

**RESOLUTION # 35**

**NEW JERSEY UNIFORM CONSTRUCTION CODE AND FIRE CODE**

1           **WHEREAS**, agriculture is recognized as a unique land use; and

2           **WHEREAS**, municipalities, counties and the state have invested heavily in  
3 permanently preserving farmland and fostering an environment that is conducive to an  
4 economically viable commercial agriculture industry in support of these unique, multi-  
5 generational family businesses directly linked to the land they farm; and

6           **WHEREAS**, the existing New Jersey state building codes, as expressed in the  
7 Uniform Construction Code (UCC), do not have distinct and separate code requirements for  
8 farm buildings, treating them simply, and the same, as commercial buildings; and

9           **WHEREAS**, the UCC has provisions of which New Jersey's agricultural industry was  
10 unaware, and to bring some agricultural buildings, including seasonal labor housing, into  
11 compliance with those provisions will generate onerous financial impacts on farm  
12 businesses; and

13           **WHEREAS**, seasonal farm labor barracks are already required to be equipped with  
14 safety apparatus such as fire extinguishers, smoke detectors, combustible gas detectors,  
15 lighted exit signs, and a building design which provides ample means of window and door  
16 egress in an emergency, in order to pass annual state and federal Department of Labor  
17 preoccupancy inspection; and

18           **WHEREAS**, some New Jersey UCC requirements are in conflict with U.S.  
19 Department of Agriculture and the Food & Drug Administration food safety regulations, while  
20 others contradict New Jersey Department of Labor regulations; and

21           **WHEREAS**, most farm buildings are not open to the public nor do they otherwise  
22 endanger public safety.

23           **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 106<sup>th</sup> State  
24 Agricultural Convention, assembled through a virtual platform hosted in Trenton, New  
25 Jersey, in accordance with COVID-19 pandemic recommendations, on February 17, 2021,

26 do hereby direct the New Jersey State Board of Agriculture to empanel a working group to  
27 work in conjunction with the New Jersey Department of Agriculture and the New Jersey  
28 Department of Community Affairs, and further develop and recommend appropriate actions  
29 and steps to address code requirements under the current interpretation of the New Jersey  
30 UCC and other applicable codes to farm buildings.

31 **BE IT FURTHER RESOLVED**, that we urge the working group to be empaneled by  
32 the Board to focus its work on exploring ways that improvements and upgrades required by  
33 fire safety and other building codes can be accomplished without devastating costs to  
34 farmers, and to fund alterations to help farmer comply with those codes.