



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 802
TRENTON, NJ 08625-0802

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

LORI GRIFA
Commissioner

November 25, 2011

Lauri Woodward, Director DHS Office of Licensing
PO Box 707
222 South Warren St.
Trenton, NJ 08625

Dear Mrs. Woodward:

Group Home Fire Sprinkler Requirements Group R or Group I

The Department of Community Affairs and the Department of Human Services met recently to complete a review of fire suppression system requirements as they apply to homes licensed under N.J.A.C.10:44A, Standards for Community Residences for Individuals with Developmental Disabilities, and N.J.A.C. 10:37, Standards for Community Mental Health Services Regulations. This review resulted in the determination that a NFPA 13D fire sprinkler system may be installed in licensed community homes with five or fewer persons, one or more of whom cannot evacuate in three minutes or less.

This determination is based on the following:

1. Homes with five or fewer residents

The definition of Group I-1 from the Building Subcode of the Uniform Construction Code (N.J.A.C. 5:23-3.14(b)) follows.

308.2 Group I-1

This occupancy shall include buildings, structures or parts thereof housing more than 5 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of slow evacuation in an emergency situation without physical assistance from staff. For the purpose of applying this provision, slow evacuation shall mean the movement of all occupants, residents and staff to an exit in more than three minutes, but not more than 13 minutes. This group shall include, but not be limited to, the following:

*Alcohol and drug abuse centers
Assisted living facilities
Boarding houses
Congregate care facilities
Convalescent facilities
Group homes
Halfway houses
Social rehabilitation facilities*



*A facility such as the above with five or fewer persons shall be classified as a *Group R-3 or shall comply with the one- and two family dwelling subcode (N.J.A.C. 5:23-3.21).*

* Homes designated as Group R-3 must be in compliance with the building subcode (N.J.A.C. 5:23-3.14)

In sum, a home with up to five residents, one or more of whom are not capable of evacuating in less than three minutes, is Group R-3; a NFPA 13D sprinkler system may be installed.

2. Homes with more than five residents who cannot self-evacuate

Residential group homes housing more than five persons with any occupant who is not able to evacuate in emergency situations without physical assistance from staff are classified as Group I-1. These homes are required to install NFPA 13R fire sprinkler systems in accordance with the building subcode. A contracted provider/housing developer can apply for a variation from the building subcode to apply the provisions of the unamended International Building Code (IBC)/2009. The variation would allow the installation of a NFPA 13D fire sprinkler system in accordance with IBC/2009, Section 903.2.6 (unamended), which allows this type of system for Group I-1 facilities.

Each variation request must be accompanied by a rationale. The following are the New Jersey Uniform Construction Code variation criteria that must be followed.

N.J.A.C. 5:23-2.9 Variations and exceptions

(a) No variations or exceptions from the requirements of any subcode of these regulations may be made, except upon the following findings:


- 1. That strict compliance with any specific subcode provision, if required, would result in practical difficulty to such owner; and*
- 2. That the exception, if granted, will not jeopardize the health, safety and welfare of intended occupants and the public generally.*

(b) Except as may be otherwise specified in this chapter, no variations shall be granted from any of the requirements of N.J.A.C. 5:23-2, 4 or 5.

In this case, the Department regards allowing compliance with Section 903.2.6 (unamended) as reasonable. However, the decision regarding an application for a variation rests with the local enforcing agency, not with the Department. A denial may be appealed to the Construction Board of Appeals.

Should you be in need of further assistance, please contact me at 609-984-7609.

Very truly yours,



Michael E. Whalen
Code Specialist
Code Assistance Unit