



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

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

April 17, 2023

RE: Seasonal (Temporary) Farm Labor Accommodations

Dear Construction Official:

It has come to the attention of my office that not all agencies have enforced the New Jersey Uniform Construction Code (UCC), specifically N.J.A.C. 5:23-6.31, regarding illegal Seasonal Farm Labor housing. A previous letter was sent regarding this matter on February 4, 2020, and has been attached for your reference. The letter advised that such housing units, which are typically located in pole barns, sheds, or similar structures, must comply with the change of use provisions set forth in the Uniform Construction Code rules at N.J.A.C 5:23-6.31.

As many of you know, several farms challenged the letter in an appeal to the Appellate Division. The court dismissed the appeal on December 13, 2021, and the farms' subsequent petition was denied by the Supreme Court on October 21, 2022. Therefore, any current Notices of Violation resultant from referrals from the Division of Fire Safety should be acted upon immediately.

If you have questions regarding your duties as a Construction Official as they relate to the enforcement of UCC for these Farm Labor Accommodations, you may contact our Office of Regulatory Affairs at (609) 984-7672. Their office will be monitoring the towns in which these Farm labor accommodations exist.

If you have questions regarding code compliance, please contact our Code Assistance Unit at (609) 984-7609.

Sincerely,

Edward M. Smith
Director
Division of Codes and Standards