

CAB Minutes
April 11, 2014

UNIFORM CONSTRUCTION CODE ADVISORY BOARD
Minutes of Meeting, April 11, 2014

Location
101 South Broad Street
Trenton, New Jersey 08625

Attendance

Board Members

John Scialla, Vice Chair
Mark Caputo
John Fritzen
George Hrin
Arthur Londensky
Gregory Moten
Michael Seeve
Alexander Tucciarone
Valerie Waricka

DCA Staff

Edward M. Smith, Director, Division of Codes and Standards
Emily Templeton, Code Development Unit
John Terry, Code Assistance Unit
Richard Greenberg for David Uhaze, Bureau of Construction Project Review
Mitchell Malec, Office of Local Code Enforcement
Robert Austin, Code Assistance Unit
Paulina Caploon, Bureau of Code Services
Marcel Iglesias, Code Assistance Unit
Tom Pitcherello, Code Assistance Unit
Michael Whalen, Code Assistance Unit

Guests

Sal DiCristina, Rutgers University
Jeff Heiss, New Jersey Building Officials Association (NJBOA) and Municipal Code Officials Association (MUNCO)
Stephen Jones, NJBOA and International Code Council (ICC)
Bob La Costa, NJBOA

Mr. John Scialla, Vice Chair of the Uniform Construction Code Advisory Board (CAB), called the meeting to order at 9:35 a.m.

A. Approval of Minutes of the Code Advisory Board Meeting of June 14, 2013

Mr. Alex Tucciarone made a motion, which was seconded by Mr. Arthur Londensky, to approve the minutes without change. The motion carried unanimously.

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B. Subcode Committee Reports

Barrier Free Subcode Committee: Mr. John DelColle, Chair, reported that the Barrier Free Subcode Committee did not meet.

Building Subcode Committee: Mr. John Scialla, Chair, reported that the Building Subcode Committee met on March 28; agenda items were discussed.

Electrical Subcode Committee: In the absence of Mr. Alan Wilkins, Chair, Rob Austin, Code Assistance Unit, reported that the Electrical Subcode Committee met on March 18, 2014; agenda items were discussed.

Elevator Subcode Committee: Mr. George Hrin, Chair, reported that the Elevator Subcode Committee did not meet.

Fire Protection Subcode Committee: Mr. Arthur Londensky, Chair, reported that the Fire Protection Subcode Committee met on January 9 and March 13, 2014; agenda items were discussed. Mr. Londensky also reported that one Fire Protection Subcode Committee member has resigned and will be replaced in the future.

Mechanical/Energy Subcodes Committee: Mr. John Fritzen, Chair, reported that the Mechanical/Energy Subcodes met on March 20, 2014; agenda items were discussed..

Plumbing Subcode Committee: Mr. Alex Tucciarone, Chair, reported that the Plumbing Subcode Committee met on April 4, 2014. In addition to the discussion of agenda items, the Committee discussed the “no lead” Federal regulation that went into effect on January 4, 2014. One Committee member provided an update of the progress of the Heating, Ventilation, Air-conditioning, Refrigeration (HVACR) licensing regulations. The HVACR Board has received approximately 12000 applications; no licenses have yet been issued. One member informed the Committee that air conditioning condensate drain piping that discharges into the drainage must be installed by a licensed master plumber.

C. Old Business

1. Draft Bulletin: Residential Sprinklers-National Fire Protection Association (NFPA) 13D and International Residential Code (IRC) P2904.

Summary of Agenda Item: This draft bulletin provides guidance on allowing the construction of a three-story International Residential Code (IRC) structure when either a National Fire Protection Association (NFPA) 13D or International Residential Code (IRC) Section P2904 fire sprinkler system is installed.

Subcode Committee Referral: This draft bulletin was referred to the Building Subcode Committee, Fire Protection Subcode Committee, and Plumbing Subcode Committee.

Mr. John Scialla, Chair, reported that the Building Subcode Committee recommended approval of the draft bulletin without change. Mr. Alex Tucciarone, Chair, reported that the Plumbing Subcode Committee recommended approval of the draft bulletin without change. Mr. Arthur Londensky, Chair, reported that the Fire Protection Subcode Committee had several recommendations for language changes, as follows:

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- Under item number two, in the examples of differences in the system types, the words “may require” should be added before “separate water supply” because, although some water companies require a separate connection, the NFPA standard does not.
- Under item number three of the examples of the differences between an NFPA 13 or 13R system and a 13D/P2904 system, the reference to “four sprinkler head design” should be changed because some compartments in a residential dwelling might require a three head design.

A brief discussion ensued.

Mr. Arthur Londensky made a motion, which was seconded by Mr. Alex Tucciarone, to approve the draft bulletin as amended by discussion. The motion carried unanimously.

2. Draft Bulletin: Use of National Fire Protection Association (NFPA) 14-Manual Wet Standpipes

Summary of Agenda Item: This draft bulletin provides guidance on allowing the installation of a NFPA 14, Class I, manual wet standpipe system in a building when either a NFPA 13 or 13R sprinkler system is installed. Currently, through modifications that were first made in the International Building Code (IBC)/2000 and carried forward in subsequent code adoptions. Section 905, residual water pressure is required at the topmost outlet when a Class I standpipe is allowed to be installed. This is an unintended consequence of the amendments. In the unamended International Building Code (IBC), manual wet standpipes are required to have the water pressure available only for the sprinkler system and are not required to supply the gallons per minutes (gpm) demand of the standpipe. Simply put, once the fire department arrives, it can tie into the fire department connection and supply the standpipe with the required pressure to meet the demand of the hose it brings to connect to the 2½ inch hose valves. The draft bulletin recommends granting a variation to allow the use of manual wet standpipes.

Subcode Committee Referral: This draft bulletin was referred to the Building Subcode Committee and the Fire Protection Subcode Committee.

Mr. John Scialla, Chair, reported that the Building Subcode Committee recommended approval of the draft bulletin without change. Mr. Arthur Londensky, Chair, reported that the Fire Protection Subcode Committee recommended approval of the draft bulletin without change.

Mr. Alex Tucciarone made a motion, which was seconded by Mr. Arthur Londensky, to approve the draft bulletin without change. The motion carried unanimously.

D. New Business

1. Draft Rule: Various Changes Throughout the Rehabilitation Subcode (N.J.A.C. 5:23-2.7, 2.15, 3.2(d), 3.4, 6.2,6.4, 6.8, 6.9,6.10-6.30, 6.31, 6.32)

Summary of Agenda Item: This draft rule was submitted to and approved by the Code Advisory Board following discussion and approval of the draft rule proposal for the 2012 national model codes. In the absence of approval by the Governor’s Office, the draft rule proposal for the 2012 national model codes was withdrawn. This draft rule has been revised to remove those items that were related to the 2012 national model code initiative. It was forwarded to Subcode Committees and to Board members in advance of this meeting.

Mr. John Scialla, Chair, reported that the Building Subcode Committee had several recommendations, as follows:

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- Page 9 of the draft rule: At N.J.A.C. 5:23-2.7(c)3i, insert “or part thereof” following “lighting fixture” so as to read “Lighting fixture or part thereof”.
- Page 10 of the draft rule: At N.J.A.C. 5:23-2.34(c)1, there was concern by the committee that the language, as proposed, does not address demolition projects because of the wording “buildings and structures *constructed* under” . Furthermore, Committee members agreed that applying all of Chapter 33 would be excessive for IRC buildings. The committee recommended that only Sections 3302, 3303, 3304, 3306, 3307 and 3308 be applicable. Because Chapter 33 is part of the building subcode, it is not necessary to reference IBC buildings in this section. The Committee further recommended that the following wording be used: “Sections 3302, 3303, 3304, 3306, 3307, 3308 of the building subcode shall be used as the minimum safeguard for all buildings and structures regulated by the one- and two- family dwelling subcode.”
- Page 16 of the draft rule: At N.J.A.C. 5:23-6.4(f), a discussion ensued regarding the proposed revised language. The Committee requests that the language be simplified, if possible. In addition, a question was raised regarding the prohibition of the replacement of the smoke alarm with a battery-operated alarm and whether this would allow for the installation of a wireless detection system. The answer is yes. The hard-wired alarm is being replaced with a *wireless system*, not a battery-operated alarm.
- Page 21 of the draft rule: At N.J.A.C. 5:23-6.6(l), there is a displaced hyphen in the third line (in-tended). This correction needs to be made throughout the draft where this language is proposed.
- Page 35 of the draft rule: At N.J.A.C. 5:23-6.25(b)1iii, the requirements for window access to fire escapes in bed and breakfast R-1 occupancies are less restrictive than the requirements of FTO 3 for fire escapes for all occupancies. This observation is correct. The proposed language is consistent with the requirements of the Uniform Fire Code that are intended to provide a reasonable, but, safe alternative access to fire escapes in bed and breakfast R-1 occupancies.
- Page 40 of the draft: At N.J.A.C. 5:23-6.31(c)8, the proposed language requires a second means of egress for all child care facilities regardless of the relative hazard. Note e from Table 1021.2 allows a single means of egress for a child care facility with an occupant load of 10 or fewer. It appears that the Change of Use requirements of the Rehab subcode exceed the requirements of the model code. This is an accurate observation, however, in order to be licensed by the Department of Children and Families, two means of egress *must* be provided for all child care facilities. It was the Department’s intent to amend the 2012 IBC to reflect this licensing provision; as such, it is our intent to amend the 2015 IBC as well.

Mr. Arthur Londensky, Chair, presented the following recommendations from the Fire Protection Subcode Committee:

- Responsibilities, Page 12, M1904 Building/Fire review and Fire inspection: Several Committee members asked whether this section is being moved with no change in responsibilities. One Committee member asked why the building inspector is involved with these small system installations. The Committee recommended that this be "Fire review" and "Fire inspection."
- Responsibilities, Page 12, Ch. 24 Fuel Gas-G2411 and Fuel Gas Subcode-310: The proposal would assign this to Plumbing/Electrical plan review and Plumbing final with an exception. A concern was raised about giving the plumbing subcode official plan review

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responsibilities for Section G2411.1 and 310.1, which deal with other than CSST. The committee recommended that plan review and inspection stay with Electrical and Section G2411.1.1 and 310.1.1 dealing with CSST be changed to Electrical/Plumbing plan review and Plumbing inspection.

- Rehab Subcode, Page 14, N.J.A.C. 5:23-6.1(b)2: The word “and” should be inserted after “R-5” and before “dwelling.”
- Rehab Subcode, Page 15, N.J.A.C. 5:23-6.2(c)5: The Committee expressed concern with applying this new section to all projects and recommended that it be applied only to reconstruction projects. Additional concern was expressed about whether this new section would cause conflict with any use group classifications from Subchapter 4 of the Uniform Fire Code (UFC) since the use group classifications in Subchapter 4 of the UFC are based on the 1984 Building Officials and Code Administrators (BOCA) National Building Code. As an example, concern was expressed about Group I and Group R occupancies.
- Rehab Subcode, Page 15, N.J.A.C. 5:23-6.4(d)2., (d)6., Page 17, 6.5(d)2., (d)7., Page 19, 6.6(c)4., (d)2.,(d)7 and Page 20 (e)13., Page 21, 5:23-6.7(d)1., (d)6., Page 27, N.J.A.C. 5:23-6.9(a)17.v. and Page 39, N.J.A.C. 5:23-6.31(a)8.ii.(2) are proposed to be building responsibilities. The Committee recommended that these be a joint Building/Fire review and a Building inspection. Also the placement at N.J.A.C. 5:23-6.31(a)8.ii(2) should be moved to the end of 5:23-6.31(a)8.ii, so that it can be used for (1) and (2) because these are also fire protection issues.
- Rehab Subcode, Page 16, N.J.A.C. 5:23-6.4(f): The Committee recommended that the words “and operable” be added after "when not present" in the first sentence. It was also suggested that “operable condition” be added after "shall remain" in the last sentence. This is similar to the current text when dealing with CO alarms and other sections of the code that require devices to be in operating condition.
- Rehab Subcode, Page 38, N.J.A.C. 5:23-6.29(b): The Committee recommended that the word “/wall” be inserted after "ceiling" and before "assembly" in the last sentence. Because the words "attached to" are being added, the word "wall" is needed.
- Rehab Subcode, Page 39, N.J.A.C. 5:23-6.31(a)8i: The Committee recommended that the words “or household fire alarm systems” be inserted after "alarms" and before "shall" to make it clear that household fire alarm systems may also be used. The same wording should be added on page 42, N.J.A.C. 5:23-6.31(i) in the title after the word "Alarms" and also in (i)2, after "alarms" and before "shall.” This change would provide consistency with the text in the IRC.
- Rehab Subcode, Page 46, N.J.A.C. 5:23-6.31(p)xi(1)(B)(II): The Committee recommended that the words “installed and” be inserted after the word "is" and before the word "supervised." This would make it clear that the system must comply with NFPA 72 for the installation and must be monitored by a method provided in NFPA 72.

Mr. Alex Tucciarone, Chair, asked the following question, which was raised in the Plumbing Subcode Committee’s discussion:

- Page 28, item 29: The committee questioned whether when an existing non-programmable thermostat is being replaced, would the new thermostat have to be a programmable type?

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Mr. John Fritzen, Chair, Mechanical/Energy Subcode Committee reported that the Committee asked Department staff to review N.J.A.C. 5:23-6.8(e)1 and 5; (f)1; (h)10, 13 and 20 as they deal with exact replacement equipment.

The Board held a brief discussion. One Board member commented that in N.J.A.C. 5:23-6.31, change of use, the new language that would allow an existing fire protection system that is no longer operable and that would not be required for new construction may be removed with the approval of both the fire protection subcode official and the fire official could be confusing to design professionals, many of whom are not familiar with the Uniform Fire Code (UFC). This Board member observed that there are significant requirements in the UFC that are not in the UCC. Another Board member commented that problems occur when a building has a valid Certificate of Occupancy, but does not comply with the UFC.

Board discussion moved to a discussion of NJAC 5:23-2.34, Protection of adjoining properties. There was a discussion about what the UCC currently requires and whether the language needs to be amended. In addition, the Board discussed an amendment offered by a Board member to state that ordinary maintenance does not require a permit and that items repairs or maintained may be used when the work is complete. Board members agreed that the UCC states that a permit is not required for ordinary maintenance and that the UCC currently allows items that are repaired or maintained to be used when the work is complete. There was a brief discussion of the difference between ordinary maintenance and minor work.

Mr. Arthur Londensky made a motion, which was seconded by Mr. Alex Tucciarone, to approve the draft as amended by discussion. The motion passed unanimously.

E. Information

1. CAB Log: The updated Code Advisory Board activity log was included in the meeting packets.
2. List of Pending Legislation: A list of pending legislation on issues that impact construction and the Uniform Construction Code was included in the meeting packet

F. Public Comments

Mr. Stephen Jones (NJBOA and ICC) commented on the work of Department staff, adding that the staff is highly appreciated. Mr. Jones reminded everyone in attendance that May is Building Safety month and that the Building Safety Conference would take place in Atlantic City. He also informed the attendees that National Institute for Building Sciences (NIBS) is working on a review of group homes and the Federal Fair Housing Act Guidelines.

G. Adjourn

The meeting was adjourned at 10:30 a.m.