

## COMMUNITY AFFAIRS

### Division Of Codes And Standards Uniform Construction Code Rehabilitation Subcode

**Proposed Amendments: N.J.A.C. 5:23-6.1, 6.4 through 6.8, 6.12 through 6.27, 6.28 through 6.29, 6.31 and 6.32**

Authorized By: Joseph V. Doria, Jr., Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 52:27D-123.8 and 124.

Calendar: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2008-

Submit written comments by March 6, 2009 to:

Michael L. Ticktin, Esq.  
Chief, Legislative Analysis  
Department of Community Affairs  
PO Box 802  
Trenton, New Jersey 08625  
Fax No. (609) 633-6729  
E-mail: [mticktin@dca.state.nj.us](mailto:mticktin@dca.state.nj.us)

---

**JOSEPH V. DORIA, JR.**  
**Commissioner**

The agency proposal follows:

## Summary

The proposed amendments to N.J.A.C. 5:23-6 are the product of the Department's annual review to update the provisions of the Rehabilitation Subcode. This proposal consists of agency-initiated changes only; the specific changes being noted below:

1. The proposed amendments at N.J.A.C. 5:23-6.1, 6.4, 6.5, 6.6, 6.21A, 6.22A, 6.25, 6.25A, 6.26A, 6.27, 6.29, 6.31 and 6.32 updates the term "smoke detector" to "smoke alarm" as it is now referenced in the building, fire protection and one- and two-family dwelling subcodes. In addition, at N.J.A.C. 6.32(f) 1 and 2, the one- and two-family dwelling code reference was added to include all the applicable codes with smoke alarm requirements.
2. When the energy conservation changes were originally proposed for adoption, the intent was to include all framed areas that are part of the thermal envelope. The proposed amendments at N.J.A.C. 5:23-6.6, 6.7, 6.12, 6.13, 6.14, 6.15, 6.16, 6.17, 6.18, 6.19, 6.20, 6.21, 6.22, 6.23, 6.24, 6.25, 6.26, 6.27 and 6.28 would include newly constructed framing that is part of the thermal envelope (i.e. framing new walls in an existing porch). And since the language for the energy provisions was modeled after the fireblocking requirements, similar changes are made throughout.
3. The proposed amendments at N.J.A.C. 5:23-6.4(e) 1, 6.5(e) 4, 6.6(e) 6 and 6.7(e) 6 adds the corresponding one- and two-family dwelling subcode to match the building subcode regarding safety glazing.
4. Alteration and reconstruction projects, at N.J.A.C. 5:23-6.6(e) 19 and 6.7(e) 15 respectively, amendments are proposed to prohibit the use of an existing exit enclosure for purposes other than a means of egress.
5. The proposed amendment at N.J.A.C. 5:23-6.8(h) 9 deletes the reference to M1301.1.1 because it cross-references R324, equipment installed in flood-prone areas. N.J.A.C. 5:23-6.8(h) 1 does not reference R324, therefore the deletion of M1301.1.1.
6. The proposed amendments at N.J.A.C. 5:23-6.12A, 6.13A, 6.14A, 6.15A, 6.16A, 6.17A, 6.18A, 6.19A, 6.20A, 6.21A, 6.22A, 6.23A, 6.24A, 6.25A, 6.26A, 6.28A modify these sections to correlate with recent changes made in the Uniform Fire Code (UFC), N.J.A.C. 5:70-4, regarding exhaust systems.
7. The proposed amendment at N.J.A.C. 5:23-6.25A(b) 1 corrects the cross-reference to the basic requirement for smoke alarms in Section 6.25.
8. The proposed amendments at, N.J.A.C. 5:23-6.31(b), (e), (f), (g) and (h) and 6.32(e), update the fire separation assembly link (fire barrier and horizontal assembly) and revises the text to correspond with the intent of the International Building Code/2006 for separation purposes.
9. The proposed amendment at N.J.A.C. 5:23-6.31(n) clarifies the ventilation and fire suppression system requirements for commercial cooking operations. Currently, kitchen hood fire suppression is required based on the type of equipment being used. Instead, this change will require kitchen hood fire suppression systems based on the use of the equipment. The proposed language is more consistent with the current building, mechanical and fuel gas subcodes. This proposed amendment also changes terminology in order to be consistent with the Uniform Fire Code, N.J.A.C. 5:70, in regard to automatic fire suppression systems.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:3—3.3(a) 5.

### Social Impact Statement

By updating the provisions of the rehabilitation subcode and ensuring consistency with other adopted codes, the proposed amendments would provide for uniform enforcement and thereby promote life safety.

### **Economic Impact Statement**

The Rehabilitation Subcode has had a highly positive economic impact on the construction industry since its adoption in 1998. The proposed amendments would improve the subcode and thereby enhance the positive economic impact.

### **Federal Standards Statement**

No Federal standards analysis is required because the proposed amendments are not being proposed pursuant to Federal law or in order to implement, comply with, or participate in, any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

### **Jobs Impact Statement**

The Department does not anticipate the creation or loss of any jobs as a result of these proposed amendments.

### **Agriculture Industry Impact Statement**

The Department does not anticipate that the proposed amendments would have any impact on the agricultural industry.

### **Regulatory Flexibility Statement**

The proposed amendments would not impose any recordkeeping, reporting or compliance obligations on “small businesses,” as defined by the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 *et seq.* and would not require that they obtain any professional services that would not otherwise be necessary in the course of their business.

Since the purpose of the Rehabilitation Subcode is to make rehabilitation economically feasible without compromising public health and safety, the same requirements must apply to all persons doing rehabilitation work, regardless of the size of form of organization of any business entity.

### **Smart Growth Statement**

The Department does not anticipate that the proposed amendment would have any impact upon either the achievement of “smart growth” or the implementation of the State Development and Redevelopment Plan.

### **Smart Growth Impact**

Adoption of this proposal would improve the rehabilitation subcode and thus have a positive impact upon housing production through rehabilitation within planning areas one and two and within designated centers under the State Development and Redevelopment Plan.

### **Housing Affordability Impact**

Adoption of this proposal would improve the rehabilitation subcode and thus have a positive impact upon the supply of decent affordable housing as a result of rehabilitation of existing buildings.

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

### 5:23-6.1 Introduction; using this subcode

(a) – (b) (No change.)

(c) Renovation Work: The requirements that apply to renovation work are in N.J.A.C. 5:23-6.5. Renovation is defined in N.J.A.C. 5:23-6.3.

1. (No change.)

2. The installation of smoke [detectors] **alarms** is required in any building of Group R-3 and R-5, which undergoes a renovation.

3. – 4. (No change.)

(d) Alteration Work: The requirements that apply to alteration work are in N.J.A.C. 5:23-6.6. Alteration is defined in N.J.A.C. 5:23-6.3.

1. (No change.)

2. The installation of smoke [detectors] **alarms** is required in any building of Groups R-3 and R-5, which undergoes an alteration.

3. – 7. (No change.)

(e) – (i) (No change.)

### 5:23-6.4 Repairs

(a) – (d) (No change.)

(e) The following products and practices shall be required, when applicable:

1. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2406.3 of the building subcode **or by Section R308.4 of the one- and two-family dwelling subcode, as applicable.** (Building)

2. – 9. (No change.)

(f) In buildings of Groups R-3, R-4 and R-5 and in dwelling units of Group R-2, smoke [detectors] **alarms** shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted. (Fire)

(g) (No change.)

### 5:23-6.5 Renovations

(a) – (d) (No change.)

(e) The following products and practices shall be required, when applicable:

1. – 3. (No change.)

4. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2406.3 of the building subcode **or by Section R308.4 of the one- and two-family dwelling subcode, as applicable.** (Building)

5. – 11. (No change.)

(f) In buildings of Groups R-3, R-4 and R-5 and in dwelling units of Group R-2, smoke [detectors] **alarms** shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted.

(g) – (h) (No change.)

### 5:23-6.6 Alteration

(a) – (d) No change.

(e) The following products and practices shall be required, when applicable:

1. – 5. (No change.)

6. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2406.3 of the building subcode **or by Section R308.4 of the one- and two-family dwelling subcode, as applicable.** (Building)

7. – 8. (No change.)

9. In buildings of Group R or I-1, when the work being performed creates a bedroom, the following shall be provided:

i. A hard-wired smoke [detector] **alarm** shall be installed within each new bedroom and a second, hard-wired smoke detector **alarm** shall be installed within the immediate vicinity of the bedroom in accordance with NFPA 72. (Fire)

ii. (No change.)

10. – 13. (No change.)

14. When the work being performed **creates or** exposes wood framing of any wall, floor, ceiling, or roof, fireblocking shall be provided as required by section 717.2 of the building subcode or section R602.8 of the one- and two-family dwelling subcode, as applicable. The fireblocking material shall comply with section 717.2.1 or 717.2.1.1 of the building subcode or section R602.8.1 of the one- and two-family dwelling subcode, as applicable.

15. When the work being performed **creates or** exposes the entire framing of any wall, floor, ceiling, or roof assembly that is part of the building thermal envelope (encloses conditioned space) and there is no insulation in the cavities, insulation meeting a minimum R-value shall be installed that fills the cavities of the framed assembly.

i. – ii. (No change.)

16. When window assemblies are **newly installed or** replaced, the U-factor (thermal transmittance) shall not exceed 0.5 or the U-factor of the window assembly being replaced, whichever is lower.

17. - 18. (No change.)

**19. The work shall not cause an exit enclosure to be used for any purpose other than means of egress, except those penetrations permitted by Section 1020.1.2 of the building subcode.**

(f) In buildings of Groups R-3, R-4 and R-5 and in dwelling units of Group R-2, smoke [detectors] **alarms** shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted. (Fire)

(g) – (k) No change.

### **5:23-6.7 Reconstruction**

(a) – (d) No change.

(e) The following products and practices shall be required, when applicable:

1. – 5. (No change.)

6. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2406.3 of the building subcode **or by Section R308.4 of the one- and two-family dwelling subcode, as applicable.** (Building)

7. – 10. (No change.)

11. When the work being performed **creates or** exposes the entire framing of any wall, floor, ceiling, or roof assembly that is part of the building thermal envelope (encloses conditioned space) and there is no insulation in the cavities, insulation meeting a minimum R-value shall be installed that fills the cavities of the framed assembly.

i. – ii. (No change.)

12. When window assemblies are **newly installed or** replaced, the U-factor (thermal transmittance) shall not exceed 0.5 or the U-factor of the window assembly being replaced, whichever is lower.

13. – 14. (No change.)

**15. The work shall not cause an exit enclosure to be used for any purpose other than means of egress, except those penetrations permitted by Section 1020.1.2 of the building subcode.**

(f) – (k) No change.

### **5:23-6.8 Materials and methods**

(a) – (g) (No change.)

(h) Residential Materials and Methods: The following sections of the residential subcode (N.J.A.C. 5:23-3.21) shall constitute the residential materials and methods requirements for this subchapter:

1. – 8. (No change.)

9. All of Chapter 13, entitled "General Mechanical System Requirements", except **M1301.1.1 and M1305**;

10. – 20. (No change.)

(i) – (j) (No change.)

### **5:23-6.12 Basic requirements--Group A-1**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

### **5:23-6.12A Supplemental requirements--Group A-1**

(a) – (d) (No change.)

(e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(f) (No change.)

### **5:23-6.13 Basic requirements -- Group A-2 Nightclubs**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

### **5:23-6.13A Supplemental requirements -- Group A-2 Nightclubs**

(a) – (d)

(e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle, shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices

installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(f) (No change.)

#### **5:23-6.14 Basic requirements--Groups A-2 other than Nightclubs, A-3 and A-4**

(a) – (o) (No change.)

(p) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

#### **5:23-6.14A Supplemental requirements--Groups A-2 other than Nightclubs, A-3 and A-4**

(a) – (d) (No change.)

(e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system.) (Building)

2. – 3. (No change.)

(f) – (g) (No change.)

#### **5:23-6.15 Basic requirements--Group A-3 Places of Worship**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

#### **5:23-6.15A Supplemental requirements--Group A-3 Places of Worship**

(a) (No change.)

(b) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(c) (No change.)

#### **5:23-6.16 Basic requirements--Group A-5**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.16A Supplemental requirements--Groups A-5**

(a) – (c) (No change.)

(d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(e) (No change.)

**5:23-6.17 Basic requirements--Group B**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.17A Supplemental requirements--Group B**

(a) – (b) (No change.)

(c) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 5. (No change.)

(d) – (e) (No change.)

**5:23-6.18 Basic requirements--Group E**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.18A Supplemental requirements--Group E**

(a) – (d) (No change.)

(e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:



1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(f) (No change.)

#### **5:23-6.19 Basic requirements--Group F**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

#### **5:23-6.19A Supplemental Requirements--Group F**

(a) – (c) (No change.)

(d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(e) (No change.)

#### **5:23-6.20 Basic requirements--Group H**

(a) – (o) (No change.)

(p) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

#### **5:23-6.20A Supplemental requirements--Group H**

(a) – (c) (No change.)

(d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(e) – (g) (No change.)

**5:23-6.21 Basic requirements--Group I-1**

(a) – (q) (No change.)

(r) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.21A Supplemental requirements--Group I-1**

(a) Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout the building.

1. Exception: Automatic alarm systems shall not be required in buildings, other than boarding homes, with an automatic sprinkler system and a manual fire alarm system and with single station smoke [detectors] **alarms** in the vicinity of sleeping areas in accordance with NFPA 72. (Fire)

(b) – (c) (No change.)

(d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(e) (No change.)

**5:23-6.22 Basic requirements--Groups I-2 and I-4**

(a) – (q) (No change.)

(r) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.22A Supplemental requirements--Groups I-2 and I-4**

(a) (No change.)

(b) Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout the building.

1. Exception: Automatic alarm systems shall not be required for buildings with an automatic sprinkler system and a manual fire alarm system with single station smoke [detectors] **alarms** in the vicinity of sleeping areas in accordance with NFPA 72. (Fire)

(c) – (d) (No change.)

(e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

- 2. – 3. (No change.)
- (f) – (g) (No change.)

**5:23-6.23 Basic requirements--Group I-3**

- (a) – (p) (No change.)
- (q) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.23A Supplemental requirements--Group I-3**

- (a) – (d) (No change.)
- (e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:
  1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
  2. – 3. (No change.)
- (f) (No change.)

**5:23-6.24 Basic requirements--Group M**

- (a) – (n) (No change.)
- (o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.24A Supplemental requirements--Group M**

- (a) – (c) (No change.)
- (d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:
  1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
  2. – 4. (No change.)
- (e) (No change.)

**5:23-6.25 Basic requirements--Group R-1**

- (a) Smoke [detectors] **alarms**: Battery-powered, single station smoke [detectors] **alarms** or smoke [detectors] **alarms** complying with the building subcode shall be required in individual guest rooms. (Fire)
- (b) – (t) (No change.)

(u) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.25A Supplemental requirements--Group R-1**

(a) (No change.)

(b) Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire alarm system shall be required throughout the building. System smoke detectors are not required in guestrooms provided that the single-station detectors required by Section 907.2.10.1.1 of the building subcode are connected to the emergency electrical system and are annunciated by guestroom at a constantly attended location from which the fire alarm system is capable of being manually activated.

1. Exception: An automatic fire detection system is not required in buildings that do not have interior corridors serving guestrooms and where all guestrooms have a means of egress door opening directly to an exterior exit access which leads directly to the exits. (Note: Single station smoke [detectors] **alarms** are still required in individual guest rooms in such buildings in accordance with N.J.A.C. 5:23-6.25[(b)](**a**) or 6.25A(d), as applicable). (Fire)

(c) – (e) (No change.)

(f) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 5. (No change.)

(g) (No change.)

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

(a) – (u) (No change.)

(v) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

**5:23-6.26A Supplemental requirements--Groups R-2 and R-4**

(a) – (c) (No change.)

(d) Smoke Detection within Dwelling Units: Smoke [detectors] **alarms** shall be provided within dwelling units as follows:

1. When the work area is an entire dwelling unit, smoke [detectors] **alarms** that meet the specifications of the building subcode shall be installed. The smoke [detectors] **alarms** shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72.

2. When any work is undertaken within a dwelling unit, single station smoke [detectors] **alarms** shall be installed. (Battery-powered units shall be permitted.) The smoke [detectors] **alarms** shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72. (Fire)

(e) (No change.)

(f) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle, shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 4. (No change.)

(g) (No change.)

#### **5:23-6.27 Basic requirements--Groups R-3 and R-5**

(a) Smoke Detection within Dwelling Units: Smoke [detectors] **alarms** that meet the specifications of the building subcode or one- and two-family dwelling subcode, as applicable, shall be installed. The smoke [detectors] **alarms** shall be installed in the locations indicated in the building subcode or one- and two-family dwelling subcode, as applicable, and placed within those locations in accordance with NFPA 72. (Fire.)

(b) – (h) (No change.)

(i) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode for Group R-3 or Sections R502.12 and R602.8 of the one- and two-family dwelling subcode for Group R-5.

#### **5:23-6.28 Basic requirements--Group S**

(a) – (n) (No change.)

(o) Fireblocking and Draftstopping: When the work being performed **creates or** exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 717 of the building subcode.

#### **5:23-6.28A Supplemental requirements--Group S**

(a) – (c) (No change.)

(d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air [or exhaust] system, the recirculating air [or exhaust] system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. – 3. (No change.)

(e) – (f) (No change.)

#### **5:23-6.29 Mixed-use buildings**

(a) – (b) (No change.)

(c) Alarms: In any nonresidential use located below one or more dwelling units (including single room occupancies), when the work area exceeds 50 percent of the gross enclosed floor area of the nonresidential use, single or multiple station smoke [detectors] **alarms** shall be installed in the

nonresidential portion(s) of the building in accordance with NFPA 72 and provided with an audible alarm located within each dwelling unit of the residential portion of the building. The [detectors] **alarms** shall be AC powered with battery back up. Hard-wired, interconnected smoke [detectors] **alarms** installed throughout the building shall be accepted as meeting this requirement. (Fire)

### 5:23-6.31 Change of use

(a) General: The following are of general applicability to changes of use:

1. – 7. (No change.)

8. Where an existing single-family dwelling is converted into a two-family dwelling, the following shall apply:

i. Single or multiple smoke [detectors] **alarms** shall be installed and maintained within each dwelling unit as required by Sections 907.2.10.1.2 and 907.2.10.1.3 of the building subcode.

ii. (No change.)

(b) Compliance with Basic Requirements: Compliance with the basic requirements shall be required as follows:

Table B  
Relative Group Hazard  
(No change.)

1. When the use of a building is changed to a higher relative use group hazard as shown in Table B above, the building shall comply with the basic requirements of N.J.A.C. 5:23-6.10 through 6.30 applied throughout the building for the new group unless otherwise provided. Where another lettered subsection of this section establishes a requirement that differs from the basic requirement, the requirement contained in that other lettered subsection shall govern.

i. Where a portion of a building is changed to a higher relative group hazard, the building shall comply with the basic requirements of N.J.A.C. 5:23-6.10 through 6.30 for an automatic sprinkler system and fire detection and/or alarms applied throughout the building for the new group unless the proposed use is separated from the existing use(s) by [assemblies with the appropriate] **a fire barrier or horizontal assembly, or both, having a** fire resistance rating in accordance with Table [508.3.3] **706.3.9** of the building subcode in which case only the portion changed shall comply; **mixed occupancies shall use the highest applicable rating from Table 706.3.9.** The portion of the building changed shall comply with all the other basic requirements of N.J.A.C. 5:23-6.10 through 6.30 for the new group.

2. (No change.)

(c) – (d) (No change.)

(e) Height and Area Limitations: The following height and area limitations apply in a change of use.

Table E  
Hazard Categories and Classifications  
Height and Area  
(No change.)

1. – 2. (No change.)

3. Where a change of use is made in a mixed-use building or a single use building is changed to a mixed-use building, and any of the proposed uses is a higher category as per Table E, the building shall comply with one or any combination of the following:

i. (No change.)

ii. Separated groups: Each portion of the building containing a group shall be completely separated from adjacent groups by [fire separation assemblies and floor/ceiling assemblies] **a fire barrier or horizontal assembly, or both,** having a fire resistance **rating** [determined] in accordance with Table [508.3.3] **706.3.9** of the building subcode; **mixed occupancies shall use the highest applicable rating from Table 706.3.9.** For buildings equipped throughout with an automatic sprinkler

system, the required fire resistance rating for groups other than H is permitted to be reduced by one hour, but shall not be reduced to less than one hour. Each portion of the building shall comply with the height limitation of Table 503 of the building subcode for that group. In each story, the area shall be such that the sum of the ratios of the floor area of each group divided by the allowable area of Table 503 of the building subcode for each group shall not exceed 1.0.

(1) (No change.)

iii. (No change.)

4. (No change.)

(f) Exterior Wall Fire Resistance Ratings and Maximum Area of Exterior Wall Openings: The following exterior wall fire resistance ratings and maximum area of exterior wall openings apply in changes of use:

Table F  
Hazard Categories and Classifications  
Exposure of Exterior Walls  
(No change.)

1. Exterior Wall Protection: If the group of a building is changed to a higher hazard classification in accordance with Table F, the requirements for exterior wall fire resistance rating in the table below shall be met.

Table  
Requirements for Exterior Wall Fire  
Resistance Rating Building Use Group  
(No change.)

i. (No change.)

ii. Where a portion of a building is changed to a higher hazard classification, exterior walls and openings of the entire building shall comply with the provisions of this section. If the proposed use is separated from the rest of the building by [walls with the appropriate] **a fire barrier having a** fire resistance rating in accordance with Table [508.3.3] **706.3.9** of the building subcode, then only the portion changed must comply with the provisions of this section; **mixed occupancies shall use the highest applicable rating from Table 706.3.9.**

iii. – iv. (No change.)

2. (No change.)

(g) Automatic Sprinkler Systems: The following automatic sprinkler system requirements apply in changes of use.

Table G  
Hazard Categories and Classifications  
Automatic Sprinkler Systems  
(No change.)

1. When a change of use is made to a higher hazard category as shown in Table G, the building shall be provided with an automatic sprinkler system as required by the following sections of the building subcode: 903.2.1 for Group A occupancies, 903.2.2 for Group E occupancies, 903.2.3 for Group F-1 occupancies, 903.2.4 for Group H occupancies, 903.2.5 for Group I occupancies, 903.2.6 for Group M occupancies, 903.2.7 for Group R occupancies, 903.2.8 for Group S-1, 903.2.9 for Group S-2, and 903.2.10 for windowless stories. When this section requires an automatic sprinkler system, compliance with 903.3 of the building subcode is also required.

i. When a portion of a building is changed to a higher hazard category and the proposed use is separated from the existing use(s) by [assemblies that meet the applicable] **a fire barrier or horizontal assembly, or both, having a** fire **resistance** rating in **accordance with** Table [508.3.3] **706.3.9** of the building subcode, an automatic sprinkler system as required above shall be installed only in the portion changed; **mixed occupancies shall use the highest applicable rating from Table 706.3.9.**

2. – 4. (No change.)

(h) Fire Alarm and Detection Systems: When a change of use is made to any of the following use groups, a fire alarm system and/or an automatic fire detection system shall be installed in accordance with Section 907 of the building subcode. Where a portion of a building is changed to any of the following groups, a fire alarm system and/or an automatic fire detection system shall be installed throughout the building in accordance with Section 907 of the building subcode unless the proposed use is separated from the other use(s) in the building by [assemblies with the appropriate] **a fire barrier having a** fire resistance rating in accordance with Table [508.3.3] **706.3.9** of the building subcode in which case only the portion changed shall comply; **mixed occupancies shall use the highest applicable rating from Table 706.3.9.** (For purposes of applying this section, horizontal separation shall not be considered.)

1. – 9. (No change.)

(i) Single and Multiple Station Smoke [Detectors] **Alarms:** When a change of use is made to any of the following groups, single and multiple station smoke [detectors] **alarms** shall be installed in accordance with Section 907.2.10 of the building subcode.

1. Group R-1: Single or multiple station smoke [detectors] **alarms** shall be installed and maintained as required by Section 907.2.10.1.1 of the building subcode.

2. Groups R-2, R-3, R-4, R-5 and I-1: Single or multiple station smoke [detectors] **alarms** shall be installed and maintained as required by Sections 907.2.10.1.2 and 907.2.10.1.3 of the building subcode.

3. Where the use of a portion of a building is changed such that any nonresidential use is located below one or more dwelling units (including single room occupancies), single or multiple station smoke [detectors] **alarms** shall be installed in the nonresidential portion(s) of the building in accordance with NFPA 72 and provided with an audible alarm located within each dwelling unit of the residential portion of the building. The [detectors] **alarms** shall be AC powered with battery back up. Hard-wired, interconnected smoke [detectors] **alarms** installed throughout the building shall be accepted as meeting this requirement. (Fire)

(j) – (m) (No change.)

(n) Mechanical Requirements: When the character of the use of a building is changed, the following mechanical provisions shall apply:

1. (No change.)

2. A commercial hood and an automatic [sprinkler] **suppression** system that comply with the mechanical subcode shall be required for commercial cooking [equipment] **operations** producing grease-laden vapors [,], [except in Groups R-2, R-3, R-4 and R-5.] No automatic [sprinkler] **suppression** system shall be required for completely enclosed ovens, steam tables or similar equipment.

i. (No change.)

3. (No change.)

(o) (No change.)

(p) Change of use to a bed and breakfast shall be done in compliance with this subchapter except as modified below. (Plan review--Building, Fire. Inspection--Building)

1. (No change.)

2. Single-family dwellings of Group R-3, R-4, or R-5 that have been converted to bed and breakfast guest houses shall be deemed to have met the intent of the rules, as provided in N.J.A.C. 5:23-2.6(b) 1, if the following requirements have been met:

i. AC-powered interconnected smoke [detectors] **alarms** with battery back-ups shall be installed in accordance with the building subcode in the locations listed below. Fixed temperature or rate-of-rise and fixed temperature heat detectors may be substituted for smoke [detectors] **alarms** in those locations where frequent nuisance alarms would be likely to occur. At least one portable visual alarm-type smoke [detector] **alarm** for the deaf or hearing impaired shall be available. Notification of the availability of such devices shall be provided to each occupant. Installation shall be required at the following locations:

(1) – (5) (No change.)



ii. – xi. (No change.)

### **5:23-6.32 Additions**

(a) – (d) (No change.)

(e) Where an addition increases or extends the size of a fire area beyond that which is allowed by Section 903 of the building subcode, an automatic sprinkler system shall be provided throughout the fire area unless the addition is separated from the existing building by a [fire separation assembly] **fire barrier or horizontal assembly, or both, having a fire resistance rating** in accordance with Table [508.3.3] **706.3.9** of the building subcode; **mixed occupancies shall use the highest applicable rating from Table 706.3.9.**

1. (No change.)

(f) Whenever an addition is made to a detached, single-family dwelling of Group R-3 or R-5, smoke [detectors] **alarms** shall be installed in accordance with the following:

1. If the cumulative area of all floors of the addition(s) is 25 percent or more of the floor area of the largest floor of the existing building, smoke [detectors] **alarms** complying with the building subcode **or one- and two-family dwelling subcode, as applicable**, shall be installed throughout the addition and the existing building.

2. If the cumulative area of all floors of the addition(s) is five percent or more, but less than 25 percent, of the floor area of the largest floor of the existing building, hardwired, interconnected smoke [detectors] **alarms** with battery back-up meeting the requirements of NFPA 72, except as otherwise provided in the building or fire protection subcode **or one- and two-family dwelling subcode, as applicable**, shall be installed and maintained in each story in the dwelling unit, including basements.

(Fire)

(g) – (h) (No change.)