



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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Philip D. Murphy
Governor

Lt. Governor Sheila Y. Oliver
Commissioner

UCC SUMMARY OF RULE CHANGES -- SUMMER 2022 UPDATE

August 1, 2022, *New Jersey Register*

N.J.A.C. 5:23-3.14 and 3.21 – Notice of Administrative Correction – This adoption incorporates requirements for the design and construction of playgrounds for the public use with surface, inspection, and maintenance requirements that are in accordance with the appropriate accessibility standards.

September 6, 2022, *New Jersey Register*

N.J.A.C. 5:23-5:23-3.14, 3.16, 3.17, 3.18, 3.20, 3.21, and 3.22 – Subcodes other than plumbing – This adoption revises the building subcode, electrical subcode, fire protection subcode, energy subcode, mechanical subcode, one- and two-family dwelling subcode and fuel gas subcode to the applicable 2021 I-codes and the 2020 National Electrical Code.

September 19, 2022, *New Jersey Register*

N.J.A.C. 5:23-3.15 – Plumbing Subcode – This adoption revises the plumbing subcode to the 2021 National Standard Plumbing Code.

Bulletins - <https://www.nj.gov/dca/divisions/codes/resources/bulletins.html>

- 95-1D, Removal/Abandonment of Underground Storage Tanks Regulated by DEP - Revised
- 03-5, Special Inspections - Revised
- 19-1, Design Loads for Ground Snow, Wind and Seismic – Revised
- 19-2, Energy Subcode Compliance – Withdrawn
- 22-1, Energy Subcode Compliance – New

NOTE: This summary lists only those changes to the regulations initiated by the Department of Community Affairs. There may be other replacement pages included in this transmittal as a result of formatting changes (changes to the arrangement of text on the page) made by the publisher, administrative corrections made by the Office of Administrative Law, or recently decided court cases which are listed in the notes following each section.

Notices of Adoption: **New Jersey Register** – August 1, 2022; September 6, 2022; and September 19, 2022.

The following is a courtesy copy of the August and September 2022 updates for your “blue binder” copy of the Uniform Construction Code (UCC), N.J.A.C. 5:23. This is the FINAL printed update that will match the UCC format as you have known it for years and one will need to use the online version in the future and print out pages in the new format and update as one sees fit.

FILING INSTRUCTIONS

NEW JERSEY ADMINISTRATIVE CODE UPDATE SERVICE

Title 5:23—Uniform Construction Code
Title 5:23A—Construction Boards of Appeals

November 30, 2022 Update

NOTE TO SUBSCRIBER: The enclosed pages contain the legally adopted text of all Title 5:23 and 5:23A rule changes published in the New Jersey Register as of July 18, 2022. Please replace the pages of Title 5:23 (last updated on August 31, 2022) with the pages enclosed as indicated below.

Remove the following pages:

title, copyright
vii through x.....
State UCC Regulations
23-1 through 23-2
23-42.1 through 23-58.40.....

Insert the following pages:

title, copyright
vii through x.....
State UCC Regulations
23-1 through 23-2
23-42.1 through 23-58.40.....

**AS A RECORD OF REPLACED PAGES, RETAIN
THESE INSTRUCTIONS AT THE FRONT OF
YOUR UNIFORM CONSTRUCTION CODE VOLUME.**

TITLE 5

**CHAPTER 23
UNIFORM CONSTRUCTION CODE REGULATIONS**

**CHAPTER 23A
CONSTRUCTION BOARDS OF APPEALS**

Current through October 3, 2022

(See the New Jersey Register and the New Jersey Administrative Code
for subsequent rule changes.)

Chapter 23 expires on February 9, 2029.
Chapter 23A expires on December 17, 2027.



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Division of Codes and Standards
Trenton, New Jersey 08625-0802

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New Jersey Administrative Code

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**CERTIFICATION OF OFFICIAL TEXT
AND
LIST OF VALID PAGES**

**N.J.A.C. 5:23
UNIFORM CONSTRUCTION CODE REGULATIONS**

**N.J.A.C. 5:23A
CONSTRUCTION BOARDS OF APPEALS**

Supplement November 30, 2022

I, Laura Sanders, Director and Chief Administrative Law Judge of the Office of Administrative Law, pursuant to the authority of N.J.S.A. 52:14B-7, do hereby supplement Title 5:23 (Uniform Construction Code) and 5:23A (Construction Boards of Appeals). The pages issued with this supplement contain the text of all Title 5:23 and 5:23A rule changes adopted and filed with the Office of Administrative Law and promulgated in the New Jersey Register through October 3, 2022.

A list of “Valid Title 5:23 and 5:23A Pages” begins on the following page and provides a means for determining whether this title contains the proper pages. Every page in Title 5:23 and 5:23A, along with the page’s current supplement date, is listed. A page is valid if the page number and supplement date on the list match the page number and “Supp.” date at the bottom of the appropriate page.

VALID TITLE 5:23 AND 5:23A PAGES
(Current through October 3, 2022)

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CHAPTER 23

UNIFORM CONSTRUCTION CODE

Authority

N.J.S.A. 52:27D-119 et seq.

Source and Effective Date

Effective: February 9, 2022.
See: 54 N.J.R. 422(a).

Chapter Expiration Date

Chapter 23, Uniform Construction Code, expires on February 9, 2029.

Chapter Historical Note

Chapter 23, Uniform Construction Code, was adopted as R.1976 d.344, d.345, d.346 and d.347, effective January 1, 1977 and codified as Subchapter 1, General Provisions; Subchapter 2, Administration and Enforcement Process; Subchapter 3, Subcodes, and Subchapter 4, Enforcing Agencies: Duties, Powers, Procedures. See: 8 N.J.R. 216(b), 319(a), 370(d), 414(a); 8 N.J.R. 546(a). Chapter 23, Uniform Construction Code, superseded N.J.A.C. 5:16, Standard Building Code and N.J.A.C. 5:20, Safety Glazing Materials, which were repealed by R.1978 d.360, effective October 6, 1978. See: 10 N.J.R. 377(a), 10 N.J.R. 470(a). Chapter 23, Uniform Construction Code, also superseded N.J.A.C. 5:21, Uniform Standards Code for Mobile Homes, which was repealed by R.1982 d.7, effective February 1, 1982. See: 13 N.J.R. 717(a), 14 N.J.R. 142(a).

Subchapter 5, Licensing of Code Enforcement Officials, was adopted as R.1977 d.304, effective October 1, 1977. See: 9 N.J.R. 257(b), 9 N.J.R. 413(b). Subchapter 6, Tax Exemption for Solar Facilities, was adopted as R.1978 d.334, effective September 18, 1978. See: 10 N.J.R. 222(b), 10 N.J.R. 418(a).

Pursuant to Executive Order No. 66(1978), Subchapter 6, Tax Exemption for Solar Facilities, was readopted as R.1980 d.303, effective July 1, 1980. See: 12 N.J.R. 249(c), 12 N.J.R. 452(c).

Pursuant to Executive Order No. 66(1978), Chapter 23, Uniform Construction Code, was readopted as R.1983 d.144, effective April 26, 1983. See: 14 N.J.R. 1247(a), 15 N.J.R. 803(c).

Subchapter 7, Barrier Free Subcode, was adopted as R.1986 d.448, effective November 3, 1986. See: 18 N.J.R. 757(a), 18 N.J.R. 2194(a).

Subchapter 8, Asbestos Hazard Abatement Subcode, was adopted as Emergency New Rules R.1985 d.362, effective June 18, 1985 (expired August 17, 1985). See: 17 N.J.R. 1782(a).

Pursuant to Executive Order No. 66(1978), the provisions of R.1985 d.362 were readopted as R.1985 d.472, effective August 16, 1985. See: 17 N.J.R. 2249(a).

Pursuant to Executive Order No. 66(1978), Chapter 23, Uniform Construction Code, was readopted as R.1988 d.168, effective March 22, 1988. N.J.A.C. 5:23-6.1, 6.2 and 6.3, concerning tax exemption for solar facilities, were not readopted and expired on April 1, 1988. See: 20 N.J.R. 223(a), 20 N.J.R. 893(a).

Subchapter 9, Code Interpretations, was adopted as R.1988 d.195, effective May 2, 1988. See: 20 N.J.R. 224(a), 20 N.J.R. 977(a).

Subchapter 10, Radon Hazard Subcode, was adopted as R.1990 d.226, effective May 7, 1990. See: 21 N.J.R. 3696(a), 22 N.J.R. 1356(a).

Subchapter 4A, Industrialized/Modular Buildings and Building Components, was adopted as R.1990 d.313, effective June 18, 1990, (operative July 1, 1990). See: 22 N.J.R. 691(a), 22 N.J.R. 1915(b).

Subchapter 11, Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, was adopted as R.1992 d.33, effective January 21, 1992. See: 23 N.J.R. 1730(b), 24 N.J.R. 229(c).

Subchapter 12, Safety Subcode, was adopted as R.1991 d.325, effective July 1, 1991. See: 23 N.J.R. 805(a), 23 N.J.R. 2046(a).

Pursuant to Executive Order No. 66(1978), Chapter 23, Uniform Construction Code, was readopted as R.1993 d.106, effective February 3, 1993. See: 24 N.J.R. 1420(b), 25 N.J.R. 920(a).

Subchapter 4B, Manufactured Homes and Manufactured Home Add-On Units Not Subject to Federal Regulation, and Subchapter 4C, Enforcement of Federal Manufactured Home Standards, were adopted as R.1994 d.96, effective February 22, 1994. See: 25 N.J.R. 5388(a), 26 N.J.R. 1073(a).

N.J.A.C. 5:23-7.1 through 7.99 were repealed and 7.100 through 7.116 were recodified as 7.2 through 7.18 by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995). See: 26 N.J.R. 2698(a), 26 N.J.R. 2524(a), 27 N.J.R. 1180(a).

Subchapter 11, Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, was repealed by R.1995 d.612, effective December 4, 1995 (operative July 1, 1995). See: 27 N.J.R. 3518(a), 27 N.J.R. 4885(a).

Pursuant to Executive Order No. 66(1978), Chapter 23, Uniform Construction Code, was readopted as R.1997 d.409, effective September 9, 1997. As a part of R.1997 d.409, effective October 6, 1997, Subchapter 6, Tax Exemption, was repealed. See: 29 N.J.R. 2736(a), 29 N.J.R. 4281(a).

Subchapter 6, Rehabilitation Subcode, was adopted as R.1998 d.28, effective January 5, 1998. See: 29 N.J.R. 3603(a), 30 N.J.R. 129(a).

Subchapter 12A, Optional Elevator Inspection Program, was adopted as R.1998 d.480, effective September 21, 1998. See: 30 N.J.R. 1119(b), 30 N.J.R. 3461(a).

Subchapter 11, Playground Safety Subcode, was adopted as R.1999 d.351, effective October 18, 1999. See: 31 N.J.R. 1838(a), 31 N.J.R. 3082(a).

Subchapter 3A, State-Jurisdiction Subcodes, was adopted as R.2001 d.303, effective September 4, 2001. See: 33 N.J.R. 1991(a), 33 N.J.R. 2989(a).

Chapter 23, Uniform Construction Code, was readopted as R.2003 d.70, effective January 15, 2003. See: 34 N.J.R. 351(a), 35 N.J.R. 1054(a).

Chapter 23, Uniform Construction Code, was readopted as R.2008 d.188, effective June 13, 2008. See: 39 N.J.R. 2578(a), 40 N.J.R. 4314(a).

Subchapter 4B, Manufactured Homes and Manufactured Home Add-On Units Not Subject To Federal Regulation, was renamed Manufactured Homes and Manufactured Home Add-On Units; and Subchapter 4D, Recreational Park Trailers, was adopted as new rules by R.2008 d.213, effective August 4, 2008. See: 39 N.J.R. 2411(a), 40 N.J.R. 4523(b).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 23, Uniform Construction Code, was scheduled to expire on June 13, 2015. See: 43 N.J.R. 1203(a).

Chapter 23, Uniform Construction Code, was readopted, effective March 25, 2015. See: 47 N.J.R. 781(c).

Subchapter 4B, Manufactured Homes and Manufactured Home Add-On Units, and Subchapter 4C, Enforcement of Federal Manufactured Home Standards, were repealed by R.2019 d.083, effective August 5, 2019. See: 51 N.J.R. 3(a), 51 N.J.R. 1269(a).

Public Notice: Notice of Permit Extensions. See: 52 N.J.R. 1682(a).

Chapter 23, Uniform Construction Code, was readopted, effective February 9, 2022. See: Source and Effective Date.

Cross References

Child care center physical facility requirements, see N.J.A.C. 10:122-5.1 et seq.

Children’s group home physical facility requirements, see N.J.A.C. 10:128-4.1 et seq.

Children’s shelter physical facility requirements, see N.J.A.C. 10:124-5.1 et seq.

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APPENDIX 3-A. NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS DIVISION OF CODES AND STANDARDS CODE CHANGE PROPOSAL REHABILITATION SUBCODE (N.J.A.C. 5:23-6)

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(b) A DEP permit for the installation, repair or closure of an underground storage tank system that requires a DEP approval, or any part thereof, or an emergency permit granted pursuant to N.J.A.C. 7:14B, shall be a prior approval for any permit application submitted pursuant to the State Uniform Construction Code Act and these rules. Applicants installing secondarily contained systems for which no prior DEP approval is necessary shall be required to submit engineering drawings of the secondarily contained systems and to certify that the underground storage tank system meets all requirements of N.J.A.C. 7:14B.

(c) Construction code officials shall retain all penalty powers, as set forth in these rules, with respect to the installation, usage or closure (demolition) of underground storage tank systems and parts thereof in violation of the State Uniform Construction Code Act or these rules.

(d) The following types of underground storage tank systems requiring a construction permit are exempt from the requirements of N.J.A.C. 7:14B:

1. Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. Tanks with a capacity of 2,000 gallons or less used to store heating oil for onsite consumption in a nonresidential building;
3. Tanks used to store heating oil for onsite consumption in a residential building;
4. Septic tanks installed in compliance with rules adopted by DEP pursuant to P.L. 1954, c.199 (N.J.S.A. 58:11-23 et seq.);
5. Tanks situated in an underground area, including, but not limited to, basements, cellars, mines, drift shafts, or tunnels, if the storage tank is situated upon or above the surface of the floor;
6. Tanks situated in an underground area, including, but not limited to, basements, cellars, mines, drift shafts, or tunnels, if the storage tank is equipped with secondary containment and is uncovered so as to allow visual inspection of the exterior of the tank;
7. Wastewater treatment tanks;
8. Electrical equipment;
9. Hydraulic lift tanks; and
10. Any pipes, lines, fixtures, or other equipment connected to any tank exempted from the provisions of N.J.A.C. 7:14B as set forth in (b)1 to 9 above.

New Rule, R.1990 d.562, effective November 19, 1990.

See: 22 N.J.R. 2629(c), 22 N.J.R. 3482(d).

Amended by R.1997 d.409, effective October 6, 1997.

See: 29 N.J.R. 2736(a), 29 N.J.R. 4281(a).

In (d)3, deleted maximum capacity for tanks of 2000 gallons.

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

In (d)3, deleted "with a capacity of 2000 gallons or less" following "Tanks".

5:23-3.12 Amended rules

Whenever the Commissioner shall make any modifications to the rules, notice of same shall be published in the New Jersey Register.

Amended by R.1995 d.544, effective October 16, 1995.

See: 27 N.J.R. 2827(a), 27 N.J.R. 3933(a).

Amended by R.2000 d.413, effective October 16, 2000.

See: 32 N.J.R. 2278(a), 32 N.J.R. 3783(a).

Rewrote the section.

5:23-3.13 Code change proposals

(a) The following apply to State-sponsored model code change proposals:

1. Any private party, municipality, other political subdivision, or agency of the State seeking to submit a State-sponsored model code change proposal shall do so not less than 240 days prior to the code change meeting of the model code adoption agency for which the amendment is being proposed.

2. Such proposal shall be on a form provided by the model code organization where one is available. If none is available, such proposal shall state the name and address of the party or official proposing the model code change, the company, agency, or political subdivision represented, if applicable, the text of the amendment suggested and an explanation of the amendment together with any technical justification deemed necessary by the proponents.

3. A hearing shall thereafter be held in accordance with N.J.S.A. 52:27D-124 of the Act.

4. Copies of the submitted applications for model code change proposals, transcripts of hearings on such applications, and State-sponsored model code change proposals, as adopted, shall be available from the Department at a fee of \$.50 per page.

5. Whenever a model code change hearing is scheduled so as not to allow adequate time to meet the procedures set forth in this section and in N.J.S.A. 52:27D-124 of the Act, the Commissioner may hold a hearing and require the advice of the Code Advisory Board within a lesser time period, as the situation dictates.

(b) The following apply to rehabilitation subcode code change proposals:

1. Proposals for code changes to the rehabilitation subcode (N.J.A.C. 5:23-6) may be submitted to the Department at any time. Those rehabilitation subcode code change proposals submitted by January 31 shall be considered with the changes received during the previous calendar year.

2. A rehabilitation subcode code change proposal shall include the following information:

- i. The name, organization, mailing address, telephone number, facsimile number, and e-mail address of the proponent of the proposed code change;
- ii. The primary section of the rehabilitation subcode proposed for change and any other section(s) where corresponding changes are required. Language proposed for deletion shall be presented in brackets and language proposed for addition shall be underlined; and
- iii. A description and supporting statement for the proposed code change.

3. Rehabilitation subcode code change proposals may be submitted on the form provided in subchapter Appendix 3-A, incorporated herein by reference.

4. Rehabilitation subcode code change proposals shall be submitted to the Code Development Unit, Department of Community Affairs, Division of Codes and Standards, PO Box 802, Trenton, New Jersey 08625. Code change proposals may be faxed to the Code Development Unit at (609) 984-7717 or (609) 633-6729.

5. A public hearing for rehabilitation subcode code change proposals shall be held prior to a scheduled Code Advisory Board meeting. The date and time of the public hearing on rehabilitation subcode code change proposals may be obtained by contacting the Code Development Unit at (609) 984-7609.

(c) The following apply to code change proposals to other State-developed subcodes:

1. Proposals for code changes to other State-developed subcodes may be submitted to the Department at any time and shall include the information outlined in (b)2 above.
2. Code change proposals to other State-developed subcodes shall be submitted to the Code Development Unit in accordance with (b)4 above.

Amended by R.2004 d.261, effective July 6, 2004.

See: 36 N.J.R. 1267(a), 36 N.J.R. 3275(a).

Rewrote the section.

Amended by R.2005 d.342, effective October 17, 2005.

See: 37 N.J.R. 2325(a), 37 N.J.R. 3974(a).

In (a)1, added "private party," and substituted "240" for "90"; in (a)2, added "party or", "company," ",", following "agency", and "if applicable,"; added (c).

5:23-3.14 Building subcode

(a) Rules concerning the building subcode are as follows:

1. Pursuant to authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the International Code Council, 2021

International Building Code, known as the "IBC/2021." This code is hereby adopted by reference as the building subcode for New Jersey subject to the modifications stated at (b) below.

- i. Copies of this code may be obtained from the International Code Council at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.
- ii. The IBC/2021, as amended, may be known and cited as the "building subcode."

2. Any references to the International Plumbing Code or the International Existing Building Code listed in Chapter 35 shall be considered a reference to the plumbing subcode, N.J.A.C. 5:23-3.15, or to the rehabilitation subcode, N.J.A.C. 5:23-6, as appropriate.

(b) The following chapters of the building subcode are modified as follows:

1. Chapter 1, Scope and Administration, shall be deleted in its entirety. In addition, any referenced section of Chapter 1 shall be deleted throughout the code and "the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)" shall be inserted.

2. Chapter 2, Definitions, shall be amended as follows:

- i. The definition of "addition," shall be deleted.
- ii. In the definition of agricultural buildings, "A structure qualifying under the Uniform Construction Code definition of a Commercial Farm Building may be built according to the regulations at N.J.A.C. 5:23-3.2(d)" shall be inserted after the last sentence.
- iii. The definition of "alteration" shall be deleted.
- iv. The definition of "approved" is modified to add the words "or other appropriate subcode official" after the words "building official."
- v. The definition of "building" shall be deleted and the following shall be inserted: "BUILDING. A structure enclosed with exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing shelter, enclosure and support of individuals, animals or property of any kind. When used herein, building and structure shall be interchangeable except where the context clearly indicates otherwise."
- vi. The definition of "ambulatory care facility" shall be amended as follows: the phrase, "who are rendered incapable of self-preservation by the services provided or staff has accepted the responsibility for care recipients already incapable" shall be deleted and "where evacuation is impractical" shall be inserted.

- vii. The definition of “building line” shall be deleted.
- viii. The definition of “building official” shall be deleted and the following shall be inserted: “BUILDING SUBCODE OFFICIAL. A qualified person appointed by the municipal appointing authority or the commissioner pursuant to the act and the regulations to enforce the provisions of the building subcode within the jurisdiction of the enforcing agency.”
- ix. The definition of “change of occupancy” shall be deleted.
- x. The definition of “clinic, outpatient” shall be amended as follows: the phrase “who are not rendered incapable of self-preservation by the services provided” shall be deleted, and “where evacuation is slow” shall be inserted.
- xi. The definition of “deferred submittal” shall be deleted.
- xii. The definition of “detoxification facilities” shall be amended as follows: the phrase “who are incapable of self-preservation or are harmful to themselves or others” shall be deleted, and “where evacuation is impractical” shall be inserted.
- xiii. In the definition of “dwelling unit,” “living as a single housekeeping unit” shall be inserted after “persons.”
- xiv. The definition of “evacuation, impractical” shall be inserted as follows:
“EVACUATION, IMPRACTICAL. The movement of all occupants, residents and staff to an exit in more than 13 minutes.”
- xv. The definition of “evacuation, slow” shall be inserted as follows:
“EVACUATION, SLOW. The movement of all occupants, residents and staff to an exit in more than 3 minutes, but not more than 13 minutes.”
- xvi. The definition of “existing building” shall be deleted.
- xvii. The definition of “existing structure” shall be deleted.
- xviii. The definition of “foster care facilities” shall be deleted.
- xix. The definition of “historic building” shall be deleted.
- xx. The definition of “hospitals and psychiatric hospitals” shall be amended as follows: “who are incapable of self-preservation” shall be deleted, and “where evacuation is impractical” shall be inserted.
- xxi. The definition of “incapable of self-preservation” shall be deleted. This deletion shall include its cross-reference definition of the term “self-preservation, incapable of.”
- xxii. The definition of “jurisdiction” shall be deleted.
- xxiii. The definition of “lodging house” shall be deleted.
- xxiv. In the definition of “merchandise pad,” “as indicated in Section 105.2” shall be deleted.
- xxv. A definition of “nightclub” shall be inserted as follows:
“NIGHTCLUB. All buildings and places of public assembly designed for use as dance halls, eating and/or drinking establishments, and similar occupancies, in which the established maximum permitted occupant load exceeds the number of seats provided by more than 30 percent or which affords less than 12 square feet net area per occupant. For purposes of determining the net area per occupant, only the actual public assembly room or rooms shall be considered. For purposes of applying the requirements of this code, the nightclub shall include all rooms, lobbies and other spaces connected thereto with a common means of egress and entrance.”
- xxvi. The definition of nursing home shall be amended as follows: the phrase “incapable of self-preservation” shall be deleted, and “of impractical evacuation” shall be inserted.
- xxvii. The definition of “owner” shall be deleted and the following shall be inserted: “OWNER. The owner or owners in fee of the property of a lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, lessee or any other person, firm or corporation, directly or indirectly in control of a building, structure or real property and shall include any subdivision thereof of the State.”
- xxviii. The definitions of “permit” and “person” shall be deleted.
- xxix. A definition of “radioactive material” shall be inserted as follows:
“RADIOACTIVE MATERIAL. Any material or combination of materials that spontaneously emit ionizing radiation.”
- xxx. The definition of “Registered Design Professional in Responsible Charge” shall be deleted.
- xxxi. The definition of the “Relocatable Building” shall be deleted.
- xxxii. The definition of “repair” shall be deleted.
- xxxiii. The definition of the “residential health care facility” shall be inserted as follows:
“RESIDENTIAL HEALTH CARE FACILITY. A facility not located with, and operated by, a licensed health care facility that provides food, shelter, supervised health care and related services, in a homelike setting, to four or more persons 18 years of age or older who are unrelated to the owner or administrator.”

xxxiv. The definition of “rooming house” shall be inserted as follows: “ROOMING HOUSE: A building arranged or used for single occupancy where no meals or personal or financial services are provided to the residents. For the purposes of applying this definition, personal services shall mean, any services permitted or required to be furnished by an owner or operator to a resident, other than shelter, including but not limited to, meals or other food services, and assistance in dressing, bathing or attending to other personal needs.”

xxxv. The definition of “single residential occupancy” shall be inserted as follows:

“SINGLE RESIDENTIAL OCCUPANCY: A building arranged or used for individual non-transient residency by persons living independently of one another, regardless of whether the residents share the use of common facilities, such as kitchen or bathing facilities.”

xxxvi. In the definition of “Special Inspector,” “building official” shall be deleted and “construction official” shall be inserted. Additionally, the following sentence shall be added: “Special inspectors shall be certified in accordance with the administrative provisions of the Uniform Construction Code.”

xxxvii. The definition of “structure” shall be deleted and the following shall be inserted: “STRUCTURE. A combination of materials to form a construction for occupancy, use, or ornamentation, whether installed on, above, or below the surface of a parcel of land; provided the word “structure” shall be construed when used herein as though followed by the phrase “or part or parts thereof and all equipment therein” unless the context clearly requires a different meaning.

xxxviii. The definitions of the terms “substantial improvement” and “substantial damage” shall be deleted.

xxxix. The definition of “Type B Unit” shall be deleted.

3. Chapter 3, Use and Occupancy Classification, shall be amended as follows:

i. In Table 307.1(2), Maximum Allowable Quantity Per Control Area of Hazardous Materials Posing a Health Hazard, the following shall be inserted as the fourth row of the table under “Material,” “Storage,” “Use-Closed Systems,” and “Use-Open Systems:”

Radioactive ^j	25 REM unsealed source	100 REM sealed source	25 REM sealed source
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j. Maximum dosage allowed in any single whole-body short-term (1 hour or less) exposure.

ii. In Section 307.6, High-hazard Group H-4, “Radioactive material” shall be inserted in the list of materials.

iii. Section 308.1, Institutional Group I, shall be amended as follows: In the fourth and fifth line, “who are or are not capable of self-preservation without physical assistance” shall be deleted and “where evacuation is slow or impractical” shall be inserted in its place.

iv. In Section 308.2, Institutional Group I-1, in the fourth line following “environment” a comma shall be inserted and “and” shall be deleted. In the fifth line, following the word “care” the following shall be inserted: “and are capable of slow evacuation.” Additionally, in the list, the word “treatment” shall be inserted following “drug” in the first item; “Assisted living facilities” and “Congregate care facilities” shall be deleted; and the terms “Boarding houses” and “Residential health care facilities” shall be inserted.

v. In Section 308.3, Group I-2, “who are incapable of self-preservation” shall be deleted and “where evacuation is impractical” shall be inserted. Additionally, “Assisted living facilities” shall be added to the list and “Foster care facilities” shall be deleted.

vi. In Section 308.3.1.1, Condition 1, at the end of the sentence, “and foster care facilities” shall be deleted.

vii. In Section 308.3.2, Five or fewer persons receiving medical care, in the sixth and seventh line delete “903.3.1.3 or with Section P2904 of the International Residential Code” and insert “903.3.1.1”.

viii. In Section 308.4, Institutional Group I-3, in the fourth and fifth lines “who are generally incapable of self-preservation” shall be deleted and “where evacuation is impractical” shall be inserted.

ix. Section 308.5.1, Classification as Group E, shall be deleted in its entirety.

x. In Section 310.2, Residential Group R-1, in the third line “in nature” shall be deleted. Additionally, the list of occupancies shall be deleted in its entirety and the following list inserted:

- “Hotels
- Motels
- Vacation timeshare properties”

xi. In Section 310.3, Residential Group R-2, in the third line “in nature” shall be deleted. Additionally, the following shall be deleted from the list of occupancies: “Boarding houses (non-transient),” “Congregate living facilities (non-transient) with more than 16 occupants,” “Hotels (non-transient),” “Motels (non-transient),” and “Vacation timeshare properties.” The following item shall be added to the list: “Rooming houses with more than 5 occupants”.

xii. In Section 310.4, Residential Group R-3, in the second and third line “in nature” shall be deleted. Additionally, in the list of occupancies, Congregate living facilities (nontransient) with 16 or fewer occupants, shall be

deleted and Boarding houses (non-transient) shall be amended by deleting “(non-transient),” and by inserting “with 5 or fewer occupants”. The terms “Convents,” “Dormitories,” “Fraternities and Sororities,” “Monasteries,” “Congregate living facilities (transient) with 10 or fewer occupants,” “Boarding Houses (transient),” and “Lodging houses with five or fewer guest rooms and 10 or fewer occupants” shall be deleted. The terms “Alcohol and drug treatment houses with 5 or fewer residents,” “Detached one- and two-family dwellings greater than three stories in height, multiple single-family townhouses greater than three stories in height, attached two-family dwellings separated from adjacent units by firewalls, and other one- and two-family dwellings that are outside the scope of the one- and two-family dwelling subcode,” “Group homes with five or fewer occupants in accordance with Section 308.2.4,” “Rooming houses with five or fewer occupants,” and “Single residential occupancies, accessory to a dwelling unit, having no more than five roomers or lodgers. (Single occupancies, accessory to a dwelling unit, having more than five roomers or lodgers shall be classified as Group R-2 or I-1, as appropriate.)” shall be inserted.

xiii. Section 310.4.1, Care facilities within a dwelling, and Section 310.4.2, Lodging houses, shall be deleted.

xiv. In Section 310.5, Residential Group R-4, in the fifth line following “environment” a comma shall be inserted and “and” shall be deleted. In the fifth line, following the word “care,” the following shall be inserted: “and are capable of slow evacuation”. Additionally, in the list, the word “treatment” shall be inserted following “drug” in the first item; “Assisted living facilities” and “Congregate care facilities” shall be deleted; and the term “Boarding houses” shall be inserted.

xv. New Section 310.6, Residential Group R-5, shall be inserted as follows: “Residential Group R-5 occupancies shall include all detached one- and two-family dwellings not more than three stories in height with a separate means of egress and multiple single-family townhouses not more than three stories in height with a separate means of egress designed and constructed in accordance with the International Residential Code. This Group shall also include:

Care facilities that provide accommodations for five or fewer persons receiving care;

Single residential occupancies, accessory to a dwelling unit, having no more than five roomers or lodgers. (Single occupancies, accessory to a dwelling unit, having more than five roomers or lodgers shall be classified as Group R-2 or I-1, as appropriate.);

Group Homes with 5 or fewer occupants in accordance with Section 308.2.4;

Rooming houses with five or fewer residents;

Cooperative sober living residences with not more than 10 occupants, excluding staff; each occupant, including staff, shall be capable of prompt evacuation.”

4. Chapter 4, Special Detailed Requirements Based on Use and Occupancy, shall be amended as follows:

i. In Section 402.8.3, Number of Means of Egress, “used by persons other than employees” shall be deleted.

ii. In Section 406.3.2.1, Dwelling unit separation, the last sentence shall be deleted.

iii. In Section 407.2.6, Nursing home cooking facilities, in the title, add “and Assisted Living” after home.

iv. In Section 407.11, Electrical systems, “Chapter 27” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

v. In Section 411.2, Automatic sprinklers, the exception shall be deleted in its entirety.

vi. In Section 414.1.3, Information required, “building official” shall be deleted in the first and third sentences and “fire protection subcode official” shall be inserted.

vii. Section 419, Artificial Decorative Vegetation, shall be deleted in its entirety.

viii. In Section 420, “I-2 Assisted Living” shall be inserted in the title.

(1) In Section 420.1, General, “I-2 Assisted living,” shall be inserted after “I-1.”

(2) In Section 420.4, Automatic sprinkler system, in the second sentence, “and I-2 Assisted living” shall be inserted after “I-1.”

(3) In Section 420.5, Fire alarm systems and smoke alarms, in the first sentence, “I-2 Assisted living,” shall be inserted after “I-1,” delete the second “and” and insert “,” between “R-1” and “R-2,” insert “and R-4” after “R-2,” delete the third “and” and insert “,” between “907.2.8” and “907.2.9” and insert “and 907.2.9A” after “907.2.9.”

(4) In Section 420.7, Group I-1 Assisted living housing units, in the title and in the first line, change “I-1” to “I-2;” delete Item #4; and in Item #5, change “Group I-1, Condition 2,” to “Group I-2, Condition 1.”

ix. In Section 422.2, Separation, the phrase “to be incapable of self-preservation at any time” shall be deleted, and “of impractical evacuation” shall be inserted.

x. In Section 422.6, Electrical systems, “Chapter 27” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

xi. Section 423, Storm Shelters, shall be deleted in its entirety.

5. Chapter 5, General Building Heights and Areas, shall be amended as follows:

i. Section 502, Building Address, shall be deleted in its entirety.

ii. Table 504.3 "ALLOWABLE BUILDING HEIGHT IN FEET ABOVE GRADE PLANE" shall be amended as follows:

(1) In the first column, OCCUPANCY CLASSIFICATION, Group U shall be deleted.

(2) In the first column, OCCUPANCY CLASSIFICATION, superscript ⁱ shall be inserted at Group I-4. In addition, the following note shall be added to the table: "i. Child-care facilities of Types IIB, III, IV, HT, or V construction shall be limited to 20 feet in height above grade plane."

(3) Footnotes c, d, e, f and h shall be deleted.

(4) Under Occupancy Classification H-1, H-2, H-3, and H-5, the NS in the second column shall be deleted.

(5) Under Occupancy Classification H-4, the row that begins with NS shall be deleted.

(6) Under Occupancy Classification I-1 Condition 1, I-3, the row that begins with NS shall be deleted.

(7) Under Occupancy Classification I-1 Condition 2, I-2, the row that begins with NS shall be deleted.

(8) Under the Occupancy Classification I-4, in the second column, the reference to footnote d shall be deleted from the NS.

(9) Under Occupancy Classification R, the row that begins with NS shall be deleted.

iii. Table 504.4, ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE, shall be amended as follows:

(1) Footnotes c, d, e, f, and h shall be deleted.

(2) Under construction Type VA for Group A-1 NS, "2" shall be deleted and "1" shall be inserted and for Group A-1 S, "3" shall be deleted and "2" shall be inserted.

(3) Under construction Type IB for Group A-2 NS, "11" shall be deleted and "3" shall be inserted and for Group A-2 S, "12" shall be deleted and "4" shall be inserted. Under construction Types IIA and IIB for Group A-2 NS, "3" and "2" shall be deleted and "2" and "1" shall be inserted, respectively, and for Group A-2 S, "4" and "3" shall be deleted and "3" and "2" shall be inserted, respectively. Under construction Types IIIA and IIIB for Group A-2 NS, "3" and "2" shall be deleted and "2" and "1" shall be inserted, respectively, and for Group A-2 S, "4" and "3" shall be deleted and "3" and "2" shall be inserted, respectively. Under construction Type IVC for Group A-2 NS "3" shall be deleted and "2" shall be inserted. Under construction Types IVB and IVC for Group A-2 S, "12" and "6" shall be deleted and "4" and "3" shall be

inserted, respectively. In addition, under construction Type IV HT for Group A-2 NS, "3" shall be deleted and "2" shall be inserted and for Group A-2 S, "4" shall be deleted and "3" shall be inserted. Finally, under construction Type VA for Group A-2 NS, "2" shall be deleted and "1" shall be inserted and for Group A-2 S, "3" shall be deleted and "2" shall be inserted.

(4) Under construction Type IB for Group A-3 NS, "11" shall be deleted and "5" shall be inserted and for Group A-3 S, "12" shall be deleted and "6" shall be inserted. Under construction Type IVB for A-3 S, "12" shall be deleted and "6" shall be inserted. In addition, under construction Type VA for Group A-3 NS, "2" shall be deleted and "1" shall be inserted and for Group A-3 S, "3" shall be deleted and "2" shall be inserted.

(5) Under construction Type IB for Group A-4 NS, "11" shall be deleted and "5" shall be inserted and for Group A-4 S, "12" shall be deleted and "6" shall be inserted. Under construction Type IVB for A-4 S, "12" shall be deleted and "6" shall be inserted. In addition, under construction Type VA for Group A-4 NS, "2" shall be deleted and "1" shall be inserted and for Group A-4 S, "3" shall be deleted and "2" shall be inserted.

(6) The allowable number of stories for Group A-5 NS and S, construction Types IIIB, IV, HT, VA, and VB shall be deleted.

(7) Under construction Type IB for Group B NS, "11" shall be deleted and "7" shall be inserted and for Group B S, "12" shall be deleted and "8" shall be inserted. Under construction Type IIIA for Group B NS, "5" shall be deleted and "4" shall be inserted and for Group B S, "6" shall be deleted and "5" shall be inserted. In addition, under construction Type IVB for B S, "12" shall be deleted and "8" shall be inserted.

(8) Under construction Type IB for Group F-1 NS, "11" shall be deleted and "6" shall be inserted and for Group F-1 S, "12" shall be deleted and "7" shall be inserted.

(9) Under construction Type IB for Group F-2 NS, "11" shall be deleted and "7" shall be inserted and for Group F-2 S, "12" shall be deleted and "8" shall be inserted.

(10) Under Occupancy Classifications H-1, H-2, H-3, H-4, and H-5, the row that begins with NS shall be deleted.

(11) Under construction Type IA for Group H-2 S, "UL" shall be deleted and "3" shall be inserted. In addition, for construction type VB for Group H-2 S, "1" shall be deleted and "NP" shall be inserted.

(12) Under construction Type IA for Group H-3 S, "UL" shall be deleted and "7" shall be inserted. In addition, under construction Type IIIA for Group H-3 S, "4" shall be deleted and "3" shall be inserted.

(13) Under construction Type IA for Group H-4 S, “UL” shall be deleted and “8” shall be inserted. In addition, under construction Type IIIA for Group H-4 S, “6” shall be deleted and “5” shall be inserted.

(14) Under Occupancy Classifications I-1, Condition 1, I-1, Condition 2, I-2, and I-3, the row that begins with NS shall be deleted.

(15) Under construction Type VA for Group I-3 S, “3” shall be deleted and “2” shall be inserted. In addition, under construction type VB for Group I-3 S, “2” shall be deleted and “NP” shall be inserted.

(16) Under OCCUPANCY CLASSIFICATION, add superscript “i” to Group I-4. In addition, the following note shall be added to the table: “i. Child care facilities of Types IIB, III, IV, HT, or V construction shall be limited to 1 story.”

(17) Under construction Type IB for Group M NS, “11” shall be deleted and “6” shall be inserted and for Group M S, “12” shall be deleted and “7” shall be inserted. Under construction Type IIIA for Group M NS, “4” shall be deleted and “3” shall be inserted and for Group M S, “5” shall be deleted and “4” shall be inserted. In addition, under construction Type IVB for M S, “8” shall be deleted and “7” shall be inserted. Finally, under construction Type VA for Group M NS, “3” shall be deleted and “2” shall be inserted and for Group M S, “4” shall be deleted and “3” shall be inserted.

(18) Under Occupancy Classifications R-1, R-2, R-3, and R-4 the row that begins with NS shall be deleted.

(19) Under construction Type IB for Group R-1 S, “12” shall be deleted and “10” shall be inserted. Under construction Type IIB for Group R-1 S, “5” shall be deleted and “4” shall be inserted. In addition, under construction Type IIIB for Group R-1 S, “5” shall be deleted and “4” shall be inserted. Finally, under construction Type IVB for R-1 S, “12” shall be deleted and “10” shall be inserted.

(20) Under construction Type IB for Group R-2 S, “12” shall be deleted and “10” shall be inserted. Under construction Type IIB for Group R-2 S, “5” shall be deleted and “4” shall be inserted. In addition, under construction Type IIIB for Group R-2 S, “5” shall be deleted and “4” shall be inserted. Finally, under construction Type IVB for R-2 S, “12” shall be deleted and “10” shall be inserted.

(21) Under construction Type IB for Group R-3 S, “12” shall be deleted and “5” shall be inserted. Under construction Type IIB for Group R-3 S, “5” shall be deleted and “4” shall be inserted. Under construction Type IIIB for Group R-3 S, “5” shall be deleted and “4” shall be inserted. In addition, under construction Type IVB for R-3 S, “12” shall be deleted and “5” shall be inserted. Finally, under construction Type VB for

Group R-3 S and S13R, “4” shall be deleted and “3” shall be inserted.

(22) Under construction Type IB for Group R-4 S, “12” shall be deleted and “5” shall be inserted. Under construction Type IIB for Group R-4 S, “5” shall be deleted and “4” shall be inserted. In addition, under construction Type IIIB for Group R-4 S, “5” shall be deleted and “4” shall be inserted. Finally, under construction Type IVB for R-4 S, “12” shall be deleted and “5” shall be inserted.

(23) Under construction Type IB for Group S-1 NS, “11” shall be deleted and “5” shall be inserted and for Group S-1 S, “12” shall be deleted and “6” shall be inserted. Under construction Type IVB for S-1 S, “7” shall be deleted and “6” shall be inserted. In addition, under construction Type VA for Group S-1 NS, “3” shall be deleted and “2” shall be inserted and for Group S-1 S, “4” shall be deleted and “3” shall be inserted.

(24) Under construction Type IB for Group S-2 NS, “11” shall be deleted and “7” shall be inserted and for Group S-2 S, “12” shall be deleted and “8” shall be inserted. In addition, under construction Type VA for Group S-2 NS, “4” shall be deleted and “3” shall be inserted and for Group S-2 S, “5” shall be deleted and “4” shall be inserted.

(25) Group U shall be deleted.

iv. Table 506.2, ALLOWABLE AREA FACTOR IN SQUARE FEET, shall be amended as follows:

(1) Footnotes c, d, e, f, and h shall be deleted. The following portion of footnote “i” is deleted, “or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.”

(2) Under construction Type IIIB, IV, HT, VA, and VB for Group A-5 NS, S1, and SM, “UL” shall be deleted.

(3) Under construction Type VB for Group H-2, NS, S1, and SM, “3,000” shall be deleted and “NP” shall be inserted.

(4) Under construction Type VB, NS, “5,000” shall be deleted and “NP” shall be inserted, for Group I-3 S1, “20,000” shall be deleted and “NP” shall be inserted, and for Group I-3 SM, “15,000” shall be deleted and “NP” shall be inserted.

(5) Group U shall be deleted.

v. Section 507.3, Nonsprinklered, one story, shall be deleted in its entirety.

vi. Section 507.5, Two-Story buildings, shall be amended as follows: In the second line, “of Type I or Type II construction that is” shall be inserted after “building.”

vii. In Table 508.4, Required Separation of Occupancies (Hours), “U” shall be deleted in the fifth row and the fifth column of the table.

viii. In Section 508.5.11, Plumbing facilities, “Chapter 29” shall be deleted in the first and second sentence and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

6. Chapter 6, Types of Construction, shall be amended as follows:

i. In Section 602.3, Type III, “(See FTO 14)” shall be inserted after “noncombustible materials.” In addition, the second sentence shall be deleted.

7. Chapter 7, Fire and Smoke Protection Features, shall be amended as follows:

i. In Section 703.2.3, Approved alternate protection, is amended to delete “Section 104.11” and insert “N.J.A.C. 5:23-3.7” in its place.

ii. In Section 705.2.3, Projection protection, in the exception, “and U” shall be deleted.

iii. In Section 705.5, Fire-resistance rating, “10 feet (3048 mm)” shall be deleted in the second and third sentence and “5 feet (1524mm)” shall be inserted.

iv. In Table 705.5, Fire Resistance Ratings Requirements for Exterior Walls Based on Fire Separation Distance, “U” shall be deleted from the heading of the fifth column. In addition, footnote h shall be deleted.

v. In Table 705.8, MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION, Note j shall be deleted.

vi. In Table 706.4, Fire Wall Fire Resistance Ratings, under the heading “Group,” “U” shall be deleted.

vii. Section 706.5, Horizontal continuity, 706.5.1, Exterior walls, and Section 706.5.2, Horizontal projecting elements, shall be deleted in their entirety. Section 707.6 of the 1996 BOCA National Building Code shall be inserted as follows: “Horizontal Continuity. Firewalls shall be made smoke tight at the junction of exterior walls. In exterior wall construction employing studs, the wall shall extend through the stud space to the exterior sheathing.”

viii. In Table 707.3.10, Fire-Resistance Rating Requirements for Fire Barriers, Fire Walls or Horizontal Assemblies Between Fire Areas, the last row containing “U” and “1” shall be deleted.

ix. In Section 715.3.1, Fire test criteria, in the exception, “10 feet (3048 mm)” shall be deleted and “5 feet (1524 mm)” shall be inserted.

x. In Section 716.1.1, Alternative methods for determining fire protection ratings, item 4, “Section 104.11” shall be deleted and “N.J.A.C. 5:23-3.7” shall be inserted.

8. Chapter 9, Fire Protection Systems, shall be amended as follows:

i. In Section 901.3, Modifications, “remove or” shall be deleted. Additionally, “building official” shall be deleted and “fire protection subcode official” shall be inserted.

ii. In Section 901.5, Acceptance test, in the second sentence, “building official” shall be deleted and “fire protection subcode official” shall be inserted.

iii. In Section 903.1.1, Alternative protection, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

iv. New Section 903.1.2, Residential systems, shall be inserted as follows:

“903.1.2 Residential systems. Unless specifically allowed by this code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purpose of exceptions or reductions permitted by other requirements of this code.”

v. Section 903.2.1.2., Group A-2, shall be amended to add a new section 903.2.1.2.1 as follows: “903.2.1.2.1 In Group A-2 Nightclubs, the automatic sprinkler system shall be tied to the performance sound system and to the house lights in such a way that activation of the automatic sprinkler system mutes the performance sound system and restores the intensity of illumination to that required by Section 1008.2.1.”

vi. Section 903.2.2, Ambulatory Care Facilities, “Evacuation is impractical for” shall be inserted at the beginning of the sentence in item 1, and “are incapable of self-preservation” shall be deleted. “Evacuation is impractical for” shall be inserted at the beginning of the sentence in item 2, and “that are incapable of self-preservation” shall be deleted.

vii. In Section 903.2.7.2, Group M upholstered furniture or mattresses, the text shall be deleted, and the following language from Section 903.2.7, item 4, of the IBC/2018 shall be inserted: An automatic sprinkler system shall be provided throughout buildings containing a Group M Occupancy utilized for the display and sale of upholstered furniture or mattresses exceeding 5,000 square feet.

viii. In Section 903.2.6, Group I, Exception # 2, insert “For other than buildings of construction Types IIIB or VB,” at the beginning of the sentence. Additionally, insert “that accommodate 100 or fewer persons,” following “level of exit discharge.”

ix. In Section 903.2.11.1, Stories without openings, “, of all buildings where the floor area exceeds 1,500 square feet (139.4 m²) and” shall be deleted. Additionally, in Item #1, in the first sentence, “exterior stairway complying with Section 1011 or an outside ramp complying with

Section 1012” shall be deleted and “exterior exit stairway or ramp complying with Section 1027” shall be inserted.

x. New Section 903.2.13, Automatic sprinkler system thresholds, shall be inserted as follows: “An automatic sprinkler system shall be required in accordance with Section 903.3.1.1 when the maximum area is exceeded for the following construction types of Groups B, F-2, and S-2 in accordance with Table 903.2.13, Automatic Sprinkler System Thresholds. All others not listed shall follow the applicable requirements as set forth in this code.

Automatic Sprinkler System Thresholds

Group B			
Story	IIB Max. Area	IIIB Max. Area	VB Max. Area
1	36,000	*	*
2	72,000 (36,000 per floor)	*	*
3	99,360 (36,000 per floor)	99,360 (36,000 per floor)	*
Group F-2			
Story	IIB Max. Area	IIIB Max. Area	VB Max. Area
1	36,000	*	18,000
2	72,000 (36,000 per floor)	*	36,000 (18,000 per floor)
3	99,360 (36,000 per floor)	*	*
Group S-2 ^a			
Story	IIB Max. Area	IIIB Max. Area	VB Max. Area
1	36,000	36,000	18,000
2	72,000 (36,000 per floor)	72,000 (36,000 per floor)	36,000 (18,000 per floor)
3	99,360 (36,000 per floor)	99,360 (36,000 per floor)	*

a. Exception—Open parking structures in accordance with Section 406.5

*Requirements as set forth in this code

xi. In Section 903.3.1.1.1, Exempt locations, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted in number 2.

xii. In Section 903.3.5, Water supplies, “International Plumbing Code” shall be deleted and “the plumbing

subcode (N.J.A.C. 5:23-3.15)” shall be inserted. Additionally, in the last sentence, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xiii. In Section 903.3.6, Hose threads, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xiv. Section 903.3.8, Limited area sprinkler systems, Section 903.3.8.1, Number of sprinklers, Section 903.3.8.2, Occupancy hazard classification, Section 903.3.8.3, Piping arrangement, Section 903.3.8.4, Supervision, and Section 903.3.8.5, Calculations, shall be deleted and the following shall be inserted in its place: “903.3.8 Limited area sprinkler systems. Limited area sprinkler systems serving fewer than 20 sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:

1. Valves shall not be installed between the domestic water riser control valve and the sprinklers.

Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13, NFPA 13R or NFPA 13D.”

xv. In Section 903.4, Sprinkler system supervision and alarms, in exception 2, delete “in accordance with Section 903.3.8.”

xvi. In Section 903.4.1, Monitoring, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xvii. Section 903.5, “Testing and Maintenance”, shall be deleted and the following shall be inserted in its place: “903.5 Acceptance tests: All sprinkler systems with the exception of limited area sprinkler systems shall be tested in accordance with NFPA 13 listed in Chapter 35.

903.5.1 Flow test: All systems shall be tested at the test pipe to determine that water-flow detecting devices, including the associated alarm circuits, are in proper working order. Dry pipe systems shall deliver water to the inspector’s test pipe in not more than 60 seconds.

903.5.2 Limited area sprinkler system acceptance test. All limited area sprinkler systems, which are not connected to a building standpipe system, shall be tested hydrostatically for a minimum of 15 minutes without visible leakage at the working pressure under which the system is to be used. Limited area sprinkler systems, which are connected to a building standpipe

system, shall be tested in accordance with NFPA 13 listed in Chapter 35.

xviii. In Section 904.2, Where permitted, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xix. In Section 904.5, Wet-chemical systems, delete the last sentence.

xx. In Section 904.6, Dry-chemical systems, delete the last sentence.

xxi. In Section 904.7, Foam systems, delete the last sentence.

xxii. In Section 904.8, Carbon dioxide systems, delete the last sentence.

xxiii. In Section 904.9, Halon systems, delete the last sentence.

xxiv. In Section 904.10, Clean-agent systems, delete the last sentence.

xxv. In Section 904.11.1.3 Water supply protection, “International Plumbing Code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

xxvi. In Section 905.2, Installation standards, Sections 915.4, 915.5, and 915.6 of the 1996 BOCA National Building Code shall be inserted as follows: “905.2.1 Piping design. The riser piping, supply piping and the water service piping shall be sized to maintain a residual pressure of at least 65 psi (448 kPa) at the topmost outlet of each riser while flowing the minimum quantities of water specified in Sections 905.2.1.1 and 905.2.1.2. The pipe size shall be based on the capacity of the automatic water supply system or, where an automatic water supply is neither required nor provided to maintain the residual pressure of 65 psi (448 kPa), the pipe size shall be based on a pressure of 150 psi (1,034 kPa) available at the fire department connection.

Exception: The residual pressure of 65 psi (448 kPa) is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with either Section 903.3.1.1 or 903.3.1.2 and also where the highest floor level is not more than 150 feet (45720 mm) above the lowest level of fire department vehicle access.

905.2.1.1 Riser sizing: The riser size shall be based on hydraulic calculations for a minimum flow of 500 gallons per minute (gpm) (1892 L/min.).

Exceptions:

1. Where only 1½-inch valves are provided, the riser(s) shall be sized to provide a minimum flow of 100 gpm (378 L/min.).

2. In buildings where limited area sprinkler systems are supplied with water from a common standpipe riser, the riser shall be sized to satisfy total demand.

3. For occupancies in Group B, I, R-1 or R-2 in buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, each riser shall be sized for a minimum flow of 250 gpm (945 L/min.).

4. Risers that are sized in accordance with the pipe schedule requirements of NFPA 14 listed in Chapter 35 are not subject to this requirement.

905.2.1.2 System pipe sizing: The system piping, including the horizontal or common feeder lines shall be sized for a minimum flow of 500 gpm (1,892 L/min.). Where more than one standpipe riser is required or provided, all common system piping shall be sized for a minimum flow of 500 gpm (1892 L/min.) for the first riser plus 250 gpm (945 L/min.) for each additional riser, and the total shall not be required to exceed 1,250 gpm (4731 L/min.).

Exceptions

1. Where only 1½-inch valves are provided, the supply piping shall be sized for a minimum flow of 100 gpm (378 L/min.) for each riser, and the total shall not be required to exceed 500 gpm (1892 L/min.).

2. In buildings where limited area sprinkler systems are supplied with water from a common standpipe riser, the supply piping shall be sized for a minimum flow of 500 gpm (1892 L/min.) plus the sprinkler demand for the first riser, plus 250 gpm (945 L/min.) for each additional riser, and the total shall not be required to exceed 1,250 gpm (4731 L/min.).

3. For occupancies in Group B, I, R-1 or R-2 in buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, all common supply piping shall be sized for a minimum flow of 250 gpm (945 L/min.) for the first riser plus 250 gpm (945 L/min.) for each additional riser, and the total shall not be required to exceed 750 gpm (2838 L/min.).

905.2.2 Water supply: A water supply for fire department equipment shall be available to the building site. The water supply shall be capable of a minimum flow as required by Section 905.2.1.2 for a duration of 30 minutes.

905.2.2.1 Automatic water supply: An automatic water supply is required for all standpipe systems. The automatic water supply and supply piping shall be capable of delivering a flow of 500 gpm (1892 L/min.) at the residual pressure specified in Section 905.2.1 for a duration of 30 minutes.

Exceptions

1. In buildings equipped throughout with an automatic sprinkler system installed in accordance with either Section 903.3.1.1 or 903.3.1.2 and also where the highest floor is located not more than 150 feet (45720

mm) above the lowest level of fire department vehicle access, the automatic water supply is not required to exceed the requirements of NFPA 13 listed in Chapter 35.

2. Dry standpipe systems installed in open parking structures.

xxvii. New Section 905.3.2 shall be inserted as follows:

“905.3.2 Building area. In buildings exceeding 10,000 square feet (929 m²) in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building’s interior area is more than 200 feet (60,960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exceptions:

1. Buildings equipped throughout with automatic sprinkler systems installed in accordance with Section 903.3.1.1.

2. Group A-4, A-5, F-2, R-2, S-2 or U occupancies.

3. Automatic dry and semiautomatic dry standpipes are allowed as provided for in NFPA 14.

xxviii. Section 905.3.2, Group A, shall be renumbered as 905.3.3 with no change in text.

xxix. Section 905.3.3, Covered mall buildings, shall be renumbered as 905.3.4. Additionally, “or 905.3.2” shall be added after “905.3.1” in the first and second sentence.

xxx. Sections 905.3.4 through 905.3.8 shall be renumbered as 905.3.5 through 905.3.9 with no change in text.

xxxi. In Section 905.4, Location of Class I standpipe hose connections, Items 1 and 2 shall be deleted in their entirety. Section 915.7 of the 1996 BOCA National Building Code shall be inserted as Item 1 as follows: “A standpipe hose connection shall be located at each floor level at every exit stairway, and on each side of the wall adjacent to the exit opening of a horizontal exit.

Exceptions

1. Where the floor areas adjacent to a horizontal exit are reachable from exit stairway outlets by a 30-foot (9,144 mm) hose stream from a nozzle attached to 100 feet (30,480 mm) of hose, a hose connection shall not be required at the horizontal exit.

2. Standpipe hose connections for systems required by Section 905.3.2. shall be permitted to be located only at exits such that all portions of the building floor area are not more than 200 feet (60,960 mm) from a hose connection or 200 feet (122 m) from the nearest point of fire department vehicle access.”

Also, renumber Items 3 through 6 as 2 through 5. Lastly, in Item #5, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xxxii. Insert Section 905.4.3 from Section 915.7.1 of the 1996 BOCA National Building Code as follows “905.4.3 Location: At each floor level and not more than 5 feet (1,524 mm) above the floor, there shall be connected to each standpipe a 2 ½-inch hose connection with valves and threads compatible with the connections used by the local fire department.”

xxxiii. In Section 905.5.3, Class II system 1-inch hose, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xxxiv. In Section 905.11, Locking standpipe outlet caps, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xxxv. In Section 906.1, Where required, in the exception to Item #1, insert the following exception from the 2009 International Building Code: “4. In new Group A, B and E occupancies equipped throughout with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.” Additionally, in Item #6, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xxxvi. In Section 906.5, Conspicuous location, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xxxvii. In Section 907.1.1, Construction Documents, “and” shall be inserted before “the International Fire Code” and “and relevant laws ordinances, rules and regulations, as determined by the fire code official” shall be deleted.

xxxviii. Section 907.1.2 Fire alarm shop drawings is deleted, and the following text from the 2015 International Building Code is substituted:

907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation, and shall include, but not be limited to, all of the following where applicable to the system being installed:

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Design minimum audibility level for occupant notification.
5. Location of fire alarm control unit, transponders and notification power supplies.

6. Annunciators.
7. Power connection.
8. Battery calculations.
9. Conductor type and sizes.
10. Voltage drop calculations.
11. Manufacturers' data sheets indicating model numbers and listing information for equipment, devices and materials.
12. Details of ceiling height and construction.
13. The interface of fire safety control functions.
14. Classification of the supervising station.

xxxix. In Section 907.2, Where required-new buildings and structures, Exception #2 shall have "fire code official" deleted and "fire protection subcode official" shall be inserted.

xl. Add new section 907.2.1.2 as follows:

"907.2.1.2 Group A-2 Nightclubs. An automatic fire detection system shall be installed throughout all Group A-2 nightclubs with an occupant load of 100 or more. If the alarm is activated by smoke detectors, it shall be activated by either two cross-zoned smoke detectors within a single protected area or a single smoke detector monitored by an alarm verification zone or an approved equivalent method and the smoke detectors shall be of a type designed to reduce the possibility of false notifications based on the conditions present in the area protected. The automatic fire detection system shall be tied to the performance sound system and to the house lights in such a way that activation of the fire detection system mutes the performance sound system and restores the intensity of illumination to that required by Section 1008.2.1.

Exception: Automatic fire detection systems are not required in buildings provided with an automatic sprinkler system throughout."

xli. Section 907.2.1.2 Emergency voice/alarm communication captions, shall be renumbered as Section 907.2.1.3.

xlii. In Section 907.2.3, Group E, Exception #3.1, "with alarm verification" shall be inserted at the end of the exception.

xliii. In Section 907.2.6, Group I, the following shall be inserted at the end of the section: "Alarms activated by smoke detectors required by this section shall be activated by a single smoke detector monitored by an alarm verification zone or an approved equivalent method."

xliv. Section 907.2.6, Group I, in Exception #2, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

xlvi. In Section 907.2.8, Group R-1, the following shall be inserted at the end of the section: "Alarms activated by smoke detectors required by this section shall be activated by a single smoke detector monitored by an alarm verification zone or an approved equivalent method."

xlvi. A new Section 907.2.9A, Group R-4, shall be added to include Section 907.2.10.2, Automatic smoke detection system, of the IBC/2015:

907.2.9A, Group R-4. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in *corridors*, waiting areas open to *corridors*, and *habitable spaces* other than *sleeping units* and kitchens.

Exceptions:

1. Smoke detection in *habitable spaces* is not required where the facility is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1.

2. An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* and where each *sleeping unit* has a *means of egress* door opening directly to an *exit* or to an exterior *exit access* that leads directly to an *exit*.

xlvii. In Section 907.4.2.5, Protective covers, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

xlviii. Section 907.5.2.2.5, Standby power, shall be deleted, and Section 907.5.2.2.5 of the IBC/2018 shall be inserted as follows:

Section 907.5.2.2.5, Emergency power. Emergency voice/alarm communications systems shall be provided with emergency power in accordance with Section 2702. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

xlix. In Section 907.6.6.2, MIY Monitoring, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

l. Section 907.6.6.3, Termination of monitoring service, shall be deleted.

li. In Section 909.5.2, Testing of leakage area, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

lii. In Section 909.7, Airflow design method, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

liii. In Section 909.8, Exhaust method, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

liv. In Section 909.9, Design fire, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lv. In Section 909.10, Equipment, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lvi. Section 909.12.1, Verification, in the exception, “building official” shall be deleted and “fire protection subcode official” shall be inserted.

lvii. In Section 909.15, Control diagrams, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted. Additionally, “in format and manner approved by the fire code official” shall be deleted.

lviii. In Section 909.18.8.3, Reports, “The report shall be reviewed by the responsible registered design professional and, when satisfied that the design intent has been achieved, the responsible registered design professional shall seal, sign, and date the report” shall be deleted.

lix. In Section 909.18.8.3.1, Report filing, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lx. In Section 909.19, System acceptance, in the fourth and 10th line and in the exception, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lxi. In Section 909.20.7.3, Acceptance and testing, “building official” shall be deleted and “fire protection subcode official” shall be inserted.

lxii. Section 909.21, Elevator hoistway pressurization alternative, shall be deleted in its entirety.

lxiii. In Section 910.1, General, “or otherwise installed” shall be inserted after “this code” in the first line.

lxiv. In Section 911.1.1, Location and access, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lxv. In section 911.1.6, in item 18, after the word “switch(es)” insert the phrase “that are provided in accordance with ASME A17.1/CSA B44, and.”

lxvi. In Section 912.1, Installation, insert the following at the end of the section:

“Exceptions

1. Limited area sprinkler systems supplied from the domestic water system.
2. Where the local fire department approves a single connection for a large diameter hose of at least four inches (102 mm).
3. An automatic sprinkler system with less than 20 sprinklers.”

lxvii. New section 912.2, Connections, shall be inserted as follows:

“912.2 Connections: Fire department connections shall be arranged in such a manner that the attachment to any one sprinkler connection will serve all sprinklers, and the attachment to any one standpipe connection will serve all standpipes within the building.

Exception: Fire protection systems in high rise buildings designed with a low zone and a high zone may be provided with a connection for each zone.”

lxviii. Section 912.2, Location, shall be renumbered as 912.3 and “fire protection subcode official in coordination with the” shall be inserted before “fire code official” in the last sentence.

lix. Section 912.2.1, Visible location, shall be renumbered 912.3.1 and “or as otherwise approved by the fire code official” shall be deleted.

lxx. Section 912.2.2, Existing buildings, shall be deleted in its entirety.

lxxi. New Section 912.4, Height, shall be inserted as follows:

“912.4, Height. Fire department connections shall not be less than 18 inches (457 mm) and more than 42 inches (1,067 mm) in elevation, measured from the ground level to the centerline of the inlets.”

lxxii. Section 912.3, Fire hose threads, shall be renumbered as 912.5.

lxxiii. Section 912.4, Access, shall be renumbered as 912.6. Additionally, in the last sentence of the section and the last sentence of the exception, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lxxiv. Section 912.4.1, Locking fire department connection caps, shall be renumbered as 912.6.1 and “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

lxxv. Section 912.4.2, Clear space around connections, shall be renumbered as 912.6.2 and “except as otherwise required or approved by the fire code official” shall be deleted.

lxxvi. Section 912.4.3, Physical protection, shall be renumbered as 912.6.3.

lxxvii. Section 912.5, Signs, shall be renumbered 912.7.

lxxviii. Section 912.6, Backflow protection, shall be renumbered as 912.8. Also, “International Plumbing Code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

lxxix. New Section 912.9, Projection, shall be inserted as follows: “912.9 Projection. Where the fire department connection will otherwise project beyond the property line or into the public way, a flush-type fire department connection shall be provided.”

lxxx. Section 913.2.2, Circuits supplying fire pumps, shall be deleted in its entirety.

lxxxi. Section 913.4.1, Test outlet valve supervision, shall be deleted.

lxxxii. In Section 915.1, General, the last sentence shall be deleted.

lxxxiii. In Section 915.1.1, Where required, “in Group I-1, I-2, I-4 and R occupancies and in classrooms in Group E occupancies” shall be deleted.

lxxxiv. In 915.1.2, Fuel-burning appliances and fuel-burning fireplaces, the word “and” shall be deleted before “classrooms” and the words “or any other occupiable space(s)” shall be added following “classrooms.”

lxxxv. In 915.1.3, Fuel-burning, forced-air furnaces, and in the exception, the word “and” shall be deleted before “classrooms” and the words “or any other occupiable space(s)” shall be added following “classrooms.”

lxxxvi. In 915.1.4, Fuel-burning appliances outside of dwelling units, sleeping units and classrooms, in the title, in the section and in exceptions 1 and 2, the word “and” shall be deleted before “classrooms” and the words “or any other occupiable space(s)” shall be added following “classrooms.” Additionally, in exception 2.1, the word “or” shall be deleted before “classrooms” and the words “or any other occupiable space(s)” shall be added following “classrooms.”

lxxxvii. In 915.1.5, Private garages, and in exceptions 1 and 2, the word “and” shall be deleted before “classrooms” and the words “or any other occupiable space(s)” shall be added following “classrooms.” Additionally, in exception 4, the word “or” shall be deleted before “classrooms” and the words “or any other occupiable space(s)” shall be added following “classrooms.”

lxxxviii. In Section 915.2, Locations, “by Section 915.1.1” shall be deleted. Additionally, in the third line, “915.2.3” shall be deleted and “915.2.4” shall be inserted.

lxxxix. A new subsection 915.2.4, Other occupancies, shall be added as follows:

“915.2.4 Other occupancies. Carbon monoxide detection equipment shall be installed in other occupancies. Systems using detectors shall have a distinct visual and audible notification at an approved location. When alarms are installed in lieu of detectors, they shall be located such that the audible signal is not less than 15 dB above the average ambient sound level.

Exception: Carbon monoxide detection equipment shall not be required in locations, such as repair garages, where the presence of carbon monoxide may be expected as a function of the normal use of the space. Additionally, carbon monoxide detection equipment shall not be required in locations where battery charging for motorized equipment takes place. In such locations, carbon monoxide detection equipment shall be provided just outside such spaces at the points where these spaces connect to other occupiable space(s).”

xc. Section 915.6, Maintenance, shall be deleted in its entirety.

9. Chapter 10, Means of Egress, shall be amended as follows:

i. The term “or Type B unit” shall be deleted and “or” shall be inserted between “Accessible units” and “Type A units” in the following sections: Section 1010.1.1, Exceptions 1, 7, and 8; Section 1010.1.4, Exception 3; Section 1010.1.6, Exception 1.3; Section 1012.6.3, Exception 1; and Section 1012.6.4, Exception.

ii. In Section 1003.2, Ceiling height, “7 feet 6 inches (2286 mm)” shall be deleted and “7 feet (2134 mm)” shall be inserted.

iii. In Section 1004.5, Areas without fixed seating, the exception shall be deleted in its entirety.

iv. In Table 1004.5, MAXIMUM FLOOR AREA ALLOWANCE PER OCCUPANT, in the first column, FUNCTION OF SPACE, 43rd row, delete “swimming pools,” 44th row, delete “pool,” and 45th row, delete “Decks;” in the second column, OCCUPANT LOAD FACTOR, 45th row, delete “15 gross.”

v. In Section 1004.5.1, Increased occupant load, “7 square feet (.65 m²)” shall be deleted and “5 square feet (.47 m²)” shall be inserted.

vi. In Section 1006.2.2.6, Groups R-3 and R-4, the title shall be deleted and the following shall be inserted: “Group R-4”. Additionally, the first sentence of the section shall be deleted.

vii. In Table 1006.2.1, Spaces with one exit or exit access doorway, in the 5th column of the 10th row (R-3), the reference to footnote a and g shall be deleted; and in footnote g, “R-3 and” shall be deleted. Additionally, in the heading over the 3rd, 4th, and 5th row, “Common Path of Egress” shall be deleted and “Exit Access” shall be inserted.

viii. In Table 1006.3.4(2), Stories with One Exit or Access to One Exit from Other Occupancies, under the heading “Occupancy,” “U” shall be deleted from the first row.

ix. Section 1008.2.3, Exit discharge, is deleted.

x. In Section 1009.3.3, Area of refuge, Exception 2 shall be deleted.

xi. In Section 1009.4.1 “Standby power,” in the second sentence “ASME A17.1/CSA B44,” shall be inserted between the words “with” and “Chapter 27.”

xii. In Section 1009.4.2 Area of refuge, Exception 2 shall be deleted.

xiii. In Section 1009.7.2, Separation, the exception shall be deleted.

xiv. In Section 1010.1.1, Size of Doors, Exception 9 shall be deleted.

xv. In Section 1010.1.4, Floor elevation, in Exception 3, “7 3/4 inches (197 mm)” shall be deleted and “8 1/4 inches (210 mm)” shall be inserted. Additionally, Exception 5 shall be deleted.

xvi. In Section 1010.1.6, Thresholds, in the Exception #1, “7 3/4 inches (197 mm)” shall be deleted and “8 1/4 inches (210 mm)” shall be inserted. Additionally, Exception #2 shall be deleted.

xvii. In Section 1010.2.2, Hardware, “locks” shall be deleted.

xviii. Section 1010.2.4, Locks and latches, shall be amended as follows: In Item 3, following “Group A,” insert “other than nightclubs”. In the same item, “and in” shall be inserted before the word “Groups” and “and in places of religious worship” shall be deleted. In the same section, Item 11 shall be inserted as follows: “11. Key operation shall be permitted from a dwelling unit provided that the key cannot be removed from the lock when the door is locked from the side from which egress is made.”

xix. In Section 1010.2.9, Panic and fire exit hardware, in exception 1, “other than nightclubs” shall be inserted after “Group A occupancies.”

xx. In Section 1010.3.4, Security grilles, “In Groups B, F, M, and S” shall be deleted and “horizontal” shall be capitalized.

xxi. In Section 1011.5.2, Riser height and tread depth, Exception 3, change the maximum riser height from “7 3/4 inches (197 mm)” to “8 1/4 inches (210 mm),”, change the minimum tread depth from “10 inches (254 mm)” to “9 inches (229 mm),” and change the minimum winder tread depth at the walk line from “10 inches (254 mm)” to “9 inches (229 mm).” In the same section, Exception 4 shall be deleted.

xxii. In Section 1013.5, Internally illuminated exit signs, “Chapter 27” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

xxiii. In Section 1014.2, Height, insert new Exception 1 as follows: “1. For occupancies of Group R-3, and within individual dwelling units in occupancies of Group R-2, handrails shall have a minimum height of 30 inches and a maximum height of 38 inches measured vertically

from the nosing of the treads.” In the same section, Exceptions 1 through 3 shall be renumbered as 2 through 4.

xxiv. In Section 1014.4, Continuity, Exception 4 shall be deleted.

xxv. In Section 1015.3, Height, in Exception 1 “not more than three stories above grade in height” in the first and second line shall be deleted and “not more than three stories above grade in height with separate means of egress” in the third through fifth line shall be deleted. Additionally, in Exception 3, “34 inches (864mm)” shall be deleted and “30 inches (762 mm)” shall be inserted.

xxvi. In Section 1015.8, Window openings, “36 inches (95mm)” shall be deleted and “24 inches (610 mm)” shall be inserted.

xxvii. Section 1020.2.1, Hoistway opening protection is deleted.

xxviii. In Table 1020.2, Corridor Fire Resistance Rating, under the heading “Occupancy,” “U,” shall be deleted from the third row.

xxix. In Section 1030.1.1, Bleachers, after “ICC 300”, insert “Chapters 2, 3 and 4.”

xxx. At Section 1030.2, entitled “Assembly main exit”, add the text “other than nightclubs,” after “used for assembly purposes” at the beginning of the first and third sentences.

xxxi. Add new section 1030.2.1 as follows:

“1030.2.1 Group A-2 Nightclubs. Buildings or portions thereof of Group A-2 nightclubs with an occupant load of 100 or more shall have a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load. The remaining exits shall be capable of providing two-thirds of the total required exit capacity. Buildings or portions thereof of Group A-2 nightclubs with an occupant load of more than 300 shall have a main entrance capable of serving as the main exit with an egress capacity for at least two-thirds of the total occupant load. The remaining exits shall also be capable of providing two-thirds of the total required exit capacity.”

xxxii. Section 1031.2, Where required, shall be amended as follows: In the second paragraph, “Basements and” shall be deleted and “sleeping” shall be capitalized. In the same section, Exception 1 shall be deleted its entirety. In Exception 2, “basements or” shall be deleted. In addition, Exception 3 shall be deleted in its entirety. Finally, Exception 2 shall be renumbered as Exception 1 and Exception 4 shall be renumbered as Exception 2.

10. Chapter 11, Accessibility, shall be amended as follows:

i. In the user notes, under About this Chapter, “in the International Existing Building Code” shall be deleted,

and “within the Rehabilitation Subcode, N.J.A.C. 5:23-6” shall be inserted.

ii. In Section 1101.1, Scope, insert the following after the first sentence: “This chapter shall be interpreted to require access for people with disabilities, including, but not limited to occupants, employees, consumers, students, spectators, participants, or visitors.”

iii. Insert Section 1101.2 as follows:

“1101.2 Existing facilities. Any building or portion of a building constructed or altered to be accessible shall be maintained accessible.”

iv. In Section 1102.1, Design, “amended as follows:” shall be added to the end of the sentence and the following list shall be inserted:

1. In section 102.2, entitled “adopted by the administrative authority” in the first sentence shall be deleted.

2. The text at section 106.2, entitled “Documents,” shall be amended as follows:

2.1 In section 106.2.4, entitled “National Fire Alarm Code,” delete “NFPA 72-2016” and insert “the edition of NFPA 72 adopted by reference in this subcode;”

2.2 In section 106.2.6, entitled “Power Assist and Low Energy Power Operated Doors,” delete “ANSI/BHMA A156.19-2013” and insert “the edition of ANSI/BHMA A156.19 adopted by reference in this subcode;”

2.3 In section 106.2.7, entitled “Power Operated Pedestrian Doors,” delete “ANSI/BHMA A156.10-2011” and insert “the edition of ANSI/BHMA A156.10 adopted by reference in this subcode;”

2.4 In section 106.2.8, entitled “Safety Code for Elevators and escalators,” delete “ASME/ANSI A17.1-2013/CSA B44-16” and insert “the edition of ASME/ANSI A17.1/CSA B44 adopted by reference in this subcode;”

2.5 In section 106.2.9, entitled “Safety Standard for Platform Lifts and Stairway Chairlifts,” delete “ASME/ANSI A18.1-2014” and insert “ASME/ANSI A18.1 adopted by reference in this subcode.”

3. In section 107.5, delete the definitions of “Administrative Authority”, “Existing building”, and “Existing Facility”;

4. Delete Chapter 2, “Scoping”;

5. In section 309, “Operable parts”, Exception 2 shall be deleted, and the following shall be inserted: “Receptacle outlets provided in a Type A kitchen above a length of countertop.”

6. Delete section 406.6.2, “Location of detectable warning surfaces”;

7. In Section 410.5.2.2, Existing buildings, shall be amended to add the following phrase after the words “in existing buildings,” “where technically infeasible to provide the door arrangement prescribed by Section 410.5.2.1.”

8. Delete section 502.9, “Parallel parking spaces” in its entirety;

9. Delete section 502.10.1, “Location” in its entirety;

10. In Section 504.5, entitled “Nosings,” at items 2 and 3, “1/2 inch (13 mm)” shall be deleted and “9/16 inch (14.3 mm)” shall be inserted in its place. In addition, at item 6, “1 1/2 inches (38 mm)” shall be deleted and “1 1/4 inches (32 mm)” shall be inserted in its place.

11. Delete section 607.8, entitled “Water Temperature,” in its entirety.

12. Delete section 608.8, entitled “Water Temperature,” in its entirety.

13. In section 611, entitled “Washing Machines and Clothes Dryers,” delete section 611.3, entitled “Operable parts,” and section 611.4, entitled “Height.”

14. In section 705.7, “Placement”, delete subsections 705.7.1, “Perpendicular curb ramps;” 705.7.2, “Parallel curb ramps;” 705.7.3, “Blended transitions;” 705.7.4, “Pedestrian refuge islands;” 705.7.5 “Pedestrian at-grade rail crossings;” and 705.7.7 “Boarding and alighting areas” in their entirety;

15. Sections 804.5.2, entitled “Operable Parts,” 804.5.3, entitled “Dishwasher,” 804.5.4, entitled “Cooktop,” 804.5.5, entitled “Oven,” and 804.5.6, entitled “Refrigerator/Freezer,” shall be deleted in their entirety.

16. Delete section 805.2 “Bus boarding and alighting areas” in its entirety;

17. Delete section 808, “Enhanced acoustics for classrooms” in its entirety;

18. Delete section 1001.4, “Animal containment areas” in its entirety;

19. Delete section 1002, “Amusement Rides”, section 1003, “Recreational Boating Facilities”, section 1004, “Exercise Machines and Equipment”, section 1005, “Fishing Piers and Platforms”, section 1006, “Golf Facilities”, section 1007, “Miniature Golf Facilities”, section 1008, “Play Areas”, and section 1010, “Shooting Facilities with Firing Positions” in their entirety;

20. Amend section 1102.3.1, entitled “Location,” as follows:

20.1 In the Exception, delete the word “unfinished” in two places.

21. In section 1102.15.2, Bed Frames, “with a minimum of six and one-half inches clear from the floor to the lowest level of the bed frame” shall be inserted at the end of the sentence.

22. Amend section 1103.3.1, entitled “Location,” as follows: Insert “1.” before the existing exception and delete “unfinished” in two places. Additionally, insert “Exception 2. An accessible route is not required to exterior decks, patios, or balconies that have impervious or improved surfaces that are not more than four (4) inches below the finished floor level of the adjacent interior space of the dwelling unit.”

23. Section 1103.10, Laundry equipment, shall be deleted in its entirety.

24. Section 1103.11.2.5.2, entitled “Shower,” shall be amended as follows:

24.1. In the first line, after the word “Exception,” insert the number “1.”

24.2. Add the following text at the end of the Exception: “2. The threshold for a shower compartment may be adaptable provided the shower threshold can be made accessible with minimal expense and effort.”

25. In section 1103.12.3.1, entitled “Clear Floor Space,” delete Exception 1. in its entirety and insert in its place: “1. the cabinetry can be removed or replaced as a unit,”.

26. In section 1103.12.3.2, entitled “Height,” delete the exception in its entirety and insert the following in its place: “Exception: A counter that is adjustable or replaceable as a unit to provide a work surface at heights between 29 inches minimum and 36 inches maximum shall be permitted.”

27. In section 1103.12.4.1, entitled “Clear Floor Space,” delete Exception 2.1 in its entirety and insert in its place: “2.1 the cabinetry can be removed or replaced as a unit,”.

28. In section 1103.12.4.2, entitled “Height,” delete the exception in its entirety and insert the following in its place: “Exception: A sink and counter that is adjustable or replaceable as a unit at heights between 29 inches minimum and 36 inches maximum, provided rough-in plumbing permits connections of supply and drain piping for sinks mounted at heights of 29 inches, shall be permitted.”

29. In section 1103.12.5, entitled “Appliances,” delete the following sections: section 1103.12.5.1, entitled “Operable parts”; section 1103.12.5.3, entitled “Dishwasher”; section 1103.12.5.4, entitled

“Cooktop”; section 1103.12.5.5, entitled “Oven”; and section 1103.12.5.6, entitled “Refrigerator/Freezer.”

30. Delete section 1104, entitled “Type B Units,” in its entirety.

31. Delete section 1105, entitled “Type C (Visible) Units” in its entirety.

v. Section 1103.2.3, Detached dwellings, shall be deleted and the following shall be inserted:

“1103.2.3 Residential buildings or structures. The following residential buildings are not required to comply with this chapter.

1103.2.3.1 Townhouses. Townhouses are not required to comply with this chapter, except townhouses for which credit is sought for low and moderate income housing through the Council on Affordable Housing (COAH);

1103.2.3.1.1 For the purposes of applying this exemption, a townhouse shall be a single dwelling unit with two or more stories of dwelling space, exclusive of basement or attic, where each dwelling unit extends from foundation to roof. The dwelling unit shall have an independent entrance that shall serve one dwelling unit only at or near grade; most or all of the sleeping rooms shall be on one story; and most or all of the remaining habitable space, such as kitchen, living, and dining areas, shall be on another story; or

1103.2.3.2. Buildings of Group R-2, R-3, R-4, or R-5 with one, two, or three dwelling units in a single structure;

1103.2.3.2.1 For the purposes of determining the number of dwelling units in a single structure, firewalls or partywalls shall not constitute separate buildings.

1103.2.3.2.2 Exception: Townhouses or multistory dwelling units for which credit is sought for low or moderate income housing through the Council on Affordable Housing (COAH) and that are attached to at least one other dwelling unit shall comply with this chapter.”

vi. In Section 1103.2.5, Construction sites, the following exception shall be inserted:

“Exception: Construction site trailers used as sales offices shall be accessible.”

vii. Section 1104.1, Site arrival points, in the exception, “Other than in buildings or facilities containing or serving Type B units,” shall be deleted and “an” shall be capitalized.

viii. Section 1104.4, Multistory buildings and facilities, shall be deleted and the following shall be inserted:

“1104.4 Multilevel nonresidential buildings and multilevel buildings of Group R-1. An accessible route

of travel shall be provided in multilevel nonresidential buildings and multilevel buildings of Group R-1 in accordance with Sections 1104.4.1 - 1104.4.5.

1104.4.1 Small Buildings. Small buildings, defined as those with a total gross enclosed floor area of less than 10,000 square feet, shall be required to have at least one accessible entrance on the ground (or first) floor and accessible interior building features on all floors. Except as provided in Sections 1104.4.1.1-1104.4.1.5, small buildings that are not more than two stories shall not be required to have an elevator(s) to provide a vertical accessible route between floors. Small buildings that are three or more stories shall be required to have an elevator(s) to provide a vertical accessible route between floors; however, in such buildings, floors that are less than 3,000 square feet or floors with only mechanical equipment shall not be required to be served by an elevator.

1104.4.1.1 Regardless of the square footage of the buildings or floors, buildings of two or more stories that are owned and occupied by public entities shall provide a vertical accessible route between floors.

1104.4.1.2 Regardless of the square footage of the buildings or floors, buildings of two or more stories that house public transit stations or airport passenger terminals shall provide a vertical accessible route between floors.

1104.4.1.3 Regardless of the square footage of the buildings or floors, buildings of two or more stories that house the professional offices of health care providers shall provide a vertical accessible route between floors.

1104.4.1.4 Regardless of the square footage of the buildings or floors, buildings of two or more stories that house shopping centers or shopping malls shall provide a vertical accessible route between floors.

1104.4.1.4.1 For the purposes of applying this requirement, a shopping center or shopping mall shall mean a building or a series of buildings on a common site, under common ownership or control, or developed as one project or as a series of related projects housing five or more sales or rental establishments.

1104.4.2 Large buildings. Large buildings, defined as those with a total gross enclosed floor area of 10,000 square feet or more, shall provide the accessible building features required of small buildings in Section 1104.4.1. In addition, large buildings shall be required to have an elevator(s) to provide a vertical accessible route between floors; however, in such buildings, floors that are less than 3,000 square feet or floors with only mechanical equipment shall not be required to be served by an elevator.

1104.4.2.1 Where facilities for employees, including rest rooms, lunch rooms, and lockers, and public

facilities, including rest rooms and drinking fountains, are provided on a floor or mezzanine that is not required to be served by an elevator and where no vertical accessible route is provided, the facilities provided on the floor or mezzanine must also be provided on the accessible level.

1104.4.3 For the purposes of applying these provisions, buildings separated by firewalls with penetrations intended for human passage shall not constitute separate buildings.

1104.4.4 The following provisions shall apply to a nonresidential building required to be accessible, whether a large building or a small building.

1104.4.4.1 An accessible route available to the general public shall not pass through kitchens, storage rooms, or similar spaces.

1104.4.4.2 In buildings, facilities, or portions thereof that primarily serve children, accessible facilities that comply with the provisions of this subchapter for use by adults shall be provided."

1104.4.5 Limited Use Limited Access Elevators—the use of a Limited Use Limited Access Elevator shall be permitted in accordance with the provisions of 1110.8.

ix. In Section 1104.5, Location, exception 1 shall be deleted. In addition, in exception 2, "or Type B unit" shall be deleted and "or" shall be inserted between "Accessible unit" and "Type A unit."

x. In Section 1105.1, Public entrances, after "... at least sixty percent of all public entrances shall be accessible." insert "The primary entrance(s) used by the general public shall be accessible."

xi. Section 1105.1.8, Dwelling units and sleeping units, in the exception, "or Type B unit" shall be deleted and "or" shall be inserted between "Accessible unit" and "Type A unit."

xii. In Section 1106.3, Groups I-1, R-1, R-2, R-3, and R-4, in item 1, "or Type B unit" shall be deleted and "or" shall be inserted between "Accessible unit" and "Type A unit." Additionally, insert the following at the end of item number 1: "Where additional parking spaces or parking lots are provided for visitors, the number of required accessible parking spaces shall comply with the Table 1106.2." Lastly, item number 3 shall be deleted.

xiii. In Section 1106.7, Location, insert the following at the end of the section: "Where parking is provided within or beneath a building, accessible parking spaces shall also be provided within or beneath the building."

xiv. Insert Section 1106.10 as follows:

“1106.10 Parking signage. Each accessible parking space shall be marked with an R7-8 sign from the Manual of Uniform Traffic Control Devices and shall display the international symbol of accessibility. Beneath the R7-8 sign, each accessible parking space shall also be marked with a penalty sign, as required by N.J.S.A. 39:4-198, containing the following language:

PENALTY
\$250 FIRST OFFENSE
SUBSEQUENT OFFENSES
\$250 MINIMUM AND/OR
UP TO 90 DAYS COMMUNITY SERVICE
TOW AWAY ZONE

1106.10.1, Mounting height. The bottom of the lowest sign shall be mounted approximately 60 inches above the parking lot or sidewalk surface when the sign is parallel to the sidewalk and approximately 72 inches above the parking lot or sidewalk when the sign is perpendicular to the sidewalk.

1106.10.2, Location. The penalty sign shall be centered and mounted at the head of each parking space.”

xv. In Section 1108.2, Design, “and Type B units” shall be deleted from the first sentence and “and” shall be inserted between “Accessible units” and “Type A units.” Additionally, the last sentence shall be deleted.

xvi. In Section 1108.3, Accessible spaces, “or Type B units” shall be deleted from the first sentence and “or” shall be inserted between “Accessible units” and “Type A units.” After “dining areas,” the second sentence, “laundry areas, mailboxes and meeting rooms” shall be inserted. The text of Exception #1 shall be deleted and the following shall be inserted in its place: “Mailboxes shall be mounted at minimum height of 28 inches and a maximum of 54 inches where a parallel approach is provided.” Finally, Exception #3 shall be deleted in its entirety.

xvii. In Section 1108.4, Accessible route, “and Type B units” shall be deleted from the first sentence and “and” shall be inserted between “Accessible units” and “Type A units.” Exception 6 is amended to delete “or Type B units” from the third and fourth line, to delete the words “and Type B units” on the fifth line, and to delete the words “and Type B units” on the sixth line. Exception 7 is deleted.

xviii. In Section 1108.5, Group I, “and Type B units” shall be deleted.

xix. In Section 1108.5.1, Group I-1, “and Type B units” shall be deleted. Additionally, “1108.5.1.3” shall be deleted and “1108.5.1.2” shall be inserted.

xx. Section 1108.5.1.3, Type B units, shall be deleted in its entirety.

xxi. In Section 1108.5.2, Group I-2 nursing homes, “and Type B units” and “and 1108.5.2.2” shall be deleted.

xxii. Section 1108.5.2.2, Type B Units, shall be deleted.

xxiii. In Section 1108.5.3, Group I-2 hospitals, “and Type B units” and “and 1108.5.3.2” shall be deleted.

xxiv. Section 1108.5.3.2, Type B Units, shall be deleted in its entirety.

xxv. Section 1108.5.5, Group I-3, shall be renumbered as Section 1108.5.6 and the following shall be inserted:

1108.5.5 Assisted living facilities. Assisted living facilities that are licensed by the Department of Health are Group I-2 for compliance with the building subcode, fire protection subcode, and the other subcodes of the Uniform Construction Code and shall be Group R-2 for the purposes of accessibility.

1108.5.5.1 Dwelling units that are available for occupancy only for 30 or more consecutive days shall be required to comply with Section 1103 of ICC A117.1.

1108.5.5.2 Where an assisted living facility includes dwelling units or rooms that are available for occupancy for fewer than 30 consecutive days, 50 percent of those dwelling units or rooms shall be accessible in compliance with Section 1102 of ICC A117.1 and shall include one full bathroom that complies with Section 1102 of ICC A117.1 and, where a kitchen is provided, it shall comply with Section 1102 of ICC A117.1.

1108.5.5.3 In dwelling units in an assisted living facility that are designated Group R-2 for the purposes of accessibility, the following may be adaptable:

1108.5.5.3.1 The threshold for an accessible transfer shower may be adaptable as long as the shower threshold can be adapted with minimal expense and effort to be accessible; and

1108.5.5.3.2 A transfer-type shower of 36 inches by 48 inches that includes an accessible seat may be provided in individual dwelling units. The threshold of this shower shall not exceed four inches.

xxvi. In Section 1108.6, Group R, “and Type B units” shall be deleted from the first sentence and “and” shall be inserted between “Accessible units” and “Type A units.”

xxvii. In Section 1108.6.1, Group R-1, “and Type B units” and “and 1109.6.1.2” shall be deleted.

xxviii. Section 1108.6.1.2, Type B units, shall be deleted in its entirety.

xxix. In Section 1108.6.2, Group R-2, “and Type B units” shall be deleted and “and” shall be inserted between “Accessible units” and “Type A units.”

xxx. In Section 1108.6.2.1, Live/work units, in the last sentence, “be a Type B unit” shall be deleted and “comply with Sections 1108.6.2.2 and 1108.7” shall be inserted. Additionally, the exception shall be deleted.

xxxi. In Section 1108.6.2.2, Apartment houses, monasteries and convents, “Live/Work Units” shall be added before “Apartment” in the title, “and Type B units” and “and 1108.6.2.2” shall be deleted, and “Live/Work Units” shall be added before “Apartment” in the third line.

xxxii. Section 1108.6.2.2.1, Type A units, shall be deleted in its entirety and the following shall be inserted:

“1108.6.2.2.1 Type A units. In Group R-2 live/work units, apartment houses, monasteries and convents containing four or more dwelling units or sleeping units, all ground floor dwelling units in a building without elevator service and all dwelling units in an elevator serviced building shall be Type A units. For the purpose of applying this requirement, the ground floor shall mean, in a building containing dwelling units, the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.

Exception: The number of Type A units is permitted to be reduced in accordance with 1108.7.

xxxiii. Section 1108.6.2.2.2, Type B units, shall be deleted in its entirety.

xxxiv. In Section 1108.6.2.3, Group R-2 other than live/work units, apartment houses, monasteries and convents, “Type B units” shall be deleted and “Type A units” inserted in its place.

xxxv. Section 1108.6.2.3.2, Type B units, shall be deleted in its entirety and the following shall be inserted:

“1108.6.2.3.2 Type A units. In Group R-2 occupancies other than live/work units, apartment houses, monasteries and convents containing four or more dwelling units or sleeping units, all ground floor dwelling units in a building without elevator service and all dwelling units in an elevator serviced building shall be Type A units. For the purpose of applying this requirement, the ground floor shall mean, in a building containing dwelling units, the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.

Exception: The number of Type A units is permitted to be reduced in accordance with 1108.7.

xxxvi. In Section 1108.6.3, Group R-3, “Type B units” shall be deleted in the section and the exception and “Type A units” inserted in its place in both locations.

xxxvii. In Section 1108.6.4, Group R-4, “Type B units” shall be deleted and “Type A units” inserted in its place.

xxxviii. Section 1108.6.4.2, Type B units, shall be re-titled “Type A units”. Additionally, “Type B units” shall be deleted in the section and the exception and “Type A units” inserted in its place in both locations.

xxxix. Insert new section 1108.6.5 as follows:

“1108.6.5 COAH Units. The exemption for townhouses and multistory units notwithstanding, multistory or multifloor townhouses for which credit is sought for low or moderate income housing through the Council on Affordable Housing (COAH) shall have the following features, which shall comply with the standards for Type A dwelling units per ICC A117.1:

(1) An adaptable entrance, with the plans for the adaptation to provide an accessible entrance.

(A) For the purposes of fulfilling this requirement, the use of a platform lift or a limited use limited application elevator shall be acceptable;

(2) An adaptable toilet and bathing facility on the first floor;

(3) An adaptable kitchen on the first floor;

(4) An accessible interior route of travel.

(A) An interior accessible route of travel shall not be required between stories; and

(5) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor.”

xl. In Section 1108.7, General exceptions, “and Type B units” shall be deleted. Additionally, in the last line “1108.7.5” shall be deleted and “1108.7.3” inserted in its place.

xli. Section 1108.7.1, Structures without elevator service, 1108.7.1.1, One story with Type B units required, and 1108.7.1.2, Additional stories with Type B units, shall be deleted in their entirety.

xlii. Section 1108.7.2, Multistory units, shall be re-numbered as Section 1108.7.1. The first sentence of this section shall be deleted and replaced with the following: A multistory dwelling unit or sleeping unit that is not provided with elevator service is required to be accessible as follows: The primary entrance to the unit shall comply with the requirements for a Type A unit and, where provided within the unit, a living area, kitchen, and toilet and bathing facility that comply with Type A dwelling unit shall be provided on that floor. In the seventh line, “Type B dwelling unit” shall be deleted and “Type A unit” inserted in its place. Additionally, in the eighth line, following the word “toilet,” “and bathing” shall be inserted.

xl. Section 1108.7.3, Elevator service to the lowest story with units, shall be deleted in its entirety.

xli. Section 1108.7.4, Site impracticality, shall be re-numbered as Section 1108.7.2 and "Type B units" in the third line of the section and in Items 1, 2, 3, and 4 shall be deleted and "Type A units" inserted in its place.

xlii. Section 1108.7.5, Flood hazard areas, shall be re-numbered as Section 1108.7.3 and in the first line "and Type B units" shall be deleted. Additionally, the following exception shall be added: "Exception: When an accessible route is provided, all dwelling units served by the accessible route shall be Type A units."

xliii. Section 1110.1, General, in the exception, "and Type B unit" shall be deleted and "and" shall be inserted between "Accessible unit" and "Type A unit."

xliv. In Section 1110.2.5, Lavatories, the last sentence shall be deleted.

xlv. In Section 1110.8, Elevators, insert the following exceptions:

"Exceptions:

1. An elevator that provides an accessible route within an individual dwelling unit shall not be required to comply with the dimensional requirements of an accessible elevator.

2. A limited use/limited application elevator that complies with ANSI/ASME A17.1 adopted by reference in the building subcode shall be allowed to provide a vertical accessible route in the following buildings or tenancies, provided that the travel distance of the device does not exceed 25 feet:

2.1 In small buildings as defined in Section 1104.4.1;

2.2 In individual tenancies of less than 10,000 square feet in buildings of 10,000 square feet or more;

2.3 To serve floors or mezzanines of less than 3,000 square feet; or

2.4 In Group A-3, places of religious worship, or Group E occupancies of any size."

xlvi. In Section 1110.9, Lifts, Items #4, #6, and #10 shall be deleted.

1. In Section 1110.13.2, Sales and service counters and windows, insert the following exceptions:

"Exceptions:

1. An auxiliary service counter with a maximum height of 36 inches in close proximity to the main service counter

2. Equivalent facilitation, such as a folding shelf attached to the main service counter or space at the side of the service counter."

li. In Section 1111.2.2, Facilities serving Type A and Type B units in a single building, delete "and Type B" in the title and "or Type B" in the first sentence.

lii. In Section 1111.2.3, Facilities serving Type A and Type B units in multiple buildings, delete "and Type B" in the title and "or Type B" in the first sentence.

liii. Sections 1111.4.8, Amusement rides, 1111.4.8.1, Load and unload areas, 1111.4.8.2, Wheel-chair spaces, ride seats designed for transfer and transfer devices, and 1111.4.8.3, Minimum number shall be deleted in their entirety.

liv. Sections 1111.4.12, Miniature golf facilities, 1111.4.12.1, Minimum number, 1111.4.12.2, Miniature golf course configuration, and 1111.4.12.3, Accessible route shall be deleted in their entirety.

lv. In Section 1111.4.14, Swimming pools, wading pools, cold baths, hot tubs, and spas, Exception 3 shall be deleted in its entirety.

lvi. In Section 1112.1, Signs, the exception to Item #1 shall be deleted. Additionally, in the last line of the exception to Item #2, "an assigned" shall be inserted following "identification of" and "spaces" shall be deleted and "space" shall be inserted.

lvii. In Section 1112.4, Other signs, Item #7 shall be deleted in its entirety.

lviii. Insert new Section 1113, Variations, as follows:

"Section 1113. Variations

1113.1 General. Where it can be demonstrated that one or more of the provisions of this subchapter are technically infeasible, variations or exceptions to those specific provisions may be granted if:

1. The spirit and intent of the law are observed;
2. Public welfare and safety are assured; and
3. Equivalent facilitation and protection for people with disabilities are secured.

1113.2 Prohibited. In no case shall a complete waiver of these requirements be granted.

1113.3 Procedure. Procedures for granting variations and exceptions shall be in accordance with N.J.A.C. 5:23-2.9 through 2.13."

11. Chapter 12, Interior Environment, shall be amended as follows:

i. Section 1203, Temperature Control, shall be deleted in its entirety.

ii. Section 1207, Enhanced Classroom Acoustics, shall be deleted in its entirety.

iii. In Section 1208.2, Minimum ceiling heights, “7 feet 6 inches (2286mm)” shall be deleted and “7 feet (2134 mm)” shall be inserted in its place.

iv. In Section 1208.4, Efficiency dwelling units, in exception 3, “and Type B” shall be deleted.

v. Sections 1210.3, Privacy, 1210.3.1 Water closet compartment, and 1210.3.2, Urinal partitions shall be deleted in their entirety.

12. Chapter 13, Energy Efficiency, shall be deleted in its entirety.

13. Chapter 14, Exterior Walls, shall be amended as follows:

i. In Section 1404.11.4, Grounding, “Chapter 27 of this code” shall be deleted and “the electrical subcode, N.J.A.C. 5:23-3.16” shall be inserted.

14. Chapter 15, Roof Assemblies and Rooftop Structures, shall be amended as follows:

i. In Section 1502.1, General, “Chapter 11 of the International Plumbing Code” shall be deleted and “the plumbing subcode, N.J.A.C. 5:23-3.15” shall be inserted.

ii. In Section 1502.2, Secondary (emergency overflow) drains or scuppers, “Chapter 11 of the International Plumbing Code” shall be deleted and “the plumbing subcode, N.J.A.C. 5:23-3.15” shall be inserted.

iii. In Table 1505.1, Minimum Roof Covering Classification for Types of Construction, Note a shall be deleted in its entirety. In addition, at Note b, “and Group U” shall be deleted from the first sentence.

iv. In Section 1507.1.2, Ice barrier, “In areas where there has been a history of ice forming along the eaves causing a backup of water,” shall be deleted and “In areas where the average daily temperature in January is 25 degrees F (-4 degrees C) or less,” shall be inserted.

v. In Table 1507.4.3(1), METAL ROOF COVERINGS, the reference to note a in the fifth line of the second column and note a at the end of the table shall be deleted.

vi. In Section 1507.5.7, Flashing, “or where there has is a possibility of ice forming along the eaves causing a backup of water,” shall be deleted.

vii. In Section 1507.8.8, Flashing, “or where there is a possibility of ice forming along the eaves causing a backup of water,” shall be deleted.

viii. In Section 1507.9.9, Flashing, “or where there is a possibility of ice forming along the eaves causing a backup of water,” shall be deleted.

ix. In Section 1507.17.4.2, Ice barrier, “In areas where there has been a history of ice forming along the eaves causing a backup of water,” shall be deleted and “In

areas where the average daily temperature in January is 25 degrees F (-4 degrees C) or less,” shall be inserted.

15. Chapter 16, Structural Design, shall be amended as follows:

i. New Section 1603.2, Restrictions on loading, from Section 1603.2 of the 2006 International Building Code, shall be inserted as follows: “It shall be unlawful to place, or cause to permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by these requirements.”

ii. In Section 1607.8.5, Posting, “Section 106.1” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

iii. Section 1607.12, Reduction in uniform live loads, shall be amended as follows: In the first sentence, “and applied” shall be inserted after “reduced.” After the first sentence, “The method chosen shall be applied throughout the building.” shall be inserted.

iv. In Section 1611.1, Design rain load, the second and third sentences shall be deleted and “The design rainfall rates shall be based on the plumbing subcode, N.J.A.C. 5:23-3.15.” shall be inserted.

v. In Section 1611, Rain loads, Figures 1611.1(1) through 1611.1(5), “100-year, 1-hour rainfall (inches)” shall be deleted.

vi. In Section 1612.1, General, in the first sentence, “including substantial improvement and restoration of substantial damage to buildings and structures” shall be deleted.

vii. In Section 1612.4, Flood hazard documentation, items 1.1 and 2.1, “Section 110.3.3” and “Section 110.3.12.1” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted in all instances.

16. Chapter 17, Structural Tests and Special Inspections, shall be amended as follows:

i. In the User notes, under About this Chapter, “chapter 1” shall be deleted, and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted in its place.

ii. In Section 1701.1, Scope, “shall apply to Class 1 buildings, buildings of Type IVA, IVB, and IVC construction, and smoke control systems in all buildings and” shall be inserted after “chapter.”

iii. Section 1703.1, Approved agency, shall be amended as follows: In the first sentence, “Upon the request of the construction official” shall be inserted before “An.” In the same sentence, “building official” shall be deleted and “construction official” shall be inserted and

“applicable” shall be deleted and “following” shall be inserted.

iv. In Section 1703.1.1, Independence, in the second sentence, “building official” shall be deleted and “construction official” shall be inserted.

v. Add new section 1703.1.4 as follows: “1703.1.4 Certification. An approved agency shall employ personnel certified in accordance with the administrative provisions of the Uniform Construction Code, to conduct, supervise and evaluate tests or inspections.”

vi. In Section 1703.3, Record of approval, in the first sentence, “building official” shall be deleted and “construction official” shall be inserted.

vii. In Section 1703.4, Performance, in the first sentence, “building official” shall be deleted and “construction official” shall be inserted.

viii. In Section 1703.4.1, Research and investigation, in the first and second sentences, “building official” shall be deleted and “construction official” shall be inserted.

ix. In Section 1703.6, Evaluation and follow-up inspection services, “in accordance with N.J.A.C. 5:23-4.26” shall be inserted after the second “assembly.” Additionally, in the second and last sentence, “building official” shall be deleted and “construction official” shall be inserted.

x. In Section 1703.6.2, Test and inspection records, in the first sentence, “building official” shall be deleted and “construction official” shall be inserted.

xi. In Section 1704.2, Special inspections and tests, in the first sentence, “of Class 1 buildings, buildings of Type IVA, IVB, and IVC construction, or any building containing a smoke control system” shall be inserted after “construction.” Additionally, in exceptions #1 and #2, “building official” shall be deleted and “construction official” shall be inserted. Lastly, “Section 105” and “Section 110” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted in both locations.

xii. In Section 1704.2.3, Statement of special inspections, “in accordance with Section 107.1” shall be deleted.

xiii. In Section 1704.3, Statement of special inspections, “registered design professional” shall be deleted and “person” shall be inserted.

xiv. In Section 1704.4, Contractor responsibility, in the first sentence, “main - wind- or” shall be deleted. In addition, in the same sentence, “or a wind-” shall be deleted.

xv. In Section 1704.5, Submittal to building official, in the title, “building official” shall be deleted and “construction official” shall be inserted. In addition, in item #

7, “B and C,” shall be deleted in reference to seismic design categories.

xvi. Section 1704.6, Structural observations, shall be deleted in its entirety.

xvii. In Section 1705.2, Steel construction, “the on-site erection of” shall be inserted between “of” and “steel.”

xviii. In Section 1705.4, Masonry construction, “in Seismic Design Category D” shall be inserted after the word “construction.” Additionally, in Exception 2, the reference to Table 1807.1.6.3(1) shall be deleted.

xix. Section 1705.5, Wood construction, Section 1705.5.1, High-load diaphragms, and Section 1705.5.2, Metal-plate-connected wood trusses spanning 60 feet or greater, shall be deleted. Additionally, Section 1705.5.3, Mass timber construction shall be renumbered 1705.5.

xx. Section 1705.12, Special inspection for wind resistance, shall be deleted.

xxi. In Section 1705.13.1.1, Seismic force-resisting systems, “B and C,” shall be deleted in reference to seismic design categories. Additionally, Exception 1 shall be deleted.

xxii. In Section 1705.13.1.2, Structural steel elements, “B and C,” shall be deleted in reference to seismic design categories. In addition, exception 1 shall be deleted.

xxiii. In Section 1705.13.2, Structural wood, in the first sentence, “C,” shall be deleted in reference to seismic design categories.

xxiv. In Section 1705.13.3, Cold-formed light-frame construction, in the first sentence, “C,” shall be deleted in reference to seismic design categories.

xxv. In Section 1705.13.4, Designated seismic systems, in the first sentence, “C,” shall be deleted in reference to seismic design categories.

xxvi. In Section 1705.13.6, Plumbing, Mechanical and Electrical Components, in items 1, 3, 4, 5, and 6, “C,” shall be deleted in reference to seismic design categories.

xxvii. In Section 1705.13.8, Seismic isolation systems, in the first sentence of the first paragraph, “B” and “C,” shall be deleted in reference to seismic design categories.

xxviii. Section 1705.14.1, Structural steel, shall be deleted.

xxix. In Section 1705.14.2, Nonstructural components, in the first sentence, “B and C,” shall be deleted in reference to seismic design categories.

xxx. In Section 1705.14.3, Designated seismic systems, in the first sentence, “C,” shall be deleted in reference to seismic design categories.

xxx. In Section 1705.14.4, Seismic isolation systems, in the first sentence, “B and C,” shall be deleted in reference to seismic design categories.

xxxii. In 1707.1, Alternative Test Procedure, “as provided for in Section 104.11” shall be deleted and “in accordance with N.J.A.C. 5:23-3.7” shall be inserted in its place.

17. Chapter 18, Soils and Foundations, shall be amended as follows:

i. Section 1803.3.1, Scope of investigation, shall be amended as follows: After the first sentence, the following sentence from Section 1802.1 of the 1996 BOCA National Building Code shall be inserted: “There shall be at least one exploratory boring to rock or to an adequate depth below the load-bearing strata for every 2,500 square feet (232 m²) of built-over area, and such additional tests as the code official requires.”

ii. In Section 1803.5, Investigated conditions, in the last line, delete “1803.5.12” and insert “1803.5.13”.

iii. In the title of Section 1803.5.11, “C” shall be deleted and “D” shall be inserted. In the first sentence, the reference to “C” shall be deleted.

iv. New Section 1803.5.13 from Section 1802.1 of the 1996 BOCA National Building Code shall be inserted as follows: “Building Height: For all buildings that are more than three stories or 40 feet (12,192 mm) in height above the grade plane, the building official shall request soil tests.”

v. In Section 1805.4.3, Drainage discharge, “International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

vi. New Section 1807.4 from Section 1813.8 of the 1996 BOCA National Building Code shall be inserted as follows: “1807.4 Erosion protection: Where water impacts the ground from the edge of the roof, downspout, scupper or other rain water collection or diversion device, provisions shall be made to prevent soil erosion and direct the water away from the foundation.”

vii. Section 1809.4, Depth and width of footings, shall have the following exceptions added:

“Exceptions:

1. Garden-type utility sheds and similar structures that are 100 square feet or less in area, 10 feet or less in height and accessory to structures of Group R-2, R-3 or R-4 and does not contain a water, gas, oil or sewer connection. These structures shall be of sufficient weight to remain in place or shall be anchored to the ground.

2. Garden-type utility sheds and similar structures that are greater than 100 square feet, but not more than 200 square feet in area, 10 feet or less in height and accessory to structures of Group R-2, R-3 or R-4 provided the shed is dimensionally stable without the

foundation system and does not contain a water, gas, oil or sewer connection. A shed shall be considered dimensionally stable if it is provided with a floor system that is tied to the walls of the structure such that it reacts to loads as a unit. These structures shall be of sufficient weight to remain in place or shall be anchored to the ground.”

viii. New Section 1810.3.1.7 from Section 1816.9 of the 1996 BOCA National Building Code shall be inserted as follows: “Spacing. The minimum center-to-center spacing of piles shall not be less than twice the average diameter of a round pile, nor less than 1 3/4 times the diagonal dimension of a rectangular pile. Where driven to or penetrating into rock, the spacing shall not be less than 24 inches (610 mm). Where receiving principal support at the end from materials other than rock, or through friction resistance, the spacing shall not be less than 30 inches (762 mm) except that for piles having enlarged bases formed either by compacting concrete or driving a pre-cast base, the minimum center-to-center spacing shall be 4 1/2 feet (1,372 mm). The spacing of piles shall be such that the average load on the supporting strata will not exceed the safe load-bearing value of those strata as determined by test borings or other approved methods.”

ix. In Section 1810.3.3.1.3, Load test evaluation methods, Item 4 shall be deleted.

x. In Section 1810.3.10.4, Seismic reinforcement, “Section 104.11” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

xi. In Section 1810.3.13, Seismic ties, in the exception, “and U” and “subject to approval of the building official” shall be deleted.

18. Chapter 23, Wood, shall be amended as follows:

i. In Section 2303.4.1.4.1, Truss design drawings, “Where required by the registered design professional, the building official, or the statutes of the jurisdiction in which the project is to be constructed,” shall be deleted.

ii. In Section 2303.4.2, Truss placement diagram, in the last sentence, “that serve only as a guide for installation and do not deviate from the permit submittal drawings” shall be deleted.

iii. In Section 2303.4.6, TPI 1 specifications, “Section 110.4” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

iv. New Section 2303.4.8, entitled “Truss Identification,” shall be inserted as follows: “Each truss shall be labeled or otherwise indelibly marked at the factory with the individual truss number as assigned in the truss layout plan. The indelible marking or label shall be located on the bottom chord of the truss, inside the bearing points. When indelible markings are used, each digit shall be not less than one inch high. When labels are used, the label

shall be a minimum of five inches by three inches and shall be affixed to the truss by a truss plate. Labels shall remain affixed to the truss.”

v. In Table 2304.10.2, Fastening Schedule, in footnote g, “under Section 104.11” shall be deleted, and “pursuant to N.J.A.C. 5:23-3.7” shall be inserted in its place.

vi. In Table 2306.2(2), Allowable Shear Values (Pounds Per Foot) For Wood Structural Panel Blocked Diaphragms Utilizing Multiple Rows of Staples (High-Load Diaphragms) With Framing of Douglas Fir-Larch or Southern Pine for Wind or Seismic Loading, Note g shall be deleted.

vii. In Section 2308.1, General, the last sentence shall be deleted.

19. Chapter 25, Gypsum Board, Gypsum Panel Products and Plaster, shall be amended as follows:

i. In Section 2503.1, Inspection, “Section 110.3.6” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

20. Chapter 27, Electrical, shall be deleted except Section 2702, Emergency and standby power systems, which shall be amended as follows:

i. In Section 2702.2.4, Emergency voice/alarm communication systems, the text shall be deleted, and the following language from Section 2702.2.4 of the 2018/IBC shall be inserted: “Emergency power shall be provided for emergency voice/alarm communication systems as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.”

21. Chapters 28, Mechanical Systems, and 29, Plumbing, shall be deleted in their entirety.

22. Chapter 30, Elevators and Conveyor Systems, shall be amended as follows:

i. In Section 3001.1, Scope, “and, where applicable, N.J.A.C. 5:23-12 shall” shall be inserted after “chapter.” In addition, “governs” shall be deleted and “govern” shall be inserted.

ii. Section 3001.2, Emergency elevator communication systems for the deaf, hard of hearing, and speech impaired, shall be deleted.

iii. Table 3001.3, Elevators and conveying systems and components, is amended as follows: Under the subheading “Type” delete “Elevators, escalators, dumbwaiters, moving walks, material lifts” and substitute with “Elevator devices as defined in N.J.A.C. 5:23-12.” Under the subheading “Standard” delete “ASME A17.1/CSA B44” and substitute with “ASME A17.1/CSA B44 with the exception of Sections 1.1.3 and 1.2, Sections 5.8, 5.9, and 5.11, and 5.12, Sections 7.4 through 7.7, and Sections 7.9 and 7.10”; Insert new statements: Under the subheading

“Type” insert “Marine and Mine Elevators, Wind Turbine Tower Elevators, Outside Emergency Elevators, Material Lifts Without Automatic Transfer Devices, Electric and Hydraulic Material Lifts Without Automatic Transfer Devices, Automatic Transfer Devices, Electric and Hydraulic Material Lifts With Automatic Transfer Devices.” and under the subheading “Standard,” insert “ASME A17.1/CSA B44 Sections 5.8 and 5.9, 5.11, 5.12, Sections 7.4 through 7.7, and Sections 7.9 and 7.10”. In addition, under the subheading standard delete ASME A17.7/CSA B44.7.

iv. In Section 3001.5, Change in use, “Section 8.7 of ASME A17.1/CSA B44” shall be deleted and “ASME A17.1” shall be inserted.

v. In Section 3002.5, Emergency doors, “ASME A17.1/CSA B44” shall be deleted and “ASME A17.1” shall be inserted.

vi. In Section 3002.9, Plumbing and mechanical systems, in the exception, “without an oil-water separator” shall be inserted at the end of the sentence. In addition, the following sentence shall be inserted: “The discharge shall not be directly or indirectly connected to the sanitary drainage system.”

vii. In Section 3003.1.3, Two or more elevators, the last sentence shall be deleted and the following sentence shall be substituted “After all elevators have been returned to the designated level, service to all floors shall be provided by not less than one elevator which shall remain operational from the standby power source.”

viii. In Section 3003.2, Fire-fighters’ emergency operation, “ASME A17.1/CSA B44” shall be deleted and “ASME A17.1” shall be inserted.

ix. In Section 3003.3, Standardized fire service elevator keys, “International Fire Code” shall be deleted and “Elevator Safety Subcode (N.J.A.C. 5:23-12)” shall be inserted.

x. In Section 3005.6, Plumbing systems, add the following exception:

“Exception: Where machinery spaces and control spaces are located in the elevator pit, floor drains, sumps and sump pumps shall be permitted in the pits provided they are indirectly connected to the plumbing system without an oil-water separator. The discharge shall not be directly or indirectly connected to the sanitary system.”

xi. In Section 3006.2, Hoistway opening protection required, Condition #1 shall be deleted and Conditions 2 through 5 shall be renumbered 1 through 4 with no change in text.

xii. Section 3006.2.1, Rated corridors, is deleted.

xiii. In Section 3006.3, Hoistway opening protection, item 4 shall be deleted in its entirety.

xiv. In Section 3008.6.6, Two-way communication system, in the first sentence, “or an alternate location approved by the fire department and” shall be deleted.

xv. In Section 3008.7, Elevator system monitoring, in the first sentence, “or a central control point approved by the fire department and” shall be deleted.

xvi. In Section 3008.7.1, Elevator recall, in the first sentence, “or an alternate location approved by the fire department and” shall be deleted.

23. Chapter 31, Special Construction, shall be amended as follows:

i. New Section 3102.3.2, which shall be the text of Section 3104.6 of the 1996 BOCA National Building Code, shall be inserted as follows: “Certification: An affidavit or affirmation shall be submitted to the code official and a copy retained on the premises on which the tent or air-supported structure is located. The affidavit or affirmation shall attest to the following information relative to the flame-resistance of the fabric:

1. Names and addresses of the owners of the tent or air-supported structure.
2. Date the fabric was last treated with flame-resistant solution.
3. Trade name or kind of chemical used in treatment.
4. Name of person or firm treating the material.
5. Name of testing agency and test standard by which the fabric was tested.”

ii. Section 3103.1.2, Permit required, shall be deleted in its entirety and the following shall be inserted:

“Temporary structures, tents, tensioned membrane structures, and canopies meeting the criteria in N.J.A.C. 5:23-2.14 shall not require a permit. Greenhouses meeting the criteria in N.J.A.C. 5:23-3.2(d) shall not require a permit.”

iii. In Section 3104.2, Separate structures, Exception 2 shall be deleted.

iv. New Section 3109.2, Amendments to the International Swimming Pool and Spa Code, shall be inserted as follows:

3109.2 Amendments to the International Swimming Pool and Spa Code. The following amendments shall be made to the International Swimming Pool and Spa Code:

1. Chapter 1, Scope and Administration, shall be deleted in its entirety and “See the administrative provisions of N.J.A.C. 5:23.” shall be inserted. In addition, any referenced section of Chapter 1 shall be deleted throughout the code and “the administrative provisions

of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

2. Chapter 2, Definitions, shall be amended as follows:

2.1 In Section 201.3, Terms defined in other codes, “International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

2.2 In Section 202, Definitions:

2.2.1 The definition of “alteration” shall be deleted.

2.2.2 The definition of “code official” shall be deleted and the following shall be inserted: “Construction Official. A qualified person appointed by the municipal appointing authority or the commissioner pursuant to the act and the regulations to enforce and administer the regulations within the jurisdiction of the enforcing agency.”

2.2.3 The definition of “existing pool or spa” shall be deleted.

2.2.4 The definition of “owner” shall be deleted and the following shall be inserted: “Owner. The owner or owners in fee of the property of a lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, lessee or any other person, firm or corporation, directly or indirectly in control of a building, structure or real property and shall include any subdivision thereof of the State.”

2.2.5 The definitions of “permit” and “repair” shall be deleted.

3. Chapter 3, General Compliance, shall be amended as follows:

3.1 In Section 302.1, Electrical, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted. Additionally, “or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted.

3.2 In Section 302.2, Water service and drainage, “International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.3 In Sections 302.5, Backflow prevention, and 302.6, Waste-water discharge, “International Plumbing Code or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.4 Section 305, Barrier requirements, shall be amended as follows:

3.4.1 In Section 305.1, General, in the second sentence, “and swimming pools are equipped with a

powered safety cover that complies with ASTM F1346” shall be deleted. Also in the second sentence, “, hot tubs or pools” shall be replaced with “or hot tubs”.

3.4.2 Section 305.1.1, Construction fencing required, shall be deleted.

3.4.3 Section 305.4, Structure wall as a barrier, shall be deleted.

3.4.4 In Section 305.5, Onground residential pool structure as a barrier, in item 3, “capable of being secured, locked or removed to prevent access except where the ladder or steps are” shall be deleted.

3.5 In Section 306.1, General, “in accordance with Section 102.7.1” shall be deleted.

3.6 Sections 306.3, Step risers and treads, and 306.4, Deck steps handrail required, shall be deleted.

3.7 In Section 306.9.1, Hose bibbs, “International Plumbing Code or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.8 In Sections 307.1.1, Glazing in hazardous locations, 307.2.2, Materials and structural design, 307.1.3, Roofs or canopies, and 316.6.1, Installation, “in accordance with Section 102.7.1” shall be deleted.

3.9 In Section 316.4, Installation, “in accordance with Section 102.7.1” shall be deleted. Additionally, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

3.10 In Section 318.2, Protection of potable water supply, “International Residential Code or the International Plumbing Code or, as applicable in accordance with Section 102.7.1” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.11 In Section 321.2.1, Pool and deck illumination, in the second sentence, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

3.12 In Section 321.4, Residential pool and deck illumination, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted. Additionally, “or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted.

4. Chapter 4, Public swimming pools, shall be amended as follows:

4.1 In Section 410.1, Toilet facilities, “International Building Code or International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

5. Amendments to Chapter 6, Aquatic recreation facilities, shall be amended as follows:

5.1 In Section 601.1, Scope, the following sentence shall be added to the end of the paragraph, “For purposes of enforcement, Class D-2 and Class D-6 public pools shall be regulated by this chapter and N.J.A.C. 5:23; all other Class D public pools shall be regulated by N.J.A.C. 5:14A.”

5.2 In Section 609.1, General, “International Building Code and International Plumbing Code and Section 609.2 through 609.9” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

5.3 Sections 609.2, Number of fixtures, 609.3, Showers, 609.4, Soap dispensers, 609.5, Toilet tissue holder, 609.6, Lavatory mirror, 609.7, Sanitary napkin receptacles, 609.8, Sanitary napkin dispensers, and 609.9, Infant Care, shall be deleted.

6. Appendix A, Board of Appeals, shall be deleted in its entirety.

v. Section 3111.2, Solar thermal systems, “International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

vi. Section 3113, Relocatable buildings, is deleted.

vii. Section 3114, Public use restroom buildings in flood hazard areas, shall be deleted in its entirety.

viii. In Section 3115.8.4.2, Seismic design parameters in item 3, “Section 104.11” shall be deleted, and “the administrative provisions of the Uniform Construction Code” shall be inserted in its place.

ix. In Section 3115.8.3, Allowable shear value, in the fifth line, “Section 104.11” shall be deleted, and “the administrative provisions of the Uniform Construction Code” shall be inserted in its place.

24. Chapter 32, Encroachments into the Public Right of Way, shall be amended as follows:

i. In Section 3202.1.2, Vaults and other enclosed spaces, “applicable governing authority” shall be deleted and “Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

ii. In Section 3202.3.4, Pedestrian walkways, “applicable governing authority” shall be deleted and “the construction official” shall be inserted.

iii. In Section 3202.4, Temporary encroachments, “applicable governing authority” shall be deleted and “municipality” shall be inserted.

25. Chapter 33, Safeguards During Construction, shall be amended as follows:

i. Sections 3303.1, Construction documents; 3303.2, Pedestrian protection; 3303.4, Vacant lot; 3303.5,

Water accumulation; and 3303.6, Utility connections, shall be deleted in their entirety.

ii. Section 3305, Sanitary, shall be deleted in its entirety.

iii. Section 3307.1, Protection required, shall be deleted in its entirety and the following shall be inserted: "Protection of adjoining properties shall be in accordance with N.J.A.C. 5:23-2.34."

iv. In the exception of Section 3313, Water supply for fire protection, the term "fire code official" shall be replaced with the term "fire official."

v. In Section 3314, Fire watch during construction, the term "fire code official" shall be replaced with the term "fire official".

26. Chapter 35, Referenced Standards, shall be amended as follows:

i. In the User notes, under About This Chapter, "Section 1024" shall be deleted and "the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)" shall be inserted in its place.

ii. Under the heading ASME, add the following note:

Note: Those sections of ANSI A17.1/CSA B44 that are noted as applicable in Canada are not included as part of the referenced document.

27. The Appendices shall be amended as follows:

i. Appendix A, Employee Qualifications; Appendix B, Board of Appeals; Appendix C, Group U-Agricultural Buildings; Appendix D, Fire Districts; Appendix E, Supplementary Accessibility Requirements; Appendix F, Rodentproofing; and Appendix G, Flood-Resistant Construction, shall be deleted in their entirety.

ii. In Appendix H, at the beginning of the Appendix, the sentence, "The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance," shall be deleted in its entirety.

(1) In Appendix H, Section H101.2, Signs exempt from permits, shall be deleted in its entirety.

(2) In Appendix H, Section H105.2, Permits, drawings and specifications, "as provided in Chapter 1" shall be deleted and "as provided in N.J.A.C. 5:23-2.14" shall be inserted.

iii. Appendix I, Patio Covers, Appendix J, Grading, Appendix K, Administrative Provisions, Appendix L, Earthquake Recording Instrumentation, Appendix M, Tsunami-Generated Flood Hazard, Appendix N, Replicable Buildings, and Appendix O, Performance-based application, shall be deleted in their entirety.

Amended by R.1981 d.132, effective May 7, 1981.

See: 13 N.J.R. 121(a), 13 N.J.R. 258(d).

Amended by R.1983 d.12, eff. February 7, 1983, operative February 22, 1983.

See: 14 N.J.R. 132(a), 15 N.J.R. 141(c).

Added (a)2 and (c).

Amended by R.1984 d.314, eff. August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

This section was substantially amended.

Amended by R.1985 d.154, effective April 1, 1985 (operative July 1, 1985.)

See: 17 N.J.R. 239(a), 17 N.J.R. 810(a).

(a)2 added; subsection (c) added.

Correction: N.J.A.C. 5:23-3.14(c)5 was incorrect in adoption.

See: 17 N.J.R. 1409(a).

Amended by R.1985 d.324, effective July 1, 1985.

See: 17 N.J.R. 861(c), 17 N.J.R. 1646(a).

(b)3i: amended text.

Amended by R.1986 d.380, effective September 22, 1986.

See: 18 N.J.R. 1235(a), 18 N.J.R. 1931(a).

Substantially amended.

Amended by R.1987 d.374, effective September 21, 1987.

See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).

Model subcode revisions.

Amended by R.1988 d.270, effective June 20, 1988.

See: 20 N.J.R. 575(a), 20 N.J.R. 1344(a).

Added (a)3 and (c).

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

Text added at (c)2ii, 4, 5 and 7.

Amended by R.1990 d.325, effective July 2, 1990.

See: 21 N.J.R. 1654(a), 22 N.J.R. 2001(a).

Text added at (b)5xii(1) to conform to Fire Code.

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to BOCA National Code/1990.

Amended by R.1990 d.558, effective November 19, 1990.

See: 22 N.J.R. 1969(b), 22 N.J.R. 3483(a).

Conditional exemption for hoopouses or polyhouses added.

Amended by R.1991 d.325, effective July 1, 1991.

See: 23 N.J.R. 805(a), 23 N.J.R. 2046(a).

Article 26 amended at (b)14.

Amended by R.1991 d.429, effective August 19, 1991.

See: 23 N.J.R. 1487(a), 23 N.J.R. 2501(a).

In (a), added 3. Added (c).

Amended by R.1992 d.244, effective June 15, 1992.

See: 24 N.J.R. 1147(a), 24 N.J.R. 2243(a).

Text added at (b)10v through viii.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1995 d.477, effective September 5, 1995.

See: 27 N.J.R. 1717(a), 27 N.J.R. 3328(a).

Added (b)2v.

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote the section.

Amended by R.2000 d.492, effective December 18, 2000.

See: 32 N.J.R. 3219(a), 32 N.J.R. 4437(b).

Rewrote (b)25.

Amended by R.2001 d.127, effective April 16, 2001.

See: 33 N.J.R. 392(a), 33 N.J.R. 1195(a).

In (a)9, added new ix and recodified former ix through xiii as new x through xiv.

Amended by R.2001 d.368, effective October 15, 2001.

See: 33 N.J.R. 1990(a), 33 N.J.R. 3673(b).

In (b)9, inserted a new ix and recodified former ix through xiv as x through xv.

Amended by R.2001 d.369, effective October 15, 2001.

See: 33 N.J.R. 2365(a), 33 N.J.R. 3674(a).

In (b), substituted "seven" for "7 1/3 (2335 mm)" in 2vi, rewrote 10, added a new 17, and recodified former 17 through 26 as 18 through 27.

Amended by R.2002 d.215, effective July 1, 2002.

See: 34 N.J.R. 1078(a), 34 N.J.R. 2312(a).

In (b)22, inserted new ii and recodified existing ii through xvii as iii through xviii.

Administrative correction.

See: 34 N.J.R. 3771(b).
 Amended by R.2003 d.187, effective May 5, 2003.
 See: 34 N.J.R. 4248(a), 35 N.J.R. 1939(c).
 Rewrote the section.
 Administrative correction.
 See: 35 N.J.R. 2864(b).
 Amended by R.2003 d.351, effective September 2, 2003.
 See: 35 N.J.R. 1177(a), 35 N.J.R. 4051(a).
 In (b)9, added xi; recodified existing xi to xiii as xii to xiv.
 Amended by R.2003 d.420, effective November 3, 2003.
 See: 34 N.J.R. 4248(a), 35 N.J.R. 5073(a).
 Rewrote (b).
 Administrative correction.
 See: 36 N.J.R. 3525(c).
 Amended by R.2004 d.423, effective November 15, 2004.
 See: 36 N.J.R. 3004(a), 36 N.J.R. 5090(a).
 In (b)5, added ii.
 Amended by R.2005 d.4, effective January 3, 2005.
 See: 36 N.J.R. 4049(a), 37 N.J.R. 47(a).
 In (b)19, added new iv and recodified former iv and v as v and vi.
 Administrative correction.
 See: 37 N.J.R. 502(b), 674(a).
 Amended by R.2005 d.403, effective November 21, 2005.
 See: 37 N.J.R. 2753(a), 37 N.J.R. 4399(b).
 Added (b)14xi and recodified former (b)14xi-xiii as (b)14xii-xiv;
 added (b)18 and recodified former (b)18-25 as (b)19-26.
 Amended by R.2005 d.446, effective December 19, 2005.
 See: 37 N.J.R. 2747(a), 37 N.J.R. 4907(a).
 In (b)3viii(3), substituted “one- and two-family” for “single-family”; in
 (b)3viii(5), “Group R-5 also includes: ...”
 Amended by R.2006 d.28, effective January 17, 2006.
 See: 37 N.J.R. 2750(a), 38 N.J.R. 485(b).
 Rewrote (b)9, 20 and 21.
 Amended by R.2006 d.157, effective May 1, 2006.
 See: 37 N.J.R. 3108(a), 38 N.J.R. 1824(a).
 Rewrote (b)21ii.
 Administrative Correction.
 See: 38 N.J.R. 3024(a).
 Amended by R.2006 d.381, effective November 6, 2006.
 See: 38 N.J.R. 35(a), 38 N.J.R. 4691(a).
 In (b)15ii, added the last sentence; added new (b)15iv; and recodified
 former (b)15iv through (b)15xv as (b)15v through (b)15xvi.
 Amended by R.2007 d.51, effective February 5, 2007.
 See: 38 N.J.R. 375(a), 39 N.J.R. 371(a).
 Added new (b)2viii; recodified former (b)2viii through (b)2x as (b)2ix
 through (b)2xi; added new (b)3iii; recodified former (b)3iii through
 (b)3viii as (b)3iv through (b)3ix; added new (b)9i; recodified former (b)9i
 through (b)9xi as (b)9ii through (b)9xii; added new (b)9xiii; recodified
 former (b)9xii through (b)9xv as (b)9xiv through (b)9xvii; added new
 (b)10xxii and (b)10xxiii; and recodified former (b)10xxii as (b)10xxiv.
 Amended by R.2007 d.65, effective February 20, 2007.
 See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).
 Rewrote the section.
 Administrative correction.
 See: 39 N.J.R. 1249(a).
 Amended by R.2007, d.384, effective December 17, 2007.
 See: 39 N.J.R. 2684(a), 39 N.J.R. 5211(a).
 Added new (b)3i and (b)3ii; and recodified former (b)3i through (b)3vii
 as (b)3iii through (b)3ix.
 Amended by R.2008 d.39, effective March 3, 2008.
 See: 39 N.J.R. 2175(a), 40 N.J.R. 1084(a).
 Added new (b)24iii; and recodified former (b)24iii as (b)24iv.
 Administrative correction.
 See: 40 N.J.R. 1829(a).
 Amended by R.2008 d.184, effective July 7, 2008.
 See: 39 N.J.R. 2176(a), 40 N.J.R. 3990(a).
 Deleted former (b)9vii; and recodified former (b)9viii through (b)9xlii
 as (b)9vii through (b)9xli.
 Amended by R.2009 d.48, effective February 2, 2009.
 See: 40 N.J.R. 5319(a), 41 N.J.R. 733(b).
 In (b)3iii, inserted “(not including food or drink consumption)”; added
 new (b)5ii; recodified former (b)5ii as (b)5iii; added new (b)5iv and (b)5v;
 recodified former (b)5iii through (b)5ix as (b)5vi through (b)5xii; in (b)7i,
 deleted “at” preceding and “, and group U when used as an accessory to

Group R3’ ” following “Note b”; added new (b)8iii; recodified former
 (b)8iii through (b)8v as (b)8iv through (b)8vi; in (b)8v, substituted “Ex-
 ceptions 4 and 6” for “Exception 4” and “their” for “its”; in the second
 paragraph of (b)9ii, deleted “.1” following “903.1.2”; in (b)9v1, deleted
 “that conforms to the requirements of Section 1005.3.6,” following “stair-
 way” and substituted “1023” for “1003.3.4”; in the introductory paragraph
 of (b)9vi, substituted “903.2.14” for “903.2.16”; in (b)9xii3, substituted
 “903.3.1.1” for “906.2.1”; rewrote (b)9xiii through (b)9xli; added
 (b)9xlii; rewrote (b)10, (b)17xiv through (b)17xxii; added new (b)18v; re-
 codified former (b)18v through (b)18xi as (b)18vi through (b)18xii; re-
 wrote (b)21; and in (b)22iv, deleted “In” preceding “Section” and “Item
 3” preceding “shall”.
 Amended by R.2009 d.126, effective April 20, 2009.
 See: 41 N.J.R. 16(a), 41 N.J.R. 1725(a).
 Added new (b)18v; and recodified former (b)18v through (b)18xii as
 (b)18vi through (b)18xiii.
 Amended by R.2009 d.255, effective August 17, 2009.
 See: 41 N.J.R. 1919(a), 41 N.J.R. 3065(a).
 In (b)21ii, inserted “insert” twice, substituted “8.6” for “8.6.1.6.5” and
 deleted “shall be inserted” preceding “after” twice.
 Amended by R.2010 d.195, effective September 7, 2010.
 See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).
 Rewrote the section.
 Amended by R.2012 d.179, effective November 5, 2012.
 See: 44 N.J.R. 1679(a), 44 N.J.R. 2557(a).
 Added new (b)9xlvii, (b)10xxx and (b)10xxxii; recodified former
 (b)9xlv through (b)9liii as (b)9xlvii through (b)9liv; and recodified for-
 mer (b)10xxx through (b)10xxxviii as (b)10xxxii through (b)10xl.
 Amended by R.2013 d.081, effective June 3, 2013.
 See: 44 N.J.R. 1303(a), 45 N.J.R. 1393(a).
 In (b)17i, substituted “1” for “I”.
 Administrative correction.
 See: 46 N.J.R. 74(b).
 Amended by R.2015 d.139, effective September 21, 2015.
 See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).
 Rewrote the section.
 Amended by R.2017 d.107, effective June 5, 2017.
 See: 48 N.J.R. 1851(a), 49 N.J.R. 1381(b).
 Added (b)8lxxvi through (b)8lxxx.
 Amended by R.2018 d.021, effective January 16, 2018.
 See: 49 N.J.R. 306(a), 50 N.J.R. 303(a).
 In (b)10ii9, substituted “804.5” for “804.6” five times; in (b)10ii12,
 substituted “Location” for “Accessible route”; in (b)10vi, deleted the pe-
 riod following “1104.4.1.2”, and in 1104.4.2.2, substituted “a” for “the”
 and inserted “, of less than 3,000 square feet,”; added (b)10vii and
 (b)10xix, and recodified existing paragraphs to accommodate these inser-
 tions.
 Amended by R.2018 d.060, effective January 16, 2018.
 See: 49 N.J.R. 1276(a), 50 N.J.R. 310(a).
 In the introductory paragraph of (b), substituted “shall be” for “are”;
 and in (b)3xvii, in the third undesignated paragraph, substituted “five” for
 “5”, in the fourth undesignated paragraph, deleted close quote preceding
 the semicolon, and added the fifth undesignated paragraph.
 Amended by R.2018 d.153, effective August 20, 2018.
 See: 49 N.J.R. 2332(a), 50 N.J.R. 1888(a).
 Added new (b)10ii13 and (b)10i, recodified former (b)10ii13
 through (b)10ii20 as (b)10ii14 through (b)10ii21; rewrote (b)10vi and
 (b)10xxxviii; and recodified former (b)10i through (b)10lii as (b)10li
 through (b)10liii.
 Amended by R.2019 d.095, effective September 3, 2019.
 See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).
 Rewrote the section.
 Amended by R.2021 d.004, effective January 4, 2021.
 See: 52 N.J.R. 385(a), 53 N.J.R. 47(a).
 Rewrote (b).
 Amended by R.2022 d.022, effective February 7, 2022.
 See: 53 N.J.R. 1133(a), 54 N.J.R. 263(a).
 Rewrote (b)2; added (b)4x; recodified former (b)4x and (b)4xi as (b)4xi
 and (b)4xii; added (b)8vi; recodified former (b)8vi through (b)8xlv as
 (b)8vii through (b)8xlvii; deleted former (b)10iii6; and recodified former
 (b)10iii7 through (b)10iii22 as (b)10iii6 through (b)10iii21.
 Administrative correction, effective May 2, 2022.
 See: 54 N.J.R. 1017(b).
 Administrative change, effective July 6, 2022.

See: 54 N.J.R. 1549(a).
 Amended by R.2022 d.111, effective September 6, 2022.
 See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).
 Rewrote the section.

Case Notes

In a dispute involving property insurance coverage, a trial court properly granted summary judgment to the insured for repair work to other parts of a damaged building since there was a clear causal connection between the collapse of the seventh floor and the code official's mandate to bring the remaining floors into compliance to prevent them from collapsing. But for wind damage to the seventh floor of the insured's building (a covered claim), the insured would not have been required to bring the wall-to-floor connections in the rest of the building up to current code standards, therefore, those additional repairs were covered under the policy. *Deb Assocs. v. Greater N.y. Mut. Ins. Co.*, 407 N.J. Super. 287, 970 A.2d 1074, 2009 N.J. Super. LEXIS 124 (App.Div. 2009).

Set back provisions of borough zoning ordinance controlled conflicting state building code provisions. *Pfeuffer v. Sculco*, 242 N.J. Super. 181, 576 A.2d 309 (A.D.1990).

5:23-3.15 Plumbing subcode

(a) Rules concerning the plumbing subcode adopted are as follows:

1. Pursuant to the authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the Model Code of the International Association of Plumb-ing and Mechanical Officials, known as "The National Standard Plumbing Code Illustrated/2021," as the plumbing subcode for New Jersey.

i. Copies of this code may be obtained from the sponsor at: New Jersey PHCC, 189 East Bergen Place, Red Bank, NJ 07701.

2. "The National Standard Plumbing Code Illus-trated/2021," including appendices, may be known, and cited as "the plumbing subcode."

(b) The following pages, chapters, sections, or appendices of the plumbing subcode shall be amended as follows:

1. The section entitled "Administration," comprising sections ADM 1.1 through ADM 1.13, is deleted in its entirety.

2. Chapter 1 of the plumbing subcode, entitled "Defini-tions," shall be amended as follows:

i. Delete the term and definition of "Adopting Agency."

ii. Amend the definition of "approved" as follows: delete "Sec. 3.12" and insert "N.J.A.C. 5:23-3.7."

iii. Delete the definition of "Authority Having Juris-diction" and insert the following: "Unless otherwise de-fined herein, or unless the context clearly indicates other-wise, the term "authority having jurisdiction" for pur-poses of the plumbing subcode, shall mean the "plumbing subcode official."

iv. In the definition of "Building Classification" de-lete "code" and insert "subcode at N.J.A.C. 5:23-3.14."

v. In the definition of "hot water" the following shall be inserted after the first sentence: "Hot Water is potable water at a temperature of not less than 120 degrees F and not more than 140 degrees F."

vi. The term and definition of "nuisance" are deleted.

vii. In the definition of tempered water, "desired" shall be deleted. Additionally, "for its intended use, typi-cally" shall be deleted and "of" shall be inserted.

3. Chapter 2 of the plumbing subcode, entitled "General Regulations," shall be amended as follows:

i. Section 2.5, Health and Safety, is deleted in its en-tirety.

ii. In Section 2.9.3, From Weakened Structure, delete "building code" and insert "building subcode."

iii. In Section 2.11, Materials Exposed Within Ple-nums, "Codes" shall be deleted and "subcodes" shall be inserted.

iv. In Section 2.12, Sleeves for Piping, subparagraph e, "regulations" shall be deleted and "subcode" shall be inserted.

v. In Section 2.16, Freezing or Overheating, at Item 1, "42" shall be inserted in the blank space provided. Ad-ditionally, the following shall be inserted: "Combination domestic/fire water service piping shall be installed such that the minimum earth cover is 42 inches or the top of the pipe is 12 inches below the frost depth of the locality, whichever is greater. Limited-area sprinkler systems in-stalled in accordance with Section 903.3.8 of the building subcode, shall be installed such that the minimum earth cover is 42 inches." In the same section, at Item 2, "24" shall be inserted in the blank space provided. In addition, in the third line of Item 2, "6" shall be inserted in the blank space provided.

vi. Section 2.19.1, Availability of Public Water and Sewer, is amended to delete the blank and the words "feet of any property line of the premises, or other."

vii. Section 2.19.2, Private Systems, is amended to de-lete the words "the Health Department or other agency having jurisdiction" and substitute in lieu thereof "The New Jersey Department of Environmental Protection."

viii. New Section 2.19.3, Common Systems, shall be inserted as follows:

a. Common water services shall be permitted to serve attached single-family dwellings in groups of three or more where the common water service is lo-cated within property subject to an association ease-ment or on common property and there is a homeown-ers' association or other owner entity responsible for maintenance and upkeep.

- b. Common building sewers shall be permitted to serve attached single-family dwellings in groups of three or more where the common sewer is located within property subject to an association easement or on common property and there is a homeowners' association or other owner entity responsible for maintenance and upkeep.
- ix. Section 2.24, Toilet Facilities for Construction Workers, shall be deleted in its entirety.
- x. Section 2.26.1, General, shall be amended as follows:
- (1) Subsection b. shall be deleted.
 - (2) In subsection d, "Phase II firefighter override" shall be deleted and "firefighter emergency operation" shall be inserted.
- xi. Section 2.26.2, Where Elevator Pit Drainage is Provided, shall be amended as follows:
- (1) In subsection b, "Where the drainage discharge is outdoors," shall be deleted and "the" shall be capitalized.
 - (2) Subsection c. shall be deleted.
 - (3) In subsection d, "hydraulic" shall be deleted. Additionally, "or there shall be oil separation for pump operation" shall be deleted.
 - (4) In subsection g, "Phase II firefighter override" shall be deleted and "firefighter emergency operation" shall be inserted. Additionally, the last sentence shall be deleted.
4. Chapter 3 of the plumbing subcode, entitled "Materials," shall be amended as follows:
- i. In Section 3.1.1, Minimum Standards, delete "Minimum" in the title. In the same section at items (1) and (2), delete "Section 3.12.2" and insert "N.J.A.C. 5:23-3.7."
 - ii. In Section 3.1.2, General Requirements, at Item a, delete "at least." In the same section, delete "Section 3.12" and insert "N.J.A.C. 5:23-3.7."
 - iii. In Section 3.1.3, Standards Applicable to Plumbing Materials, "Section 3.12.2" shall be deleted and "N.J.A.C. 5:23-3.7" shall be inserted.
 - iv. In Table 3.1.3, Approved Materials, Part XI, Installation Procedures and Practices, insert: "11. Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins: ANSI/APSN/ICC-7-2018."
 - v. Section 3.3.11 entitled "Septic Tanks" is deleted in its entirety.
 - vi. Add new section 3.4.2.1 as follows: 3.4.2.1 Combination Domestic/Fire Water Service: Water service piping for combination domestic/fire water services shall be of materials listed in Table 3.4 and shall be water pressure rated not less than 200 psig at 73°F. Joint restraints shall comply with Section 6.3, entitled "Joint Restraint for Fire Mains" per NFPA 13.
- Exception: Limited area sprinkler systems installed in accordance with Section 903.3.8 of the building subcode, shall be water pressure rated not less than 160 psig at 73°F.
- vii. Section 3.12, Alternate Materials and Methods, shall be deleted in its entirety.
5. Chapter 5 of the plumbing subcode entitled, "Traps, Cleanouts and Backwater Valves," shall be amended as follows:
- i. In Section 5.3.2, Trap seals, in Exception (2), "in accordance with N.J.A.C. 5:23-3.3" shall be inserted after "Authority Having Jurisdiction."
 - ii. In Section 5.3.4, Building traps, "in accordance with N.J.A.C. 5:23-3.3" shall be inserted after "Authority Having Jurisdiction."
 - iii. In Section 5.4.6, Building Drain and Building Sewer Junctions and the Property Line, in subsection b, "in accordance with the requirements of the Authority Having Jurisdiction" shall be deleted.
 - iv. In Section 5.4.10, Manholes for Large Pipes, subsection d shall be deleted.
6. Chapter 6 of the plumbing subcode, entitled "Liquid Waste Treatment Equipment," shall be amended as follows:
- i. At the end of Section 6.1.1, Where Required, the following shall be inserted: "The determination of necessity shall be made by the plumbing subcode official in accordance with N.J.A.C. 5:23-3.3."
 - ii. In Section 6.1.4.1, General, "and the Authority Having Jurisdiction" shall be deleted.
 - iii. Section 6.4.4, Alternate Design, is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the word "approval" on line 4.
7. Chapter 7 of the plumbing subcode, entitled "Plumbing Fixtures, Fixture Fittings and Plumbing Appliances," shall be amended as follows:
- i. Section 7.2, Fixtures For Accessible Use, subsection a. shall be deleted and the following shall be inserted: "Plumbing fixtures for accessible use and their installation shall conform to the requirements of Chapter 11 of the building subcode (N.J.A.C. 5:23-3.14)."
 - ii. In Section 7.18.2, Approval, "to the Authority Having Jurisdiction" shall be deleted.
 - iii. In Table 7.21.1, in the second column entitled "Occupancy Group," "R-2: One- and two-family

dwelling” shall be deleted and “R-3/R-5: One- and two-family dwellings” shall be inserted.

iv. In Note 1 to Table 7.21.1, Minimum Number of Required Plumbing Fixtures, delete the second sentence.

v. Section 7.5.3, Surrounding Surfaces, is amended to delete the following after “surface,” “extending not less than four feet above the floor. One foot to each side of the urinal, and one foot in front of the lip of the urinal. See Figure 7.5.3.,” and insert, “Refer to the International Building Code, Section 1209.2.2.” This section is amended to delete Figure 7.5.3, “Protecting Surrounding Surfaces of Urinals.”

vi. In Section 7.11.4, Service Sinks and Mop Receptors, b. is amended to delete the following after “surface,” “at least one foot in front of the sink or receptor, at least one foot on each side, and up to a point one foot above the faucet height,” and insert, “refer to the International Building Code, Section 1209.2.2.”

vii. In Section 7.21.2, Occupant Load, b. “building code” shall be deleted and “building subcode” shall be inserted.

viii. In Section 7.21.9, Family and Assisted-Use Toilet Rooms, “applicable building code” shall be deleted and “building subcode” shall be inserted.

ix. Section 7.23, Safety Features for Spas and Hot Tubs, shall be deleted and Section 7.23, Safety Features for Spas and Hot Tubs, shall be inserted as follows:

“7.23 Safety Features for Swimming Pools, Spas, and Hot Tubs.

7.23.1, Suction Entrapment Avoidance. Suction outlets shall be designed and installed in accordance with ANSI/PHTA/ICC-7.”

8. Chapter 8 of the plumbing subcode, entitled “Hangers and Supports,” shall be amended as follows:

i. In Section 8.9, Seismic Supports for Piping, “code” shall be deleted and “subcode” shall be inserted.

9. Chapter 10 of the plumbing subcode, entitled “Water Supply and Distributions,” shall be amended as follows:

i. In Section 10.4.2, Interconnections, delete “with the approval of the Authority Having Jurisdiction” and insert “in accordance with the rules of the New Jersey Department of Environmental Protection at N.J.A.C. 7:10-10.”

ii. In Section 10.4.3, Cross Connection Control, the text shall be deleted and the following shall be inserted “Potable water supplies shall be protected in accordance with the provisions of this code and where applicable the Safe Drinking Water Regulations (N.J.A.C. 7:10). The requirements of this code shall establish requirements for individual outlet protection. The requirements of the Safe

Drinking Water Act shall establish the requirements for containment.”

iii. In Section 10.4.4b, Private Supplies, “in accordance with N.J.A.C. 7:10-10.2(e)” shall be inserted after “Authority Having Jurisdiction.”

iv. In Section 10.5.6e, Testing and Maintenance of Backflow Prevention Assemblies, “and repair” shall be deleted. Additionally, in the same sentence, “approved by an agency acceptable to the Authority Having Jurisdiction” shall be deleted.

v. Section 10.5.9a, Protection from Fire Systems, Exception (4) shall be deleted and the following inserted: “(4) Where fire protection systems supplied from a potable water system include a fire department connection which is located less than 1,700 feet from a non-potable water source, the water supply shall be protected by one of the following:

(i) Reduced pressure backflow preventer assembly; or

(ii) Reduced pressure detector assembly.”

vi. In Section 10.8.1, Water Pressure Booster Systems Required, “and in accordance with good practice” in the fifth and sixth lines shall be deleted.

vii. In Section 10.15.1, Hot Water Supply System, “Outlet temperature of hot water from lavatory faucets in public use facility restrooms or public toilet rooms shall be provided with a means to limit the maximum temperature to 110 degrees F.” shall be inserted after the first sentence.

viii. In Section 10.20, NFPA 13D Multipurpose Residential Fire Sprinkler Systems, shall be deleted and new section 10.20, Dwelling Unit Fire Sprinkler Systems, shall be inserted, as follows: Section P2904, Dwelling Unit Fire Sprinkler Systems, of the one- and two-family dwelling subcode shall be considered part of the plumbing subcode.

10. Chapter 12 of the plumbing subcode, entitled “Vents and Venting,” shall be amended as follows:

i. Section 12.5, Frost Closure, is deleted in its entirety.

ii. Section 12.8.2, Provision for Venting Future Fixtures, is deleted in its entirety.

iii. Section 12.10, Wet Venting, shall be deleted and the text of the 2015 National Plumbing Code shall be inserted:

12.10 WET VENTING

12.10.1 Single Bathroom Groups

a. An individually vented lavatory in a single bathroom group shall be permitted to serve as a wet

vent for the water closet, the bathtub, or shower stall, the water closet and bathtub/shower if all of the following conditions are met.

1. The wet vent is 1-1/2" minimum pipe size if the water closet bend is 3" size, or it shall be 2" minimum pipe size if the water closet bend is 4" pipe size.
2. A horizontal branch drain serving both the lavatory and the bathtub or shower stall is 2" minimum pipe size.
3. The length of the trap arm for the bathtub or shower stall is within the limits of Table 12.8.1. If not, the bathtub or shower stall shall be individually vented.
4. The distance from the outlet of the water closet to the connection of the wet vent is within the limits established by Section 12.8.4. Otherwise, the water closet shall be individually vented.
5. A horizontal branch serving the lavatory and the bathtub or shower stall shall connect to the stack at the same level as the water closet, or it may connect to the water closet bend, or the lavatory and bathtub or shower stall may individually connect to the water closet bend.

6. When the bathroom group is the topmost load on a stack, a horizontal branch serving the lavatory and the bathtub or shower stall may connect to the stack below the water closet bend, or the lavatory and the bathtub, or shower stall may individually connect to the stack below the water closet bend.

12.10.2 Double Bathtubs and Lavatories

Two lavatories and two bathtubs or showers back-to-back may be installed on the same horizontal branch with a common vent for the lavatories and with no back vent for the bathtubs or shower stalls provided the wet vent is 2" in size and the lengths of the tub/shower drains conform to Table 12.8.1.

12.10.3 Multi-Story Bathroom Groups

a. On the lower floors of a stack, the waste pipe from one or two lavatories may be used as a wet vent for one or two bathtubs or showers as provided in Section 12.10.2.

b. Each water closet below the top floor shall be individually back vented.

EXCEPTION: The water closets in bathroom groups shall not be required to be back vented if the following conditions are met:

- (1) The 2" waste serving the tubs/showers and lavatories connect directly into the water

closet bend with a 45° wye tap in the direction of flow; or

(2) A special stack fitting is used that consists of a 3" or 4" closet opening and two side inlets each 2" in size and the inverts of which are above the center, and below the top of the water closet opening; and one of the 2" inlets is connected to the tub/shower drains, and the other is connected to the waste pipe from a maximum of two lavatories that are vented to a vent stack or stack vent; or

(3) In lieu of the special stack fitting of Section 12.10.3b(2) above, 4" closet bends with two 2" wye taps may be used.

12.10.4 Bathtubs and Water Closets

a. An individually vented bathtub in a single bathroom group shall be permitted to serve as a wet vent for the water closet if all of the following conditions are met:

1. The wet vent is 2" minimum size.
2. The distance from the outlet of the water closet to the connection of the wet vent is within the limits established by Section 12.8.4. Otherwise, the water closet shall be individually vented.

12.10.5 Reserved

12.10.6 Floor Drains and Floor Sinks

a. A lavatory or sink shall be permitted to serve as a wet vent for a floor drain or floor sink if all of the following conditions are met:

1. The wet vent shall be not less than 1-1/2" size for a 1 DFU lavatory or 2" for 2 DFU sink.
2. The wet vent shall be larger than 1/2 the size of the drain for the floor drain or floor sink.
3. The distance from the outlet of the floor drain or floor sink to the connection of the wet vent shall be within the limits established by Table 12.8.1.

11. Chapter 13 of the plumbing subcode, entitled "Storm Water Drainage," shall be amended as follows:

i. In Section 13.1.5, Foundation Drains, Notes a. through d. shall be deleted and the following shall be inserted: "a. Foundation drains shall be provided in accordance with the building subcode."

ii. Section 13.1.10.1, Primary Roof Drainage, shall be amended to delete the last sentence and to substitute in lieu thereof "Rainfall rates shall be applied so that the applicable rainfall rate for Burlington and Ocean counties and all counties south shall be six inches per hour and for

Mercer and Monmouth counties and all counties north, the applicable rainfall rate shall be five inches per hour.”

iii. Section 13.1.10.2, “Secondary Roof Drainage,” shall be deleted and the following shall be inserted:

Section 13.1.10.2 Overflow Roof Drainage

Where parapet walls extend or other construction extends above the roof, creating areas where storm water would become trapped if the primary roof drainage system failed to provide sufficient drainage, an overflow roof drainage system consisting of scuppers, standpipes, or roof drains shall be provided. The capacity of the primary system shall not be considered in the sizing of the overflow system.

(1) Subsection b. shall be deleted and the following shall be inserted: “Where overflow drainage is provided by means of roof drains or standpipe, the overflow system shall be permitted to connect to the primary roof drainage system.”

(2) Subsection c. “secondary” shall be deleted and “overflow” shall be inserted.

(3) Subsection d. shall be amended as follows: Add Table A.5 after Appendix A. and delete the second and third sentences.

iv. In Section 13.8, Sizing for Continuous or Intermittent Flows, “Section A-3 and Table A-1 in Appendix A” shall be deleted and the following shall be inserted: “5 IN/HR = 0.052 GPM/SF and 6 IN/HR = 0.062 GPM/SF.”

12. Chapter 15 of the plumbing subcode, entitled “Tests and Maintenance” is amended as follows:

i. Add new Section 15.6.1 as follows: 15.6.1 Combination Domestic/Fire Water Service Systems: Piping for combination domestic/fire water services systems shall be pressure tested to not less than 200 psig and shall maintain that pressure without loss for 2 hours.

ii. Add new Section 15.6.1.1 as follows: 15.6.1.1 Leakage: The following provisions shall apply to buried pipe in all combination domestic/fire water service systems, except for limited sprinkler systems:

(1) The amount of leakage at the joints shall be no greater than 2 qt/hr (1.89 L/hr) per 100 joints or gaskets, regardless of pipe diameter.

(2) The amount of leakage in accordance with (1) above shall be permitted to be increased in increments of 1 fluid ounce (30 ml) per inch valve diameter per hour for each metal seated valve that isolates the test section.

(3) The amount of leakage in buried piping shall be measured at the test pressure specified by pumping from a calibrated container.

iii. Add new Section 15.9 as follows: 15.9 Flushing of Piping: Lead-in connections to system risers and fire service mains from the water supply to the system riser (excluding limited systems) shall be flushed completely before connection is made to sprinkler piping. The flushing operation shall be continued for a sufficient amount of time to ensure that the system is thoroughly cleaned. The minimum rate of flow shall be not less than one of the following:

(1) The hydraulically calculated water demand rate of the system, including any hose requirements.

(2) The flow that is necessary to provide a velocity of 10 ft/sec (3.1 m/sec).

(3) The maximum flow rate available to the system under fire conditions.

13. Chapter 16 of the plumbing subcode, entitled “Regulations Governing Individual Sewage Disposal Systems for Homes and Other Establishments Where Public Sewer Systems Are Not Available,” shall be deleted and the following shall be inserted:

i. “16.1 General. On-site sewage disposal systems are under the jurisdiction of the Department of Environmental Protection and the county or local boards of health, as applicable.”

ii. “16.1.7 Abandoned Disposal Systems. When an existing building is being demolished and the existing sewage disposal system is abandoned or an existing sewage disposal system is being abandoned and a connection is being made to the public sewer systems, the plumbing subcode official shall ensure that the existing abandoned tank is disconnected from the building, pumped out, and filled with gravel, stones, or soil material. Sewage disposal systems that are abandoned without an associated hookup to a public sewer system are to be inspected by the health department having jurisdiction.”

14. Chapter 17 of the plumbing subcode entitled, “Potable Water Supply Systems,” shall be deleted and the following shall be inserted:

i. “17.1 General. On-site water supply systems are under the jurisdiction of the Department of Environmental Protection and county or local boards of health, as applicable.”

15. Chapter 18 of the plumbing subcode, entitled Referenced Standards, shall be amended as follows:

i. In Section 18.2, Standards Organizations, insert the following: “Pool & Hot Tub Alliance (Formally APSP—The Association of Pool and Spa Professionals), 2111 Eisenhower Avenue, Ste. 500, Alexandria, VA 22314, tel: 703-838-0083, fax: 703-549-0493,” and “International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington D.C. 20001, tel: 888-422-7233.”

16. Appendix A of the plumbing subcode, entitled “Sizing Storm Drainage Systems,” shall be deleted in its entirety.

17. Appendix E of the plumbing subcode, entitled “Special Design Plumbing Systems,” shall be amended as follows:

i. Section E.9.3, Rainfall Rates, shall be deleted and the following shall be inserted: “Rainfall rates shall be applied so that the applicable rainfall rates for Burlington and Ocean counties and all counties south, shall be six (6) inches per hour; for Mercer and Monmouth counties and all counties north, the applicable rainfall rate shall be five (5) inches per hour.”

ii. Section E.9.4, Secondary Roof Drainage, shall be deleted.

18. Appendix G, entitled “We-Stand Excerpts,” shall not be adopted as part of the plumbing subcode. Appendix G may be used as a reference standard for special design plumbing systems in accordance with Appendix E.

19. Appendix L, entitled “Tiny Houses,” shall be adopted as part of this subcode.

(c) A newly installed automatic lawn sprinkler system, where such systems are not prohibited by local ordinance, shall be equipped with an automatic rain sensor device or switch that will override the irrigation cycle of the automatic lawn sprinkler system when rainfall of more than one-half inch has occurred.

Amended by R.1981 d.132, effective May 7, 1981.

See: 13 N.J.R. 121(a), 13 N.J.R. 258(d).

Amended by R.1983 d.12, eff. February 7, 1983, operative February 22, 1983.

See: 14 N.J.R. 1326(a), 15 N.J.R. 141(c).

Added (a) 3 and (c).

Amended by R.1984 d.314, eff. August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

Section substantially amended.

Amended by R.1986 d.12, effective February 3, 1986.

See: 17 N.J.R. 2714(a), 18 N.J.R. 267(a).

(a) li had a change of address; (a)3 and (c) added.

Amended by R.1987 d.81, effective February 2, 1987.

See: 18 N.J.R. 2237(b), 19 N.J.R. 289(d).

Amended by R.1987 d.374, effective September 21, 1987.

See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).

Model subcode revisions.

Amended by R.1989 d.66, effective February 6, 1989.

See: 20 N.J.R. 2846(a), 21 N.J.R. 288(a).

Added (c).

Amended by R.1990 d.58, effective February 5, 1990.

See: 21 N.J.R. 3346(a), 22 N.J.R. 351(a).

Added (d) adopting the 1989 Supplement to the 1987 National Standard Plumbing Code.

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

Text added at (a)3; (d)3ii amended.

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to BOCA National Code/1990.

Amended by R.1991 d.326, effective July 1, 1991.

See: 23 N.J.R. 804(a), 23 N.J.R. 2044(a).

GPF set at 1.6; gravity water closets not permitted in commercial uses.

Amended by R.1991 d.571, effective November 18, 1991.

See: 23 N.J.R. 2619(a), 23 N.J.R. 3444(b).

Added new (c).

Amended by R.1992 d.67, effective February 3, 1992.

See: 23 N.J.R. 3602(a), 24 N.J.R. 404(b).

Low volume water closet exception added at (b)18i(1).

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1995 d.122, effective March 6, 1995 (operative July 1, 1995).

See: 26 N.J.R. 4874(a), 27 N.J.R. 894(a).

Amended by R.1998 d.136, effective March 16, 1998.

See: 30 N.J.R. 4(a), 30 N.J.R. 1038(a).

In (b)9, added xii.

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote the section.

Amended by R.2001 d.340, effective September 17, 2001.

See: 33 N.J.R. 1245(a), 33 N.J.R. 3308(b).

Rewrote the section.

Amended by R.2002 d.393, effective December 16, 2002.

See: 34 N.J.R. 2914(a), 34 N.J.R. 4428(a).

In (b)8, deleted former (ii) and recodified existing (iii) to (ix) as (ii) to (viii).

Amended by R.2005 d.35, effective January 18, 2005.

See: 36 N.J.R. 3329(b), 37 N.J.R. 267(a).

Rewrote the section.

Administrative correction.

See: 37 N.J.R. 885(a).

Amended by R.2005 d.341, effective October 17, 2005.

See: 37 N.J.R. 164(a), 37 N.J.R. 3974(b).

In (b)3iv, added “and add the following sentence at the end: ‘Minimum earth cover for building sewers connected to a private sewage disposal system shall be 6 inches.’” at the end of the paragraph.

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

Rewrote the section.

Amended by R.2008 d.274, effective September 15, 2008.

See: 40 N.J.R. 2629(a), 40 N.J.R. 5195(b).

In paragraph 7.23 of (b)8vi, substituted “Spas and Hot Tubs” for “spas and hot tubs”; in subparagraph 2 of paragraph 7.23.3 of (b)8vi, inserted a period at the end; in paragraph 7.23.4.1 of (b)8vi, added the second paragraph; and in paragraph 7.23.5 of (b)8vi, inserted the closing quotation mark at the end.

Amended by R.2008 d.346, effective November 17, 2008.

See: 40 N.J.R. 3778(a), 40 N.J.R. 6540(a).

In (b)4iv, inserted “the” preceding “Construction” and substituted “2004” for “1998”; added (b)10vi; recodified former (b)10vi and (b)10vii as (b)10vii and (b)10viii; and in (b)10viii, substituted “2004” for “1999”.

Amended by R.2009 d.48, effective February 2, 2009.

See: 40 N.J.R. 5319(a), 41 N.J.R. 733(b).

Amended by R.2010 d.195, effective September 7, 2010.

See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).

Rewrote the section.

Amended by R.2013 d.081, effective June 3, 2013.

See: 44 N.J.R. 1303(a), 45 N.J.R. 1393(a).

Added new (b)3viii; recodified former (b)3viii through (b)3ix as (b)3ix through (b)3x; added new (b)17ii through (b)17iii; and recodified former (b)17ii through (b)17viii as (b)17iv through (b)17x.

Amended by R.2016 d.001, effective January 4, 2016.

See: 47 N.J.R. 2021(a), 48 N.J.R. 43(a).

Rewrote the section.

Amended by R.2018 d.021, effective January 16, 2018.

See: 49 N.J.R. 306(a), 50 N.J.R. 303(a).

In the introductory paragraph of (b)9v, deleted “(Siamese)” following “department”.

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

Rewrote the section.

Amended by R.2022 d.120, effective September 19, 2022.

See: 54 N.J.R. 699(a), 54 N.J.R. 1793(a).

Rewrote the section.

Case Notes

Statute providing that only licensed master plumbers could be plumbing contractors was unconstitutional. *Mechanical Contractors Ass'n of New Jersey, Inc. v. State*, 255 N.J.Super. 488, 605 A.2d 743 (A.D.1992).

5:23-3.16 Electrical subcode

(a) Rules concerning the electrical subcode adopted are as follows:

1. Pursuant to the authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the National Fire Protection Association, known as "The National Electrical Code (NEC) 2020," and Tentative Interim Amendments 1-9 as the electrical subcode for New Jersey.

i. Copies of this code may be obtained from the sponsors at NFPA, One Batterymarch Park, Quincy, Massachusetts 02169.

2. The National Electrical Code 2020 may be known and cited as "the electrical subcode."

i. Codes and standards referenced in the Informational Notes of the electrical subcode (NEC 2020) shall be considered adopted by reference to the extent prescribed by each related section. These codes and standards also are printed in DCA Bulletin # 19-3, which contains a list of adopted codes and standards that are applicable to the enforcement of the electrical subcode.

3. The Commissioner hereby adopts the National Electrical Safety Code (ANSI C2-2017) for the installation of area lighting facilities by an electric utility on private property on metal poles with an underground electric feed.

i. Copies of the National Electrical Safety Code may be obtained from the Institute of Electrical and Electronic Engineers, Inc., PO Box 1331, 445 Hoes Lane, Piscataway, New Jersey 08855-1331.

(b) The following chapters or articles of the electrical subcode are amended as follows:

1. Article 90 of the electrical subcode, entitled "Introduction," is amended as follows:

i. Section 90.4, entitled "Enforcement," is amended to delete in the first paragraph the phrase, "authority having jurisdiction for enforcement of the code" and substitute in lieu thereof, the term "electrical subcode official." And add a new last sentence in the first paragraph: "Approval shall be in accordance with N.J.A.C. 5:23-2.9." Delete in the second paragraph the phrase "authority having jurisdiction" and substitute in lieu thereof the term "electrical subcode official" and add after "effective safety" the phrase "as provided in N.J.A.C. 5:23-2.9." Delete in the third paragraph the phrase "authority having jurisdiction" and substitute in lieu thereof the term "electrical subcode official" and delete the phrase "by the jurisdiction" after the word "adopted."

ii. Section 90.5, entitled "Mandatory Rules, Permissive Rules, and Explanatory Material," is amended to add "except as outlined under N.J.A.C. 5:23-3.16(a)2i" after the word "Code" in line 6 under paragraph (C).

2. Chapter 1 of the electrical subcode, Article 100, entitled "Definitions," is amended as follows:

i. The definition of the term "approved" is amended to delete the phrase "the authority having jurisdiction" and substitute in lieu thereof, the phrase "electrical subcode official. Approval shall be in accordance with N.J.A.C. 5:23-3.7."

ii. The definition of "Authority having jurisdiction" is replaced with "Unless otherwise specifically noted, the authority having jurisdiction for the Electrical Subcode shall be the Electrical Subcode Official."

iii. The definition of the term "building" is deleted and in lieu thereof, substitute the definition of the term "building" found in N.J.A.C. 5:23-1.4."

3. Chapter 2 of the electrical subcode, entitled "Wiring and Protection," is amended as follows:

i. Section 210.12(D), entitled "Branch Circuit Extensions or Modifications - Dwelling Units," is deleted in its entirety.

4. Chapter 3 of the electrical subcode, entitled "Wiring Methods and Materials," is amended as follows:

i. Section 300.4(A)(1) is amended to delete the words from "so that the edge. . ." on line four through ". . . cannot be maintained" on line six and in lieu thereof substitute "as required by the building subcode. Where the distance from the edge of the hole to the nearest edge of the wood member is less than 32 mm (1¼ inches)."

ii. Section 334.12(A)(2) is deleted in its entirety.

5. Chapter 4 of the electrical subcode, entitled "Equipment for General Use" is amended as follows:

i. Section 406.4(D)(4), entitled "Arc-Fault Circuit-Interrupter Protection," is deleted in its entirety.

ii. Article 425, entitled "Fixed Resistance and Electrode Industrial Process Heating Equipment," is amended as follows:

(1) Section 425.6, entitled "Listed Equipment," is deleted.

(2) Section 425.8, entitled "General," including subsections (A)-(C) are deleted.

(3) Section 425.10, entitled "Special Permission," is deleted.

(4) Section 425.12, entitled "Locations," including subsections (A) and (B) are deleted.

(5) Section 425.13, entitled “Spacing from Combustible Material,” is deleted.

(6) Section 425.14, entitled “Infrared Lamp Industrial Process Heating Equipment,” is deleted.

(7) Section 425.22(B), entitled “Resistance Elements,” is deleted.

(8) Section 425.22(C), entitled “Overcurrent Devices,” is deleted.

(9) Section 425.29, entitled “Marking of Heating Elements,” is deleted.

(10) Section 425.45, entitled “Concealed Fixed Industrial Heating Equipment—Inspection,” is deleted.

(11) Sections 425.57 through 425.64 are deleted.

(12) Section 425.71, entitled “Identification,” is deleted.

(13) Subsections (A)-(E) of Section 425.72 are deleted.

(14) Section 425.81, entitled “Identification,” is deleted.

(15) Section 425.83, entitled “Overtemperature Limit Control,” is deleted.

(16) Section 425.84, entitled “Overpressure Limit Control,” is deleted.

6. Chapter 5 of the electrical subcode, entitled “Special Occupancies,” is amended as follows:

i. Section 514.3(B)(3), with the exception of subsection (e), is deleted.

ii. Section 525.5(B) of Article 525, entitled Carnivals, Circuses, Fairs and Similar Events, is deleted; it is replaced by Section 525.5(B) in the National Electrical Code 2005 as follows:

“525.5(B) Clearances to Rides and Attractions. Amusement rides and amusement attractions shall be maintained not less than 4.5 m (15 ft) in any direction from overhead conductors operating at 600 volts or less, except for the conductors supplying the amusement ride or attraction. Amusement rides or attractions shall not be located under or within 4.5 m (15 ft) horizontally of conductors operating in excess of 600 volts.”

iii. Part II of Article 550, entitled “Mobile Homes, Manufactured Homes, and Mobile Home Parks” comprising sections 550.11 through 550.25 is deleted. Section 550.10 shall be retained.

(1) Exception—Part II is retained in its entirety in the case of mobile/manufactured homes undergoing repair, renovation, or alteration.

iv. In Article 551, entitled “Recreation Vehicles and Recreation Vehicle Parks,” delete from the title the words “Recreational Vehicles and.”

(1) Parts II, III, IV, and V, comprising sections 551.20 through 551.60, are deleted in their entirety, with the exception of Figure 551.46(C), which shall be retained.

v. Article 552 shall be applicable to structures covered by the recreational park trailers subcode, N.J.A.C. 5:23-4D, provided that:

(1) The structure is restricted to seasonal use as per Section 552.4. For purposes of applying this requirement, the park in which the structure is located shall be open for six months or less each year or access to the structures shall be otherwise restricted to a period of six months or less each year; and

(2) No additions, alterations, or extensions of any kind shall be made to the electrical system or structure unless the entire electrical system shall be made to conform to the electrical requirements of this code applicable to single family dwellings.

7. Chapter 6 of the electrical subcode, entitled “Special Equipment,” is amended as follows:

i. In Section 620.1, Scope, Informational Note No. 1 shall have “ASME A17.1-2016/CSA B44-16” deleted and “ASME A17.1-2019/CSA B44-19” shall be inserted in its place;

ii. In Section 620.23(C), Duplex Receptacle, the Informational Note shall have “ASME A17.1-2016/CSA B44-16” deleted and “ASME A17.1-2019/CSA B44-19” shall be inserted in its place;

iii. In Section 620.24(C), Duplex Receptacle, Informational Note No. 1 shall have “ASME A17.1-2016/CSA B44-16” deleted and “ASME A17.1-2019/CSA B44-19” shall be inserted in its place;

iv. In Section 620.51(A), Type, the Informational Note shall have “ASME A17.1-2016/CSA B44-16” deleted and “ASME A17.1-2019/CSA B44-19” shall be inserted in its place; and

v. In Section 620.91, Emergency and Standby Power Systems, Informational Note No. 1 shall have “ASME A17.1-2016/CSA B44-16” deleted and “ASME A17.1-2019/CSA B44-19” shall be inserted in its place.

vi. In Section 680.25(A)(1), Feeders (Wiring Methods), the following exception, from Section 680.25(A)(1) of the NEC/2011, shall be inserted:

“Exception: An existing feeder between an existing remote panelboard and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an equipment grounding conductor within its outer sheath. The equipment grounding conductor shall comply with 250.24(A)(5).”

8. Chapter 8 of the electrical subcode, entitled “Communication Systems,” is amended as follows:

i. Section 805.156, entitled “Dwelling Unit Communications Outlet,” is deleted in its entirety.

9. Informative Annex H of the electrical subcode, entitled “Administration and Enforcement,” is deleted in its entirety.

Amended by R.1981 d.132, effective May 7, 1981.

See: 13 N.J.R. 121(a), 13 N.J.R. 258(d).

Amended by R.1984 d.314, effective August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

Section substantially amended.

Amended by R.1987 d.374, effective September 21, 1987.

See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).

Model subcode revisions.

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

Amendments to (b)4i(2), ii(2).

Administrative Correction to (b)4i(2).

See: 22 N.J.R. 2503(b).

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to BOCA National Code/1990.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote the section.

Amended by R.1998 d.362, effective July 20, 1998.

See: 30 N.J.R. 1122(a), 30 N.J.R. 2644(b).

In (a), inserted a new 3.

Amended by R.2000 d.48, effective February 7, 2000.

See: 31 N.J.R. 2317(a), 32 N.J.R. 445(a).

In (a), substituted references to 1999 for references to 1996 throughout, substituted a reference to One Batterymarch Park for a reference to Batterymarch Park in 1i, and inserted 2i; and in (b), inserted 1ii, inserted a new 3, recodified former 3 and 4 as 4 and 5, substituted a reference to line four for a reference to line three and substituted a reference to line six for a reference to line five in the new 4i, and substituted a reference to section 500-5(a)(4) for a reference to section 500-3(a)4 in the new 5i.

Amended by R.2003 d.187, effective May 5, 2003.

See: 34 N.J.R. 4248(a), 35 N.J.R. 1939(c).

Rewrote the section.

Amended by R.2003 d.240, effective June 16, 2003.

See: 34 N.J.R. 3045(a), 35 N.J.R. 2637(c).

Added (c).

Amended by R.2006 d.158, effective May 1, 2006.

See: 37 N.J.R. 4105(a), 38 N.J.R. 1827(a).

In (a)1, (a)2 and (a)2.i, substituted “2005” for “2002”; also in (a)2.i, substituted “#06-2” for “#03-1”; in (a)3, substituted “C2-2002” for “C2-1997”; deleted (b)1 and recodified (b)2 through (b)6 as (b)1 through (b)5; in (b)4.ii, substituted “(2)” for “(1)”, in (b)5iii(1), substituted “4” for “2”; in (b)5iii(2), substituted “V” for “VI” and “551.20” for “551.10”; and inserted (b)6.

Amended by R.2007 d.310, effective October 1, 2007.

See: 39 N.J.R. 135(a), 39 N.J.R. 4113(b).

Added (b)7.

Amended by R.2007, d.384, effective December 17, 2007.

See: 39 N.J.R. 2684(a), 39 N.J.R. 5211(a).

Added new (b)4ii; recodified former (b)4ii as (b)4iii; and in (b)4iii, substituted “(2)” for “(1)”.

Amended by R.2008 d.213, effective August 4, 2008.

See: 39 N.J.R. 2411(a), 40 N.J.R. 4523(b).

Rewrote (b)5iv.

Amended by R.2009 d.100, effective April 6, 2009.

See: 40 N.J.R. 5900(a), 41 N.J.R. 1397(a).

In the introductory paragraphs of (a)1 and (a)2 and in (a)2i, substituted “2008” for “2005”; in (a)2i, substituted “#09-1” for “#06-2”, rewrote (b)3i; added (b)4iv and (b)4v; added new(b)5ii; recodified former (b)5ii through (b)5iv as (b)5iii through (b)5v; deleted (b)5iii(1)(A) and former (b)5iv(1); recodified former (b)5iv(2) as new (b)5iv(1); in (b)6, substituted “H” for “G”; and rewrote (b)7.

Amended by R.2010 d.291, effective December 20, 2010.

See: 42 N.J.R. 1943(a), 42 N.J.R. 3053(a).

Rewrote (b)6; and added (b)8.

Amended by R.2012 d.083, effective May 7, 2012.

See: 44 N.J.R. 10(a), 44 N.J.R. 1336(a).

In the introductory paragraph of (a)1 and (a)2, and in (a)2i, substituted “2011” for “2008”; in (a)2i, substituted “Informational Notes” for “Fine Print Notes (FPNs)” and “12-1” for “09-1”; in (b)2i, deleted “, 3.8 and 3.8A” following “5:23-3.7”; in the introductory paragraph of (b)3i, substituted “210.8(A)(2)” for “210.8 (A)2”; in (b)3i, inserted the last paragraph; added (b)3ii; deleted (b)4ii, (b)4iv and (b)4v; recodified (b)4iii as (b)4ii; added new (b)5; recodified former (b)5 through (b)8 as (b)6 through (b)9; rewrote (b)7i; and in (b)9, inserted “Informative”.

Amended by R.2015 d.139, effective September 21, 2015.

See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).

Rewrote (a) and (b).

Administrative correction.

See: 47 N.J.R. 2669(b).

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

Rewrote the section.

Amended by R.2021 d.004, effective January 4, 2021.

See: 52 N.J.R. 385(a), 53 N.J.R. 47(a).

In (a)2i, substituted “19-3” for “15-2”; in (b)7v, inserted “and” at the end; and, deleted (b)7vii.

Amended by R.2022 d.111, effective September 6, 2022.

See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).

Rewrote the section.

Case Notes

Former N.J.A.C. 5:23-3.6 designated “National Electrical code of 1975” as controlling code; statute of limitations. *Brown v. Jersey Central Power and Light Co.*, 163 N.J.Super. 179 394 A.2d 397 (App.Div.1978) certification denied 79 N.J. 489 401 A.2d 244.

5:23-3.17 Fire protection subcode

(a) Rules concerning the fire protection subcode adopted are as follows:

1. Pursuant to the authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the following portions of the building, electrical, mechanical, fuel gas, and one- and two-family dwelling subcodes, to the extent delineated at N.J.A.C. 5:23-3.4, as the fire protection subcode for New Jersey.

i. International Building Code of the International Code Council, Inc. adopted as amended at N.J.A.C. 5:23-3.14 as the building subcode:

(1) Chapter 3—Use and Occupancy Classification;

(2) Chapter 4—Special Detailed Requirements Based on Use and Occupancy;

- (3) Chapter 5—General Building Heights and Areas;
 - (4) Chapter 6—Types of Construction;
 - (5) Chapter 7—Fire and Smoke Protection Features;
 - (6) Chapter 8—Interior Finishes;
 - (7) Chapter 9—Fire Protection Systems and N.J.A.C. 5:23-3.5(d) entitled “Posted Hydraulic System Data Plate”;
 - (8) Chapter 10—Means of Egress;
 - (9) Chapter 15—Roof Assemblies and Rooftop Structures;
 - (10) Chapter 17—Special Inspections and Tests;
 - (11) Sections 2111 through 2113 of Chapter 21—Masonry;
 - (12) Sections 2603 through 2613 of Chapter 26—Plastic;
 - (13) Chapter 27—Electrical;
 - (14) Chapter 30—Elevators and Conveying Systems;
 - (15) Section 3104 of Chapter 31—Special Construction;
 - (16) Section 3309, 3311 and 3312 of Chapter 33—Safeguards During Construction;
- ii. National Electrical Code of the National Fire Protection Association adopted as amended at N.J.A.C. 5:23-3.16 as the electrical subcode:
- (1) Section 300.21 of Chapter 3—Wiring Methods and Materials;
 - (2) Article 450, Part III—Transformer Vaults of Chapter 4—Equipment for General Use;
 - (3) Chapter 5—Special Occupancies;
 - (4) Article 695—Fire Pumps of Chapter 6—Special Equipment;
 - (5) Article 760—Fire Alarm Systems of Chapter 7—Special Conditions;
- iii. International Mechanical Code of the International Code Council, Inc. adopted as amended at N.J.A.C. 5:23-3.20 as the mechanical subcode:
- (1) Chapter 3—General Regulations;
 - (2) Chapter 5—Exhaust Systems;
 - (3) Chapter 6—Duct Systems;
 - (4) Chapter 7—Combustion Air;
 - (5) Chapter 8—Chimneys and Vents;
 - (6) Chapter 9—Specific Appliances, Fireplaces and Solid Fuel Burning Equipment;
 - (7) Chapter 13—Fuel Oil Piping and Storage;
- iv. International Fuel Gas Code of the International Code Council, Inc. adopted as amended at N.J.A.C. 5:23-3.22 as the fuel gas subcode:
- (1) Chapter 3—General Regulations;
 - (2) Chapter 5—Chimneys and Vents;
 - (3) Chapter 6—Specific Appliances.
- v. International Residential Code of the International Code Council, Inc., adopted as amended at N.J.A.C. 5:23-3.21 as the One- and Two-Family Dwelling Subcode:
- (1) Chapter 3—Building Planning;
 - (2) Chapter 10—Chimneys and Fireplaces;
 - (3) Chapter 13—General Mechanical System Requirements;
 - (4) Chapter 14—Heating and Cooling Equipment and Appliances;
 - (5) Chapter 15—Exhaust Systems;
 - (6) Chapter 16—Duct Systems;
 - (7) Chapter 18—Chimneys and Vents;
 - (8) Chapter 19—Special Appliances, Equipment, and Systems;
 - (9) Chapter 22—Special Piping and Storage Systems;
 - (10) Chapter 23—Solar Thermal Energy Systems;
 - (11) Sections G2404, G2408, G2409, G2425, and G2427 of Chapter 24—Fuel Gas; and
 - (12) Section P2904 of Chapter 29—Water Supply and Distribution.
2. The model code portions listed above may be known as “the fire protection subcode.”
- Amended by R.1981 d.132, effective May 7, 1981.
See: 13 N.J.R. 121(a), 13 N.J.R. 258(d).
Amended by R.1984 d.314, effective August 6, 1984.
See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).
Section substantially amended.
Amended by R.1986 d.380, effective September 22, 1986.
See: 18 N.J.R. 1235(a), 18 N.J.R. 1931(a).
Substantially amended.
Amended by R.1987 d.374, effective September 21, 1987.
See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).
Model subcode revisions.
Amended by R.1990 d.253, effective May 21, 1990.
See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).
Reference to 1989 Supplement added; (a)1i(7) amended.
Amended by R.1990 d.507, effective October 15, 1990.
See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).
Text conformed to BOCA National Code/1990.
Amended by R.1993 d.662, effective December 20, 1993.
See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote (a).

Amended by R.2000 d.166, effective April 17, 2000.

See: 31 N.J.R. 4151(a), 32 N.J.R. 1376(a).

In (a)1i(5), added a second sentence.

Amended by R.2000 d.492, effective December 18, 2000.

See: 32 N.J.R. 3219(a), 32 N.J.R. 4437(b).

In (a)1ii, changed "1996" to "1999".

Amended by R.2001 d.196, effective June 18, 2001.

See: 33 N.J.R. 6(a), 33 N.J.R. 2090(a).

In (a)1, inserted reference to the fuel gas subcode in the introductory paragraph, rewrote iii and inserted iv; in (b)1, inserted reference to the Fuel Gas Subcode.

Amended by R.2003 d.351, effective September 2, 2003.

See: 35 N.J.R. 1177(a), 35 N.J.R. 4051(a).

In (a), substituted "are" for "area" in the introductory paragraph and rewrote (i) and (ii) in 1.

Administrative Correction to (a)1iii and (a)1iv: Changed "Code/2000" to "Code/2003".

See: 37 N.J.R. 2860(a).

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

In (a)1i, substituted "2006" for "2000"; deleted (a)1i(5)(A) and (B); in (a)1ii, substituted "2005" for "2002"; and in (a)1iii and (a)1iv, substituted "2006" for "2003".

Amended by R.2010 d.195, effective September 7, 2010.

See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).

In the introductory paragraph of (a)1i, of (a)1iii and of (a)1iv, substituted "2009" for "2006"; in (a)1i(3), substituted "Fire and Smoke Protection Features" for "Fire Resistance-Rated Construction"; in (a)1i(8), substituted "2613" for "2607"; and in the introductory paragraph of (a)1ii, substituted "2008" for "2005".

Amended by R.2015 d.139, effective September 21, 2015.

See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).

Rewrote the section.

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

In the introductory paragraph of (a)1, substituted "fuel gas, and one- and two-family dwelling subcodes, to the extent delineated in N.J.A.C. 5:23-3.4, as the fire protection subcode for New Jersey" for "and fuel gas"; and added (a)1v.

Amended by R.2022 d.111, effective September 6, 2022.

See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).

Rewrote the section.

Case Notes

Zoning ordinance's definition of family violated Constitution. *Cherry Hill Tp. v. Oxford House, Inc.*, 263 N.J.Super. 25, 621 A.2d 952 (A.D.1993).

5:23-3.18 Energy subcode

(a) Rules concerning the energy subcode adopted are as follows:

1. Pursuant to authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the International Code Council, known as the International Energy Conservation Code/2021 (IECC/2021), as the energy subcode for New Jersey.

i. Copies of the IECC/2021 may be obtained from International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. The model code listed above may be known and cited as the "energy subcode."

(b) The following chapters and sections of the commercial provisions of the energy subcode are amended as follows:

1. Chapter 1, Scope and Application, shall be amended as follows:

i. Sections C101.1, Title, and C101.3, Intent, shall be deleted.

ii. Section C101.4.1, Mixed residential and commercial buildings, and Section C101.5, Compliance, shall have "by means of the ASHRAE Standard 90.1" inserted after "IECC—Commercial Provisions."

iii. Section C103, Construction Documents, Section C104, Fees, Section C105, Inspections, Section C106, Notice of Approval, Section C107, Validity, Section C108.3, Other laws, C109, Stop Work Order, and C110, Board of Appeals, shall be deleted.

2. Chapter 2, Definitions, shall be deleted, except that a new definition of "IECC-Commercial Provisions" shall be inserted and defined as meeting "the requirements of the ASHRAE Standard 90.1 referenced by Chapter 6 of commercial provisions of this code."

3. Chapter 3, General Requirements, shall be deleted.

4. Chapter 4, Commercial Energy Efficiency, shall be amended as follows:

i. In Section C401.2, Application, "Section C401.2.1 or" shall be deleted. In addition, Section C401.2.1, International Energy Conservation Code, shall be deleted in its entirety. Lastly, new Section C401.2.2.1, Amendments, shall be added as follows: The following amendments shall apply to ASHRAE 90.1:

1. Chapter 8, Power, shall be considered optional.

ii. Section C402, Building Envelope Requirements, Section C403, Building Mechanical Systems, Section C404, Service Water Heating (Mandatory), Section C405, Electrical Power and Lighting Systems, Section C406, Additional Efficiency Package Options, C407, Total Building Performance, and C408, Maintenance Information and System Commissioning, shall be deleted in their entirety.

5. Chapter 5, Existing buildings, shall be deleted.

6. Chapter 6, Referenced Standards, shall be amended as follows:

i. In the ICC table, "IPC-21, International Plumbing Code" shall be deleted and "NSPC-21, National Standard Plumbing Code" shall be inserted. In addition, at the bottom of the ICC table, "***NSPC-21 is non-ICC and is published by the International Association of Plumbing and Mechanical Officials" shall be inserted.

7. Appendices

- i. Appendix CA, Board of Appeals—Commercial, is deleted.
 - ii. Appendix CB, Solar-Ready Zone, is optional at the discretion of the permit applicant.
 - iii. Appendix CC, Zero Energy Commercial Building Provisions, is optional at the discretion of the permit applicant. Appendix CC shall be amended as follows:
 - (1) In Section CC103.1, Renewable energy, the second paragraph shall be deleted. In addition, “Section C401.2.1, Item 2 or” shall be deleted in the third paragraph.
- (c) The following chapters and sections of the residential provisions of the energy subcode are amended as follows:
1. Chapter 1, Scope and Application, shall be amended as follows:
 - i. Sections R101.1, Title, and R101.3, Intent, shall be deleted.
 - ii. Section R101.4.1, Mixed residential and commercial buildings, and Section R101.5, Compliance, shall have “by means of the ASHRAE Standard 90.1” inserted after “IECC—Commercial Provisions.”
 - iii. Section R103, Construction Documents, Section R104, Fees, Section R105, Inspections, Section R106, Notice of Approval, Section R107, Validity, Section R108.3, Other laws, R109, Stop Work Order, and R110, Board of Appeals, shall be deleted.
 2. Chapter 2, Definitions, shall be amended as follows:
 - i. In Section R201.3, Terms defined in other codes, “International Plumbing Code” shall be deleted and “National Standard Plumbing Code” shall be inserted.
 - ii. The definitions of “Addition” and “Alteration” shall be deleted.
 - iii. The definition of “Approved” shall be deleted and the following shall be inserted: “Approved refers to approval by the appropriate subcode official or other authority having jurisdiction in accordance with the regulations.”
 - iv. In the definition of “Approved Agency,” “or other authority having jurisdiction in accordance with the Uniform Construction Code” shall be inserted after “official.”
 - v. The definition of “Building” shall be deleted and the definition at N.J.A.C. 5:23-3.14(b)2 shall be inserted:

“BUILDING. A structure enclosed with exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing shelter, enclosure and support of individuals, animals or property of any kind. When used herein, building and structure shall be interchangeable except where the context clearly indicates otherwise.”
 - vi. The definition of “Code Official” shall be deleted.
 - vii. In the definition of “Dwelling Unit,” “living as a single housekeeping unit” shall be inserted after “persons.”
 - viii. The definitions of “Historic Building,” “Repair,” “Reroofing,” “Roof Recover,” “Roof Repair,” and “Roof Replacement” shall be deleted.
 - ix. New definition of “IECC-Commercial Provisions” shall be inserted and defined as meeting the requirements of the ASHRAE Standard 90.1 referenced by Chapter 6 of commercial provisions of this code.
3. Chapter 3, Climate Zones, shall be amended as follows:
 - i. Section R303.3, Maintenance information, shall be deleted.
 4. Chapter 4, Residential Energy Efficiency, shall be amended as follows:
 - i. Section R401.2, Application, the exception shall be deleted in its entirety.
 - ii. In Section R403.7, Equipment sizing and efficiency rating (Mandatory), “or replacement” shall be deleted in the second sentence.
 - iii. In Section R403.8, Systems serving multiple dwelling units (Mandatory), delete “Sections C403 and C404 of the IECC—Commercial Provisions” and replace with “Chapters 6 and 7 of the ASHRAE Standard 90.1”.
 - iv. In Section R404.1.1, Exterior lighting, delete “Section C405.4 of the International Energy Conservation Code—Commercial Provision” and replace with “Section 9.4.2 of the ASHRAE Standard 90.1.”
 5. Chapter 5, Existing Buildings, shall be deleted.
 6. Chapter 6, Referenced Standards, shall be amended as follows:
 - i. In the ICC table, “IPC-21, International Plumbing Code” shall be deleted and “NSPC-21, National Standard Plumbing Code” shall be inserted. In addition, at the bottom of the ICC table, “**NSPC-21 is non-ICC and is published by the International Association of Plumbing and Mechanical Officials” shall be inserted.
 7. Appendices
 - i. Appendix RA, Board of Appeals—Residential, is deleted.
 - ii. Appendix RB, Solar-Ready Provisions—Detached One- and Two-Family Dwellings and Townhouse, is optional at the discretion of the permit applicant.
 - iii. Appendix RC, Zero Energy Residential Building Provisions, is optional at the discretion of the permit applicant. Appendix RC shall be amended as follows:

(1) In Section RC101.1, Compliance, “Existing residential buildings shall comply with Chapter 5.” is deleted.

Amended by R.1987 d.387, effective October 5, 1987.

See: 19 N.J.R. 433(b), 19 N.J.R. 1793(a).

Substantially amended.

Amended by R.1988 d.50, effective February 1, 1988.

See: 19 N.J.R. 1862(b), 20 N.J.R. 268(a).

Added (b)6; renumbered (b)6.-7. as (b)7.-8.

Amended by R.1988 d.417, effective September 6, 1988.

See: 20 N.J.R. 699(b), 20 N.J.R. 2274(a).

Substantially amended.

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to BOCA National Code/1990.

Amended by R.1991 d.326, effective July 1, 1991.

See: 23 N.J.R. 804(a), 23 N.J.R. 2044(a).

Section E-502.1 deleted.

Amended by R.1991 d.429, effective August 19, 1991.

See: 23 N.J.R. 1487(a), 23 N.J.R. 2501(a).

In (b)5, deleted old and added new i.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1995 d.143, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 4872(a), 27 N.J.R. 1179(b).

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote the section.

Amended by R.2001 d.244, effective July 16, 2001 (operative January 16, 2002).

See: 33 N.J.R. 1241(a), 33 N.J.R. 2471(a).

Rewrote the section.

Administrative change.

See: 33 N.J.R. 3310(a).

Administrative correction.

See: 35 N.J.R. 2494(b).

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

In (a)1, substituted “International Code Council, known as the International Energy Conservation Code (IECC/2006)” for “Council of American Building Officials, Inc., known as the Model Energy Code/1995”; in (a)1i, substituted “IECC/2006” for “CABO Model Energy Code/1995” and “International Code Council” for “BOCA International”; and rewrote (b).

Amended by R.2009 d.48, effective February 2, 2009.

See: 40 N.J.R. 5319(a), 41 N.J.R. 733(b).

Added new (b)2i, recodified former (b)2i and (b)2ii as (b)2ii as (b)2iii; and added (b)6.

Amended by R.2010 d.195, effective September 7, 2010.

See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).

Rewrote the section.

Amended by R.2011 d.269, effective November 7, 2011.

See: 43 N.J.R. 904(a), 43 N.J.R. 3008(a).

In (b)2i, deleted “‘ICC Electrical Code’ and” following “codes,” “‘National Electrical Code’ and” following “deleted and,” and “respectively” following “inserted”; and rewrote (b)6i.

Amended by R.2015 d.139, effective September 21, 2015.

See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).

Rewrote the section.

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

Rewrote the section.

Administrative correction, effective March 25, 2021.

See: 53 N.J.R. 619(b).

Amended by R.2022 d.111, effective September 6, 2022.

See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).

Section was “Energy Subcode”; rewrote the section.

Case Notes

Registered architect retained to sign and seal drawings to comply with permit regulations entitled to approve as prepared or return for compliance

modifications (citing Small Dwelling Energy Subcode). Deck House, Inc. v. New Jersey State Board of Architects, 531 F.Supp. 633 (D.N.J.1982).

Departments of Community Affairs and Energy could not amend state energy subcode. New Jersey Builders Ass’n v. Coleman, 227 N.J.Super. 23, 545 A.2d 783 (A.D.1988).

5:23-3.19 (Reserved)

Amended by R.1982 d.7, eff. February 1, 1982.

See: 13 N.J.R. 171(a), 14 N.J.R. 142(a).

This section was recodified from 5:23-3.9.

Repealed by R.2019 d.083, effective August 5, 2019.

See: 51 N.J.R. 3(a), 51 N.J.R. 1269(a).

Section was “Manufactured home subcode”.

5:23-3.20 Mechanical subcode

(a) Rules concerning the mechanical subcode adopted are as follows:

1. Pursuant to authority of P.L. 1975, c. 217, the Commissioner hereby adopts the model code of the International Code Council, Inc., known as the International Mechanical Code/2021. This code is hereby adopted by reference as the Mechanical Subcode for the State of New Jersey subject to the modifications at (b) below.

i. Copies of this code may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. The International Mechanical Code/2021 may be known and cited as the “mechanical subcode.”

2. Any references to the International Plumbing Code, the International Energy Conservation Code or the International Existing Building Code listed in Chapter 15 shall be considered a reference to the appropriate plumbing, or energy subcode in N.J.A.C. 5:23-3 or the rehabilitation subcode in N.J.A.C. 5:23-6.

3. Anywhere the term “code” appears, shall be a reference to “subcode” as defined in N.J.A.C. 5:23-1.4 for any of the adopted national model codes as appropriate.

(b) The following chapters, sections, or pages of the International Mechanical Code/2021 shall be amended as follows:

1. Chapter 1 of the mechanical subcode, entitled “Scope and Administration,” is deleted in its entirety.

2. Chapter 2 of the mechanical subcode, entitled “Definitions,” is amended as follows:

i. In Section 201.3, Terms defined in other codes, delete “International Plumbing Code,” and insert “plumbing subcode (N.J.A.C. 5:23-3.15).”

ii. The definition of the term “alteration” is deleted.

iii. The definition of the term “approved” is deleted and the following shall be inserted: “Approved refers to approval by the appropriate subcode official or other authority having jurisdiction in accordance with the regulations.”

iv. In the definition of “Approved Agency,” “or other authority having jurisdiction in accordance with the Uniform Construction Code” shall be inserted after “official.”

v. The definition of the term “building” is deleted and the definition at N.J.A.C. 5:23-3.14(b)2 shall be inserted:

“BUILDING. A structure enclosed with exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing shelter, enclosure and support of individuals, animals or property of any kind. When used herein, building and structure shall be interchangeable except where the context clearly indicates otherwise.”

vi. The definition of the term “code” is deleted.

vii. The definition of the term “code official” is deleted.

viii. In the definition of “Dwelling Unit,” “living as a single housekeeping unit” shall be inserted after “persons.”

3. Chapter 3 of the mechanical subcode, entitled “General Regulations,” shall be amended as follows:

i. Section 301.1, Scope, is amended to delete the words “in accordance with Section 101.2.”

ii. Section 301.7, Listed and labeled, is amended to delete the words “in accordance with Section 105.”

iii. In Section 301.11, Plumbing connections, delete “International Plumbing Code” and insert “plumbing subcode (N.J.A.C. 5:23-3.15)” in its place.

iv. Section 301.14, Repair, is deleted.

v. Add new section 301.19, Safety devices and controls, as follows:

“Oil burners, other than oil stoves with integral tanks, shall be provided with means for manually stopping the flow of oil to the burner. Such device or devices shall be placed in a readily accessible location a minimum of 10 feet from the burner. For electrically driven equipment, an identified switch in the burner supply circuit shall be provided at the entrance to the room or area where the appliance is located or, for equipment located in basements, the switch is required to be located at the top of stairs leading to the basement. An identifiable valve in the oil supply line, operable from a location a minimum of 10 feet from the burner shall be used for other than electrically driven or controlled equipment.”

vi. Section 307.1, Fuel-burning appliances, shall be amended to insert “drywell, sump pump, floor drain, drainage system below floor” after “fixture.”

vii. Section 307.2.1, Condensate disposal, is amended to add the following after the word “disposal” on line 3:

“in accordance with the plumbing subcode.” In addition, the second sentence shall be deleted. In addition, Section 307.2.1.1, Condensate discharge, is deleted in its entirety.

viii. Section 307.2.2, Drain pipe materials and sizes, is deleted.

ix. Section 309, Temperature control, is deleted.

4. Chapter 5 of the mechanical subcode, entitled “Exhaust Systems,” shall be amended as follows:

i. Section 503.1, General, is amended to replace the second sentence with the following: “The type and wiring methods for motors in areas that contain flammable vapors or dusts shall be in accordance with the electrical subcode.”

ii. Item 7 in Sections 504.10, Common exhaust systems for clothes dryers located in multistory structures, and 505.3, Common exhaust systems for domestic kitchens located in multistory structures, is amended to add “, if provided,” after the word “and”.

iii. Section 512.1, General, is amended to add a sentence as follows: “This section shall not apply to radon construction techniques covered by subchapter 10 of the Uniform Construction Code.”

iv. In Section 513.5.2, Testing of leakage area, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

5. Chapter 6 of the mechanical subcode, entitled “Duct Systems,” is amended as follows:

i. Section 602.2.1, Materials in plenums, is amended to modify Exception 3 to read: “This section shall not apply to materials exposed within plenums in one-and two-family dwellings. Wire exposed in plenums of one-and two-family dwellings shall conform to the requirements of the electrical subcode.”

ii. Section 602.2.1.1, Wiring, is deleted in its entirety and substitute the following language: “Wiring, cable and raceways installed in a plenum shall be listed and installed in accordance with the electrical subcode.”

6. Chapter 8 of the mechanical subcode, entitled “Chimneys and Vents,” shall be amended as follows:

i. In Section 801.18.2, Flue passageways, in the first sentence, “free of obstructions and combustible deposits” shall be deleted and “inspected in accordance with the chimney verification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

7. Chapter 9 of the mechanical subcode, entitled “Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment,” shall be amended as follows:

i. In Section 908.5, Water supply, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

ii. In Section, 923, Small ceramic kilns, “Section 105.2” shall be deleted in two locations and “N.J.A.C. 5:23-3.7” shall be inserted.

iii. In Item 4 of Section 928.1, General, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

8. Chapter 10 of the mechanical subcode, entitled “Boilers, Water Heaters and Pressure Vessels,” shall be amended as follows:

i. Section 1001.1, Scope, is amended to replace the words “installation, alteration, and repair of boilers,” with the words “installation and alteration of boilers.”

ii. In Section 1002.1, General, in the first and third sentence, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iii. In Section 1002.2, Water heaters utilized for space heating, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iv. Section 1002.3, Supplemental water-heating devices, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

v. In Section 1008.2, Discharge, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

9. Chapter 11 of the mechanical subcode, entitled “Refrigeration,” is amended as follows:

i. Section 1101.1, Scope, the words “and repair” shall be deleted.

ii. Section 1102.2.2, Purity, is deleted in its entirety.

iii. Add new Section 1103.1.1, Acceptable refrigerants, as follows: “Only refrigerants listed by the US Environmental Protection Agency (EPA), pursuant to the Significant New Alternatives Program (SNAP) under section 612 of the Clean Air Act Amendments and those listed by the NJ Department of Environmental Protection (DEP) pursuant to the Air Pollution Control Act, P.L. 1954, c. 212 (N.J.S.A. 26:2C-1 et seq.), as acceptable substitutes for the particular use shall be permitted.”

iv. Section 1109, Periodic testing, is deleted.

10. Chapter 12 of the mechanical subcode, entitled “Hydronic Piping,” is amended as follows:

i. In Section 1210.8.1, Protection of potable water, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

11. Chapter 13 of the mechanical subcode, entitled “Fuel Oil Piping And Storage,” is amended as follows:

i. Section 1301.2, Storage and piping systems, is amended to add the following sentence: “Where the tank is of a size and type that is subject to the Department of Environmental Protection rules for the installation of Underground Storage Tanks at N.J.A.C. 7:14B, those rules shall apply.”

12. Chapter 15 of the mechanical subcode, entitled “Referenced Standards,” shall be amended as follows:

i. Under the heading “ICC,” amend the following title:

(1) Delete “IPC—21, International Plumbing Code.”

13. Appendix A of the mechanical subcode entitled “Chimney Connector Pass-Throughs” is informative and is not part of the code.

14. Appendix B of the mechanical subcode entitled “Recommended Permit Fee Schedule,” is deleted in its entirety.

R.1984 d.314, eff. August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

New rule.

Amended by R.1985 d.154, effective April 1, 1985 (operative July 1, 1985).

See: 17 N.J.R. 239(a), 17 N.J.R. 810(a).

(a)2 added; subsection (c) added.

Amended by R.1986 d.380, effective September 22, 1986.

See: 18 N.J.R. 1235(a), 18 N.J.R. 1931(a).

Substantially amended.

Amended by R.1987 d.14, effective January 5, 1987.

See: 18 N.J.R. 2083(a), 19 N.J.R. 63(a).

In (b)5iv Section M-508 was deleted and Section M-508.1 was substituted.

Amended by R.1987 d.374, effective September 21, 1987.

See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).

Model subcode revisions.

Amended by R.1988 d.270, effective June 20, 1988.

See: 20 N.J.R. 575(a), 20 N.J.R. 1344(a).

Added (a)3 and (c).

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

References to 1989 Supplement added; (c)1 and 3 added.

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to BOCA National Code/1990.

Amended by R.1991 d.429, effective August 19, 1991.

See: 23 N.J.R. 1487(a), 23 N.J.R. 2501(a).

In (a), added 3. Added new (c).

Amended by R.1992 d.183, effective April 20, 1992.

See: 24 N.J.R. 167(a), 24 N.J.R. 1475(b).

Text added at (b)7 and (c)1, deleting parts of article 16 of the mechanical subcode.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1995 d.120, effective March 6, 1995 (operative July 1, 1995).

See: 26 N.J.R. 4874(b), 27 N.J.R. 894(b).

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

Added (c).

Amended by R.2001 d.196, effective June 18, 2001.

See: 33 N.J.R. 6(a), 33 N.J.R. 2090(a).

Rewrote (a) and (b).

Administrative correction.

See: 33 N.J.R. 3310(a).

Amended by R.2002 d.15, effective January 22, 2002.

See: 33 N.J.R. 2933(b), 33 N.J.R. 3883(a), 34 N.J.R. 521(a).

In (c), added the last sentence in the introductory paragraph, and rewrote 1.

Amended by R.2003 d.137, effective April 7, 2003.

See: 34 N.J.R. 4277(a), 35 N.J.R. 1558(c).

In (c), deleted “, or any dwelling unit of Use Group” following “R-2”, and substituted “, R-3 or R-4” for “R-3 located in a building required to be registered as a multiple dwelling” in the introductory paragraph.

Amended by R.2004 d.67, effective February 17, 2004.

See: 35 N.J.R. 4627(a), 36 N.J.R. 949(b).

In (c), added R-5 to the list of groups.

Amended by R.2005 d.35, effective January 18, 2005.

See: 36 N.J.R. 3329(b), 37 N.J.R. 267(a).

Rewrote the section.

Administrative correction.

See: 37 N.J.R. 885(a).

Amended by R.2006 d.75, effective February 21, 2006.

See: 37 N.J.R. 3110(a), 38 N.J.R. 1183(a).

Added (b)3iii; recodified former (b)3iii-ix as (b)3iv-x.

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

Rewrote the section.

Amended by R.2010 d.195, effective September 7, 2010.

See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).

Rewrote (a) and (b).

Amended by R.2015 d.139, effective September 21, 2015.

See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).

Rewrote the section.

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

Substituted “Code/2018” for “Code/2015” in the introductory paragraph of (a)1, in (a)1ii, and in the introductory paragraph of (b); and substituted “appropriate” for “building” in (b)2iii.

Amended by R.2022 d.111, effective September 6, 2022.

See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).

Substituted “Code/2021” for “Code/2018” throughout; in (a)1 substituted “at” for “in”; and rewrote (b).

5:23-3.20A (Reserved)

New Rule R.1992 d.183, effective April 20, 1992.

See: 24 N.J.R. 167(a), 24 N.J.R. 1475(b).

Repealed by R.2001 d.196, effective June 18, 2001.

See: 33 N.J.R. 6(a), 33 N.J.R. 2090(a).

Section was “Indoor air quality subcode”.

5:23-3.21 One- and two-family dwelling subcode

(a) Rules concerning the one- and two-family dwelling subcode are adopted as follows:

1. Pursuant to authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the International Code Council, 2021 International Residential Code known as the “IRC/2021” as the one- and two-family dwelling subcode in New Jersey subject to the modifications stated at (c) below.

i. Copies of this code may be obtained from the International Code Council at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. The IRC/2021 may be known and cited as the one- and two-family dwelling subcode.

(b) The provisions of this subcode shall apply to detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means

of egress serving each dwelling unit and their accessory structures.

(c) The following chapters or sections of the IRC/2021 shall be modified as follows:

1. Chapter 1, Scope and Administration, shall be deleted in its entirety and “See the administrative provisions of N.J.A.C. 5:23.” shall be inserted. In addition, any referenced section of Chapter 1 shall be deleted throughout the code and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

2. Chapter 2, Definitions, shall be amended as follows:

i. The definition of “Addition” shall be deleted.

ii. The definition of “Alteration” shall be deleted.

iii. The definition of “Approved” shall be deleted and the following shall be inserted: “Approved refers to approval by the appropriate subcode official or other authority having jurisdiction in accordance with the regulations.”

iv. In the definition of “Approved Agency,” “or other authority having jurisdiction in accordance with the Uniform Construction Code” shall be inserted after “official.”

v. The definition of “Attic, habitable” shall be deleted and the following shall be inserted:

“An attic that has a stairway as a means of access and egress and in which the ceiling area at a height of seven feet above the attic floor is not more than one-third the area of the next floor below.”

vi. The definition of “Building” shall be deleted and the following shall be inserted:

“BUILDING. A structure enclosed with exterior walls or fire walls, built, erected and framed of component structural parts, designed for the housing shelter, enclosure and support of individuals, animals or property of any kind. When used herein, building and structure shall be interchangeable except where the context clearly indicates otherwise.”

vii. The definition of “Building, Existing” shall be deleted.

viii. The definition of “Building Line” shall be deleted.

ix. The definitions of “Building Official” and “Change of Occupancy” shall be deleted.

x. In the definition of “Dwelling Unit,” “living as a single housekeeping unit” shall be inserted after “persons.”

xi. The definition of “Existing Installations” shall be deleted.

xii. The definition of “Guestroom” shall be deleted.

xiii. The definition of “Historic Building” shall be deleted.

xiv. The definition of “Jurisdiction” shall be deleted.

xv. The definition of “Lodging House” shall be deleted.

xvi. The definition of “Manufactured Home” shall be deleted.

xvii. The definition of “Owner” shall be deleted and the following shall be inserted: “OWNER. The owner or owners in fee of the property of a lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, lessee or any other person, firm or corporation, directly or indirectly in control of a building, structure or real property and shall include any subdivision thereof of the State.”

xviii. The definition of “Permit” shall be deleted.

xix. The definition of “Person” shall be deleted.

xx. In the definition of “Potable Water,” “public health authority having jurisdiction” shall be deleted and “Public Health Drinking Water Standards or the regulations” shall be inserted.

xxi. The definition of “Repair” shall be deleted.

xxii. The definitions of “Reroofing,” “Roof Recover,” “Roof Repair,” and “Roof Replacement” shall be deleted.

xxiii. The definition of “Structure” shall be deleted.

3. Chapter 3, Building Planning, shall be amended as follows:

i. Add new Section R300 as follows:

“R300 Height and Area Limitations

R300.1 General. Buildings of VB, unprotected wood framed construction, as that term is defined in Section 602 of the building subcode, shall be not more than two stories, not more than 35 feet in height, and not more than 4,800 square feet in area per floor. For the purpose of applying this subsection, a habitable attic shall not constitute a story in a two-story dwelling.

R300.2 Increases in height. The building shall be not more than three stories and not more than 55 feet in height where the building is equipped throughout with an automatic sprinkler system installed in accordance with the National Fire Protection Association (NFPA) Standard 13D or Section P2904.

R300.3 Increases in area. The area of a building may be increased as provided in Sections R300.3.1 and Section R300.3.2 below.

R300.3.1 Automatic sprinkler system. The area limitation shall be unlimited where a building is equipped throughout with an automatic sprinkler system installed

in accordance with NFPA Standard 13D or Section P2904.

R300.3.2 Frontage. The area limitation shall be permitted to be increased two percent for each one percent of excess frontage where a building has more than 25 percent of the building perimeter fronting on a street or other unoccupied space. The unoccupied space shall be on the same lot or dedicated for public use, shall be not less than 30 feet in width, and shall have access from a street by a posted fire lane that is not less than 18 feet in width.

R300.4 Buildings of VA construction. Buildings of VA, protected wood framed construction, as that term is defined in Section 602 of the building subcode, shall be not more than three stories, not more than 40 feet in height, and not more than 10,200 square feet in area per floor.

R300.4.1 Increases in height. Buildings of VA construction greater than three stories in height shall be designed and constructed in accordance with the building subcode.

R300.4.2 Increases in Area. Buildings of VA construction shall be permitted to be increased in area in accordance with R300.3.

R300.5 Buildings of other types of construction. The height and area limits allowable for buildings of construction type VA shall apply to other construction types, as they are defined in Section 602 of the building subcode, provided that the fire ratings of building elements meet or exceed the requirements for type VA in Tables 601 and 602 of the building subcode.”

ii. Table R301.2, Climatic and Geographic Design Criteria, shall be amended as follows:

1. Under the heading of “Ground Snow Load,” insert “see Bulletin 19-1”;

2. Under the heading of “Wind Design—Speed,” insert “see Bulletin 19-1”;

3. Under the heading of “Wind Design—Topographic effects,” insert “N/A” for Not Applicable;

4. Under the heading of “Wind Design—Special wind region,” insert “N/A” for Not Applicable;

5. Under the heading of “Wind Design—Windborne debris region,” insert “N/A” for Not Applicable;

6. Under the heading of “Seismic Design Category,” insert “N/A” for Not Applicable;

7. Under the heading of “Subject to damage from - Weathering,” insert “Severe”;

8. Under the heading of “Subject to damage from - Frost line depth,” insert “2’6” SNJ; 3’0” NNJ”;

9. Under the heading of “Subject to damage from - Termite,” insert “Moderate to Heavy”;
10. Under the heading of “Ice Barrier Underlayment Required,” insert “see Bulletin 07-3”;
11. Under the heading of “Flood Hazards,” insert “LFPA” for local floodplain administrator;
12. Under the heading of “Air Freezing Index,” insert “1500 or less”;
13. Under the heading of “Mean Annual Temp;” insert “see Note j”;
14. At the beginning of Note b, insert “New Jersey is divided into two zones: SNJ consists of Monmouth and Burlington Counties and all counties to the south; NNJ consists of Mercer and Middlesex Counties and all counties to the north.”;
15. At the beginning of Note g, insert “See the local floodplain administrator (LFPA).”
- iii. Section R301.2.1.5, Topographic wind effects, shall be deleted, along with its subsections, tables and figures.
- iv. Section R301.2.2, Seismic provisions, shall be deleted, along with its subsections, tables, and figures and the following shall be inserted: “Detached one- and two-family dwellings and attached single-family townhouses are exempt from the seismic requirements of this code.”
- v. Section R301.2.4, Floodplain Construction, “repair” shall be deleted and “restoration” shall be inserted. Also, Section R301.2.4.1, Alternative provisions, shall be deleted in its entirety.
- vi. In Table R301.5, Minimum Uniformly Distributed Live Loads, delete “Balconies (exterior)” and from the fourth row. Insert a new row below “Decks” with Exterior Balconies” in the “Use” column and “60” in the “Uniform Load” column.
- vii. In exception 2 of Section R302.1, the following shall be added to the end of the sentence: “provided the aggregate area of all buildings on the same lot do not exceed the permissible area from Section R300.”
- viii. In Section R302.2.2, Common Walls, in the fourth sentence, “Chapters 34 through 43” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.
- ix. In Section R302.5.1, Opening protection, in the last sentence, “, Doors shall be self-latching and equipped with a self-closing or automatic-closing device” shall be deleted.
- x. In Section R302.6, Dwelling-garage fire separation, “Attachment of gypsum board shall comply with Table R702.3.5.” shall be deleted.
- xi. Table R302.6, Dwelling-Garage Separation, shall be amended as follows: In the column entitled “Material” and the rows entitled “From habitable rooms above the garage” and “Structure(s) supporting floor/ceiling assemblies used for separation required by this section,” the text shall be deleted and “constructed with not less than a one-hour fire resistance rating (see N.J.U.C.C. FTO-13)” shall be inserted.
- xii. Section R303.7, Interior stairway illumination and R303.8, Exterior stairway illumination, shall be deleted in their entirety.
- xiii. Section R303.10, Required heating, shall be deleted in its entirety.
- xiv. In Section R307.1, Space required, “Figure R307.1, and in accordance with the requirements of Section P2705.1” shall be deleted and “Figure 7.3.2 of the plumbing subcode, entitled ‘Minimum Fixture Clearances’ shall be inserted. In addition, Figure R307.1 shall be deleted.
- xv. In Section R310.1, Emergency escape and rescue opening required, “Basements, habitable attics and” shall be deleted. The sentence shall start with “Every.” In addition, exception 1 shall be deleted in its entirety.
- xvi. In Section R310.4.3, Drainage, “Section R405.1” shall be deleted in the body of the general text and again in the exception and “Section R406.1” shall be inserted for each deletion.
- xvii. Sections R310.5, Replacement windows for emergency escape and rescue openings, R310.6, Dwelling additions, and R310.7, Alterations or repairs of existing basements, R310.7.1, Existing emergency escape rescue openings, shall be deleted.
- xviii. In Section R311.3.1, Floor elevations at the required egress doors, in the Exception, “7 3/4 inches (196 mm)” shall be deleted and “8 1/4 inches (210 mm)” shall be inserted. Also, in Section R311.3.2, Floor elevations at other exterior doors, “7 3/4 inches (196 mm)” shall be deleted and “8 1/4 inches (210 mm)” shall be inserted.”
- xix. In Section R311.7.5.1, Risers, “7 3/4 inches (196 mm)” shall be deleted and “8 1/4 inches (210 mm)” shall be inserted.
- xx. In Sections R311.7.5.2, Treads, and R311.7.5.2.1, Winder treads, “10 inches (254 mm)” shall be deleted and “9 inches (229 mm)” shall be inserted.
- xxi. In Section R311.7.8.1, Height, “34 inches (864 mm)” shall be deleted and “30 inches (762 mm)” shall be inserted.
- xxii. Section R311.7.9, Illumination, shall be deleted in its entirety.

xxiii. In Section R311.8.3.1, Height, “34 inches (864 mm)” shall be deleted and “30 inches (762 mm)” shall be inserted.

xxiv. Section R313.1, Townhouse automatic fire sprinkler systems shall be deleted. Section R313.1.1 shall be retained.

xxv. Section R313.2, One- and two-family dwellings automatic sprinkler systems, shall be deleted. Section R313.2.1 shall be retained.

xxvi. Section R314.2.2, Alterations, repairs and additions, shall be deleted.

xxvii. In Section R314.6, Power source, both exceptions shall be deleted.

xxviii. New Section R314.7.5 shall be inserted as follows: “R314.7.5, Monitoring. The system shall be monitored by an approved supervising station and shall be maintained in accordance with NFPA 72.”

xxix. In Section R315.2, Where required, “and R315.2.2” shall be deleted. Also, Section R315.2.2, Alterations, repairs and additions, shall be deleted. Lastly, exception 2 of Section R315.6, Power source, shall be deleted.

xxx. In Section R319.1, Address Identification, the fourth, fifth, and ninth sentences shall be deleted. Additionally, in the seventh sentence, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

xxxi. Section R320, Accessibility, shall be deleted.

xxxii. Section R321, Elevators and platform lifts, shall be deleted.

xxxiii. In Section R322.1, General, “repair” shall be deleted and “restoration” shall be inserted.

xxxiv. Section R322.1.1, Alternative provisions, shall be deleted in its entirety.

xxxv. In Section R322.1.6, Protection of mechanical, plumbing and electrical systems, the second sentence shall be deleted.

xxxvi. In Section R322.1.7, Protection of water supply and sanitary sewage systems, in the first and second sentences, “and replacement” shall be deleted. Also, in the second sentence, “the plumbing provisions of this code and Chapter 3 of the International Private Sewage Disposal Code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

xxxvii. In Section R322.1.9, Manufactured homes, in the first sentence, “new and replacement” shall be deleted and “relocated” shall be inserted in lieu thereof.

xxxviii. In Section R322.2.3, Foundation design and construction, “For buildings supported by piles, the

design and methods of construction shall meet the applicable criteria of ASCE 24.” shall be inserted after the first sentence.

xxxix. In Section R322.3, Coastal high-hazard areas (including V Zones and Coastal A Zones, where designated), “Sections R322.3.1 through R322.3.10” shall be deleted and “and ASCE 24” shall be inserted in its place. Additionally, the subsections that follow the text of R322.3.1, Sections R322.3.1 through R322.3.10, shall be deleted.

xl. Section R323, Storm Shelters, shall be deleted.

xli. Section R326, Habitable attics, shall be deleted.

xlii. In Section R327.1, General, “and enclosures” shall be inserted between “spas” and “shall.”

xliii. A new Section R327.2, Amendments to the International Swimming Pool and Spa Code, shall be inserted as follows:

R327.2. Amendments to the International Swimming Pool and Spa Code. The following amendments shall be made to the International Swimming Pool and Spa Code (ISPSC).

1. Chapter 1, Scope and Administration, shall be deleted in its entirety and “See the administrative provisions of N.J.A.C. 5:23.” shall be inserted. In addition, any referenced section of Chapter 1 shall be deleted throughout the code and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted.

2. Chapter 2, Definitions, shall be amended as follows:

2.1 In Section 201.3, Terms defined in other codes, “International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

2.2 In Section 202, Definitions:

2.2.1 The definition of “alteration” shall be deleted.

2.2.2 The definition of “code official” shall be deleted and the following shall be inserted:

“Construction Official. A qualified person appointed by the municipal appointing authority or the commissioner pursuant to the act and the regulations to enforce and administer the regulations within the jurisdiction of the enforcing agency.”

2.2.3 The definition of “existing pool or spa” shall be deleted.

2.2.4 The definition of “owner” shall be deleted and the following shall be inserted:

“Owner. The owner or owners in fee of the property of a lesser estate therein, a mortgagee or vendee in

possession, an assignee of rents, receiver, executor, trustee, lessee or any other person, firm or corporation, directly or indirectly in control of a building, structure or real property and shall include any subdivision thereof of the State.”

2.2.5 The definitions of “permit” and “repair” shall be deleted.

3. Chapter 3, General Compliance, shall be amended as follows:

3.1 In Section 302.1, Electrical, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted. Additionally, “or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted.

3.2 In Section 302.2, Water service and drainage, “International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.3 In Sections 302.5, Backflow prevention, and 302.6, Waste-water discharge, “International Plumbing Code or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.4 Section 305, Barrier requirements, shall be amended as follows:

3.4.1 In Section 305.1, General, in the second sentence, “and swimming pools are equipped with a powered safety cover that complies with ASTM F1346” shall be deleted. Also in the second sentence, “, hot tubs or pools” shall be replaced with “or hot tubs”.

3.4.2 Section 305.1.1, Construction fencing required, shall be deleted.

3.4.3 Section 305.4, Structure wall as a barrier, shall be deleted.

3.4.4 In Section 305.5, Onground residential pool structure as a barrier, in item 3, “capable of being secured, locked or removed to prevent access except where the ladder or steps are” shall be deleted.

3.5 In Section 306.1, General, “in accordance with Section 102.7.1” shall be deleted.

3.6 Sections 306.3, Step risers and treads, and 306.4, Deck steps handrail required, shall be deleted.

3.7 In Section 306.9.1, Hose bibbs, “International Plumbing Code or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.8 In Sections 307.1.1, Glazing in hazardous locations, 307.2.2, Materials and structural design, 307.1.3,

Roofs or canopies, and 316.6.1, Installation, “in accordance with Section 102.7.1” shall be deleted.

3.9 In Section 316.4, Installation, “in accordance with Section 102.7.1” shall be deleted. Additionally, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

3.10 In Section 318.2, Protection of potable water supply, “International Residential Code or the International Plumbing Code or, as applicable in accordance with Section 102.7.1” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

3.11 In Section 321.2.1, Pool and deck illumination, in the second sentence, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

3.12 In Section 321.4, Residential pool and deck illumination, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted. Additionally, “or the International Residential Code, as applicable in accordance with Section 102.7.1” shall be deleted.

3.13 In Section 324.4, Electrical, “NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

4. Chapter 4, Public swimming pools, shall be amended as follows:

4.1 In Section 410.1, Toilet facilities, “International Building Code or International Plumbing Code” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

5. Amendments to Chapter 6, Aquatic recreation facilities, shall be amended as follows:

5.1 In Section 601.1, Scope, the following sentence shall be added to the end of the paragraph, “For purposes of enforcement, Class D-2 and Class D-6 public pools shall be regulated by this chapter and N.J.A.C. 5:23; all other Class D public pools shall be regulated by N.J.A.C. 5:14A.”

5.2 In Section 609.1, General, “International Building Code and International Plumbing Code and Section 609.2 through 609.9” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

5.3 Sections 609.2, Number of fixtures, 609.3, Showers, 609.4, Soap dispensers, 609.5, Toilet tissue holder, 609.6, Lavatory mirror, 609.7, Sanitary napkin receptacles, 609.8, Sanitary napkin dispensers, and 609.9, Infant Care, shall be deleted.

6. Appendix A, Board of Appeals, shall be deleted in its entirety.

xliv. In Section R329.2, Installation, “Chapters 34 through 43” shall be deleted, and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

xliv. In Section R330.1, General, the words “and existing” shall be deleted.

4. Chapter 4, Foundations, shall be amended as follows:

i. In Table R401.4.1, Presumptive Load Bearing Values of Foundation Materials, “12,000; 4,000; 3,000; 2,000; and 1,500” shall be deleted and “12,000; 6,000; 5,000; 3,000; and 2,000” shall be inserted.

ii. Section R403.1.4, Minimum depth, shall have the following exceptions added:

“Exceptions:

1. Accessory garden-type utility sheds and similar structures that are 100 square feet or less in area, 10 feet or less in height and does not contain a water, gas, oil or sewer connection. These structures shall be of sufficient weight to remain in place or shall be anchored to the ground.

2. Accessory garden-type utility sheds and similar structures that are greater than 100 square feet, but not more than 200 square feet in area, and 10 feet or less in height, provided the shed is dimensionally stable without the foundation system and does not contain a water, gas, oil or sewer connection. A shed shall be considered dimensionally stable if it is provided with a floor system that is tied to the walls of the structure such that it reacts to loads as a unit. These structures shall be of sufficient weight to remain in place or shall be anchored to the ground.”

iii. In Section R403.1.4.1, Frost protection, the exceptions shall be deleted and the following shall be inserted:

Exception: Free standing buildings meeting all of the following conditions shall not be required to be protected:

1. Buildings and other structures that represent a low hazard to human life in the event of failure, including but not limited to, agricultural buildings, temporary buildings and minor storage facilities.

2. Area of 600 square feet (56 m²) or less for light framed construction, or 400 square feet (37 m²) or less for other than light-framed construction; and

3. Eave height of 10 feet (3048 mm) or less.

iv. In Section R403.3.3, Drainage, “Table R405.1” shall be deleted and “Table R406.1” shall be inserted.

v. In Table R403.4, note C; Table R404.1.1(1), Note B; Table R404.1.1(2), Note D; Table R404.1.1(3), Note D; Table R404.1.1(4), Note D; Table R404.1.2(2), Note A; Table R404.1.2(3), Note A; Table R404.1.2(4), Note A; Table R404.1.2(5), Note A; Table R404.1.2(6), Note

A; Table R404.1.2(7), Note A; and Table R404.1.2(8), Note A, “Table R405.1” shall be deleted and “Table R406.1” shall be inserted.

vi. In Section R404.2.5, Drainage and dampproofing, delete “Sections R405 and R406, respectively.” and insert “Section R406.”

vii. In Section R404.4, Retaining walls, in the first sentence, “that are not laterally supported at the top and that retain in excess of 48 inches (1219 mm) of unbalanced fill, or retaining walls exceeding 24 inches (610 mm) in height that resist lateral loads in addition to soil” shall be deleted and “for which a construction permit is required by N.J.A.C. 5:23-2.14” shall be inserted.

viii. Sections R405, Foundation Drainage, with the exception of Table R405.1, which shall be renumbered as “Table R406.1”, and R406, Foundation Waterproofing and Dampproofing, shall be deleted and the text of Section 1805, Dampproofing and Waterproofing from the building subcode shall be inserted as follows:

“R406.1 General. Walls or portions thereof that retain earth and enclose interior spaces and floors below grade shall be waterproofed and dampproofed in accordance with this section, with the exception of those spaces containing groups other than residential and institutional where such omission is not detrimental to the building or occupancy.

Ventilation for crawl spaces shall comply with Section R408.

R406.1.1 Story above grade plane. Where a basement is considered a story above grade and the finished ground level adjacent to the basement wall is below the basement floor elevation for 25 percent or more of the perimeter, the floor and walls shall be dampproofed in accordance with Section R406.2 and a foundation drain shall be installed in accordance with Section R406.4.1. The foundation drain shall be installed around the portion of the perimeter where the basement floor is below ground level. The provisions of Sections R406.3 and R406.4.1 shall not apply in this case.

R406.1.2 Under-floor space. The finished ground level of an under-floor space such as a crawl space shall not be located below the bottom of the footings. Where there is evidence that the ground water table rises to within 6 inches (152 mm) of the ground level at the outside building perimeter, or that the surface water does not readily drain from the building site, the ground level of the under-floor space shall be as high as the outside finished ground level, unless an approved drainage system is provided. The provisions of Sections R406.2, R406.3 and R406.4 shall not apply in this case.

R406.1.2.1 Flood hazard areas. For buildings and structures in flood hazard areas as established in

Section R322, the finished ground level of an under-floor space such as a crawl space shall be equal to or higher than the outside finished ground level on at least one side.

Exception: Under-floor spaces that meet the requirements of FEMA TB-11.

R406.1.3 Ground-water control. Where the ground-water table is lowered and maintained at an elevation not less than 6 inches (152 mm) below the bottom of the lowest floor, the floor and walls shall be damp-proofed in accordance with Section R406.2. The design of the system to lower the ground-water table shall be based on accepted principles of engineering that shall consider, but not necessarily be limited to, permeability of the soil, rate at which water enters the drainage system, rated capacity of pumps, head against which pumps are to operate and the rated capacity of the disposal area of the system.

R406.2 Dampproofing. Where hydrostatic pressure will not occur, floors and walls for other than wood foundation systems shall be dampproofed in accordance with this section. Wood foundation systems shall be constructed in accordance with AWC PWF.

R406.2.1 Floors. Dampproofing materials for floors shall be installed between the floor and the base course required by Section R406.4.1, except where a separate floor is provided above a concrete slab.

Where installed beneath the slab, dampproofing shall consist of not less than 6-mil (0.006 inch; 0.152 mm) polyethylene with joints lapped not less than 6 inches (152 mm), or other approved methods or materials. Where permitted to be installed on top of the slab, dampproofing shall consist of mopped-on bitumen, not less than 4-mil (0.004 inch; 0.102 mm) polyethylene, or other approved methods or materials. Joints in the membrane shall be lapped and sealed in accordance with the manufacturer's installation instructions.

R406.2.2 Walls. Dampproofing materials for walls shall be installed on the exterior surface of the wall, and shall extend from the top of the footing to above ground level.

Dampproofing shall consist of a bituminous material, 3 pounds per square yard (16N/m²) of acrylic modified cement, 1/8-inch (3.2 mm) coat of surface-bonding mortar complying with ASTM C 887, any of the materials permitted for waterproofing by Section R406.3.2, or other approved methods or materials.

R406.2.2.1 Surface preparation of walls. Prior to application of dampproofing materials on concrete walls, holes and recesses resulting from the removal of form ties shall be sealed with a bituminous material or other approved methods or materials. Unit masonry walls shall be parged on the exterior surface below ground

level with not less than 3/8 inch (9.5 mm) of portland cement mortar. The parging shall be covered at the footing.

Exception: Parging of unit masonry walls is not required where a material is approved for direct application to the masonry.

R406.3 Waterproofing. Where the ground-water investigation indicates that a hydrostatic pressure condition exists, and the design does not include a ground-water control system as described in Section R406.1.3, walls and floors shall be waterproofed in accordance with this section.

R406.3.1 Floors. Floors required to be waterproofed shall be of concrete and designed and constructed to withstand the hydrostatic pressures to which the floors will be subjected.

Waterproofing shall be accomplished by placing a membrane of rubberized asphalt, butyl rubber, fully adhered/fully bonded HDPE or polyolefin composite membrane or not less than 6-mil (0.006 inch; 0.152 mm) polyvinyl chloride with joints lapped not less than 6 inches (152 mm) or other approved materials under the slab. Joints in the membrane shall be lapped and sealed in accordance with the manufacturer's installation instructions.

R406.3.2 Walls. Walls required to be waterproofed shall be of concrete or masonry and shall be designed and constructed to withstand the hydrostatic pressures and other lateral loads to which the walls will be subjected.

Waterproofing shall be applied from the bottom of the wall to not less than 12 inches (305 mm) above the maximum elevation of the ground-water table. The remainder of the wall shall be dampproofed in accordance with Section R406.2.2. Waterproofing shall consist of two-ply hot-mopped felts, not less than 6-mil (0.006 inch; 0.152 mm) polyvinyl chloride, 40-mil (0.040 inch; 1.02 mm) polymer-modified asphalt, 6-mil (0.006 inch; 0.152 mm) polyethylene or other approved methods or materials capable of bridging nonstructural cracks. Joints in the membrane shall be lapped and sealed in accordance with the manufacturer's installation instructions.

R406.3.2.1 Surface preparation of walls. Prior to the application of waterproofing materials on concrete or masonry walls, the walls shall be prepared in accordance with Section R406.2.2.1.

R406.3.3 Joints and penetrations. Joints in walls and floors, joints between the wall and floor, and penetrations of the wall and floor shall be made watertight utilizing approved methods and materials.

R406.4 Subsoil drainage system. Where a hydrostatic pressure condition does not exist, dampproofing

shall be provided and a base shall be installed under the floor and a drain installed around the foundation perimeter. A subsoil drainage system designed and constructed in accordance with Section R406.1.3 shall be deemed adequate for lowering the ground-water table.

R406.4.1 Floor base course. Floors of basements, except as provided for in Section R406.1.1, shall be placed over a floor base course not less than 4 inches (102 mm) in thickness that consists of gravel or crushed stone containing not more than 10 percent of material that passes through a No. 4 (4.75 mm) sieve.

Exception: Where a site is located in well-drained gravel or sand/gravel mixture soils, a floor base course is not required.

R406.4.2 Foundation drain. A drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 (4.75 mm) sieve. The drain shall extend a minimum of 12 inches (305 mm) beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches (152 mm) above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or the top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2 inches (51 mm) of gravel or crushed stone complying with Section R406.4.1 and shall be covered with not less than 6 inches (152 mm) of the same material.

R406.4.3 Drainage discharge. The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the plumbing subcode.

Exception: Where a site is located in well-drained gravel or sand/gravel mixture soils, a dedicated drainage system is not required."

ix. At Section R407.3, Structural requirements, in the exception, delete the phrase "In Seismic Design Categories A, B, and C" at the beginning of the sentence.

5. Chapter 5, Floors, shall be amended as follows:

i. In Section R502.11.4, entitled "Truss Design Drawings," the second sentence shall be amended to insert "and truss layout drawings" after "Truss design drawings."

ii. New Section R502.11.5, entitled "Truss Identification," shall be inserted as follows: "Each truss shall be labeled or otherwise indelibly marked at the factory with the individual truss number as assigned in the truss layout

plan. The indelible marking or label shall be located on the bottom chord of the truss, inside the bearing points. When indelible markings are used, each digit shall be not less than one inch high. When labels are used, the label shall be a minimum of five inches by three inches and shall be affixed to the truss by a truss plate. Labels shall remain affixed to the truss."

iii. In Section R506.2.2, Base, in the exception, "Table R405.1" shall be deleted and "Table R406.1" shall be inserted.

6. Chapter 6, Wall Construction, shall be amended as follows:

i. In Figure R602.6.1, Top plate framing to accommodate piping, "8-10d nails" shall be deleted and "3-8d nails" shall be inserted.

ii. In Section R602.6.1, Drilling and notching of top plate, "eight 10d (0.148 inch diameter)" shall be deleted and "three-8d" shall be inserted.

iii. Section R606.1.1, Professional registration not required, shall be deleted.

iv. In Section R608.1, General, the second sentence shall be deleted.

7. Chapter 8, Roof-Ceiling Construction, shall be amended as follows:

i. In Section R802.10.1, entitled "Truss Design Drawings," the third sentence shall be amended to insert "and truss layout drawings" after "Truss design drawings."

ii. New Section R802.10.5, entitled "Truss Identification," shall be inserted as follows: "Each truss shall be labeled or otherwise indelibly marked at the factory with the individual truss number as assigned in the truss layout plan. The indelible marking or label shall be located on the bottom chord of the truss, inside the bearing points. When indelible markings are used, each digit shall be not less than one inch high. When labels are used, the label shall be a minimum of five inches by three inches and shall be affixed to the truss by a truss plate. Labels shall remain affixed to the truss."

8. Chapter 9, Roof Assemblies, shall be amended as follows:

i. In Section R903.4.1, Secondary (emergency overflow) drains or scuppers, in the last sentence of the first paragraph, "Sections 1106 and 1108 of the International Plumbing Code, as applicable" shall be deleted and "plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted in its place.

ii. In Section R905.1.2, Ice barriers, in the first sentence, delete "in areas where there has been a history of ice forming along the eaves causing a back-up of water as designated in table R301.2," and "In areas where the

average daily temperature in January is 25°F (-4°C) or less,” shall be inserted.

9. Chapter 10, Chimneys and Fireplaces, shall be amended as follows:

i. In Section R1001.11, Fireplace clearance, Exception 3, “12 inches” shall be deleted and “six inches” shall be inserted. In addition, in Figure R1001.11, Clearance from combustibles, “12 IN.” shall be deleted and “6 IN.” shall be inserted.

ii. In Section R1003.18, Chimney clearances, Exception 3, “8 inches” shall be deleted and “six inches” shall be inserted.

iii. In Figure R1003.18, Clearance from Combustibles, “8 IN.” shall be deleted and “6 IN.” shall be inserted.

10. Chapter 11, Energy Efficiency, shall be amended as follows:

i. Sections N1101.2 (R101.3), Intent, and N1101.5 (R103.2), Information on construction documents, shall be deleted.

ii. In Section N1101.6 (R202), Defined terms, the following definitions shall be deleted: Addition, Alteration, Building, Historic Building, Repair, Reroofing, Residential Building, Roof Recover, Roof Repair, and Roof Replacement.

iii. Section N1101.12 (R303.3), Maintenance information, shall be deleted.

iv. In Section N1101.13 (R401.2), Application, the exception shall be deleted in its entirety.

v. In Section N1103.7 (R403.7), Equipment sizing and efficiency rating, “or replacement” shall be deleted in the second sentence.

vi. In Section N1103.8 (R403.8), Systems serving multiple dwellings units, delete “Sections C403 and C404 of the IECC—Commercial Provisions” and replace with “Chapters 6 and 7 of the ASHRAE Standard 90.1 referenced by the energy subcode (N.J.A.C. 5:23-3.18).”

vii. In Section N1104.1.1 (R404.1.1), Exterior lighting, delete “Section C405.4 of the International Energy Conservation Code—Commercial Provision” and replace with “Section 9.4.2 of the ASHRAE Standard 90.1”.

viii. Sections N1109 (R501), Existing Buildings—General, N1110 (R502), Additions, N1111 (R503), Alterations, N1112 (R504), Repairs, and N1113 (R505), Change of Occupancy or Use, shall be deleted.

11. Chapter 12, Mechanical Administration, shall be amended as follows:

i. Section M1202, Existing mechanical systems, shall be deleted in its entirety.

12. Chapter 13, General Mechanical System Requirements, shall be amended as follows:

i. In Section M1305.1.2.1, Electrical requirements, “Chapter 39” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

ii. In Section M1305.1.3.3, Electrical requirements, “Chapter 39” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

iii. Section M1307.4, Hydrogen generating and refueling operations, shall be deleted in its entirety and the following shall be inserted:

M1307.4 Hydrogen generating and refueling operations. The installation of hydrogen fuel cell systems shall be installed in accordance with the applicable requirements of the International Fire Code, the International Building Code, the International Mechanical Code and the International Fuel Gas Code.

iv. In Section M1307.5, Electrical appliances, “and 34 through 43” shall be deleted and “and the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted at the end of the sentence.

v. Section M1307.6, Plumbing Connections, “Chapters 29 and 30” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted in its place.

vi. Add new Section M1307.8 as follows:

M1307.8 Safety devices and controls. Oil burners, other than oil stoves with integral tanks, shall be provided with means for manually stopping the flow of oil to the burner. Such device or devices shall be placed in a readily accessible location a minimum of 10 feet from the burner. For electrically driven equipment, an identified switch in the burner supply circuit shall be provided at the entrance to the room or area where the appliance is located or, for equipment located in basements, the switch is required to be located at the top of stairs leading to the basement. An identifiable valve in the oil supply line, operable from a location a minimum of 10 feet from the burner, shall be used for other than electrically driven or controlled equipment.

13. Chapter 14, Heating and Cooling Equipment, shall be amended as follows:

i. Section M1401.3, Equipment and appliance sizing, “When provided” shall be inserted at the beginning of the sentence.

ii. In Section M1405.1, General, “Chapters 34 through 43” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

iii. In Section M1406.1, General, “Chapters 34 through 43” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

iv. In Section M1406.2, Clearances, “Chapters 34 through 43” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

v. In Section M1407.1, General, “Chapters 34 through 43” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

vi. In Section M1411.3, Condensate disposal, in the first sentence, “in accordance with the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted after “disposal.”

vii. Section M1411.3.2, Drain pipe materials and sizes, shall be deleted in its entirety.

viii. In Section M1413.1, General, “Section P2902” shall be deleted in item #4 and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

14. Chapter 18, Chimney and Vents, shall be amended as follows:

i. In Section M1801.3.2, Flue passageways, in the first sentence, “free of obstructions and combustible deposits” shall be deleted and “inspected in accordance with the chimney verification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

15. Chapter 20, Boilers/Water Heaters, shall be amended as follows:

i. In Sections M2004.1, General, and M2005.1, General, “Chapter 28” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

ii. In Section M2005.3, Electric water heaters, “Chapters 34 through 43” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

16. Chapter 21, Hydronic Piping, shall be amended as follows:

i. In Section M2101.2, System drain down, “Chapters 25 through 32 of this code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

ii. In Sections M2101.3, Protection of potable water, M2101.25, Protection of potable water, and M2105.18, Protection of potable water, “Section P2902” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iii. In Sections M2101.16 and M2105.9, both entitled CPVC plastic pipe, “Section P2906.9.1.2” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted. In addition, in Sections M2101.21 and M2105.14, both entitled PVC plastic pipe, “Section P2906.9.1.4” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iv. In Section M2103.3, Piping joints, in Item #2, “Section P3003.6.1” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

v. In Sections M2101.26, Pipe penetrations, and M2105.19, Pipe penetrations, “Section P2606.1” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

17. Chapter 22, Special Piping and Storage Systems shall be amended as follows:

i. In Section M2201.2, Above-ground tanks, in the first sentence and in the exception, “above ground or” shall be deleted and “residential” shall be inserted before “building.”

18. Chapter 23, Solar Thermal Systems, shall be amended as follows:

i. In Section M2301.4, Heat transfer gasses or liquids and heat exchangers, “Section P2902.5.2” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

ii. In Sections M2301.5, Backflow protection, and M2301.7, Solar thermal systems for heating potable water, “Section P2902.5.5” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iii. In Section M2301.7.1, Indirect systems, “Section P2902.5.2” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iv. In Section M2301.7.2, Direct systems, “Chapter 29” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

19. Chapter 24, Fuel Gas, shall be amended as follows:

i. In Section G2402.3, Terms defined in other codes, “International Building Code, International Fire Code, and International Plumbing Code” shall be deleted and “electrical, building, fire protection, and plumbing subcodes” shall be inserted.

ii. Section G2403, entitled “General Definitions” shall be amended as follows:

(1) The definitions of “approved,” “approved agency,” “code,” “code official” and “dwelling unit” shall be deleted.

iii. In Section G2404.3, Listed and labeled, in the first sentence, “Section R104.11” shall be deleted and “N.J.A.C. 5:23-3.7” shall be inserted. In addition, the last sentence shall be deleted.

iv. Section G2404.5, Repair, shall be deleted in its entirety.

v. In Section G2408.1, General, the second paragraph shall be deleted in its entirety.

vi. In Section G2410.2, Connections, “Chapters 34 through 43” shall be deleted and “the Electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

vii. Section G2412.2, Liquefied petroleum gas storage, shall be amended to add the following: “Notwithstanding the provisions contained in NFPA 58, the installation of LP-Gas containers on roofs of buildings shall be strictly prohibited.”

viii. Section G2412.3, Modifications to existing system, shall be deleted in its entirety.

ix. Add new Section G2412.11 as follows:

“G2412.11 (401.9) Protection from vehicle impact. Gas meters, related regulators and piping that are installed indoors or outdoors and are subject to vehicle impact shall be protected by barriers meeting the requirements of Section 312 of the International Fire Code. For the purpose of applying this provision, “subject to vehicle impact” shall mean located within three feet of any garage door opening, driveway or designated parking area and not separated by a building wall from the space where a vehicle may be operated.

Exception: If verification of the installation of an excess flow valve is provided by the gas utility, vehicle impact barriers shall not be required.”

x. In Section G2413.7.1, Operation below -5°F (21°C), insert the following at the beginning of the section: “The operating pressure for undiluted LP-gas systems shall not exceed 20 psig (140 kPa gauge).”

xi. In Section G2425.15.2, Flue passageways, in the first sentence, “free of obstructions and combustible deposits” shall be deleted and “inspected in accordance with the chimney verification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

xii. In Section G2427.5.5, Inspection of chimneys, “examined to ascertain that it is clear and free of obstructions” shall be deleted and “inspected in accordance with the chimney verification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

xiii. In Section G2448.1.1, Installation requirements, “this code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

xiv. In Section G2448.2, Water heaters utilized for space heating, “this code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

20. Chapters 25 through 28 shall be deleted in their entirety and “Plumbing requirements under the scope of this subcode shall be regulated by the plumbing subcode, N.J.A.C. 5:23-3.15” shall be inserted.

21. Chapter 29, Water Supply and Distribution, shall be deleted except P2904, Dwelling unit fire sprinkler systems. The deleted sections shall have “Plumbing requirements under the scope of this subcode shall be regulated by the plumbing subcode, N.J.A.C. 5:23-3.15.” inserted.

i. Section P2904 shall be amended as follows:

(1) In Section P2904.1, General, the last sentence shall be deleted and “A backflow flow preventer shall be required to separate a stand-alone sprinkler system from the water distribution system in accordance with the plumbing subcode (N.J.A.C. 5:23-3.15).” shall be inserted.

(2) In Section P2904.2.3, Freezing areas, “Section P2603.5” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

(3) In Section P2904.8.1, Preconcealment Inspection, item 8, “Section P2503.7” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

22. Chapters 30 through 33 shall be deleted in their entirety and “Plumbing requirements under the scope of this subcode shall be regulated by the plumbing subcode, N.J.A.C. 5:23-3.15.” shall be inserted.

23. Chapters 34 through 43 shall be deleted in their entirety and “Electrical requirements under the scope of this subcode shall be regulated by the electrical subcode, N.J.A.C. 5:23-3.16.” shall be inserted.

24. The Appendices shall be amended as follows:

i. Appendix AA, Sizing and Capacities of Gas Piping; Appendix AB, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents; and Appendix AC, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems are informative and are not part of the one- and two-family dwelling subcode.

ii. Appendix AD, Recommended Procedure for Safety Inspection of an Existing Appliance Installation; Appendix AE, Manufactured Housing Used as Dwellings; Appendix AF, Radon Control Methods; and Appendix AG, Piping Standards for Various Applications, are deleted in their entirety.

iii. Appendix AH, Patio Covers, and Appendix AK, Sound Transmission, shall be adopted as part of this subcode.

iv. Appendix AI, Private Sewage Disposal; Appendix AJ, Existing Buildings and Structures; Appendix AL, Permit Fees; Appendix AM, Home Day Care—R-3 Occupancy; Appendix AN, Venting Methods; Appendix AO, Automatic Vehicular Gates; and Appendix AP, Sizing of Water Piping Systems, shall be deleted.

v. Appendix AQ, Tiny Houses; Appendix AR, Light Straw-Clay Construction; and Appendix AS, Strawbale Construction, shall be adopted as part of this subcode.

vi. Appendix AT, Solar-Ready Provisions—Detached One- And Two-Family Dwellings, Multiple

Single-Family Dwellings (Townhouses), shall be optional at the discretion of the permit applicant.

vii. Appendix AV, Board of Appeals, shall be deleted in its entirety.

viii. Appendix AW, 3D-Printed Construction, shall be adopted as part of this subcode. The Appendix shall be amended as follows:

(1) In Section AW103.2, Design approval, in the last line, "Section 104.11" shall be deleted, and "the administrative provisions of the Uniform Construction Code" shall be inserted in its place.

New Rule, R.1985 d.324, effective July 1, 1985.

See: 17 N.J.R. 861(c), 17 N.J.R. 1646(a).

Amended by R.1987 d.374, effective September 21, 1987.

See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).

Model subcode revisions.

Amended by R.1988 d.388, effective August 1, 1988.

See: 20 N.J.R. 1130(a), 20 N.J.R. 2073(b).

Added (c).

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

References to 1989 Supplement added; (b)1ii(5), 2, 4, 8 and 9 amended; (b)5, 6 and 7 added; (c) deleted; Table R-201.2 added.

Amended by R.1991 d.571, effective November 18, 1991.

See: 23 N.J.R. 2619(a), 23 N.J.R. 3444(b).

Added new (c).

Amended by R.1992 d.208, effective May 18, 1992.

See: 24 N.J.R. 680(a), 24 N.J.R. 1879(a).

Code provisions applicable to flood hazard zones clarified.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote the section.

Amended by R.2000 d.166, effective April 17, 2000.

See: 31 N.J.R. 4151(a), 32 N.J.R. 1376(a).

In (c)4, substituted "more pressure than would be exerted by backfill" for "lateral pressure from soils" following "subject to" in ii, and substituted "drainage" for "designated disposal" preceding "system" and added "according to the Unified Soil Classification System, Group I Soils" at the end of iii; and inserted (c)9iv.

Amended by R.2001 d.369, effective October 15, 2001.

See: 33 N.J.R. 2365(a), 33 N.J.R. 3674(a).

In (b), inserted "that are" following "type 5B construction", "no more" preceding "than 4,800 square feet", and substituted "seven feet" for "7 1/3 feet (2,235 mm.)".

Amended by R.2003 d.187, effective May 5, 2003.

See: 34 N.J.R. 4248(a), 35 N.J.R. 1939(c).

Rewrote the section.

Amended by R.2003 d.420, effective November 3, 2003.

See: 34 N.J.R. 4248(a), 35 N.J.R. 5073(a).

Rewrote (c).

Amended by R.2005 d.403, effective November 21, 2005.

See: 37 N.J.R. 2753(a), 37 N.J.R. 4399(b).

Rewrote (c).

Amended by R.2006 d.28, effective January 17, 2006.

See: 37 N.J.R. 2750(a), 38 N.J.R. 485(b).

Rewrote (c)15.

Administrative correction.

See: 38 N.J.R. 926(a).

Amended by R.2006 d.75, effective February 21, 2006.

See: 37 N.J.R. 3110(a), 38 N.J.R. 1183(a).

Added (c)10; recodified former (c)10-15 as (c)11-16.

Administrative correction.

See: 38 N.J.R. 1827(b).

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

Rewrote (a) and (c).

Amended by R.2007, d.384, effective December 17, 2007.

See: 39 N.J.R. 2684(a), 39 N.J.R. 5211(a).

Added new (c)17; and recodified existing (c)17 through (c)22 as (c)18 through (c)23.

Amended by R.2008 d.84, effective April 7, 2008.

See: 39 N.J.R. 5144(a), 40 N.J.R. 1827(a).

Deleted former (c)3xviii; recodified former (c)3xix through (c)3xxxi as (c)3xviii through (c)3xxx; in the introductory paragraph of (c)4, inserted a comma following "Foundations"; and in (c)4iii, added the second sentence.

Administrative correction.

See: 40 N.J.R. 1829(a).

Amended by R.2009 d.48, effective February 2, 2009.

See: 40 N.J.R. 5319(a), 41 N.J.R. 733(b).

In (c)3xxvii, inserted the final sentence; recodified the former second occurrence of (c)3xxiii as (c)3xxviii; added new (c)4iii; recodified former (c)4iii and (c)4iv as (c)4iv and (c)4v; added new (c)4vi; recodified former (c)4v through (c)4vii as (c)4vii through (c)4ix; added (c)5iii; in (c)8i, inserted "(N.J.A.C. 5:23-3.15)"; in (c)9iii, deleted "Figure R1003.11 and" following "In"; added new (c)19ix; recodified former (c)19ix through (c)19xiii as (c)19x through (c)19xiv; and rewrote (c)23iv.

Amended by R.2009 d.126, effective April 20, 2009.

See: 41 N.J.R. 16(a), 41 N.J.R. 1725(a).

Added new (c)4ii; and recodified former (c)4ii through (c)4ix as (c)4iii through (c)4x.

Amended by R.2010 d.195, effective September 7, 2010.

See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).

Rewrote (a) and (c).

Amended by R.2011 d.269, effective November 7, 2011.

See: 43 N.J.R. 904(a), 43 N.J.R. 3008(a).

Added new (c)3vii; deleted former (c)3xxii; recodified former (c)3viii through (c)3xiii as (c)3viii through (c)3xxii; added new (c)19xii; and recodified former (c)19xii through (c)19xv as (c)19xiii through (c)19xvi.

Special amendment, R.2014 d.161, effective October 1, 2014 (to expire May 12, 2015).

See: 46 N.J.R. 2186(a).

Rewrote (c)3.

Adopted concurrent amendment, R.2015 d.077, effective April 15, 2015.

See: 46 N.J.R. 2186(a), 47 N.J.R. 989(b).

Provisions of R.2014 d.161 adopted without change.

Amended by R.2015 d.139, effective September 21, 2015.

See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).

Rewrote the section.

Administrative correction.

See: 47 N.J.R. 2753(a).

Amended by R.2019 d.083, effective August 5, 2019.

See: 51 N.J.R. 3(a), 51 N.J.R. 1269(a).

In (c)3xl, inserted "new" and "and 'relocated' shall be inserted in lieu thereof".

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

Rewrote the section.

Amended by R.2021 d.004, effective January 4, 2021.

See: 52 N.J.R. 385(a), 53 N.J.R. 47(a).

In (c)3ii1, substituted "19-1" for "94-8"; in (c)3ii2, substituted "19-1" for "03-4"; in (c)3ii8, substituted "2'6" for "2'8"; deleted (c)3xxiii and recodified (c)3xxiv through (c)3xxv as (c)3xxiii through (c)3xxiv; added (c)3xxv; in (c)3xliv3, deleted 3.9 and recodified 3.10 and 3.11 as 3.9 and 3.10; in (c)4v, substituted "R404.2.5" for "404.2.5"; in (c)4vii, substituted "R404.4" for "404.4"; and in (c)12iv, substituted "M1307.5" for "1307.5".

Amended by R.2022 d.022, effective February 7, 2022.

See: 53 N.J.R. 1133(a), 54 N.J.R. 263(a).

Recodified the former second occurrence of (c)3xix as (c)3xxxix.

Administrative change, effective July 6, 2022.

See: 54 N.J.R. 1551(a).

Amended by R.2022 d.111, effective September 6, 2022.

See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).

Rewrote the section.

5:23-3.22 Fuel gas subcode

(a) Rules concerning the fuel gas subcode adopted are as follows:

1. Pursuant to authority of P.L. 1975, c. 217, the Commissioner hereby adopts the model code of the International Code Council, Inc., known as the International Fuel Gas Code/2021. This code is hereby adopted by reference as the fuel gas subcode for the State of New Jersey subject to the modifications at (b) below.

i. Copies of this code may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. The International Fuel Gas Code/2021 may be known and cited as the “fuel gas subcode.”

2. Any references to the International Plumbing Code or the International Existing Building Code listed in Chapter 8 shall be considered a reference to the appropriate plumbing subcode in N.J.A.C. 5:23-3 or rehabilitation subcode in N.J.A.C. 5:23-6.

3. Anywhere the term “code” appears, shall be a reference to “subcode” as defined in N.J.A.C. 5:23-1.4 for any of the adopted national model codes as appropriate.

(b) The following chapters, sections or pages of the International Fuel Gas Code/2021 shall be amended as follows:

1. Chapter 1 of the fuel gas subcode, entitled “Scope and Administration,” is deleted in its entirety.

2. Chapter 2 of the fuel gas subcode, entitled “Definitions,” is amended as follows:

i. In Section 201.3, Terms defined in other codes, delete “International Plumbing Code,” and insert “the plumbing subcode (N.J.A.C. 5:23-3.15).”

ii. The definition of the term “alteration” is deleted.

iii. The definition of the term “approved” is deleted and the following shall be inserted: “Approved refers to approval by the appropriate subcode official or other authority having jurisdiction in accordance with the regulations.”

iv. In the definition of “approved agency,” “or other authority having jurisdiction in accordance with the Uniform Construction Code” shall be inserted after “official.”

v. The definition of the term “code” is deleted.

vi. The definition of the term “code official” is deleted.

vii. In the definition of “dwelling unit,” “living as a single housekeeping unit” shall be inserted after “persons.”

viii. The definition of the term “unlisted boiler” is deleted.

3. Chapter 3 of the fuel gas subcode, entitled “General Regulations,” shall be amended as follows:

i. Section 301.1, Scope, is amended to delete the words “in accordance with Section 101.2.”

ii. In Section 301.3, Listed and labeled, “in accordance with Section 105,” shall be deleted. In addition, the second sentence shall be deleted in its entirety.

iii. In Section 301.6, Plumbing connections, “International Plumbing Code,” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15),” shall be inserted.

iv. Section 301.9, Repair, is deleted.

v. Section 305.1, General, delete the second paragraph in its entirety.

vi. Section 307.1, Evaporators and cooling coils, delete “International Mechanical Code” and insert “plumbing subcode (N.J.A.C. 5:23-3.15).”

vii. Section 307.2, Fuel-burning appliances, shall be amended to insert “drywell, sump pump, floor drain, or drainage system below floor” after “fixture.”

viii. Section 307.3, Drain pipe materials and sizes, shall be deleted.

4. Chapter 4 of the fuel gas subcode, entitled “Gas Piping Installation,” shall be amended as follows:

i. Section 401.2, Liquefied petroleum gas storage, shall be amended to add the following: Notwithstanding the provisions contained in NFPA 58, the installation of LP-Gas containers on roofs of buildings shall be strictly prohibited.

ii. Add new Section 401.11 as follows:

“401.11 Protection from vehicle impact. Gas meters, related regulators and piping that are installed indoors or outdoors and are subject to vehicle impact shall be protected by barriers meeting the requirements of Section 312 of the International Fire Code. For the purpose of applying this provision, “subject to vehicle impact” shall mean located within three feet of any garage door opening, driveway or designated parking area and not separated by a building wall from the space where a vehicle may be operated.

(1) Exception: If verification of the installation of an excess flow valve is provided by the gas utility, vehicle impact barriers shall not be required.”

iii. In Section 402.7.1, Operation below -5°F (-21°C), insert the following at the beginning of the section: “The operating pressure for undiluted LP-gas systems shall not exceed 20 psig (140 kPa gauge).”

5. Chapter 5 of the fuel gas code, entitled “Chimneys and vents,” shall be amended as follows:

i. In Section 501.15.2, Flue passageways, in the first sentence, “free of obstructions and combustible deposits” shall be deleted and “inspected in accordance with the chimney verification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

ii. In Section 503.5.6, Inspection of chimneys, “examined to ascertain that it is clear and free of obstructions” shall be deleted and “inspected in accordance with the chimney verification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

6. Chapter 6 of the fuel gas code, entitled “Specific Appliances,” shall be amended as follows:

i. In Section 614.11, Common exhaust systems for clothes dryers located in multistory structures, item 7, insert “, if provided,” after the word “and”.

ii. In Sections 624.1.1, Installation requirements, and 624.2, Water heaters utilized for space heating, “International Plumbing Code,” shall be deleted and “plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

iii. Section 627.10, Switches in electrical supply line, shall be deleted.

7. Chapter 7 of the fuel gas code, entitled “Gaseous Hydrogen Systems,” shall be amended as follows:

i. In Section 701.2, Permits, “Section 106” shall be deleted, and “the administrative provisions of the Uniform Construction Code” shall be inserted in its place.

8. Chapter 8 of the fuel gas code, entitled “Referenced Standards,” shall be amended as follows:

i. Under the heading “ICC,” amend the following titles:

(1) Delete “IPC—21, International Plumbing Code.”

9. Appendices A, B, and C of the fuel gas subcode are informative and are not part of the subcode itself.

10. Appendix D of the fuel gas subcode, entitled “Recommended Procedure for Safety Inspection of an Existing Appliance Installation,” is deleted in its entirety.

11. Appendix E of the fuel gas subcode, entitled “Board of Appeals,” is deleted in its entirety.

New Rule, R.2001 d.196, effective June 18, 2001.

See: 33 N.J.R. 6(a), 33 N.J.R. 2090(a).

Administrative correction.

See: 33 N.J.R. 3310(a).

Amended by R.2004 d.468, effective December 20, 2004.

See: 36 N.J.R. 1858(b), 36 N.J.R. 5711(a).

In (b), added a new 4i and recodified existing i through ii as ii through iii.

Amended by R.2005 d.35, effective January 18, 2005.

See: 36 N.J.R. 3329(b), 37 N.J.R. 267(a).

Rewrote the section.

Administrative correction.

See: 37 N.J.R. 885(a).

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

Rewrote the section.

Administrative correction.

See: 40 N.J.R. 1829(a).

Amended by R.2010 d.195, effective September 7, 2010.

See: 41 N.J.R. 3140(a), 42 N.J.R. 2043(a).

Rewrote the section.

Amended by R.2011 d.269, effective November 7, 2011.

See: 43 N.J.R. 904(a), 43 N.J.R. 3008(a).

Added (b)4v.

Amended by R.2015 d.139, effective September 21, 2015.

See: 47 N.J.R. 9(a), 47 N.J.R. 2352(b).

Rewrote the section.

Amended by R.2018 d.021, effective January 16, 2018.

See: 49 N.J.R. 306(a), 50 N.J.R. 303(a).

In (b)6i, substituted “614.10” for “614.8”.

Amended by R.2019 d.095, effective September 3, 2019.

See: 51 N.J.R. 285(a), 51 N.J.R. 1399(a).

Substituted “Code/2018” for “Code/2015” in the introductory paragraph of (a)1, in (a)1ii, and in the introductory paragraph of (b); substituted “appropriate” for “building” in (b)2iii.; and substituted “IPC—18” for “IPC—15” in (b)7i(1).

Amended by R.2021 d.004, effective January 4, 2021.

See: 52 N.J.R. 385(a), 53 N.J.R. 47(a).

In (b)4iii, substituted “402.7.1, Operation below -5°F (-21°C)” for “402.6.1, Liquefied petroleum gas systems”.

Amended by R.2022 d.111, effective September 6, 2022.

See: 54 N.J.R. 677(a), 54 N.J.R. 1707(a).

Rewrote the section.

APPENDIX 3—A

APPENDIX

NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

CODE CHANGE PROPOSAL

REHABILITATION SUBCODE (N.J.A.C. 5:23-6)

Proposals must be presented with language proposed for deletion in brackets [].

Proposals must be presented with language proposed for addition underlined:

Mail code change proposals to:	Fax code change proposals to:
Code Development Unit	Code Development Unit
Department of Community Affairs	(609) 984-7717 or
Division of Codes and Standards	(609) 633-6729
PO Box 802	
Trenton, New Jersey 08625	

New Rule, R.2004 d.261, effective July 6, 2004.
 See: 36 N.J.R. 1267(a), 36 N.J.R. 3275(a).

Direct questions to the Code Development or Code Assistance Units at (609) 984-7609.

Section (citation) proposed for change: _____

Sections (companion changes) that might also need to be changed:

NAME: _____

ORGANIZATION (if any): _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____ E-mail: _____

Proposed Code Change:

Supporting Statement (reason for code change):

SUBCHAPTER 3A. STATE-JURISDICTION SUBCODES

5:23-3A.1 Scope

This subchapter shall govern the enforcement by the Department of Community Affairs of the State Uniform Construction Code, in conjunction with other rules administered by the Department, in facilities and installations for which the Department is the sole enforcing agency, as set forth in N.J.A.C. 5:23-3.11(j).

5:23-3A.2 Subcodes established

(a) All provisions of adopted model codes that are applicable to the construction, alteration, installation, erection or demolition of carnival-amusement rides or ski lifts shall be designated collectively as the amusement ride subcode.

(b) All provisions of adopted model codes that are applicable to the construction, alteration, installation, erection or demolition of high pressure boilers, pressure vessels or refrigeration systems shall be designated collectively as the boiler, pressure vessel and refrigeration subcode.