

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 107th State
24 Agricultural Convention, assembled in Atlantic City on February 9-10, 2022, do continue its
25 work of the past two years in conjunction with the New Jersey Department of Agriculture and

26 the New Jersey Department of Community Affairs, and further develop and recommend
27 appropriate actions and steps to address code requirements under the current interpretation
28 of the New Jersey UCC and other applicable codes which apply to farm buildings.

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