursuant to these rules, or to hire an individual for such a position, if such person is not licensed in accordance with this subchapter. Violation of this section shall be deemed a failure to perform within the meaning of N.J.A.C. 5:23-4.3(f), and the Department may exercise the remedies provided therein.

4. It shall be a violation of the State Uniform Construction Code Act for any agency of the State of New Jersey, which is charged with enforcing agency responsibilities pursuant to the act or these rules, to fail to comply with paragraphs 1, 2 and 3 of this subsection.

#### 5:23-5.19G Special inspector requirements

(a) A candidate for a structural welding special inspector certification, structural steel and bolting certification, concrete placement special inspector certification, reinforced concrete special inspector certification, prestressed concrete special inspector certification or structural masonry special inspector certification shall meet one of the following educational or experience requirements:

1. Graduation from an accredited institution of higher learning with an associate's degree (two years) in engineering or in engineering technology, or in any other major area of study significantly related to structural engineering; and two years of experience in a skilled trade directly related to the specific specialty. There is no substitution for the two years of experience. Applicants who do not possess the required education may substitute additional experience in a skilled trade directly related to the specific specialty as indicated on a year-for-year basis;

2. Graduation from an accredited institution of higher learning with a bachelor's degree in engineering or in engineering technology, or in any other major area of study significantly related to structural engineering and one year of experience in a skilled trade directly related to the specific specialty; or

3. Possession of a current New Jersey license as an engineer.

(b) A candidate for a spray-applied fireproofing special inspector certification shall meet one of the following educational or experience requirements:

1. Graduation from an accredited institution of higher learning with an associate's degree (two years) in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to fire protection; and two years of experience in

a skilled trade directly related to the specific specialty. There is no substitution for the two years of experience. Applicants who do not possess the required education may substitute additional experience in a skilled trade directly related to the specific specialty as indicated on a year-for-year basis;

2. Graduation from an accredited institution of higher learning with a bachelor's degree in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to fire protection and one year of experience in a skilled trade directly related to the specific specialty;

3. Possession of a current New Jersey license as an engineer; or

4. Licensed as a building inspector with a specialty in high-rise and high hazard structures (H.H.S.) or as a fire protection inspector H.H.S.

(c) A candidate for an exterior insulation finish system (EIFS) special inspector certification shall meet one of the following educational or experience requirements:

1. Graduation from an accredited institution of higher learning with an associate's degree (two years) in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to construction; and two years of experience in a skilled trade directly related to the specific specialty. There is no substitution for the two years of experience. Applicants who do not possess the required education may substitute additional experience in a skilled trade directly related to the specific specialty, as indicated, on a year-for-year basis;

2. Graduation from an accredited institution of higher learning with a bachelor's degree in architecture or engineering or in architecture technology or engineering technology, or in any other major area of study significantly related to construction and one year of experience in a skilled trade directly related to the specific specialty;

3. Possession of a current New Jersey registration/license as an architect or engineer; or

4. Licensed as a building inspector with a specialty in high-rise and high hazard structures (H.H.S.).

(d) A candidate for a special inspector's certification shall also meet one of the following requirements:

1. Successful completion of an examination as required by N.J.A.C. 5:23-5.23B where applicable; or

2. Possession of a current New Jersey license as an engineer with one year of experience in the field for which special inspection certification is being sought. The experience necessary to meet this requirement may be a portion of the experience required to obtain the professional engineer's license.

#### 5:23-5.23B Examination requirements for special inspectors

(a) Applicants for certification as special inspectors shall demonstrate competence by successful completion of the relevant examinations. Requirements for specific certifications are as follows:

1. Examination requirements for reinforced concrete special inspector: Successful completion of the reinforced concrete special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

2. Examination requirements for prestressed concrete special inspector: Successful completion of the prestressed concrete special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

3. Examination requirements for concrete placement special inspector: Successful completion of the Concrete Field Testing Technician Grade One Certification of the American Concrete Institute (ACI), or successful completion of the reinforced concrete special inspectors examination of the International Code Council, or successful completion of the prestressed concrete special inspectors certification of the International Code Council or equivalent as determined by the Department of Community Affairs.

4. Examination requirements for structural masonry special inspector: Successful completion of structural masonry special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

5. Examination requirements for structural welding special inspector: Successful completion of structural welding special inspector examination of the International Code Council, or successful completion of the Certified Welding Inspector examination of the American Welding Society or equivalent as determined by the Department of Community Affairs.

6. Examination requirements for structural steel and bolting special inspector: Successful completion of structural steel and bolting special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

7. Examination requirements for spray-applied fireproofing special inspector: Successful completion of spray-applied fireproofing special inspector examination of the International Code Council or equivalent as determined by the Department of Community Affairs.

8. Examination requirements for Exterior Insulation Finish System special inspector: Certification in the EIFS Inspection Program of the Association of the Wall and Ceiling Industries (AWCI) or a Certified EIFS Inspector by the Exterior Design Institute or equivalent as determined by the Department of Community Affairs.

