# Construction Code Communicator



State of New Jersey
Chris Christie, Governor
Kim Guadagno, Lt. Governor

Department of Community Affairs Charles A. Richman, Commissioner

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# The Winter Communicator: A Reminder

The final (Winter) issue of the *Construction Code Communicator* each year now consists of a collection of Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items that were posted on the Division's website during the calendar year. This year, we are including articles that were printed in earlier editions of the *Construction Code Communicator* on topics that continue to generate questions. As noted on the last page, once this edition of the *Construction Code Communicator* has been posted, these individual Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items will be removed from those sections of the Division's website. There is one exception: the materials related to Superstorm Sandy will remain in place. In short, there are no new articles in this issue.

Please note that, although the documents will be removed from the Alerts and Hot Topics, they will still be accessible through the Division's Document Library or through the "Topics A-Z" tab on the Division's website: <a href="https://www.nj.gov/dca/divisions/codes/">www.nj.gov/dca/divisions/codes/</a>.

Also, the indices for all issues of the Construction Code Communicator 2016 are included in this issue as a handy reference.

Prospectively, the *Construction Code Communicator* will follow this same format: three issues, Spring, Summer, and Fall, that contain new articles and a Winter issue that will provide in one place all the Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items that were posted on the Division's website in that calendar year with previously printed articles where the topic continues to generate questions.

If you have any questions about the *Construction Code Communicator*, or if you have any recommendations for articles, please feel free to contact me at (609) 984-7609 or at <a href="mailto:Emily.Templeton@dca.nj.gov">Emily.Templeton@dca.nj.gov</a>.

Source: Emily W. Templeton

Division of Codes and Standards



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# Permit Extension Act Extended for Superstorm Sandy-Impacted Counties

(Letter to Construction Officials – July 5, 2016)

This is to inform you that the Permit Extension Act has been extended for one year for the Sandy-impacted counties only. P.L. 2016, c. 14, signed into law by the Governor on June 30, amends the "Permit Extension Act of 2008," P.L. 2008, c.78, and again extends the expiration date, but this time the extension applies only to "Superstorm Sandy-impacted counties." These counties are listed as: Atlantic, Bergen, Cape May, Essex, Hudson, Middlesex, Monmouth, Ocean and Union counties. Under this most recent enactment, the extension period ends on December 31, 2016. This extension is retroactive to the beginning of the year. This means that, for the Superstorm Sandy-impacted counties, permits or approvals that were still in place on December 31, 2015 now remain open until December 31, 2016. On December 31, 2016, when the extension period ends, any permit or approval will be valid for the time that would have remained, but not for more than six months.

Information, including the full text of the Act and updated guidance on the application of the Permit Extension Act, which has been revised to reflect the new expiration dates for Superstorm Sandy-impacted counties, may be found on the Division's website at the links below: <a href="http://www.njleg.state.nj.us/2016/Bills/A4000/3617\_R1.PDF">http://www.njleg.state.nj.us/2016/Bills/A4000/3617\_R1.PDF</a>. Should you have any questions about the application of the Permit Extension Act, please feel free to call the Code Assistance Unit at (609) 984-7609.

Source: Edward M. Smith

Director, Division of Codes and Standards

(enclosure)

# Permit Extension Act of 2008, as amended and extended by P.L. 2016, c. 14 Superstorm Sandy-Impacted Counties Examples of Applying the Act to UCC Permits

The Permit Extension Act extends all permits that were open and valid as of January 1, 2007. Under the UCC rules, a construction permit lapses if (1) no work is done for a year; or (2) work, having been started, is discontinued for six months. (See N.J.A.C.5:23-2.16(b)) The following are some examples of how certain scenarios would be affected by the Permit Extension Act:

#### Examples:

- 1. A construction permit was obtained prior to January 1, 2006 and no work was done. The permit has lapsed and is not revived by the Permit Extension Act because it was not a valid, open permit on January 1, 2007.
- 2. A construction permit was obtained on April 1, 2006 and no work was done. The permit was deemed to have lapsed as of April 1, 2007. However, the permit is deemed to have been revived by the passage of the Permit Extension Act. Since it would have been valid for three more months as of January 1, 2007, it will continue to be valid for three more months as of December 31, 2016, and its new expiration date, if it is not acted upon, will be March 31, 2017.
- 3. A construction permit was obtained on October 1, 2006 and no work was done. The permit would have been valid for nine more months as of January 1, 2007 and is deemed to have been revived. However, since a permit that is only valid because it was extended by the Permit Extension Act can only remain valid for six months following the end of the extension period (now December 31, 2016), the permit would expire on June 30, 2017.
- 4. For any construction permit issued between January 1, 2007 and June 30, 2016, though the time would not begin to run until December 31, 2016, the permit would expire on June 30, 2017 since the Permit Extension Act does not allow any extensions beyond June 30, 2017 unless the permit would have continued in existence beyond that date had the Permit Extension Act not been adopted.
- 5. For any construction permit issued after June 30, 2016, since the permit is valid for a year, it is unaffected and expires one year from the date of issuance, just as it would have if the Permit Extension Act had not been adopted.

# Rehabilitation Subcode Update – Incorporating 2014/2015 Model Codes

The proposal for the Rehabilitation Subcode update incorporating the 2014 National Electrical Code, 2015 I-Codes and 2015 National Standard Plumbing Code was published at <u>48 N.J.R. 1854(a)</u> on September 19, 2016. You can find a link to the proposal at <a href="http://www.nj.gov/dca/divisions/codes/codreg/rule\_proposals\_adoptions.html">http://www.nj.gov/dca/divisions/codes/codreg/rule\_proposals\_adoptions.html</a>. The 60-day comment period ended November 18, 2016 and the Division staff are working diligently on responses to the comments received. Until then, please use the link above to keep track of this adoption. If a design professional would like to take advantage of using the proposed changes, code officials should be accepting of this so Rehabilitation Subcode projects can align themselves with the newest model codes adopted.

Source: Code Assistance Unit, (609) 984-7609

# **Digital Signatures and Seals for NJ Architects**

Similar to the State Board of Professional Engineers and Land Surveyors amendments at N.J.A.C. 13:40 on November 16, 2015, the Board of Architects has proposed (read: not yet adopted) to allow digital signatures and seals for digitally-transmitted plans. In the near future, this will become an acceptable practice for plan submittal by a licensed NJ architect in order to comply with N.J.A.C. 5:23-2.15. Stay tuned for further information!

You may review the <u>proposal</u> at <u>http://www.nj.gov/dca/divisions/codes/alerts/</u>. More official information about the revisions to <u>N.J.A.C.</u> 13:27 can be found at <u>http://www.njconsumeraffairs.gov/arch/Pages/default.aspx</u>.

Source: Code Assistance Unit, (609) 984-7609

# Swimming Pools & Spas - Plan Review & Inspections

(Memorandum to Construction Officials – July 11, 2016)

This memorandum is intended to focus enforcement effort with regard to swimming pools and spas and to establish priorities.

With the adoption of the 2015 International Codes, the 2015 International Swimming Pool and Spa Code (ISPSC) is adopted by reference as part of the Uniform Construction Code. It should be noted that the provisions of the ISPSC are not new. These provisions were previously contained in referenced standards or in appendices (NSPI/APSP or Appx G).

As always, attention should be given to the requirements that go to safety, including:

- Entrapment hazards (APSP/ICC 7)
- Pool barriers (Section 305/ISPSC)
- Bonding and grounding (Art 680/NEC).

For plan review purposes, a general note indicating that the pool or spa will conform to the 2015 ISPSC should be accepted. It is not necessary to require plans that show every detail of the pool or spa to be installed. The pressure testing of piping, which has been required since adoption of the 2009 codes, should be included as part of the inspection as this is not easily addressed after concrete has been poured. And again, the inspection should focus on safety: entrapment hazards (plumbing,) pool barriers (building) and bonding and grounding (electrical.)

All of us are trying to get the job done with scarce resources. Focusing on the requirements of the ISPSC that go to safety, rather than giving equal import to every detail, will enable local code enforcement agencies to fulfill their responsibility to the public they serve without devoting a disproportionate amount of time to ISPSC enforcement.

Should you have any questions, please feel free to contact the Code Assistance Unit at codeassist@dca.nj.gov or 609-984-7609.

Source: Edward M. Smith

Director, Division of Codes and Standards

# 2016 Proposals/Adoptions

The following is a list of the 2016 proposals/adoptions. This list, with previous years included, can be found at <a href="http://www.nj.gov/dca/divisions/codes/codreg/">http://www.nj.gov/dca/divisions/codes/codreg/</a> by scrolling to "Rule Proposals and Adoptions."

| Posted<br>in NJ<br>Register | Subject  | Submit<br>Comments<br>by: | Adoption<br>Date               |
|-----------------------------|--|---------------------------|--------------------------------|
| Sept 19,<br>2016            | Uniform Construction Code & Uniform Fire Code - Carbon Monoxide  Detection Proposed Amendments: N.J.A.C. 5:23-3.14, 6.1, 6.4 through 6.7 and 6.31 and 5:70-4.3, 4.9 and 4.19   | Nov 18,<br>2016           |                                |
| Sept 19,<br>2016            | Uniform Construction Code - Rehabilitation Subcode Proposed Amendments: N.J.A.C. 5:23-6.1 through 6.9, 6.12, 6.13, 6.13A, 6.14, 6.15, 6.16, 6.17, 6.18, 6.18A, 6.19, 6.20, 6.20A, 6.21, 6.22, 6.22A, 6.23, 6.24, 6.25, 6.26, 6.27, 6.28, 6.28A, 6.29 through 6.33 and 12.8 | Nov 18,<br>2016           |                                |
| Sept 19,<br>2016            | Condominium, Fee Simple and Cooperative Conversion and Mobile Home Park, Retirement; New Home Warranties and Builders' Registration; Landlord-Tenant Relations Proposed Amendments: N.J.A.C. 5:24-1.4, 2.2 and 2.9; 5:25-2.2, 2.5 and 2.8; and 5:29-1.2                    | Nov 18,<br>2016           |                                |
| Sept 19,<br>2016            | Relocation Assistance and Eviction Proposed Readoption with Amendments: N.J.A.C. 5:11 Proposed Repeals: N.J.A.C. 5:11-7.3 and 7.4  | Nov 18,<br>2016           |                                |
| Sept 06,<br>2016            | Liquefied Petroleum Gas Regulations; Update of the edition of NFPA 58 referenced; timeframes for Certified Employee Traning Program; training for motor vehicle fueling Proposed Amendments: N.J.A.C. 5:18-3.1, 6.3, 10.3 and 10.4   | Nov 05,<br>2016           |                                |
| Aug 15,<br>2016             | Ski Lift Safety - Adoption of ANSI B77.1-2011 Proposed Readoption: N.J.A.C. 5:12 Proposed Amendments: N.J.A.C. 5:12-1.4 and 4.2 Proposed Repeal: N.J.A.C. 5:12-6   | Oct 14,<br>2016           |                                |
| July 05,<br>2016            | Uniform Construction Code; Permit Updates regarding Zoning Proposed Amendments: N.J.A.C. 5:23-2.16, 2.18 and 2.29  | Sept 03,<br>2016          |                                |
| July 05,<br>2016            | Uniform Construction Code; Elevator Subcode Elimination of Six-Month Elevator Inspections Proposed Amendments: N.J.A.C. 5:23-12.1, 12.2, 12.3 12.6 and 12.9 Proposed Repeal: N.J.A.C. 5:23-12.10   | Sept 03,<br>2016          |                                |
| Apr 04,<br>2016             | Notice of Readoption; Maintenance of Hotels and Multiple Dwellings<br>Readoption: N.J.A.C. 5:10-1, 1A, 1B, 2 and 4 through 28  | N/A                       | Apr 04,<br>2016                |
| Apr 04,<br>2016             | Uniform Construction Code<br>Proposed Amendments: N.J.A.C. 5:23-2.14, 2.15 and 12.1  | June 03,<br>2016          | <u>Sept 19,</u><br><u>2016</u> |
| Mar 21,<br>2016             | Notice of Readoption; Urban and rural Centers Unsafe Buildings Demolition LoanFund Readoption: N.J.A.C. 5:7 Effective Date: February 19,2016 New Expiration Date: February 19, 2023  | N/A                       | Mar 21,<br>2016                |

Source: Code Assistance Unit, (609) 984-7609

# **Summary of Rule Changes for 2016**

#### **NOVEMBER 21, 2016 TRANSMITTAL**

September 19, 2016 New Jersey Register

- N.J.A.C. 2.14 Construction Permits When Required: The amendment to N.J.A.C. 5:23- 2.14(g) exempts retaining walls under the purview of a county or of the State Department of Transportation (DOT) from the requirement to obtain a construction permit.
- N.J.A.C. 2.15 Construction Permits Application: The amendment to N.J.A.C. 5:23-2.15(a)5 adds a cross-reference to a provision adopted in 2009 (N.J.A.C. 5:23-2.15(f)4ii(1)) providing for plan review to be performed, notwithstanding the fact that required approvals may not yet be in place, as long as the permit application is otherwise complete.
- N.J.A.C 12.1 Title; scope; intent: The amendment to N.J.A.C. 5:23-12.1(e)1 makes the terminology used in the Uniform Construction Code consistent with the terminology used in ASME (American Society of Mechanical Engineers) A17.1.

#### **Bulletins**

#### Revised

- **79-2, Testing of Plumbing Systems** Deletes reference to Section 15.2.2 of the National Standard Plumbing Code because that section no longer exists; and
- 94-7, Plans for Elevator Devices Adds language to reflect current terminology.

#### Withdrawn

- 79-8, Permit Fees for Large, Open-Volume Buildings Superseded by NJAC 5:23-4.18 and 4.20;
- **88-4, Concrete-Filled Pipe Columns** Superseded by "engineered design" in building subcode and one- and two-family dwelling subcode; and
- **90-1, Canadian Standards Association as Referenced Standard** Superseded as the Canadian Standards Association is a Nationally Recognized Testing Laboratory.

#### Formal Technical Opinions (FTOs)

#### Revised

• FTO-3, Fire Escapes – Letter H, #1 on pages 3 and 6 has been modified to delete wired-glass and the protection of window openings that are within 10 feet in any direction of a fire escape. The exception for wired-glass in fire doors, fire windows and view panels was deleted from the code with the adoption of the 2006 International Building Code. Also, the requirement that all safety glazing must comply with the Building Subcode has been added.

#### Withdrawn

- FTO-1, Shopping Cart Corrals
- FTO-10, Rooming and Boarding Houses Superseded by Bulletin 15-3; and
- FTO-15, Commercial Kitchen Exhaust Hoods Superseded by Section 507 of the mechanical subcode.

**Page 23-30.4.19** – Correction to the footer.

#### MAY 16, 2016 TRANSMITTAL (includes April 4, 2016 transmittal and 2015 changes to UCC Act)

• N.J.S.A. 52:27D-123f and 124, Carbon monoxide detectors required in certain structures: Per P.L. 2015, c.146, the requirement for the installation of carbon monoxide devices has been expanded to all occupancies. (*Please note that rules will be proposed and adopted to implement this requirement.*)

(continued next page)

(Summary of Rule Changes for 2016)

- N.J.S.A. 52:27D-126e, Waiving of construction permit, enforcing agency fees for certain construction projects to benefit disabled persons: Per P.L. 2015, c.273, a municipality shall not charge a person who has a service-connected disability declared by the United States Department of Veterans Affairs, or its successor, to be a total or 100% permanent disability that would entitle them to a property tax exemption under section 1 of P.L.1948, c.259 (C.54:4-3.30) or a spouse, parent, sibling, or guardian of the disabled veteran, a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration, or improvement designed and undertaken solely to promote accessibility by the disabled veteran to his own living unit.
- N.J.S.A. 52:27D-131. Construction permits; application, approval, expiration, cancellation, extension: Per P.L. 2015, c.159, applications limited to the construction of a ramp designed to provide wheelchair access to a one- or two-unit dwelling, and required for such access by a resident of the dwelling shall be granted or denied within five business days. (*Please note that rules will be proposed and adopted to implement this requirement.*)

#### April 4, 2016 New Jersey Register

- N.J.A.C. 5:23-3.4, Responsibilities: The adopted amendments contain the assignment of enforcement responsibilities for the 2015 I Codes, 2015 NSPC and 2014 NEC, now adopted as subcodes of the UCC.
   N.J.A.C. 5:23-7.15 is repealed because Chapter 11 of the building subcode, and ICC A117.1-2009 as referenced therein, are now the standard for accessibility and enforcement responsibility is assigned in N.J.A.C. 5:23-3.4.
- N.J.A.C. 5:23-12.6, Tests and inspection fees: The adopted amendment here modifies the Department fees for inspections and witnessing of tests on devices installed in buildings of Group R-3, Group R-4, Group R-5 or otherwise exempt devices in Group R-2. This amendment reduces the fees charged for dumbwaiters, stairway chairlifts, inclined and vertical wheelchair lifts from \$227.00 to \$76.00, to bring them in line with fees charged for such devices installed in other occupancies.

#### May 16, 2016 New Jersey Register

• <u>N.J.A.C.</u> 5:23-4.18 and 4.20, Fees: For large open-volume buildings, the adopted amendments cap the height at 20 feet for purposes of calculating the volume upon which the fee is based. This will reduce the fee to reflect more accurately the associated work for the construction code enforcing agency.

#### JANUARY 4, 2016 TRANSMITTAL (includes November 2 and 16, 2015 transmittals)

#### November 2, 2015 New Jersey Register

• N.J.A.C. 5:23-3.16, Electrical Subcode: This Notice corrects the reference to the Information Note Bulletin, #15-2.

# November 16, 2015 New Jersey Register

• <u>N.J.A.C.</u> 5:23-3.21, One- and Two-Family Dwelling Subcode: This Notice corrects the misnumbered references to the International Swimming Pool and Spa Code within Section R326 of the International Residential Code, 2015 edition.

#### January 4, 2016 New Jersey Register

- <u>N.J.A.C.</u> 5:23-3.15, Plumbing Subcode: This rule amendment adopts the 2015 National Standard Plumbing Code by reference.
- Bulletin 15-4, Energy Subcode Compliance: This bulletin is updated to reflect the changes within the 2015 International Energy Conservation Code. (Bulletin 11-1 is withdrawn following the end of the six month grace period.)
- Bulletin 15-3, Group Classifications for Residential and Institutional Occupancies: This bulletin assists in determining the correct group designation for residential occupancies.
- Bulletin 15-2, Adopted Codes, Standards and Recommended Practices Referenced Under Informational Notes of the National Electrical Code 2014: Replace pages 1 and 2 due to an error regarding the ASME A17.1; 2013 is the correct edition.

(continued next page)

(Summary of Rule Changes for 2016)

- Bulletin 05-2, Seismic Hazard Maps: This bulletin is updated to reflect the changes within the 2015
  International Building Code and includes an example of utilizing the USGS's online software to obtain seismic
  criteria.
- **Bulletin 03-5, Special Inspections:** This bulletin is updated to reflect the changes within the 2015 International Building Code.
- Bulletin 03-4, Wind Speed Map: This bulletin is simplified and contains an example of how to utilize the Applied Technology Council's online software to obtain wind speed.
- Bulletin 94-8, Ground Snow Loads: This bulletin adds an example of how to utilize the Applied Technology Council's online software to obtain ground snow load.

# Wireless Alarm Systems – Installation

(Letter to Construction Officials – July 28, 2016)

It has come to the Department's attention that some municipal code enforcement offices are requiring Uniform Construction Code (UCC) permits for the installation of wireless alarm systems, including supplemental security, fire detection, and home automation systems. Therefore, I am writing to remind you that the installation of wireless systems is categorized as ordinary maintenance (N.J.A.C. 5:23-2.17A(c )5i., ii., and iv.). The Department has published articles addressing these installations in the Construction Code Communicator ("Requirements for Supplemental Smoke or Heat Detector Installations for International Residential Code Buildings," 2008, Volume 20, No. 1, page 13; and "Wireless Systems and Permits," 2014, Volume 26, Number 1, page 9). These Construction Code Communicator articles may be found on the web site for the Department of Community Affairs, Division of Codes and Standards at <a href="http://www.nj.gov/dca/divisions/codes/publications/ccc.html">http://www.nj.gov/dca/divisions/codes/publications/ccc.html</a>. This letter provides direction regarding these installations.

Ordinary Maintenance (N.J.A.C. 5:23-2.7): A permit is not required for the installation of a supplemental wireless system; wireless systems are deemed to be ordinary maintenance. At N.J.A.C. 5:23-2.7(c)4.iii., the UCC specifies that the installation of battery-operated smoke detectors is ordinary maintenance. Because the UCC imposes no limitations regarding the installation of battery-powered devices in either ordinary electrical maintenance (N.J.A.C. 5:23- 2.7(c)3) or minor work (N.J.A.C. 5:23-2.17A(c)4), their installation is ordinary maintenance and does not require a permit. Furthermore, when a control panel has an attachment plug or modular plug (similar to one that comes with a computer or coffee pot) and no wire is run for the keypads, no permit is required. There is no inspection required for this type of work because there is no additional wiring to be inspected.

Minor Work (N.J.A.C. 5:23-2.17A): When any of the following conditions apply, the installation of a burglar alarm, fire alarm, or electronic security system requires a permit in conformance with the "minor work" provisions of the UCC: (1) The power supply requires running a low voltage wire(s) from a transformer to the control panel; (2) There are key pads or annunciators that require low voltage wiring; or (3) The low voltage wires require penetration of a fire-resistance rated assembly. In addition, at N.J.A.C. 5:23-2.15(b)7, Construction permits— application, to ensure compliance with N.J.S.A. 45:5A-18 et seq., the license number of the contractor must be provided on the permit application. Depending on the scope of work, the following licenses or certifications are acceptable: certification permit from the Division of Fire Safety; Individual Alarm Installer's License issued by the Board of Examiners of Electrical Contractors; or a New Jersey licensed electrical contractor.

The Department is planning to undertake a spot-checking initiative to ensure that the installation of wireless alarm systems is being appropriately categorized as ordinary maintenance with no permit requirement imposed. The Department's spot-checking initiative will also ensure that the installation of alarm systems that require wiring is being appropriately categorized as minor work and is being allowed to take place with notice to the code enforcement agency, submittal of a permit application within five business days from the date of the notice, and an inspection by the code enforcement agency within 30 days of the request for inspection.

Questions may be addressed to the Office of Regulatory Affairs at (609) 984-7672.

Source: Edward M. Smith

Director, Division of Codes and Standards

# **Kitchen Remodeling Projects**

(Reprint -- Volume 23 Number 3 Fall 2011)

The Department has been receiving questions on the enforcement of code requirements in kitchen remodeling or renovation projects. Some of the most frequently asked questions revolve around determining the category of work; others are concerned with permit requirements and code compliance when the work is ordinary maintenance. In this article, we will try to answer some of the most common questions as they have been asked of us.

Question 1: Bulletin 94-3 states that the installation of new and/or replacement cabinets does not need a permit and that only electrical or plumbing work requires permits. There is a discrepancy in this requirement in the categorization of the replacement or installation of cabinets as ordinary maintenance. N.J.A.C. 5:23-2.7(c)1vi refers to the replacement of a cabinet, which is singular, as in one cabinet, and only replacement, not the addition of new cabinets. **RESPONSE:** The text states: "The repair or replacement of any non-structural member such as a partition railing or kitchen cabinet." "Any... kitchen cabinet" can mean one -- or more than one - kitchen cabinet, so there is no discrepancy.

Question 2: N.J.A.C. 5:23-2.7(c)1ii refers to "repair or replacement of 25% or more of interior finishes in any one room." The vast majority of kitchen cabinets replacements involve more than 25% of wall surfaces in the kitchen. Cabinetry is part of the interior finishes of a kitchen since they are permanently attached to the wall, they are not furniture or furnishings and are much more involved than installing paneling for which a permit is required. This should require a Building Technical Section for verification of compliance with N.J.A.C. 5:23-6.8 for materials, methods and attachment, especially for the upper cabinets.

RESPONSE: Because kitchen cabinets are not interior finishes, the 25% limitation does not apply to them.

Question 3: N.J.A.C. 5:23-2.7(b)4 and 5 refer to ordinary maintenance that "does not affect fire safety...[and] does not increase non-conformity with the regulations." Section 1901 of the International Residential Code, as adopted at N.J.A.C. 5:23-3.21, references clearances to combustibles above ranges and cooking appliances. At N.J.A.C. 5:23-3.4, the plan review and inspection responsibilities are assigned to the Fire Subcode Official. This clearly indicates the need for a Fire Technical Section to review and inspect for compliance with this regulation with regard to fire-related issues.

**RESPONSE:** Within the framework of the Uniform Construction Code (UCC), there is a distinction between requiring a construction permit and code compliance. Although a permit is not always required, the code requirements always apply. It is not unusual for code requirements to be associated with "ordinary maintenance" items. For example, the replacement of glazing in the side-light of a door is ordinary maintenance and therefore, no permit, inspection, or notice to the enforcing agency is required. However, the UCC requires that the glazing being installed be safety glazing. Regardless of whether a construction permit is required, the project must comply with the UCC. The same holds true for the clearances to combustibles above ranges and cooktops—a construction permit is not required, so a technical section is not required, but the code provisions do apply.

Question 4: N.J.A.C. 5:23-2.17A(c)1ii refers to requiring a minor work permit for "renovation provided no primary structures are altered and the project is not a reconstruction." A kitchen is, by definition, a renovation project and possibly even a reconstruction, since it usually takes from 1 to 4 weeks to do the project and the room, in some cases, cannot be used or occupied during the progress of work. This puts most kitchen renovations, at the very least, in the scope of minor work and, in some cases, a major project. Very few kitchen projects are replacement of cabinets only. **RESPONSE:** Reconstruction, by definition, is work that is so extensive that it not only encompasses the entire primary function space, use group, or tenancy, but also requires a new certificate of occupancy. Therefore, remodeling a kitchen is never a reconstruction project. We agree that a kitchen remodeling project can be, and often is, minor work. As a reminder, in a kitchen remodeling project, the cabinets would be exempt from the permit; only work that requires a permit should be included in the permit application and in the calculation of the fee.

One of the most basic, foundational ideas of the UCC is that its requirements be predictable; another is that its enforcement be uniform. Questions should be directed to the Code Assistance Unit at (609) 984-7609.



# **Construction Code Communicator Index 2016**

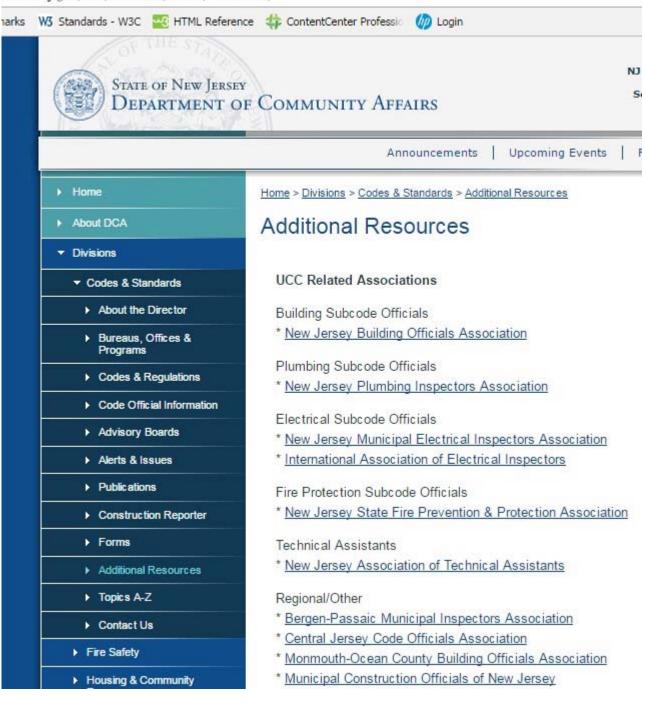
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| Board of Landscape Irrigation Contractors Now Part of Codes & Standards  | Administrative      | 3           | 6         |  |
| Bureau of Housing Inspection Responsibilities for UCC Officials  | Administrative      | 2           | 7         |  |
| Building America Solution Center – Energy Subcode  | Energy              | 1           | 5         |  |
| Building Thermal Envelope Values of ASHRAE 90.1-2013   | Energy              | 1           | 1         |  |
| Bulletin 15-1 Correction   | Fire                | 1           | 4         |  |
| Chimney Liners – Required or Not Required  | Plumbing/Mechanical | 3           | 4         |  |
| CO Not Contingent on Commissioning   | Energy              | 3           | 8         |  |
| Construction Code Communicator Index 2016  | Administrative      | 4           | 9         |  |
| Construction Official's Responsibility Regarding Hotels and Multiple Dwellings                                     | Administrative      | 1           | 4         |  |
| Construction Permit Application Packet & Related Forms Usage   | Administrative      | 2           | 13        |  |
| Continuous Insulation and Notes  | Building/Energy     | 3           | 1         |  |
| Current Nationally Recognized Testing Laboratories (NRTLs)   | All                 | 1           | 8         |  |
| Day Care Classified as Institutional Group I-4   | Building            | 3           | 8         |  |
| December 2015 Construction Highlights  | Administrative      | 1           | 13        |  |
| Dementia Care Homes - Transfer of Jurisdiction from DCA to DOH   | Administrative      | 2           | 10        |  |
| Determining the Height of a High-Rise Building   | Building/Fire       | 2           | 11        |  |
| Digital Signatures and Seals for NJ Architects   | Administrative      | 4           | 3         |  |
| Dwelling Unit Ventilation Required   | Building/Energy     | 2           | 12        |  |
| Energy Subcode Online Training   | Energy              | 1           | 5         |  |
| Exterior Wall Ductwork   | Building/Energy     | 2           | 11        |  |
| Fire Escapes (FTO-3) Update  | Building/Fire       | 3           | 10        |  |
| Fire Safety and Evacuation Plans   | Fire                | 1           | 5         |  |
| Fire Separation Distance Based on Materials  | Building/Fire       | 1           | 4         |  |
| Footing and Foundation Inspection for Class 1 Buildings  | Building            | 1           | 8         |  |
| Garage Step-Up   | Building            | 3           | 11        |  |
| Generators Revisited!  | Electrical          | 1           | 9         |  |
| Installation of Manufactured Homes   | Administrative      | 3           | 9         |  |
| Installing Insulation in Existing Buildings  | Building/Energy     | 2           | 10        |  |

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| Kitchen Remodeling Projects   | Administrative    | 4     | 8     |
| Kitchen Sinks and the ICC/ANSI A117.1-2009  | Barrier Free      | 3     | 11    |
| Landscape Irrigation Contractor Board Now at DCA  | Administrative    | 2     | 11    |
| Licensing Requirements and Submitting Permits for the Installation and Service of Magnetic and Mag Locks/Access Control Devices | Electrical/Fire   | 3     | 5     |
| Licensing Requirements for Fire Protection, Security System and Locksmithing Construction Permits                               | Electrical/Fire   | 2     | 6     |
| Multiple Motor Vehicle Dealerships  | Building/Fire     | 1     | 7     |
| NJ DOL Registration of Liquid Carbon Dioxide CO2<br>Carbonated Beverage Systems   | Pluming/Fire      | 3     | 5     |
| Nonresidential Development Fee, Part 2  | Administrative    | 1     | 12    |
| Permit Extension Act Extended for Superstorm Sandy-Impacted Counties  | Administrative    | 4     | 2     |
| Plumbing Technical Section Required for Backflow Preventers   | Plumbing/Fire     | 1     | 4     |
| Photovoltaic Panels and Modules on Roofs  | Electrical/Fire   | 3     | 10    |
| Raise the Roof – Energy Subcode   | Building/Energy   | 2     | 9     |
| Rehab and Energy Subcode Update   | Energy            | 3     | 13    |
| Rehabilitation Subcode Update – Incorporating 2014/2015 Model Codes   | All               | 4     | 3     |
| Seeing Double – Tables R404.1.2(2) and (8) of IRC/2015  | Building          | 3     | 2     |
| Shower Pan Inspections  | Plumbing          | 3     | 17    |
| Smoke Alarm and Carbon Monoxide (CO) Alarm Compliance   | All               | 3     | 2     |
| State New Home Builder Registration FYI   | Administrative    | 2     | 12    |
| Summary of Rule Changes for 2016  | All               | 4     | 5     |
| Swimming Pool Definition – IRC/2015   | Building/Plumbing | 2     | 5     |
| Swimming Pools & Spas - Plan Review & Inspections (Memo to CO's – July 11, 2016)  | Bldg/Plumb/Elec   | 4     | 3     |
| The 35th Annual Building Safety Conference of New Jersey  | All               | 2     | 2     |
| Type NM cable in Suspended Ceilings   | Electrical        | 3     | 15    |
| Typo in Bulletin 03-5   | Building/Fire     | 3     | 2     |
| UCC Related Associations  | All               | 4     | 11    |
| US Census Bureau: Building Permits Survey   | Administrative    | 2     | 8     |
| Utility Solar Projects  | Electrical        | 1     | 9     |
| What is a Rooming/Boarding House?   | Administrative    | 1     | 6     |
| When is an Additionan Addition?   | Building          | 2     | 13    |
| Windowless Basement - Sprinkler or Supervised Automatic Fire Alarm  | Fire              | 1     | 11    |
| Wind Design Criteria IRC/2015   | Building          | 3     | 14    |
| Wireless Alarm Systems – Installation (Letter to CO – July 28, 2016)  | Electrical/Fire   | 4     | 7     |
| Working Clearances and 110.26 of the NEC  | Electrical        | 3     | 16    |

#### **UCC Related Associations**

If you haven't noticed, there is a page on the Division's website that reflects the associated trades and organizations that represent the working code officials throughout the State. The division does its best to maintain the links so that people may find the related information they are looking for. If an organization should be represented or that any corrections should be made to the current list, please contact us at (609) 984-7609 or codeassist@dca.nj.gov.

www.nj.gov/dca/divisions/codes/resources/





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