

## [N.J.A.C. 5:23-3.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.1 Title; scope; intent**

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(a) This section of the regulations, adopted pursuant to authority of the State Uniform Construction Code Act and entitled "Subcodes," shall be known and may be cited throughout the regulations as "N.J.A.C. 5:23-3," and when referred to in this subchapter may be cited as "this subchapter."

(b) When used alone, the term "subchapter," "section," and so forth, refers to that portion of the regulations. When used in conjunction with the term "building subcode," "plumbing subcode" or "electrical subcode," and so forth, the term "article" or "section," and so forth, refers to that subcode.

(c) This subchapter shall control matters relating to:

1. The adoption of subcodes of the Uniform Construction Code.
2. Modifications to the subcodes adopted.
3. The organization of enforcement responsibilities.
4. The use of standards of accepted practice.
5. Approvals and interrelations.
6. The division of plan review responsibilities and State reserved activities; and
7. Procedures for adoption of future subcode amendments.

(d) This subchapter provides a uniform system of construction standards throughout the State through the adoption of model codes applicable throughout the State. Modifications made to the subcodes are for the purpose of providing a uniform, harmonious system of construction code interface and administration, and to resolve conflicts with preempting Federal and State legislation.

(e) Provisions concerning underground storage tanks, jointly enforced by the Department of Environmental Protection (DEP), are in [N.J.A.C. 5:23-3.11B](#) and in the DEP's rules at [N.J.A.C. 7:14B](#).

### **History**

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#### **HISTORY:**

Amended by R.1990 d.562, effective November 19, 1990.

See: 22 New Jersey Register 2629(c), 22 New Jersey Register 3482(d).

Added reference to [N.J.A.C. 7:14B](#).

Annotations

### **Notes**

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[Chapter Notes](#)

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## [N.J.A.C. 5:23-3.2](#)

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### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

#### **§ 5:23-3.2 Matters covered; exceptions**

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(a) Except as is otherwise provided in (b), (c) and (d) below, the provisions of this subchapter shall apply uniformly throughout the State. Any standards other than those provided herein are void and of no effect.

(b) Rules concerning exceptions in health care facilities are as follows:

1. Construction or rehabilitation of health care facilities shall be in accordance with this code and with the "Guidelines for Design and Construction of Health Care Facilities" (Facilities Guidelines Institute), current edition. All health care facilities shall comply with National Fire Protection Association (NFPA) 101, the Life Safety Code, as referenced in the rules promulgated by the Centers for Medicare and Medicaid Services. In the event of any conflict, the more restrictive code provision shall govern.

2. The Department of Health may adopt licensing standards for the physical plant and environment of health care facilities that supplement this code and the "Guidelines for Design and Construction of Health Care Facilities," although these standards may not be in conflict with these codes.

3. The publication "Guidelines for Design and Construction of Health Care Facilities" is available from the American Society for Healthcare Engineering (ASHE) of the American Hospital Association, 155 Wacker Dr., Chicago, IL 60606 and can be ordered through the Facilities Guidelines Institute at [www.fgiguilines.org](http://www.fgiguilines.org).

(c) Individual on-site water supply and sewage disposal systems shall be in accordance with [N.J.S.A. 58:11-23](#) et seq., and [N.J.A.C. 7:10-3.1](#) et seq. and N.J.A.C. 7:9-2.1 et seq.

(d) Rules concerning commercial farm buildings are as follows:

1. A commercial farm building means any building located on a commercial farm which produces not less than \$ 2,500 worth of agricultural or horticultural products annually which building's main use or intended use is related to the production of agricultural or horticultural products produced on that farm.

2. Buildings constructed in accordance with the provisions of this section and meeting the requirements of (d)1 above shall be classified as commercial farm buildings. For those provisions not covered by this section, commercial farm buildings shall comply with the construction code provisions applicable to Group S-2. Commercial farm buildings shall include, but not be limited to, the following: stall barns, milking parlors, poultry houses, horse arenas, packing houses for agricultural or horticultural commodities, farrowing houses, greenhouses, and buildings used for the storage of agricultural or horticultural products, farm machinery and farm equipment, or farm materials and supplies that are produced or used on the farm.

3. Pre-engineered grain bins, manure handling equipment and impoundments used on a farm for the storage of agricultural commodities or by-products which are produced by or used on the farm shall not require a construction permit. However, all on-site construction work such as foundations and plumbing and electrical connections shall be subject to all requirements and inspections of any applicable subcode(s).

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4. A temporary greenhouse, also called a "hoophouse" or "polyhouse," used exclusively for the production and storage of live plants, shall be exempt from the permit requirements of the Uniform Construction Code if it meets all the criteria of (d)4i through iii below:
- i. There is no permanent anchoring system or foundation;
  - ii. There is no storage, temporary or otherwise, of solvents, fertilizers, gases, or other chemical or flammable materials;
  - iii. The structure is no wider than 31 feet and there is an unobstructed path of no greater length than 150 feet from any point to a door or fully accessible wall area, the covering of which is a material no greater than six mils (152.4 micrometers) in thickness that yields approximately four pounds of maximum impact resistance to provide egress through the wall; and
  - iv. If a temporary greenhouse contains any device subject to the electrical subcode or any mechanical equipment subject to the mechanical subcode, a permit shall be required for the device, system or fixture only. If the temporary greenhouse is connected to a potable water system, a permit shall be required for the backflow prevention devices only.
5. A three-sided turn-out shed used to shelter livestock shall be exempt from the permit requirements of the Uniform Construction Code provided there is no permanent foundation or floor and provided the structure is 250 square feet or less in area and 14 feet or less in height and has no utility (water, gas, oil, sewer or electric) connections.
- i. The structure shall be of sufficient weight to remain in place or shall be anchored to the ground. Concrete shall not be required for anchoring.
6. Garden-type utility sheds and similar structures shall be exempt from the permit requirements of the Uniform Construction Code provided the structure is 200 square feet or less in area, 10 feet or less in height, has no utility (water, gas, oil, sewer or electric) connections and the shed is dimensionally stable without the foundation system. 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.
- i. The structure shall be of sufficient weight to remain in place or shall be anchored to the ground. Concrete shall not be required for anchoring.
7. The type and amount of materials or supplies stored in a commercial farm building, including hay, straw, and livestock bedding materials, shall not be subject to limitation. However, other hazardous materials within spaces of commercial farm buildings occupied by more than 10 persons shall not exceed the allowable exempt amounts shown in Tables 307.1(1) and 307.1(2) of the building subcode unless separated from the occupied area by appropriate fire resistance rated construction as prescribed in the building subcode.
8. A commercial farm building may be used as a place of public assembly for not more than 15 days in a calendar year. For the purposes of enforcing this requirement, a public assembly shall be a gathering of 50 or more people. A permit shall be obtained from the local fire official pursuant to the Uniform Fire Safety Act, [N.J.S.A. 52:27D-192](#) et seq., and the fee for issuing the permit shall not exceed \$ 75.00 per event.
- i. A commercial farm building that is used as a place of public assembly for not more than 15 days in a calendar year and that is provided with electricity shall comply with section 1006 of the building subcode.
  - ii. The use of a commercial farm building as a "special amusement building," as defined in the building subcode, shall be permitted only if a permit specific to special amusement buildings is issued by the local fire official pursuant to the Uniform Fire Safety Act, [N.J.S.A. 52:27D-192](#) et seq. or if the building or portion thereof complies with [N.J.A.C. 5:23-6.31\(a\)5vii](#).
9. Buildings containing any of the following uses are not included in the definition of a commercial farm building:

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- i. Residential structures;
  - ii. High hazard facilities, such as grain elevators or grain storage silos used to store products which are neither used nor produced on the farm itself;
  - iii. Processing facilities that include specialized machinery to perform functions other than the washing, cleaning, hydrocooling, vacuum cooling, grading, sizing and packing of agricultural or horticultural products, unless the exempted functions are only the first step in a sequence of processing to be performed on the farm;
  - iv. Mercantile structures, such as farm retail markets or nursery greenhouse retail sales areas;
  - v. Offices with either 11 or more occupants, or floor area of greater than 1,200 square feet; and
  - vi. Buildings that contain any use not included in the definition of commercial farm building, except incidental offices as provided in (d)12vii below.
- 10.** A commercial farm building may include a use that does not meet the definition of a "commercial farm building," provided that the space that does not meet the commercial farm building definition is separate from the remainder of the building with the required fire separation assemblies and meets all applicable requirements of the building subcode.
- 11.** Construction type, height, and allowable area requirements for commercial farm buildings and structures shall be as specified in the building subcode and shall not exceed the area or height limitations of Tables 504.3 and 506.2 for the type of construction used, except as follows:
  - i. The height and area of a one-story commercial farm building of any type of construction shall not be limited if the building has a fire separation distance of 50 feet. In that case, a sprinkler system shall not be required.
  - ii. The height and area of a two-story commercial farm building of any type of construction shall not be limited if the building is provided with an approved automatic fire suppression system throughout, conforming to the Uniform Construction Code and has a fire separation distance of 50 feet.
  - iii. Two or more commercial farm buildings excepted under (d)11i and ii above may be constructed on the same lot, or on an owner's contiguous lots without meeting the fire separation distance of 50 feet. However, the fire separation distance specified in Table 602 of the building subcode must be maintained between a commercial farm building and any building not eligible for the commercial farm building exemption.
- 12.** Commercial farm buildings exempted under (d)11i above shall meet the following requirements in lieu of those requirements specified in the subsections of Chapter 10, Means of Egress, of the building subcode:
  - i. In lieu of the requirements of Section 1017, the maximum distance of travel from any point in the building to an exit shall not exceed 150 feet;
  - ii. In lieu of the requirements of Sections 1006 and 1007, one exit is required for each 15,000 square feet of floor area and fraction thereof;
  - iii. In lieu of the requirements of Section 1013, exit signs must be posted. Exit signs are not required to be illuminated;
  - iv. The provisions of Section 1008 shall apply in commercial farm buildings where the owner has determined to provide electricity. Where electricity is provided, any electric light provided in the commercial farm building shall be deemed to meet the means of egress lighting requirements and a back up power source shall not be required unless the commercial farm building will be used as a place of public assembly in accordance with (d)8 above.
  - v. In lieu of the requirements of Section 1004, occupancy is limited to 30 people;

- vi. Fire extinguishers and "no smoking" signs shall be provided;
  - vii. Offices with 10 or fewer occupants and a floor area not in excess of 1,200 square feet shall be considered incidental to the structure, if direct exit to the exterior is provided.
13. Site plans signed and sealed by a registered architect or a licensed engineer, pursuant to [N.J.A.C. 5:23-2.15\(f\)](#)ix, shall not be required, provided that a sketch plan of the site is submitted to the construction official.
14. A commercial farm building shall meet the fixture requirements of the plumbing subcode, except as follows:
- i. A building within 500 feet of a structure with a restroom facility available for use shall not be required to have plumbing fixtures; or
  - ii. A building operated on a seasonal basis, in use for no longer than six months within a 12-month period, may be served by a portable restroom.

## History

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### HISTORY:

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.1986 d.448, effective November 3, 1986.

See: 18 N.J.R. 757(a), 18 N.J.R. 2194(a).

Deleted (b)1 and 4; recodified (b)2 and 3 to (b)1 and 2.

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

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

(b)1: model subcode revisions.

Amended by R.1988 d.144, effective April 4, 1988.

See: 19 N.J.R. 1778(a), 20 N.J.R. 783(a).

Changed (b)2 to (c) and (d).

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.603, effective November 20, 1995 (operative March 20, 1996).

See: [27 N.J.R. 2655\(a\)](#), [27 N.J.R. 4699\(a\)](#).

Amended by R.1997 d.269, effective July 7, 1997.

See: [29 N.J.R. 968\(a\)](#), [29 N.J.R. 2817\(a\)](#).

Inserted (d)5i; in (d)6vi, amended N.J.A.C. reference; in (d)8, inserted reference to construction type and inserted ", except as follows:"; deleted (d)8i; recodified former (d)8i(1) through (3) as (d)8i through iii; inserted new (d)9iv; recodified former (d)9iv through vi as (d)9v through vii; and recodified former (e) as (d)10.

Amended by R.1997 d.417, effective October 6, 1997.

See: [29 N.J.R. 3387\(a\)](#), [29 N.J.R. 4285\(a\)](#).

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Substantially amended (b)1.

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (a)1, substituted a reference to rehabilitation for a reference to alteration, and changed guideline reference.

Administrative correction.

See: [33 N.J.R. 3735\(a\)](#).

Amended by R.2003 d.157, effective April 21, 2003.

See: [34 N.J.R. 4247\(a\)](#), [35 N.J.R. 1663\(b\)](#).

In (d)5, added ii.

Administrative correction.

See: [35 N.J.R. 5062\(a\)](#).

Amended by R.2003 d.425, effective November 3, 2003.

See: [35 N.J.R. 2424\(a\)](#), [35 N.J.R. 5062\(b\)](#).

Rewrote (d).

Amended by R.2004 d.131, effective April 5, 2004.

See: [35 N.J.R. 5336\(a\)](#), [36 N.J.R. 1755\(a\)](#).

In(d)3, inserted the first sentence.

Amended by R.2004 d.423, effective November 15, 2004.

See: [36 N.J.R. 3004\(a\)](#), [36 N.J.R. 5090\(a\)](#).

In (d)5, rewrote ii.

Amended by R.2006 d.157, effective May 1, 2006.

See: [37 N.J.R. 3108\(a\)](#), [38 N.J.R. 1824\(a\)](#).

In (d)(3), deleted "A temporary greenhouse shall not require a construction permit if it meets the criteria stated in [N.J.A.C. 5:23-3.14](#), the building subcode"; added new (d)(4); recodified (d)(4) through (d)(10) as (d)(5) through (d)(11); in (d)7.iv, substituted "10vii" for "9vii".

Administrative correction.

See: [39 N.J.R. 3509\(a\)](#).

Administrative correction.

See: [39 N.J.R. 4571\(a\)](#).

Amended by R.2009 d.51, effective February 2, 2009.

See: [40 N.J.R. 5325\(a\)](#), [41 N.J.R. 738\(a\)](#).

In the introductory paragraph of (d)4, substituted "(d)4i" for "(d)3i"; in (d)5, substituted "307.1(1) and 307.1(2)" for "307.7(1) and 307.7(2)"; in (d)6i, substituted "1006" for "1003.2.11"; in (d)6ii, updated the N.J.A.C. reference; in (d)9i, substituted "one-story" for "one story"; in (d)9i and (d)9ii, deleted "meets the exterior wall fire resistance rating

as specified in section 507.2 of the building subcode," following "if the building"; in (d)9ii, substituted "two-story" for "two story"; in (d)10i, substituted "1016" for "1004.2.4"; in (d)10ii, substituted "1019.1 and 1019.2" for "1005.2.1 and 1005.2.2"; in (d)10iii, substituted "1011" for "1003.2.10"; in (d)10iv, substituted "1006" for "1003.2.11" and "(d)6" for "(d)5"; and in (d)10v, substituted "1004" for "1003.2".

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 (d)5 and (d)6; recodified former (d)5 through (d)11 as (d)7 through (d)13; in (d)9vi, substituted "(d)12vii" for "(d)10vii"; in (d)11iii, substituted "(d)11i and ii" for "(d)9i and ii"; in the introductory paragraph of (d)12, substituted "(d)11i" for "(d)9i"; and in (d)12iv, substituted "(d)7" for "(d)5".

Amended by R.2010 d.291, effective December 20, 2010.

See: [42 N.J.R. 1943\(a\)](#), [42 N.J.R. 3053\(a\)](#).

In (d)12ii, substituted "1021.1 and 1021.2" for "1019.1 and 1019.2".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (b)1 and (b)2, substituted "Design and Construction of Health Care" for "Construction and Equipment of Hospital and Medical"; in (b)1, substituted "Facilities Guidelines Institute" for "American Institute of Architects Committee on Architecture for Health" and deleted "1996-1997 edition or" preceding "current"; in (b)2, inserted "and Senior Services"; and rewrote (b)3.

Amended by R.2015 d.078, effective May 18, 2015.

See: [46 N.J.R. 1768\(a\)](#), [47 N.J.R. 990\(a\)](#).

In the introductory paragraph of (d)4, substituted "iii" for "iv"; deleted former (d)4iv; and recodified (d)4v as (d)4iv.

Amended by R.2018 d.021, effective January 16, 2018.

See: [49 N.J.R. 306\(a\)](#), [50 N.J.R. 303\(a\)](#).

In (d)12i, substituted "1017" for "1016"; in (d)12ii, substituted "1006" for "1021.1" and "1007" for "1021.2"; in (d)12iii, substituted "1013" for "1011"; and in (d)12iv, substituted "1008" for "1003.2.11" and "(d)8" for "(d)7".

Amended by R.2018 d.153, effective August 20, 2018.

See: [49 N.J.R. 2332\(a\)](#), [50 N.J.R. 1888\(a\)](#).

In (b)1, inserted the second sentence; in (b)2, deleted "and Senior Services" following the first occurrence of "Health"; in (d)12vi, substituted "Fire" for "Lightning protection of the type required for the structure by NFPA 780, fire"; and added (d)14.

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the introductory paragraph of (d)11, inserted a comma following "height" and substituted "Tables 504.3 and 506.2" for "Table 503".

Annotations

## Notes

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## [N.J.A.C. 5:23-3.3](#)

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### **§ 5:23-3.3 Enforcement**

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(a) In accordance with the delineation of responsibility for enforcement specified herein, subject to specific reservations by the Department to itself, the appropriate official(s) shall enforce the subcode and shall act on any question relative to the mode or manner of construction, and the materials to be used in the erection, addition to, repair, renovation, alteration, reconstruction, removal, demolition, installation of service equipment, and the location, use and occupancy of all buildings and structures, except as may be otherwise specifically provided for in the regulations, including, but not limited to:

1. Applications, certificates and permits: Such official(s) shall review applications for permits for the erection, repair (other than ordinary maintenance), renovation, alteration and reconstruction of buildings and structures; indicate approval or denial to the construction official; and inspect the premises for which such permits have been issued and enforce compliance with the provisions of the regulations.
2. Notices and orders: Such official(s) shall issue all necessary notices or orders to remove illegal or unsafe conditions; to require the necessary safeguards during construction; and to insure compliance with all requirements for the safety, health and general welfare of the public.
3. Inspections: Such official(s) shall make all the required inspections, and all reports of such inspections shall be in writing and certified by them or they may engage such expert opinion as he may deem necessary to report upon unusual technical issues that may arise, subject to the approval of the construction official and appointing authority.
4. Enforcing agency records: Such official(s) shall assist in the keeping of official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued as may be required by the construction official.

### **History**

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#### **HISTORY:**

Amended by R.1998 d.28, effective January 5, 1998.

See: [29 New Jersey Register 3603\(a\)](#), [30 New Jersey Register 129\(a\)](#).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 New Jersey Register 2428\(a\)](#), [31 New Jersey Register 4001\(c\)](#).

In (a), deleted a reference to other State agencies in the introductory paragraph, and substituted a reference to ordinary maintenance for a reference to ordinary repairs in 1.

Annotations

## Notes

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## [N.J.A.C. 5:23-3.4](#)

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## **§ 5:23-3.4 Responsibilities**

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(a) The enforcement responsibilities of the adopted subcodes are as follows:

1. Building Subcode:

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
Ch. 3	Use and Occupancy  Classification	Building/Fire	Building
Ch. 4	Special Detailed  Requirements Based on Use  and Occupancy		
	401.1-402.4	Building/Fire	Building
	402.5	Fire	Fire
	402.6.1	Building/Fire	Building
	402.6.2 #1	Building/Fire	Building
	402.6.2 #2	Fire	Fire
	402.6.2 #3-#4	Building	Building
	402.6.3	Building	Building
	402.6.4	Building/Fire	Building
	402.7.1-402.7.2	Fire	Fire
	402.7.3	Fire/Electrical	Electrical
	402.7.4	Fire/Electrical	Fire
	402.7.5	Building/Fire	Fire
	402.8	Building/Fire	Building
	403.1-403.2.1.2	Building/Fire	Building
	403.2.2-403.2.4	Building	Building

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<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	403.3	Fire	Fire
	403.4.1-403.4.7	Fire	Fire
	403.4.8	Electrical/Fire	Fire
	403.4.8.1	Building/Fire	Building (except system supervision location, which is Fire)
	403.4.8.2	Building/Fire	Building
	403.4.8.3-403.4.8.4	Electrical/Fire	Electrical
	403.5-403.5.2	Building/Fire	Building
	403.5.3	Building/Fire	Fire
	403.5.4-403.5.6	Building/Fire	Building
	403.6	Building/Eleva tor/Fire	Elevator
	403.6.1-403.6.2	Building/Eleva tor/Fire	Elevator
	404.1-404.2	Building/Fire	Building
	404.3-404.5	Fire	Fire
	404.6	Building/Fire	Building
	404.7	Fire/Electrical	Electrical
	404.8-404.10	Building/Fire	Building
	405.1-405.2	Building/Fire	Building
	405.3	Fire	Fire
	405.4	Building/Fire	Building
	405.5-405.6	Fire	Fire
	405.7	Building/Fire	Building
	405.8	Electrical	Electrical
	405.9	Fire	Fire
	406.1-406.2.8	Building/Fire	Building
	406.2.9	Fire	Fire
	406.3-406.3.5	Building/Fire	Building
	406.4-406.4.3	Building	Building
	406.5.1	Building/Fire	Building
	406.5.2	Building	Building

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<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	406.5.3-406.5.7	Building/Fire	Building
	406.5.8	Fire	Fire
	406.5.9	Building/Fire	Building
	406.5.10	Building	Building
	406.5.11-406.6.1	Building/Fire	Building
	406.6.2	Building	Building
	406.6.3-406.7	Fire	Fire
	406.7.1	Electrical	Electrical
	406.7.2-406.8	Building/Fire	Building
	406.8.1	Building	Building
	406.8.2-406.8.3	Fire	Fire
	407.1-407.2.5	Building/Fire	Building
	407.2.6	Fire	Fire
	407.3-407.4.4.5#1 and #2	Building/Fire	Building
	407.4.4.5#3	Building/Fire	Fire
	407.4.4.5.1-407.6	Building/Fire	Building
	407.7-407.9	Fire	Fire
	407.10	Building/Fire	Building
	407.11	Electrical	Electrical
	408.1-408.8.4	Building/Fire	Building
	408.9-408.11	Fire	Fire
	409-410.5.3.5	Building/Fire	Building
	410.6-410.7	Fire	Fire
	411.1	Building/Fire	Building
	411.2-411.5	Fire	Fire
	411.6-412.2.2.3.2	Building/Fire	Building
	412.2.3-412.2.4	Fire	Fire
	412.2.4.1	Building/Fire	Building
	412.2.5	Building/Electr ical	Building
	412.2.6	Building	Building
	412.3-412.3.5	Building/Fire	Building

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<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	412.3.6-412.3.6.1	Fire	Fire
	412.3.6.2-412.4.2	Building/Fire	Building
	412.4.3	Fire	Fire
	412.4.4	As appropriate	As appropriate
	412.4.5-412.5.5	Building/Fire	Building
	412.5.6	Fire	Fire
	412.5.7	Building/Fire	Building
	412.5.8	Electrical	Electrical
	412.6-412.7.3	Building/Fire	Building
	412.7.4	Building/Fire	Fire
	412.7.5	Fire	Fire
	413.1	Fire	Fire
	413.2	Building/Fire	Building
	414.1-414.2	Building/Fire	Fire
	414.2.1	Building/Fire	Building
	414.2.2-414.2.3	Building/Fire	Fire
	414.2.4	Building/Fire	Building
	414.2.5-414.5.1	Building/Fire	Fire
	414.5.2	Electrical	Electrical
	414.5.3	Building/Fire	Fire
	414.6	Building/Fire	Building
	415.1-415.2	Building/Fire	Building
	415.3-415.5	Fire	Fire
	415.6-415.8.1	Building/Fire	Building
	415.8.2	Fire	Fire
	415.8.3-415.8.5	Building/Fire	Building
	415.9.1	Building/Fire	Fire
	415.9.1.1-415.9.1.2	Building/Fire	Building
	415.9.1.3-415.9.1.6	Fire	Fire
	415.9.1.7	Building/Fire	Building
	415.9.1.8-415.9.2	Fire	Fire

## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	415.9.3-415.10.1	Building/Fire	Fire
	415.10.2-415.10.4	Building/Fire	Building
	415.11.1-415.11.1.1.2	Building/Fire	Fire
	415.11.1.2-415.11.1.7	Building/Fire	Building
	415.11.1.8	Electrical/Fire	Electrical
	415.11.1.8.1-415.11.3.4	Building/Fire	Building
	415.11.3.5-415.11.4	Fire	Fire
	415.11.5-415.11.5.4	Building/Fire	Building/Fire
	415.11.5.5	Fire	Fire
	415.11.5.6-415.11.5.8	Building/Fire	Building
	415.11.5.9	Fire	Fire
	415.11.6-415.11.6.2	Building/Fire	Building
	415.11.6.3	Building/Fire	Fire
	415.11.6.4	Building/Fire	Building
	415.11.6.5-415.11.9.3	Fire	Fire
	415.11.10-415.11.10.2	Electrical/Fire	Electrical
	415.11.11-415.11.11.3	Fire	Fire
	416.1-416.3.1	Building/Fire	Building
	416.4-416.5	Fire	Fire
	417.1-417.3	Building	Building
	417.4	Fire	Fire
	418-419.4	Building/Fire	Building
	419.5	Fire	Fire
	419.6-419.8	Building	Building
	419.9	Plumbing	Plumbing
	420.1-420.3	Building/Fire	Building
	420.4-420.5	Fire	Fire
	420.6-421.4	Building/Fire	Building
	421.5-421.6	Fire	Fire
	421.7	Fire/Electrical	Electrical
	422.1-422.3.3	Building/Fire	Building
	422.4-422.5	Fire	Fire



## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	422.6	Electrical	Electrical
	424.1-424.2	Building/Fire	Building
	424.3	Fire	Fire
	424.4-424.5	Building/Fire	Building
	425.1	As applicable	As applicable
	426.1	Fire	Fire
	426.1.1-426.1.3	Building/Fire	Building
	426.1.4	Fire	Fire
	426.1.5-426.1.7	Building/Fire	Building
	427.1-427.2.2	Building/Fire	Building
	427.2.3	Building/Fire	Fire
	428.1-428.3.5	Building/Fire	Building
	428.3.6	Electrical/Fire	Electrical
	428.3.7-428.3.8	Building/Fire	Building
	428.3.9-428.4	Building/Fire	Fire
Ch. 5	General Building	Building/Fire	Building
	Heights and Areas		
Ch. 6	Types of Construction	Building/Fire	Building
Ch. 7	Fire and Smoke	Building/Fire	Building
	Protection Systems		(Except penetrations in existing membranes for electrical outlets or devices pursuant to Section 714.4.2 which shall be Electrical)
Ch. 8	Interior Finishes	Building/Fire	Building
Ch. 9	Fire Protection		
	Systems		
	901.1-903.3.1.2.3#3.1	Fire	Fire

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	903.3.1.2.3#3.2-#3.4	Building/Fire	Building
	903.3.1.2.3#4-#4.2	Fire	Fire
	903.3.1.2.3#4.3-#4.5	Building/Fire	Building
	903.3.1.3-904.3	Fire	Fire
	904.3.1	Electrical	Electrical
	904.3.2-907.2.10.5	Electrical/Fire	Fire
	907.2.10.6	Electrical/Fire	Electrical
	907.2.10.7-907.3.2	Fire	Fire
	907.3.3	Elevator/Fire	Fire
	907.3.4	Electrical/Fire	Electrical
	907.4-907.6	Fire	Fire
	907.6.1-907.6.2	Electrical/Fire	Electrical
	907.6.3-909.10.5	Fire	Fire
	909.11	Electrical/Fire	Electrical
	909.11.1	Fire/Building	Building
	909.11.2	Electrical/Fire	Electrical
	909.12-909.12.1	Fire	Fire
	909.12.2	Electrical/Fire	Electrical
	909.12.3-909.19	Fire	Fire
	909.20-909.20.6.1	Building/Fire	Building
	909.20.6.2	Electrical/Fire	Electrical
	909.20.6.3- 910.4.5	Fire	Fire
	910.4.6	Electrical/Fire	Electrical
	910.4.7-911.1.1	Fire	Fire
	911.1.2	Building/Fire	Building
	911.1.3-913.2	Fire	Fire
	913.2.1	Building/Fire	Building
	913.3-915.4	Fire	Fire
	915.4.1	Electrical/Fire	Electrical
	915.4.2-916.3	Fire	Fire
	916.4-916.5	Electrical/Fire	Electrical
	916.6-918	Fire	Fire

## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
Ch. 10	Means of Egress		
	1001-1007	Building/Fire	Building
	1008	Building/Electrical/Fire	Electrical for wiring and function/Building for placement
	1009-1012	Building/Fire	Building
	1013	Electrical/Fire	Electrical for wiring and function/Fire for placement
	1014-1030	Building/Fire	Building
Ch. 11	Accessibility, except that 1109.13, which deals with controls, shall be the responsibility of the person responsible for the control in the general sections of the code	Building	Building
A117.1	301.1-308.3.2	Building	Building
	309	As applicable	As applicable
	401.1-406.14	Building	Building
	407-410	Elevator	Elevator
	501.1-506.1	Building	Building
	602.1-602.2	Building/Plumbing	Building
	602.3-602.6	Building/Plumbing	Plumbing
	603.1-603.6	Building	Building
	604.1	Building/Plumbing	Building
	604.2	Building/Plumbing	Plumbing

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	604.3	Building/Plumbing	Building
	604.4	Building/Plumbing	Plumbing
	604.5	Building/Plumbing	Building
	604.6	Building/Plumbing	Plumbing
	604.7-604.11.1	Building/Plumbing	Building
	604.11.2	Building/Plumbing	Plumbing
	604.11.3	Building/Plumbing	Building
	604.11.4	Building/Plumbing	Plumbing
	604.11.5	Building/Plumbing	Building
	604.11.6	Building/Plumbing	Plumbing
	604.11.7-605.1	Building/Plumbing	Building
	605.2	Building/Plumbing	Plumbing
	605.3	Building/Plumbing	Building
	605.4	Building/Plumbing	Plumbing
	606.1-606.2	Building/Plumbing	Building for clear floor space/Plumbing for fixture mounting heights
	606.3-606.6	Building/Plumbing	Plumbing
	607.1-607.4.2.3	Building/Plumbing	Building
	607.5-607.6	Building/Plumbing	Plumbing
	607.7	Building/Plumbing	Building

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<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	607.8	Building/Plumbing	Plumbing
	608.1-608.2	Building/Plumbing	Building for clear floor space/Plumbing for fixture mounting heights
	608.2.1.1	Building/Plumbing	Plumbing
	608.2.1.2-608.2.2	Building/Plumbing	Building
	608.2.2.1	Building/Plumbing	Plumbing
	608.2.2.2-608.2.3	Building/Plumbing	Building
	608.2.3.1	Building/Plumbing	Plumbing
	608.2.3.2-608.3.3	Building/Plumbing	Building
	608.4-608.5	Building/Plumbing	Plumbing
	608.6-608.7	Building/Plumbing	Building
	608.8	Building/Plumbing	Plumbing
	609-701.1	Building	Building
	702.1	Electrical/Fire	Electrical
	703.1-1002.6	Building	Building
	1002.7-1002.9	As applicable	As applicable
	1002.10	Building	Building
	1002.11	As applicable	As applicable
	1002.12-1003.6	Building	Building
	1003.9	As applicable	As applicable
	1003.10	Building	Building
	1003.11-1003.11.2.1	Building/Plumbing	Building
	1003.11.2.2	As applicable	As applicable
	1003.11.2.3-1003.11.2.4	Building/Plumbing	Building

## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	1003.11.2.4.1	Building/Plum bing	Plumbing
	1003.11.2.4.2- 1003.11.2.4.4	Building/Plum bing	Building
	1003.11.2.4.5- 1003.11.2.4.6	Building/Plum bing	Plumbing
	1003.11.2.5.1- 1003.11.2.5.2	As applicable	As applicable
	1003.12-1003.12.3.3	Building	Building
	1003.12.4-1004.12.4.2	Building/Plum bing	Building
	1003.12.4.3-1003.12.4.4	Building/Plum bing	Plumbing
	1003.12.5.2-1006.7	Building	Building
Ch. 12	Interior Environment	Building	Building
Ch. 14	Exterior Walls	Building	Building
Ch. 15	All of Roof Assemblies  and Rooftop Structures, except the provisions of section 1512.1 applicable to firefighter access	Building	Building
	1512.1 (firefighter access only)	Building/Fire	Fire
Ch. 16	Structural Design,  except 1612.4	Building	Building
	1612.4	Building, except as applicable based on equipment	Building, except as applicable based on equipment
Ch. 17	Structural Tests and  Special Inspections		
	1701.1-1705.17.2	Building	Building

## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibilit y</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	1705.18	Fire	Fire
	1706.1-1709.7	Building	Building
Ch. 18	Soil and Foundations	Building	Building
Ch. 19	Concrete	Building	Building
Ch. 20	Aluminum	Building	Building
Ch. 21	Masonry		
	2101-2110	Building	Building
	2111-2113	Building/Fire	Building
Ch. 22	Steel	Building	Building
Ch. 23	Wood	Building	Building
Ch. 24	Glass and Glazing	Building	Building
Ch. 25	Gypsum Board and Plaster	Building	Building
Ch. 26	Plastic		
	2601-2602	Building	Building
	2603-2607	Building/Fire	Building
	2608-2611	Building	Building
	2612-2614	Building/Fire	Building
Ch. 27	Electrical		
	2702.1.1	Fire/Electrical	Electrical
	2702.1.2	Building/Fire	Fire
	2702.1.3-2702.1.6	Electrical	Electrical
	2702.1.7	Building/Electr ical	Electrical
	2702.2	As applicable	As applicable
	2702.3	Electrical	Electrical
Ch. 28	Mechanical Systems	Building	Building

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Chapter	Section/Title	Responsibility	Inspection
Ch. 30	Elevators and Conveying Systems	<b>Plan Review</b>	
	3001.1	Building/Elevator	Elevator
	3001.3	Building for devices not under the scope of the elevator subcode/Elevator for devices under the elevator subcode	Building for devices not under the scope of the elevator subcode/Elevator for devices under the elevator subcode
	3001.4	Building/Elevator	Elevator
	3001.5	Building/Elevator	Elevator
	3002.1	Building/Elevator/Fire	Building
	3002.2	Building/Elevator/Fire	Elevator
	3002.3	Building/Elevator	Elevator
	3002.4-3002.8	Building/Elevator/Fire	Elevator
	3002.9	Plumbing/Elevator	Plumbing for the piping and discharge from the pit/Elevator for the presence of the drain
	3003.1	Building/Electrical/ Elevator	Elevator
	3003.2	Building/Elevator/Fire	Elevator



## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	3003.3	Elevator	Elevator
	3004.1	Building/Fire for devices not under the scope of the elevator subcode/Elev ator for devices under the elevator subcode	Building for devices not under the scope of the elevator subcode/Elevator for devices under the elevator subcode
	3004.2	Building/Eleva tor/Fire	Elevator
	3004.2.1	Building/Eleva tor/Fire	Building
	3004.2.2	Elevator	Elevator
	3004.3-3004.4	Building/Fire	Building
	3005.1	Building/Eleva tor/Fire	Building
	3005.2	Building/Eleva tor	Elevator
	3005.3	Elevator/Fire	Fire
	3005.4	Building/Eleva tor	Building
	3005.5	Fire/Electrical/ Elevator	Elevator
	3005.6	Elevator/Plum bing	Elevator
	3006.1-3006.4	Building/Fire	Building
	3007.1	Elevator/Fire	Elevator
	3007.2	Fire	Fire
	3007.3	Building/Eleva tor	Building
	3007.4	Elevator/Fire	Elevator
	3007.5-3007.5.1	Building/Fire	Building
	3007.5.2	Building/Electr	Electrical for wiring and

## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b> ical/ Elevator/Fire	function/Elevator for placement
	3007.6-3007.6.4	Building/Fire	Building
	3007.6.5	Elevator/Fire	Elevator
	3007.7	Elevator/Fire	Fire
	3007.8	Electrical	Electrical
	3007.8.1	Building/Electrical	Electrical
	3007.9	Fire	Fire
	3008.1-3008.1.2	Building/Fire	Building
	3008.1.3	Fire	Fire
	3008.1.4	Elevator/Fire	Elevator
	3008.2-3008.2.2	Fire	Fire
	3008.3	Building/Elevator	Building
	3008.4	Elevator/Fire	Elevator
	3008.5-3008.6.5	Building/Fire	Building
	3008.6.6	Fire	Fire
	3008.7	Elevator/Fire	Fire
	3008.8	Electrical	Electrical
	3008.8.1	Building/Electrical	Electrical
	3008.9	Fire	Fire
	3008.10	Building/Fire	Building
Ch. 31	Special Construction		
	3101-3102.3.1	Building	Building
	3102.4-3102.6.1.1	Building/Fire	Building
	3102.7-3102.8.1.2	Building	Building
	3102.8.2	Building/Electrical	Electrical
	3102.8.3-3103.2	Building	Building
	3103.3-3104.10	Building/Fire	Building
	3105.1- 3108.2	Building	Building

## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	3109		
	ISPSC, Section 305	Building	Building (Except safety covers pursuant to Section 305.1, which shall be Electrical)
	ISPSC, Section 310 (APSP/ICC 7)	Plumbing	Plumbing
	ISPSC, Section 311.9	Plumbing	Plumbing
	3110	Electrical	Electrical
	3111.1	Building	Building
	3111.2	Building/Fire/ Plumbing	Plumbing
	3111.3.1	Electrical	Electrical
	3111.3.2	Building	Building
	3111.3.3	Building	Building
	3111.3.4	Fire	Fire
	3111.3.5	Building/Fire	Building
	3112	Building	Building
Ch. 32	Encroachments into the Public-Right-of-Way	Building	Building
Ch. 33	Safeguards during Construction		
	3301	Building	Building
	3302.1	As applicable	As applicable
	3302.2	Building	Building
	3302.3	Fire	Fire
	3303.1-3303.5	Building	Building
	3303.6	As applicable	As applicable
	3303.7	Fire	Fire
	3304-3308	Building	Building
	3309	Fire	Fire
	3310	Building/Fire	Building

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<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	3311-3313	Fire	Fire
App x H	Signs	Building  except for H106	Building except for H106
	H106	Electrical	Electrical

## 2. Plumbing Subcode:

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
C h. 1	Definitions	Plumbing	Plumbing
C h. 2	General Regulations	Plumbing	Plumbing
C h. 3	Materials	Plumbing	Plumbing
C h. 4	Joints and Connections	Plumbing	Plumbing
C h. 5	Traps, Cleanouts and Backwater Valves	Plumbing	Plumbing
C h. 6	Liquid Waste Treatment Equipment	Plumbing	Plumbing
C h. 7	Plumbing Fixtures, Fixture Fittings  and Plumbing Appliances	Plumbing	Plumbing
C h. 8	Hangers and Supports	Plumbing	Plumbing
C h.	Indirect Waste Piping and Special	Plumbing	Plumbing

Chapter	Section/Title	Responsibility	Inspection
9	Wastes	Plan Review	
Chapter 10	Water Supply and Distribution	Plumbing (except 10.5.9)	Plumbing
	10.5.9	Fire/Plumbing	Plumbing  (except dedicated fire service supply) Fire (dedicated fire service supply)
Chapter 11	Sanitary Drainage Systems	Plumbing	Plumbing
Chapter 12	Vents and Venting	Plumbing	Plumbing
Chapter 13	Storm Water Drainage	Plumbing	Plumbing
Chapter 14	Special Requirements for Health Care Facilities	Plumbing	Plumbing
Chapter 15	Tests and Maintenance	Plumbing	Plumbing
Chapter 16	Regulations Governing Individual Sewage Disposal Systems for Homes and Other Establishments Where Public Sewage	Plumbing	Plumbing

Chapter	Section/Title	Responsibility	Inspection
	Systems Are Not Available.		
C h.	Mobile Home & Travel Trailer Park	Plumbing	Plumbing
18	Plumbing Requirements		
A p. B	Sizing the Building Water Supply and	Plumbing	Plumbing
	Distribution Piping System		
A p. C	Conversions: Metric to U.S. Customary	Plumbing	Plumbing
	Units		
A p. D	Determining the Minimum Number of	Plumbing	Plumbing
	Required Plumbing Fixtures		
A p. E	Special Design Plumbing Systems	Plumbing	Plumbing
A p. F	Requirements of the Adopting Agency	Plumbing	Plumbing
A p. H	Combined Building Drain and Building	Plumbing	Plumbing
	Sewers		
A p. I	Flow in Horizontal Sanitary Drain	Plumbing	Plumbing
	Piping		
A p. J	An Acceptable Brazing Procedure for	Plumbing	Plumbing
	General Plumbing		
A p. K	Converting Water Supply Fixture Units	Plumbing	Plumbing
	(WSFU) to Gallons Per Minute Flow (GPM)		

<b>C h a p t e r</b>	<b>Section/Title</b>	<b>Respo nsibili ty</b>	<b>Inspection</b>
		<b>Plan Revie w</b>	
<b>3. Electrical Subcode:</b>			
<b>Chapt er</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
Article 90	Introduction	Electrical	Electrical
Ch. 1	General	Electrical	Electrical
Ch. 2	Wiring and Protection		
	200.1-250.50	Electrical	Electrical
	250.52(A)1-2	Electrical	Electrical
	250.52(A)3	Electrical/Buildin g	Building
	250.52(A)4-250.102(E)	Electrical	Electrical
	250.104(A)(1)	Electrical	Electrical  (except gas water heater replacements) Plumbing (gas water heater replacements only)
	250.104(A)(2)-285	Electrical	Electrical
Ch. 3	Wiring Methods and Materials		
	300.1 to 300.20	Electrical	Electrical
	300.21	Electrical/Fire	Electrical
	300.22-399	Electrical	Electrical
Ch. 4	Equipment for General Use		
	400-450.28	Electrical	Electrical
	450.41-450.48	Electrical/Fire	Electrical

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Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	455-490	Electrical	Electrical
Ch. 5	Special Occupancies	Electrical/Fire	Electrical
Ch. 6	Special Equipment		
	600-610	Electrical	Electrical
	620.1-620.12	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.13	Electrical/Elevator<1>	Electrical<2>  (on the line side of the disconnect) Elevator<2>(on the load side of the disconnect) Electrical<3>
	620.14-620.21	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.22	Electrical/Elevator<1>	Electrical<2>  (on the line side of the disconnect) Elevator<2>(on the load side of the disconnect) Electrical<3>
	620.23-620.24	Electrical/Elevator<1>	Electrical
	620.25-620.37	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.38	Electrical/Elevator<1>	Electrical
	620.41-620.44	Electrical/Elevator<1>	Elevator/Electrical<3>



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Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	620.51-620.51(A)	Electrical/Elevator<1>	Electrical
	620.51(B)-(D)	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.52	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.53-620.55	Electrical/Elevator<1>	Electrical<2> >(on the line side of the disconnect) Elevator<2 >(on the load side of the disconnect) Electrical<3>
	620.61(A)-(B)	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.61(C)-(D)	Electrical/Elevator<1>	Electrical<2> (on the line side of the disconnect) Elevator<2 >(on the load side of the disconnect) Electrical<3>
	620.62-620.84	Electrical/Elevator<1>	Elevator/Electrical<3>
	620.85 (except for cartop receptacle(s))	Electrical/Elevator<1>	Elevator/Electrical<2> >(car top receptacle only)
	620.91(A) & (C)	Electrical/Elevator<1>	Elevator/Electrical<3>

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Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	620.91(B)	Electrical/Elevator<1>	Electrical
	625-694	Electrical	Electrical
	695	Electrical/Fire	Electrical
Ch. 7	Special Conditions		
	700-727	Electrical	Electrical
	728	Fire/Electrical	Electrical
	750	Electrical	Electrical
	760	Electrical/Fire	Electrical
	770	Electrical	Electrical
Ch. 8	Communication Systems	Electrical	Electrical
Ch. 9	Tables	Electrical	Electrical
	N.J.A.C. 5:23-3.16(c)	Electrical/Plumbing<4>	Electrical/Plumbing<4>
	Automatic Rain Sensor Device		

Note 1: Joint with Elevator Subcode Official for N.J.A.C. 5:23-12 devices not installed in Group R-3, R-4 or R-5 or in structures of Group R-2 in which the elevator devices are wholly within dwelling units and are not accessible to the general public.

Note 2: The following sections are enforced by the Electrical inspector when devices covered by N.J.A.C. 5:23-12 are installed in any building excluding installations in Group R-3, R-4 or R-5 or in structures of Group R-2 where the elevator devices are located wholly within the dwelling units and are not accessible to the general public.

Note 3: Inspection responsibility for this section shall be the electrical inspector when devices are installed in buildings of Group R-3, R-4 or R-5 or in buildings of Group R-2 where the elevator devices are located wholly within dwelling units and not accessible to the general public.

Note 4: Where the device is wireless and plugged into an existing receptacle, plan review and inspection shall be plumbing; otherwise, electrical.

#### 4. Energy Subcode:

International Energy Conservation Code

Chapter	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
Ch. 1	Scope and Administration	As applicable	As applicable

<b>C h a p t e r</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
(R E)			
C h. 3	General Requirements	Building	Building
(R E)			
C h. 4	Residential Energy Efficiency		
(R E)			
	R401	Building	Building
	R402 (except R402.4.5)	Building	Building
	R402.4.5	Electrical	Electrical
	R403.1	Electrical	Electrical
	R403.2	Plumbing	Plumbing
	R403.3	Building	Building
	R403.4	Plumbing	Plumbing
	R403.5.1.1 -- Pump with integrated switch	Plumbing	Plumbing
	R403.5.1.1 -- Pump with non-integrated switch	Electrical	Electrical
	R403.5.1.2	Electrical	Electrical
	R403.5.2-R403.5.4	Plumbing	Plumbing
	R403.6	Building	Building
	R403.7	Plumbing	Plumbing
	R403.8	As applicable	As applicable
	R403.9	Electrical	Electrical
	R403.10.1 - Switch	Electrical	Electrical
	R403.10.1 - Gas Heater, Pilot	Plumbing	Plumbing
	R403.10.2-R403.12	Electrical	Electrical
	R404.1	Electrical	Electrical
	R404.1.1	Plumbing	Plumbing

## N.J.A.C. 5:23-3.4

<b>C h a p t e r</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
	R405-R406	As applicable	As applicable
ASHRAE Standard 90.1			
<b>Ch a p t e r</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
Ch. 4	Administration and Enforcement	As applicable	As applicable
Ch. 5	Building Envelope	Building	Building
Ch. 6	Heating, Ventilating, and Air Conditioning	As applicable except as below:	As applicable except as below:
	6.4.4.1.1-6.4.4.1.2	Building	Building
	6.4.4.1.3	Plumbing	Plumbing
	6.4.4.1.4-6.4.4.1.5	Building	Building
	6.4.4.2	Building	Building
Ch. 7	Service Water Heating	As applicable	As applicable
Ch. 8	Power	Electrical	Electrical
Ch. 9	Lighting	Electrical	Electrical
Ch. 10	Other Equipment		
	10.4.1	Electrical	Electrical
	10.4.2	Plumbing	Plumbing
	10.4.3-10.4.4	Elevator	Elevator
Ch. 11	Energy Cost Budget Method	As applicable	As applicable

## 5. Mechanical Subcode:

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
Ch. 3	General Regulations		
	301.2	Building	Building
	301.3-301.5	Plumbing	Plumbing
	301.6	Fire/Plumbing for fuel gas piping	Fire/Plumbing for fuel gas piping
	301.7-301.9	Fire	Fire
	301.10	Electrical	Electrical
	301.11	Plumbing	Plumbing
	301.12	Fire	Fire
	301.13-301.18	Building	Building
	301.19	Electrical (switch)/Plumbing (valve)	Electrical (switch)/Plumbing (valve)
	302	Building	Building
	303-304	Fire	Fire
	305	Plumbing	Plumbing
	306.1-306.3	Building	Building
	306.3.1	Electrical	Electrical
	306.4	Building	Building
	306.4.1	Electrical	Electrical
	306.5-306.5.1	Building	Building
	306.5.2	Electrical	Electrical
	307	Plumbing	Plumbing
	308	Building/Fire	Fire
	309	Building	Building
	310-311	Building/Fire	Fire
	312	Plumbing	Plumbing
Ch. 4	Ventilation	Building	Building
Ch. 5	Exhaust Systems		
	501	Building	Building

## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	502	Building/Fire	Building
	503	Building/Fire	Fire
	504	Building/Fire	Building
	505-510	Building/Fire	Fire
	511	Building/Fire	Fire
	512	Building	Building
	513.1- 513.10.5	Fire	Fire
	513.11-513.11.1	Building/Electrical/Fir e	Electrical (except  rated enclosures, which are Building)
	513.11.2	Electrical/Fire	Electrical
	513.12-513.12.1	Fire	Fire
	513.12.2	Fire/Electrical	Electrical
	513.12.3-513.19	Fire	Fire
	514	Building	Building
Ch. 6	Duct Systems		
	601-602.2.1.6	Building/Fire	Building
	602.2.1.7	Building/Fire/Plumbin g	Plumbing
	602.2.1.8-603.1	Building/Fire	Building
	603.2	Building	Building
	603.3-605	Building/Fire	Building
	606	Building/Fire	Fire
	607	Building/Fire	Building
Ch. 7	Combustion Air	Fire	Fire
Ch. 8	Chimneys and Vents	Building/Fire	Fire (except 801.3  and 801.13)
	801.3 and 801.13	Building/Fire	Building
Ch. 9	Specific Appliances,  Fireplaces and Solid		

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Ch apt er	Section/Title	Responsibility	Inspection
		<b>Plan Review</b>	
	Fuel-Burning Equipment		
	901.1-908.4	Building/Fire	Building
	908.5-908.6	Plumbing	Plumbing
	908.7	Plumbing/Fire	Plumbing
	908.8	Building/Plumbing	Plumbing
	909-910	Building/Fire	Fire
	911-914	Building/Fire	Building
	915	Fire	Fire
	916	Electrical/Plumbing	Electrical if electric/Plumbing if oil fired
	917	Fire	Fire
	918	Building/Fire	Building
	919	Plumbing	Plumbing
	920-923	Building/Fire	Building
	924	Fire	Fire
	925	Building/Fire	Building
	926	See Chapter 7 of the International Fuel Gas Code	See Chapter 7 of the International Fuel Gas Code
	927	Electrical	Electrical
	928	Building/Plumbing	Plumbing
	929	Electrical/Fire	Electrical
Ch. 10	Boilers, Water Heaters and Pressure Vessels	Plumbing	Plumbing
Ch. 11	Refrigeration		
	1101.2	Plumbing	Plumbing
	1101.3	Building	Building
	1101.4-1101.5	Plumbing	Plumbing
	1101.6	Fire/Plumbing	Plumbing
	1101.8	Plumbing	Plumbing

## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	1101.9	Fire	Fire
	1101.10	Plumbing	Plumbing
	1102-1103	Plumbing	Plumbing
	1104.1	Plumbing	Plumbing
	1104.2-1104.4	Building/Fire	Fire
	1105.1-1105.2	Building	Building
	1105.3-1105.5	Fire	Fire
	1105.6	Building	Building
	1105.7	Plumbing	Plumbing
	1105.8-1105.9	Fire	Fire
	1106	Fire	Fire
	1107-1108	Plumbing	Plumbing
Ch. 12	Hydronic Piping	Plumbing	Plumbing
Ch. 13	Fuel Oil Piping and  Storage		
	1301.1-1301.2	Fire/Plumbing	Fire (storage systems) Plumbing (Piping systems)
	1301.3	Fire	Fire
	1301.4	Fire/Plumbing	Fire (storage systems) Plumbing (Piping systems)
	1301.5	Fire	Fire
	1302-1305	Plumbing	Plumbing
	1306	Fire	Fire
	1307-1308	Plumbing	Plumbing
Ch. 14	Solar Thermal Systems		
	1401.2-1401.4	Plumbing	Plumbing
	1402.1-1402.2	Building	Building
	1402.3-1402.5	Plumbing	Plumbing
	1402.6-1402.8.2	Building	Building



## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	1402.8.3-1402.8.7	Plumbing	Plumbing
	1403	Plumbing/Fire	Plumbing
	1404	Plumbing	Plumbing

**6. One-and Two-Family Dwelling Subcode:**

## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
Ch. 3	Building	<b>Plan Review</b>	
	Planning		
	R300	Building/Fire	Building
	R301	Building	Building
	R302	Building/Fire	Building
			(Except penetrations in existing membranes for electrical outlets or devices pursuant to Section 302.4 through 302.4.2 which shall be Electrical)
	R303-R306	Building	Building
	R307.1	Plumbing	Plumbing
	R307.2-R309.3	Building	Building
	R309.4	Electrical	Electrical
	R309.5	Fire	Fire
	R310-R311	Building/Fire	Building
	R312	Building/Fire	Building
	R313	Fire<2>	Fire<2>
	R314-R315	Fire	Fire
	R316	Building/Fire	Building
	R317-R318	Building	Building

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	R319	Fire	Fire
	R321.1-R321.2	Elevator	Elevator
	R321.3	Building	Building
	R322, except	Building	Building
	R322.1.6		
	R322.1.6	As applicable based on equipment	As applicable based on equipment
	R324.2	Building/Fire/Plumbing	Plumbing
	R324.3	Electrical	Electrical
	R324.4-R324.5	Building	Building
	R324.6	Fire	Fire
	R324.7	Building/Fire	Building
	R324.7.1	Building/Fire	Building
	R325	Building/Fire	Building
	R326		
	R327.1-R327.4	Electrical	Electrical
	R327.5	Electrical/Fire	Fire
	R327.6	Fire	Fire
	ISPSC, Section 305	Building	Building  (Except safety covers pursuant to Section 305.1, which shall be Electrical)
	ISPSC, Section 310	Plumbing	Plumbing

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	(APSP/ICC 7)		
	ISPSC, Section 311.9	Plumbing	Plumbing
Ch. 4	Foundations	Building	Building
Ch. 5	Floors	Building	Building
Ch. 6	Wall Construction	Building	Building
Ch. 7	Wall Covering	Building	Building
Ch. 8	Roof-Ceiling Construction	Building	Building
Ch. 9	Roof Assemblies, except R905.16-R905.17	Building	Building
	R905.16-R905.17	Building/Electrical	Building
Ch. 10	Chimneys and Fireplaces	Building/Fire	Building
Ch. 11	Energy Efficiency		
	N1101.1-N1101.5.1	As applicable	As applicable
	N1101.7-N1101.12	Building	Building

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	N1101.13-N1101.14	Building	Building
	N1102.1-N1102.4.4	Building	Building
	N1102.4.5	Electrical	Electrical
	N1102.5	Building	Building
	N1103.1	Electrical	Electrical
	N1103.2	Plumbing	Plumbing
	N1103.3	Building	Building
	N1103.4	Plumbing	Plumbing
	N1103.5.1.1 - pump with integrated switch	Plumbing	Plumbing
	N1103.5.1.1 - pump with non-integrated switch	Electrical	Electrical
	N1103.5.1.2	Electrical	Electrical
	N1103.5.2-N1103.5.4	Plumbing	Plumbing
	N1103.6	Building	Building
	N1103.7	Plumbing	Plumbing
	N1103.8	As applicable	As applicable
	N1103.9	Electrical	Electrical
	N1103.10.1 - Switch	Electrical	Electrical
	N1103.10.1 -	Plumbing	Plumbing

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	Gas Heater, Pilot		
	N1103.10.2 -	Electrical	Electrical
	N1103.12		
	N1104.1	Electrical	Electrical
	N1104.1.1	Plumbing	Plumbing
	N1105-N1106	As applicable	As applicable
Ch. 13	General		
	Mechanical System		
	Requirements		
	M1301	Plumbing	Plumbing
	M1302	Fire/Plumbing	Plumbing
	M1303	Electrical/Plumbing	Plumbing
	M1304	Fire/Plumbing	Plumbing
	M1305-M1305.1.2	Building	Building
	M1305.1.2.1	Electrical	Electrical
	M1305.1.3	Plan Review and Field Inspection for access, passageways, and service clearances for appliances shall be the responsibility of the subcode with plan review and inspection responsibility for the appliance	
	M1306.1	Fire	Fire
	M1306.2-M1306.2.3	Building/Fire	Fire
	M1307.1	Fire	Fire
	M1307.2	Building	Building
	M1307.3-M1307.4.3	Fire	Fire
	M1307.5	Electrical	Electrical

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<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	M1307.6	Plumbing	Plumbing
	M1307.7	Electrical (switch)/Plumbing (valve)	Electrical (switch)/Plumbing (valve)
	M1308	Building	Building
Ch. 14	Heating and  Cooling Equipment		
	M1401.1-M1401.3	Plumbing	Plumbing
	M1401.4	Building/Plumbing	Plumbing, except for proper support of the equipment, which is Building
	M1401.5	Building/Plumbing	Plumbing
	M1402.1-M1402.3	Electrical for electric appliances/Plumbing for oil-fired appliances	Electrical for electric appliances/Plumbing for oil-fired appliances
	M1403.1	Electrical	Electrical
	M1404.1	Plumbing	Plumbing
	M1405-M1406.5	Electrical	Electrical
	M1407.1-M1407.4	Building/Fire	Building
	M1407.5	Electrical	Electrical
	M1408-M1410	Building/Fire	Fire

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	M1411-M1413	Plumbing	Plumbing
	M1414	Building/Fire	Fire
	M1415	Building/Fire	Building
Ch. 15	Exhaust  Systems		
	M1501-M1502	Building/Fire	Building
	M1503	Building/Fire	Fire
	M1504	Building	Building
	M1505	Building	Building
Ch. 16	Duct Systems		
	M1601.1	Building	Building
	M1601.1.1-M1601.6	Building/Fire	Building
	M1602	Building/Fire	Building
Ch. 17	Combustion Air	Fire	Fire
Ch. 18	Chimneys and  Vents		
	M1801-M1804	Building/Fire	Fire for labeled vents and factory-built chimneys/Building for masonry chimneys
	M1805	Building/Fire (Masonry)	Building (Masonry)



## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
		Chimneys) Building/Fire (Factory-built chimneys)	Chimneys) Fire (Factory-Built chimneys)
Ch. 19	Special  Fuel-Burning Equipment		
	M1901	Building/Fire	Fire
	M1902.1-M1902.2	Building	Building
	M1902.3	Fire	Fire
	M1902.4	Building	Building
	M1903-M1904	Building/Fire	Fire
Ch. 20	Boilers/Water  Heaters	Plumbing	Plumbing
Ch. 21	Hydronic  Piping, except	Plumbing	Plumbing
	M2101.6		
	M2101.6	Building/Plumbing	Building
Ch. 22	Special Piping  and Storage Systems		
	M2201	Fire	Fire
	M2201.3	Building/Fire/Plumbing	Building

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<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	M2202-M2204	Plumbing	Plumbing
Ch. 23	Solar Systems		
	M2301.2.1-M2301.2.2	Building	Building
	M2301.2.3-M2301.5	Plumbing	Plumbing
	M2301.6	Building	Building
	M2301.7-M2301.7.2	Plumbing	Plumbing
Ch. 24	Fuel Gas		
	G2404.2-G2404.3	Fire	Fire
	G2404.4-2404.9	Building	Building
	G2404.10-G2404.11	Plumbing	Plumbing
	G2405	Building	Building
	G2406	Plumbing	Plumbing
	G2407-G2409	Fire	Fire
	G2410	Electrical	Electrical
	G2411	Plumbing/Electrical	Plumbing-except when bonded to electrical service equipment, then Electrical
	G2412-G2424	Plumbing	Plumbing
	G2425.1-G2425.2	Building/Fire	Fire
	G2425.3	Building/Fire	Building
	G2425.4-G2425.6	Building/Fire	Fire

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	G2425.7	Building/Fire	Building
	G2425.8-G2425.10	Building/Fire	Fire
	G2425.11	Building/Fire	Building
	G2425.12-G2425.15.1	Building/Fire	Fire
	G2425.15.2	Fire	Fire
	G2425.15.3	Building/Fire	Building
	G2425.15.4-G2427.5.1	Building/Fire	Fire
	G2427.5.2	Building/Fire	Building
	G2427.5.3-G2427.5.6.4	Building/Fire	Fire
	G2427.5.7	Building	Building
	G2427.5.9	Building/Fire	Fire
	G2427.5.10	Building/Fire	Fire
	G2427.6-G2427.8	Building/Fire	Fire
	G2427.9	Plumbing	Plumbing
	G2427.10.1-G2430.1	Building/Fire	Fire
	G2430.2	Building/Fire	Building
	G2432-G2434	Plumbing/Fire	Plumbing
	G2435	Plumbing/Fire	Fire
	G2436-G2440.3	Building/Fire	Building
	G2440.4-2440.5	Building/Fire	Fire
	G2440.6-2440.7	Building/Fire	Building
	G2441	Plumbing	Plumbing
	G2442	Building/Fire	Building
	G2443	Plumbing	Plumbing

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	G2444-G2446	Building/Fire	Building
	G2447	Fire	Fire
	G2448-G2449.3	Plumbing	Plumbing
	G2449.4-2450.3	Building/Fire	Building
	G2450.4	Plumbing	Plumbing
	G2451	Building/Fire	Building
	G2452-G2454	Fire/Plumbing	Plumbing
Ch. 29	Water Supply		
	and Distribution<2>		
	P2904.1	Plumbing/Fire	Plumbing
	P2904.1.1-P2904.2.2	Fire	Fire
	P2904.2.3	Plumbing	Plumbing
	P2904.2.4-P2904.2.6	Fire	Fire
	P2904.3-P2904.3.3	Plumbing	Plumbing
	P2904.3.4	Fire/Plumbing	Plumbing
	P2904.4	Fire/Plumbing	Fire
	P2904.5-P2904.6	Fire/Plumbing	Plumbing
	P2904.7	Fire/Plumbing	Fire
	P2904.8.1 #1	Fire	Fire
	P2904.8.1 #2	Fire	Fire
	P2904.8.1 #3	Fire	Fire
	P2904.8.1 #4 -	Fire/Plumbing	Plumbing
	#6		

## N.J.A.C. 5:23-3.4

<b>Chapter</b>	<b>Section/Title</b>	<b>Responsibility</b>	<b>Inspection</b>
		<b>Plan Review</b>	
	P2904.8.1 #7 and #8	Plumbing	Plumbing
	P2904.8.2 #1	Fire	Fire
	P2904.8.2 #2 - #4	Fire/Plumbing	Fire
App x H	Patio Covers	Building	Building
App x K	Sound  Transmission	Building	Building

Note 1: Penetrations in existing buildings shall be the responsibility of the subcode with plan review and inspection responsibility for the item doing the penetration.

Note 2: For multi-purpose systems installed in accordance with NFPA 13D, the assignment of enforcement responsibilities shall be the same as the assignment of enforcement responsibilities for systems installed in accordance with P2904.

## N.J.A.C. 5:23-3.4

## 7. Fuel Gas Subcode:

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Respo nsibili ty</b>	<b>Inspection</b>
		<b>Plan Revie w</b>	
Ch. 3	General		
	Regulations		
	301.1	Fire	Fire
	301.2	Buildin g	Building
	301.3-301.5	Fire	Fire
	301.6-301.7	Plumbi ng	Plumbing
	301.8-301.12	Buildin g	Building
	301.13	Buildin g/Fire	Building
	301.14-301.15	Buildin g	Building
	302	Buildin g	Building
	303	Plumbi ng	Plumbing
	304-305	Fire	Fire
	306-306.3	Buildin g	Building
	306.3.1	Electri cal	Electrical
	306.4	Buildin g	Building
	306.4.1	Electri cal	Electrical
	306.5-306.5.1	Buildin g	Building
	306.5.2	Electri cal	Electrical
	306.6	Buildin g	Building
	307	Plumbi ng	Plumbing
	308	Fire	Fire

## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
	309	Electrical	Electrical
	310	Plumbing/ Electrical	Plumbing-except when bonded to electrical service equipment, then Electrical
Ch. 4	Gas Piping Installation	Plumbing	Plumbing
Ch. 5	Chimneys and Vents	Building/Fire	Fire (except 501.3, 501.11, 501.15.3, 503.5.3, 503.5.8-503.5.10, 503.5.11)
	501.3	Building/Fire	Building
	501.11	Building/Fire	Building
	501.15.3	Building/Fire	Building
	503.5.3	Building/Fire	Building
	503.5.8-503.5.10	Building	Building
	503.5.11	Building/Fire	Fire
Ch. 6	Specific Appliances		
	602-603	Plumbing/Fire	Plumbing
	604	Building/Fire	Building
	605	Fire/Plumbing	Fire
	606-607	Building/Fire	Fire

## N.J.A.C. 5:23-3.4

<b>Ch apt er</b>	<b>Section/Title</b>	<b>Respo nsibili ty</b>	<b>Inspection</b>
	608-615	Buildin g/Fire	Building
	616	Fire	Fire
	617	Electri cal/	Electrical if electric/Plumbing if
		Plumbi ng	oil fired
	618	Buildin g/Fire	Building
	619	Plumbi ng	Plumbing
	620-622	Buildin g/Fire	Building
	623	Fire	Fire
	624	Plumbi ng	Plumbing
	625	Buildin g/Fire	Building
	626	Plumbi ng	Plumbing
	627.1-627.3	Plumbi ng	Plumbing
	627.4-627.7	Buildin g/Fire	Building
	627.8-627.9	Plumbi ng	Plumbing
	627.10	Electri cal	Electrical
	628.1-628.3	Buildin g/Fire	Building
	628.4	Plumbi ng	Plumbing
	629-630	Buildin g/Fire	Building
	631-632	Plumbi ng	Plumbing
	633	Fire	Fire
	634	Buildin g/Fire	Building



## N.J.A.C. 5:23-3.4

Chapter	Section/Title	Responsibility	Inspection
	635	See Chapter 7	See Chapter 7
	636	Fire/Plumbing	Plumbing
Ch. 7	Gaseous Hydrogen Systems		
	703.1	Building	Building
	703.2	Building/Fire	Fire
	703.3-703.5	Fire	Fire
	703.6	Electrical	Electrical
	704.1	Fire	Fire
	704.1.1	Fire	Fire
	704.1.2	Plumbing	Plumbing
	704.2-704.4	Fire	Fire
	705	Plumbing	Plumbing
	706.1	Building	Building
	706.2	Building/Fire	Fire
	706.3	Fire	Fire
	707-708	Fire	Fire

**8.** Elevator Subcode: All (except as provided for in N.J.A.C. 5:23-12)

**9.** Radon Hazard Subcode: Plan review and inspection with regard to compliance with [N.J.A.C. 5:23-10.4\(b\)](#) and (c) shall be the responsibility of the building subcode official, except that [N.J.A.C. 5:23-10.4\(b\)](#)13 and (c)14 shall be the responsibility of the electrical subcode official.

**(b)** Where responsibility for enforcement of a section is joint between two officials and there are conflicting opinions regarding enforcement, the construction official shall rule as to which interpretation or application shall be followed.

**(c)** Responsibility for enforcement of the Radon Hazard Subcode shall be in accordance with [N.J.A.C. 5:23-10.3](#).

(d) Any mechanical inspector employed by the Department or by a municipality, and so assigned by the construction official, shall have the responsibility for enforcement of the provisions of the code, except work involving the installation or replacement of backflow preventers or electrical work, for the installation and replacement of heating or cooling equipment or water heaters or other mechanical equipment, such as refrigeration, air conditioning, or ventilating apparatus, gas piping or heating systems, or stand-by power generators, in existing buildings of Group R-3 or R-5. For a new installation, the mechanical inspector shall have this enforcement responsibility provided that the installation does not penetrate a fire-rated assembly.

1. When no mechanical inspector is assigned, the construction official shall assign the plumbing subcode official or a plumbing inspector, who shall have the responsibility for the enforcement of provisions of the code, except electrical, for the installation and replacement of heating or cooling equipment or water heaters or other mechanical equipment, such as refrigeration, air conditioning, or ventilating apparatus, gas piping or heating systems, or stand-by power generators, in existing buildings of Group R-3 or R-5. A plumbing subcode official or plumbing inspector need not be a mechanical inspector to perform these inspections.

## History

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### HISTORY:

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.1986 d.380, effective September 22, 1986.

See: 18 N.J.R. 1235(a), 18 N.J.R. 1931(a), 18 N.J.R. 2063(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).

(f)4 added; old (f)4-6 renumbered (f)5-7.

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

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

(a)1 through 4: model subcode revisions.

Amended by R.1990 d.226, effective May 7, 1990.

See: 21 N.J.R. 3696(a), 22 N.J.R. 1356(a).

Provisions for enforcement of radon subcode added at (g).

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.325, effective July 1, 1991.

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

Other elevator devices covered; enforcement responsibilities clarified.

Amended by R.1992 d.147, effective April 6, 1992.

See: 24 N.J.R. 170(a), 24 N.J.R. 1397(a).

Elevators wholly within R-2 residences exempt.

## N.J.A.C. 5:23-3.4

Amended by R.1992 d.183, effective April 20, 1992.

See: 24 N.J.R. 167(a), 24 N.J.R. 1475(b).

Enforcement of indoor air quality subcode assigned to building subcode official.

Amended by R.1993 d.187, effective May 3, 1993.

See: 25 N.J.R. 624(a), 25 N.J.R. 1875(a).

Added subsection (j); deleted "Allocation of enforcement" from heading.

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.1997 d.409, effective October 6, 1997.

See: [29 N.J.R. 2736\(a\)](#), [29 N.J.R. 4281\(a\)](#).

In (g), deleted reference to exception to exclusive authority provided in [N.J.A.C. 5:23-3.11\(h\)](#).

Amended by R.1997 d.418, effective October 6, 1997.

See: [29 N.J.R. 3402\(a\)](#), [29 N.J.R. 4286\(a\)](#).

In (f), inserted reference to (j); and added (j)1.

Amended by R.1998 d.28, effective January 5, 1998.

See: [29 N.J.R. 3603\(a\)](#), [30 N.J.R. 129\(a\)](#).

Inserted (k) stating responsibility for the enforcement of the rehabilitation subcode.

Repeal and New Rule, R.1998 d.332, effective July 6, 1998.

See: [30 N.J.R. 1377\(a\)](#), [30 N.J.R. 2421\(b\)](#).

Section was "Responsibility".

Amended by R.1999 d.259, effective August 16, 1999.

See: [31 N.J.R. 825\(a\)](#), [31 N.J.R. 2330\(a\)](#).

In (d)1 and (d)2, under "MECHANICAL SUBCODE", added references to [N.J.A.C. 5:23-3.20\(c\)](#).

Amended by R.2000 d.166, effective April 17, 2000.

See: [31 N.J.R. 4151\(a\)](#), [32 N.J.R. 1376\(a\)](#).

In (b)2, changed Chapter 21 and Chapter 31 through 33 references in the Building Subcode, and inserted Chapter 12 reference in the Mechanical Subcode; and in (d)2, deleted a former Chapter 21 reference in the Building Subcode, and changed Chapter 12 reference in the Mechanical Subcode.

Amended by R.2001 d.141, effective May 7, 2001.

See: [32 N.J.R. 3917\(a\)](#), [33 N.J.R. 746\(a\)](#), [33 N.J.R. 1399\(d\)](#).

In (b)1 and (b)2, deleted "as follows: (All except M-801.2)" following "Chapter 8" in the Mechanical Code; in (d)1, deleted "Chapter 8 as follows: M-801.2" in the Mechanical Code; in (d)2, deleted "3007.3" following "413.5.2",

inserted "3305.0" following "414.5", and deleted "408.3.1", "3305.0" and "414.5" at the end of the Building Subcode, and deleted "Chapter 8 as follows: M-801.2" in the Mechanical Subcode.

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, (a)2, (b)1, (b)2, (d)1 and (d)2, rewrote Mechanical Subcode and inserted Fuel Gas Subcode.

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\(a\)](#).

In "ENERGY SUBCODE" categories of (a) through (c), listed specific sections of Chapters 5 and 6, relating to building subcode official responsibility.

Administrative correction.

See: [33 N.J.R. 3308\(a\)](#).

Amended by R.2002 d.6, effective January 7, 2002.

See: [33 N.J.R. 2570\(a\)](#), [33 N.J.R. 3883\(a\)](#), [34 N.J.R. 268\(a\)](#).

In (a), inserted "ELECTRICAL SUBCODE" in categories 1 and 2, and updated references to officials in "ENERGY SUBCODE" category 1; in (c)1 and 2, updated "ELECTRICAL SUBCODE" chapter references.

Amended by R.2003 d.240, effective June 16, 2003.

See: [34 N.J.R. 3045\(a\)](#), [35 N.J.R. 2637\(c\)](#).

In (c)2, added "[N.J.A.C. 5:23-3.16\(c\)](#) Automatic rain sensor device".

Amended by R.2003 d.418, effective November 3, 2003.

See: [35 N.J.R. 21\(a\)](#), [35 N.J.R. 5064\(a\)](#).

Rewrote the section.

Amended by R.2004 d.131, effective April 5, 2004.

See: [35 N.J.R. 5336\(a\)](#), [36 N.J.R. 1755\(a\)](#).

In (a), (b), and (c), inserted "CABO Model Energy Code" following "ENERGY SUBCODE" and added ASHRAE Standard 90.1 tables throughout.

Amended by R.2004 d.312, effective August 16, 2004.

See: [35 N.J.R. 4947\(a\)](#), [36 N.J.R. 3894\(d\)](#).

Rewrote the section.

Administrative correction.

See: [37 N.J.R. 269\(a\)](#).

Amended by R.2005 d.364, effective November 7, 2005.

See: [37 N.J.R. 2112\(a\)](#), [37 N.J.R. 4216\(a\)](#).

Rewrote the section.

Amended by R.2005 d.446, effective December 19, 2005.

See: [37 N.J.R. 2747\(a\)](#), [37 N.J.R. 4907\(a\)](#).

Rewrote (a)3.

Administrative correction.

See: [38 N.J.R. 926\(a\)](#).

Administrative correction.

See: [38 N.J.R. 1827\(b\)](#).

In (a)3, Note 1 of the table, inserted "in" following "not installed".

Amended by R.2007 d.310, effective October 1, 2007.

See: [39 N.J.R. 135\(a\)](#), [39 N.J.R. 4113\(b\)](#).

Added (a)9.

Amended by R.2008 d.112, effective May 5, 2008.

See: [39 N.J.R. 4366\(a\)](#), [40 N.J.R. 2229\(a\)](#).

In the table at (a)1, rewrote entries in "Ch. 4", "Ch. 16", "Ch. 30" and "Ch. 31", and in entries "Ch. 5" and "Ch. 6", inserted "/Fire" in the third column; in the table at (a)2, deleted entry "Ch. 17" and added entries "Ap. J", "Ap. K" and "Ap. L"; rewrote tables at (a)4, (a)5 and (a)6; and in the table at (a)7, under "Ch. 6", inserted entry "635" and rewrote entry "Ch.7".

Amended by R.2009 d.51, effective February 2, 2009.

See: [40 N.J.R. 5325\(a\)](#), [41 N.J.R. 738\(a\)](#).

In the table in (a)1, in the entry for "Ch. 9", inserted "909.12.1 and 910.4.4" in column "Section/Title" and, under the sub-headings "Plan Review" and "Inspection" under column "Responsibility", inserted "(except 909.12.1 and 910.4.4)" following "Fire" and inserted "Fire/Electric"; and in (c), updated the first N.J.A.C. reference.

Amended by R.2011 d.269, effective November 7, 2011.

See: [43 N.J.R. 904\(a\)](#), [43 N.J.R. 3008\(a\)](#).

Rewrote the tables in (a)1 through (a)7.

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In the table in (a)6, for the "Appx G" entry, substituted "105.1-105.4" for "105" and inserted "105.5" under the "Section/Title" heading, and under the sub-headings "Plan Review" and "Inspection" under column "Responsibility", inserted "Electrical".

Amended by R.2015 d.029, effective February 17, 2015.

See: [46 N.J.R. 1507\(a\)](#), [47 N.J.R. 459\(a\)](#).

In the introductory paragraph of (d), inserted ", or stand-by power generators"; and rewrote (d)1.

Amended by R.2016 d.031, effective April 4, 2016.

See: [47 N.J.R. 2323\(a\)](#), [48 N.J.R. 581\(a\)](#).

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 (a)2 table row 10.5.9, updated the "Inspection Responsibility"; in (a)4, International Energy Conservation Code table, deleted the row for "R403.2"; in (a)6 table, deleted the row for "N1103.2"; and rewrote (d).

Amended by R.2018 d.153, effective August 20, 2018.

See: [49 N.J.R. 2332\(a\)](#), [50 N.J.R. 1888\(a\)](#).

In the table in (a)1, rewrote entries in "Ch. 7" and "Ch. 31"; and in the table in (a)6, rewrote entries at "R302" and "R326".

Amended by R.2020 d.119, effective November 2, 2020.

See: [52 N.J.R. 371\(a\)](#), [52 N.J.R. 1999\(a\)](#).

Rewrote the tables in (a)1, (a)2, and (a)4 through (a)7.

Administrative correction, effective February 23, 2021.

See: [53 N.J.R. 512\(a\)](#).

Administrative correction, effective March 2, 2021.

See: [53 N.J.R. 512\(b\)](#).

Administrative correction, effective April 12, 2021.

See: [53 N.J.R. 775\(a\)](#).

Administrative correction, effective April 26, 2021.

See: [53 N.J.R. 999\(a\)](#).

Amended by R.2022 d.022, effective February 7, 2022.

See: [53 N.J.R. 1133\(a\)](#), [54 N.J.R. 263\(a\)](#).

In (a)1 and (a)6, table rows ISPSC, Section 305, deleted "Exception 1" preceding "which"; in (a)5 table, inserted the row for "301.19"; and in (a)6 table, inserted the row for "M1307.7".

Amended by R.2022 d.053, effective April 18, 2022.

See: [53 N.J.R. 105\(a\)](#), [53 N.J.R. 1553\(a\)](#), [54 N.J.R. 713\(a\)](#).

Rewrote (a)1 table, Ch. 31, in (a)6 table, Ch. 3, substituted row "R324.2—Building/Fire/Plumbing" for "R324.2-R324.3—Electrical", inserted row for "R324.3"; and in row R324.7, substituted "Electrical/Fire" for "Building/Fire".

Annotations

## Notes

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### [Chapter Notes](#)

## [N.J.A.C. 5:23-3.5](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

### **§ 5:23-3.5 Posting structures**

---

**(a)** Posted use and occupancy: Every building and structure and part thereof designed for business, factory and industrial, high hazard, mercantile, or storage use, (use groups B, F, H, M and S) as defined in chapter 3 of the building subcode shall be posted on all floors by the owner with a suitably designed placard in a form designated by the building subcode official, which shall be securely fastened to the structure in a readily visible place, stating the use group and the live load and occupancy load.

**(b)** Posted occupancy load: Every building and structure and part thereof designed for use as a place of public assembly or as an institutional building for harboring people for penal, correctional, educational, medical or other care or treatment (use groups A, E and I) shall be posted with an approved placard designating the maximum occupancy load.

**(c)** Replacement of posted signs: All posting signs shall be furnished by the owner and shall be of permanent design; they shall not be removed, or defaced and, if lost, removed or defaced, shall be immediately replaced.

**(d)** Posted hydraulic system data plate: In lieu of the nameplate of the referenced NFPA standard(s), fire sprinkler system contractors are required to identify hydraulically designed fire sprinkler systems by affixing a permanently marked weatherproof metal or rigid plastic sign at the alarm valve. The nameplate shall contain information relative to the design parameters of the system as indicated on Form No. F380. The plate shall be secured at the alarm valve with corrosion resistant wire, chain, or other approved means.

**(e)** Identifying emblems for structures with truss construction: Identifying emblems shall be permanently affixed to the front of structures with truss construction as required by [N.J.A.C. 5:70-2.20](#).

1. The emblem shall be of a bright and reflective color, or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be 12 inches horizontally by six inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem:

- i. "F" to signify a floor with truss construction;
- ii. "R" to signify a roof with truss construction; or
- iii. "F/R" to signify both a floor and roof with truss construction.

2. The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.

3. Detached one and two-family residential structures with truss construction that are not part of a planned real estate development shall be exempt from the requirements of (e) above, unless required by municipal ordinance.

4. Individual structures and dwelling units with truss construction that are part of a planned real estate development shall not be required to have an identifying emblem if there is an emblem affixed at each entrance to the development.

(f) Swimming pools, spas and hot tubs: A valid electrical certificate of compliance and a bonding and grounding certificate shall be posted by the owner in a conspicuous place in or around the pool pump house or equipment control room.

## History

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### HISTORY:

Amended by R.1989 d.555, effective November 6, 1989.

See: 21 N.J.R. 2783(a), 21 N.J.R. 3460(a).

Added reference to E Use Group (educational facilities) at (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.2000 d.47, effective February 7, 2000.

See: [31 N.J.R. 2314\(a\)](#), [32 N.J.R. 443\(a\)](#).

Added (f).

Amended by R.2000 d.166, effective April 17, 2000.

See: [31 N.J.R. 4151\(a\)](#), [32 N.J.R. 1376\(a\)](#).

Rewrote (d) and (e).

Amended by R.2009 d.48, effective February 2, 2009.

See: [40 N.J.R. 5319\(a\)](#), [41 N.J.R. 733\(b\)](#).

In (a), substituted "chapter 3" for "article 2".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.6](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.6 Standards; accepted practice**

---

(a) This chapter, together with the subcodes, national standards and appendices it adopts by reference, shall be the primary guide to accepted engineering practice in respect to any material, equipment, system or method of construction therein specified.

(b) When this chapter and the subcodes, national standards and appendices it adopts by reference are silent, a manufacturer's recommendations for the installation of any material or assembly may be considered to be accepted engineering practice; provided, however, that a manufacturer's recommendations shall not be read to overrule this chapter or any subcode, national standard or appendix which it adopts by reference.

1. Exception: Where enforcement of a code provision would violate the condition(s) of the listing of the equipment or appliance, the more restrictive condition(s) shall apply.

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.283, effective June 20, 1988.

See: 20 N.J.R. 699(a), 20 N.J.R. 1343(c).

Old text repealed and new text substituted.

Amended by R.1998 d.28, effective January 5, 1998.

See: [29 N.J.R. 3603\(a\)](#), [30 N.J.R. 129\(a\)](#).

Amended by R.2010 d.195, effective September 7, 2010.

See: [41 N.J.R. 3140\(a\)](#), [42 N.J.R. 2043\(a\)](#).

Added (b)1.

Annotations

### **Notes**

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[Chapter Notes](#)

### **Case Notes**

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N.J.A.C. 5:23-3.6

Contractor not liable for injuries caused by failure of subcontractor to provide and install material in conformance with State building code. [Miltz v. Borroughs--Shelving, a Div. of Lear Siegler, Inc., 203 N.J.Super. 451, 497 A.2d 516 \(App.Div.1985\).](#)

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## [N.J.A.C. 5:23-3.7](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.7 Municipal approvals of alternative materials, equipment, or methods of construction**

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(a) Approvals: Alternative materials, equipment, or methods of construction shall be approved by the appropriate subcode official provided the proposed design is satisfactory and that the materials, equipment, or methods of construction are suitable for the intended use and are at least the equivalent in quality, strength, effectiveness, fire resistance, durability and safety of those conforming with the requirements of the regulations.

1. A field evaluation label and report or letter issued by a nationally recognized testing laboratory verifying that the specific material, equipment, or method of construction meets the identified standards or has been tested and found to be suitable for the intended use, shall be accepted by the appropriate subcode official as meeting the requirements of (a) above.
2. Reports of engineering findings issued by nationally recognized evaluation service programs, such as, but not limited to, the Building Officials and Code Administrators (BOCA), the International Conference of Building Officials (ICBO), the Southern Building Code Congress International (SBCCI), the International Code Council (ICC), and the National Evaluation Service, Inc., shall be accepted by the appropriate subcode official as meeting the requirements of (a) above. The materials, equipment, or assembly shall be installed in accordance with the conditions specified in the report.

(b) Research and investigations: The appropriate subcode official shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, he may approve its use subject to the requirements of the regulations. The cost of all tests, reports and investigations required under these provisions shall be paid by the applicant.

(c) Research reports: The appropriate subcode official may accept, as supporting data to assist in this determination, duly authenticated research reports from approved authoritative sources for all materials or assemblies proposed for use which are not specifically provided for in the regulations.

### **History**

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#### **HISTORY:**

Amended by R.1992 d.390, effective October 5, 1992.

See: 24 New Jersey Register 1844(a), 24 New Jersey Register 3515(b).

Reference to exception in 3.8 added.

Amended by R.2003 d.384, effective October 6, 2003.

See: [35 New Jersey Register 2422\(a\)](#), [35 New Jersey Register 4712\(a\)](#).

Rewrote (a).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.8](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.8 Products violating the Code**

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- (a) The Department shall, after public hearing and in accordance with the Administrative Procedure Act (P.L. 1968, c.410, as amended), establish and distribute to all enforcing agencies a list of items, devices and materials the regular and intended use of which would violate any provision of the State Uniform Construction Code. A list of such items is set forth in (d) below.
- (b) Upon determining that any manufacturer or distributor in the State is selling or offering for retail sale any product on the list which does not have a regular and intended use that does not violate the Code, or any product which may have one or more such non-violative regular and intended use but which is being advertised or promoted for a use that does violate the Code, the Department or any enforcing agency having jurisdiction shall give written notice of the violation of N.J.S.A. 52:27D-138a(5) to such seller. Such notice shall forbid the further sale or offering for retail sale of such product within the State and shall specify a date and time by which such product shall be removed from display to customers.
- (c) Any person who, having received a notice of violation pursuant to this section, continues to sell or offer for retail sale products specified in such notice, shall be deemed to be knowingly selling or offering the product for sale in violation of the Code and shall be subject to penalty as provided by statute, in accordance with the procedures set forth in [N.J.A.C. 5:23-2.31](#).
- (d) The Commissioner has determined that the following materials and supplies are not in conformance with the State Uniform Construction Code:
1. Building materials and supplies:
    - i. Wood paneling being used as an interior finish not in conformance with section 803.1 of the building subcode. This section specifies that finish shall be classified in accordance with ASTM E84;
    - ii. Carpeting used as an interior floor finish material not in conformance with section 804 of the building subcode. This section specifies that interior floor finish shall be classified in accordance with ASTM E648; and
  2. Electrical materials/supplies:
    - i. As stated in the National Electrical Code (sections 90.7, 110.2, and 110.3 and Article 100), only products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM), or Canadian Standards Association (CSA), etc. Markings applied to products by such testing laboratories shall indicate the approval is based on applicable US standards.
  3. Plumbing materials/supplies:
    - i. All purpose solvent cement, except transition glues permitted in the plumbing subcode;
    - ii. Clear PB piping;
    - iii. Flexible traps and tailpieces;

- iv. Sheet and tubular copper and brass trap and tailpiece fittings less than B & S 17 gauge (.045 in.);
  - v. Water closets requiring in excess of an average of 1.6 gallons per flush, that either have a manufacturer's date stamp of July 1, 1991 or later or were not purchased by the distributor prior to July 1, 1991;
  - vi. Plumbing fixtures that do not meet the standards listed in the plumbing subcode.
4. Miscellaneous materials and supplies:
- i. Portable unvented natural gas, liquified petroleum gas and kerosene heaters when offered for sale for use in buildings for human occupancy, unless they are tested, listed, labeled and certified by a nationally recognized testing laboratory such as the American Gas Association Laboratories (AGA), Underwriters Laboratories. Inc. (UL) or Factory Mutual (FM);
  - ii. Urea formaldehyde foam insulation, unless offered for sale for use elsewhere than in buildings.

## History

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### HISTORY:

R.1983 d.296, effective August 1, 1983.

See: 15 N.J.R. 587(a), 15 N.J.R. 1247(a).

Amended by R.1985 d.38, effective February 19, 1985.

See: 16 N.J.R. 3074(a), 17 N.J.R. 421(a).

(d) added.

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

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

(d)1i and ii: 904.2 was 1404.2; 904.3 was 1404.3.

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.1992 d.47, effective February 3, 1992.

See: 23 N.J.R. 3602(a), 24 N.J.R. 405(a).

Low volume water closet exception added at (d)4iii.

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.1997 d.508, effective December 1, 1997.

See: [29 N.J.R. 3762\(a\)](#), [29 N.J.R. 5062\(a\)](#).

In (d)2i, added reference to CSA/NRTL standards; in (d)3i, added the exception for transition glues; and inserted (d)3vi.

Recodified from N.J.A.C. 5:23-3.8A by R.2003 d.384, effective October 6, 2003.

See: [35 N.J.R. 2422\(a\)](#), [35 N.J.R. 4712\(a\)](#).

## N.J.A.C. 5:23-3.8

Former [N.J.A.C. 5:23-3.8](#), Department approval of nonconforming materials, repealed.

Amended by R.2007 d.310, effective October 1, 2007.

See: [39 N.J.R. 135\(a\)](#), [39 N.J.R. 4113\(b\)](#).

In (d)2i, updated the National Electrical Code references, deleted "/Nationally Recognized Testing Laboratory" following "Canadian Standards Association" and "/NRTL" following "CSA", and inserted the last sentence.

Amended by R.2018 d.021, effective January 16, 2018.

See: [49 N.J.R. 306\(a\)](#), [50 N.J.R. 303\(a\)](#).

In (d)1i, substituted "803.1" for "803.2"; and in (d)1ii, substituted "804" for "805.2".

Annotations

## Notes

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## [N.J.A.C. 5:23-3.9](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.9 Interpretations and opinions**

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(a) Whenever the Commissioner shall, in accordance with applicable provisions of the Administrative Procedure Act, make any rule constituting an interpretation of any provision of the regulations, such shall be binding provided, however, that such interpretations shall be prospective in nature. Such interpretations shall not alter the ruling of a subcode official already rendered in a specific instance relating to a specific permit or structure. Requests for interpretations shall be in the form, and submitted in accordance with the procedure, set forth in N.J.A.C. 5:2-2.

(b) In response to a written inquiry or request setting forth a specific factual situation, or upon its own initiative, the Construction Code Element may issue a formal technical opinion to clarify provisions of the adopted subcodes. Such formal technical opinion shall be signed by the Assistant Director of the Element and shall be binding upon the Element and upon other code enforcement agencies and licensed officials. Formal technical opinions shall be prospective in nature, shall be based upon adopted subcodes or upon authoritative test results or standards incorporated by reference into an adopted subcode and shall not alter the ruling of a licensed official already rendered in a specific instance relating to a specific permit or structure, except that any such formal technical opinion may be considered in the context of an appeal from any such ruling.

(c) The Construction Code Element may issue bulletins to provide advice to code enforcing agencies, builders, and designers. Bulletins may be issued when the Element finds that an issue that is in need of clarification is adequately dealt with by existing rules and that rulemaking is therefore not appropriate or necessary. Consultation with the Code Advisory Board shall be required prior to the issuance of any bulletin.

(d) In response to a written or oral inquiry or request setting forth a specific factual situation, a staff member of the Construction Code Element may issue an informal opinion as to the proper application of the regulations if the issue is one with which he has authority to deal. Such informal opinion shall only be in writing if it is issued in response to a written inquiry or request and shall not be binding upon the Element or any other party.

### **History**

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#### **HISTORY:**

Amended by R.1981 d.454, effective December 7, 1981.

See: 13 New Jersey Register 561(a), 13 New Jersey Register 886(a).

Section substantially amended.

Administrative Correction: Name change.

See: 22 New Jersey Register 2503(b).

Amended by R.1995 d.340, effective June 19, 1995.



See: 27 New Jersey Register 1512(a), 27 New Jersey Register 2388(a).

Redesignated (c) as (d) and added a new (c).

Administrative correction.

See: [31 New Jersey Register 4259\(a\)](#).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.10](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.10 (Reserved)**

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### **History**

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#### **HISTORY:**

Amended by R.1987 d.509, effective December 7, 1987.

See: 19 New Jersey Register 1264(a), 19 New Jersey Register 2270(a).

Substantially amended.

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

See: 22 New Jersey Register 2208(a), 22 New Jersey Register 3214(a).

Text conformed to BOCA National Code/1990.

Recodified to 5:23-4.3A by R.1992 d.272, effective July 6, 1992.

See: 24 New Jersey Register 1446(a), 24 New Jersey Register 2424(a).

Section was "Enforcing agency classification".

Annotations

### **Notes**

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#### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.11](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

#### **§ 5:23-3.11 Enforcement activities reserved to the Department**

(a) Except as otherwise provided at [N.J.A.C. 5:23-3.11A\(b\)](#), the Department of Community Affairs shall be the sole plan review agency for the following structures, plans, and equipment:

1. Electrical generating stations, including nuclear;
2. Incineration plants;
3. Solid waste disposal plants;
4. Class 1 and Class 2 structures where required in accordance with [N.J.A.C. 5:23-4.3A](#) and [4.24\(b\)2](#);
5. Casino hotels;
6. Public mausoleums, vaults, crypts and other structures intended to hold or contain human remains;
7. All premanufactured systems for Class 1 and Class 2 structures, other than those authorized to be approved by an inplant inspection agency licensed to perform Class 1 and Class 2 plan review as provided in [N.J.A.C. 5:23-4A.7](#), and all on-site installation of Class 1 and Class 2 premanufactured construction within the jurisdiction of a local enforcing agency that is not a Class 1 or Class 2 agency, as the case may be.
8. Health care facilities, as defined at [N.J.A.C. 5:23-1.4](#);
9. Public school facilities, as defined in [N.J.A.C. 5:23-1.4](#);
10. Prototype plans intended for use in more than one municipality;
11. High level alarm systems in terminals, as defined in [N.J.S.A. 52:27D-214](#); and
12. Stadiums, arenas and theaters with an occupant load of 5,000 or greater.

(b) The Department of Community Affairs shall be the sole plan review agency for elevators, escalators, and moving walks in structures of Groups other than R-2, R-3, R-4, or R-5 in which the elevator devices are wholly within dwelling units and not accessible to the general public, in all buildings and structures other than those that:

1. Are in a municipality that has an elevator subcode official; and
2. Are otherwise within the plan review jurisdiction of the local enforcing agency.

(c) A permit shall not be issued until the required plans for the building or structure have been released by the department. The Department shall insure that the municipal enforcing agency receives a copy of the released plans.

1. Exception: In the case of a permit application based upon prototype plans released by the Department, it shall be the responsibility of the applicant to submit the items listed at [N.J.A.C. 5:23-2.15\(f\)2ii](#), including a reference set of plans, the prototype file identification number, the plan number and date of the released prototype plan, to the municipal enforcing agency.

- (d) The department may perform field inspections for any of the above projects when it deems such activity appropriate. However, such action shall not relieve the municipality of the obligation to perform field inspections for any project for which the municipality has granted a permit.
- (e) Whenever the department shall determine that there exists a violation of these regulations, it shall take appropriate action and shall provide the municipality with copies of all notices, orders, and other applicable information. The department and any municipality may consolidate or take other steps to expedite any matter of which they jointly complain, but in no event shall the owner of any building subject to the act be sanctioned twice for the same violations.
- (f) In any case where the department shall notify a municipality that a violation exists, no certificate of occupancy may issue until the department notifies the municipality that the violation has been abated.
- (g) The Department of Community Affairs shall be the sole agency for the enforcement of the Barrier Free Recreation Standards ([N.J.A.C. 5:23-7.15](#) through [7.31](#)). Any complaint of noncompliance with these rules shall be forwarded to the Department.
- (h) The Department of Community Affairs shall be the sole agency having authority to grant variations from the requirements of the Asbestos Hazard Abatement Subcode, pursuant to [N.J.A.C. 5:23-8.4](#).
- (i) The Department of Community Affairs shall be the sole agency for the enforcement of the Playground Safety Subcode (N.J.A.C. 5:23-11) with regard to all matters not within the scope of a construction permit issued by a local enforcing agency; provided, however, that this subsection shall not be construed as prohibiting the Department of Education from including review of compliance with applicable playground requirements in its ongoing district monitoring process.
- (j) The Department shall be the sole enforcing agency for the following work:
1. Amusement rides and any portable generator and associated portable distribution wiring that serves portable amusement rides, portable concessions, portable ticket booths, and other portable structures that are ancillary in nature at carnivals and fairs;
  2. Ski lifts;
  3. Billboards located on land owned or controlled by any State, county or local department, agency, board, commission, authority, or instrumentality; and
  4. Liquefied petroleum gas installations, except vapor delivery installations utilizing containers with an aggregate water capacity of 2,000 gallons or less, which jurisdiction is retained by the municipal enforcing agency.
- (k) The Department shall be the sole enforcing agency for Cooperative Sober Living Residences licensed as Class F rooming houses pursuant to [N.J.A.C. 5:27](#).

## History

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### HISTORY:

Amended by R.1981 d.455, effective December 7, 1981.

See: 13 N.J.R. 561(b), 13 N.J.R. 886(b).

Correction: Codification error and (a)6 was missing.

See: 16 N.J.R. 1621(a).

Administrative Change: This section has been divided into 3.11 and 3.11A administratively.

See: 18 N.J.R. 1842(a).

Amended by R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Added (f).

Amended by R.1990 d.313, effective June 18, 1990.

See: 22 N.J.R. 691(a), 22 N.J.R. 1915(b).

Industrialized/modular buildings requirements added to (a)7.

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.325, effective July 1, 1991.

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

Enforcement of elevator, moving walk and escalator requirements for other than R-3 and R-4 reserved to Department.

Amended by R.1992 d.147, effective April 6, 1992.

See: 24 N.J.R. 170(a), 24 N.J.R. 1397(a).

Elevators wholly within R-2 residences exempt.

Amended by R.1992 d.183, effective April 20, 1992.

See: 24 N.J.R. 167(a), 24 N.J.R. 1475(b).

Enforcement of public employees' indoor air quality subcode assigned to DCA.

Amended by R.1994 d.28, effective January 18, 1994.

See: 25 N.J.R. 4546(b), 26 N.J.R. 352(a).

Amended by R.1994 d.96, effective February 22, 1994.

See: 26 N.J.R. 1073(a).

Amended by R.1997 d.377, effective September 15, 1997.

See: [29 N.J.R. 2741\(b\)](#), [29 N.J.R. 4102\(b\)](#).

In (g), amended N.J.A.C. references; deleted (g)1; and substantially amended (h).

Amended by R.1997 d.417, effective October 6, 1997.

See: [29 N.J.R. 3387\(a\)](#), [29 N.J.R. 4285\(a\)](#).

In (a), inserted "Except as otherwise provided ... and (d),"; added (a)8 and 9; and in (g), amended N.J.A.C. references.

Amended by R.1999 d.351, effective October 18, 1999.

See: [31 N.J.R. 1838\(a\)](#), [31 N.J.R. 3082\(a\)](#).

Added (i).

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), changed N.J.A.C. reference; and added (j).

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

See: [33 N.J.R. 392\(a\)](#), [33 N.J.R. 1195\(a\)](#).

In (g), amended the N.J.A.C. reference.

Amended by R.2001 d.141, effective May 7, 2001.

See: [32 N.J.R. 3917\(a\)](#), [33 N.J.R. 746\(a\)](#), [33 N.J.R. 1399\(d\)](#).

In (j)6, inserted "or vapor delivery installations utilizing containers with an aggregate water capacity of 2,000 gallons or less," following "(building subcode Use Group R-3/R-4)".

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (b), substituted "moving walks in structures of Groups other than R-2, R-3, R-4, or R-5" for "moving walks in Use Groups R-3, R-4, or R-2 structures" preceding "in which the elevator devices are wholly within dwelling units".

Amended by R.2004 d.144, effective April 5, 2004.

See: [35 N.J.R. 4944\(a\)](#), [36 N.J.R. 1753\(a\)](#).

Added (a)10; in (c), substituted "released" for "approved" following "enforcing agency receives a copy of the" and added 1.

Administrative correction.

See: [36 N.J.R. 1757\(a\)](#).

Amended by R.2004 d.260, effective July 6, 2004.

See: [35 N.J.R. 3474\(b\)](#), [36 N.J.R. 3274\(a\)](#).

In (j), rewrote 3, deleted former 4 and 5, and recodified former 6 as 4.

Amended by R.2004 d.291, effective August 2, 2004.

See: [36 N.J.R. 1858\(a\)](#), [36 N.J.R. 3525\(b\)](#).

In j(4), deleted, "one- and two-family residential (building subcode Use Groups R-3 and R-5) or" preceding "vapor delivery".

Amended by R.2005 d.446, effective December 19, 2005.

See: [37 N.J.R. 2747\(a\)](#), [37 N.J.R. 4907\(a\)](#).

In (a), added ", plans and equipment" to the introductory paragraph and added (a)11.

Administrative correction.

See: [38 N.J.R. 3024\(a\)](#).

Administrative correction.

See: [39 N.J.R. 4571\(a\)](#).

Amended by R.2010 d.291, effective December 20, 2010.

See: [42 N.J.R. 1943\(a\)](#), [42 N.J.R. 3053\(a\)](#).

In (a)10, deleted "and" from the end; in (a)11, substituted "; and" for a period at the end; and added (a)12.

Amended by R.2012 d.179, effective November 5, 2012.

See: [44 N.J.R. 1679\(a\)](#), [44 N.J.R. 2557\(a\)](#).

Rewrote (j)1.

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In (a)4 and (a)7, substituted "Class 1" for "Class I" and "Class 2" for "Class II" throughout; and in (a)4, deleted "[N.J.A.C. 5:23](#)-" preceding "4.24(b)2".

Amended by R.2015 d.029, effective February 17, 2015.

See: [46 N.J.R. 1507\(a\)](#), [47 N.J.R. 459\(a\)](#).

In (a)8, inserted ", and residential health care facilities licensed pursuant to [N.J.A.C. 5:27A](#)".

Amended by R.2018 d.060, effective January 16, 2018.

See: [49 N.J.R. 1276\(a\)](#), [50 N.J.R. 310\(a\)](#).

Added (k).

Administrative correction, effective October 5, 2020.

See: [52 N.J.R. 1822\(a\)](#).

Amended by R.2020 d.130, effective December 7, 2020.

See: [52 N.J.R. 835\(a\)](#), [52 N.J.R. 2097\(a\)](#).

In the introductory paragraph of (a) and (a)8, substituted "at" for "in"; in (a)1, deleted "and substations" following "stations"; and in (a)8, deleted ", and residential health care facilities licensed pursuant to [N.J.A.C. 5:27A](#);" from the end.

Annotations

## Notes

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[Chapter Notes](#)

## Case Notes

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Delaware River Port Authority was not subject to Construction Code or anti-discrimination laws. [Eastern Paralyzed Veterans Ass'n, Inc. v. City of Camden, 111 N.J. 389, 545 A.2d 127 \(1988\)](#).

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## [N.J.A.C. 5:23-3.11A](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.11A Public school facility plan review and inspections; Uniform Construction Code enhancements in public school facilities**

---

**(a)** Plan review shall be performed by the Department of Community Affairs. A Department of Education approval shall be submitted prior to the release of plans for projects subject to the Department of Education review pursuant to N.J.A.C. 6A:26-3.

1. Plan review for the construction of a new school shall always be the responsibility of the Department. For projects other than the construction of a new school, the local enforcing agency may review the plans in accordance with (b) below.

**(b)** In lieu of obtaining construction code plan review and release from the Department of Community Affairs, a school district may secure construction code plan review and release from a municipal code enforcing agency, pursuant to P.L. 1990, c.23.

1. The municipal code enforcing agency providing construction code plan approval must agree to perform the review and must be appropriately classified for the proposed project in accordance with this chapter.

i. The municipal code enforcing agency in the municipality where the proposed project is to take place shall be given the right of first refusal to review the plans provided that the agency is appropriately classified for the proposed project in accordance with this chapter.

2. The municipal code enforcing agency performing the construction code plan review may require the payment of any municipal plan review fees.

3. No construction permit shall be issued for a public school facility unless and until the final plans and specifications have been released by the Department or an appropriately classified municipal code enforcing agency.

4. The municipal code enforcing agency within the jurisdiction in which the facility is located shall be responsible for construction permit issuance, construction inspection and certificate of occupancy issuance.

5. Amendments to released plans and specifications for reasons other than educational adequacy shall be submitted for review and release to the Department or the municipal code enforcing agency, whichever originally released the plans.

6. Release of the plans by the Department or the municipal code enforcing agency, as the case may be, shall not preclude the enforcing agency doing the inspection from issuing a stop work order in the event of a violation of the code. The enforcing agency doing the inspection shall not, however, issue a stop work order based on its disagreement with the released plans unless the agency that released the plans, be it the Department or another local enforcing agency, agrees that the issuance of such an order is appropriate. In the event that the enforcing agency doing the inspection believes there to be an error in the plans, that enforcing agency shall give prompt notice of the error that is believed to exist to the Department or the municipal agency that reviewed the plans, as the case may be.



(c) The Department or the municipal code enforcing agency providing construction code plan release or inspection shall be responsible for enforcing the following Uniform Construction Code enhancements in public school facilities:

1. Each instructional space and room of assembly which is illuminated with the use of high intensity discharge (HID) sources, such as mercury vapor, high pressure sodium and metal halide lamps, shall also be provided with a second source of illumination to provide illumination instantly upon activation of the circuit. All high intensity discharge (HID) lamps shall be of the fail-safe type which will permanently extinguish within 15 minutes after the outer glass of the bulb is broken. All lamps shall be provided with a glass or plastic lens to protect the bulb.
2. All school buildings shall be equipped with a mechanical air supply and exhaust ventilation system which will provide, during periods of occupancy, standard tempered outdoor air supply and mechanical exhaust at the minimum rates set forth in the mechanical subcode.

(d) Pursuant to Reorganization Plan No. 114-1996, the Department or the municipal code enforcing agency shall have authority to enforce and cite violations of [N.J.A.C. 6A:26-6.3](#), [6.4](#), and [8.1](#).

## History

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### HISTORY:

Amended by R.1986 d.142, effective May 5, 1986.

See: 17 N.J.R. 1169(a), 18 N.J.R. 945(a).

New (a)7; old (a)7 through 9 renumbered (a)8.-10.

Administrative Change: This section was originally part of [N.J.A.C. 5:23-3.11](#).

See: 18 N.J.R. 1842(a).

Amended by R.1988 d.155, effective April 4, 1988.

See: 20 N.J.R. 824(d).

Added (d). This was amended by the rule adoption of the Department of Education published in the New Jersey Register at 20 N.J.R. 824(d).

Administrative Correction to (c).

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 P.L. 1990, c.23, qualified agencies may perform plan review of public school structures.

Amended by R.1991 d.309, effective June 17, 1991.

See: 23 N.J.R. 1084(a), 23 N.J.R. 1922(a).

Rule conformed to P.L. 1990 c. 23; text at (c) revised to specify type of project covered; BOCA cites updated; reference to [N.J.A.C. 6:22](#) added.

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.1997 d.417, effective October 6, 1997.

See: [29 N.J.R. 3387\(a\)](#), [29 N.J.R. 4285\(a\)](#).

Deleted (a); recodified former (b) through (e) as (a) through (d); in (b), Inserted "Prior to the release ... of projects,"; in (b)1 and 2, inserted "public" preceding "school buildings"; in (c)7, deleted option of inspecting agency requiring subsequent correction of any errors in the plans, inserted second sentence, and in third sentence amended notice provisions.

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), substituted "alarm" for "detection", changed BOCA reference and substituted a reference to (d)5ii for a reference to (e)5ii in 5, and changed BOCA in 6.

Amended by R.2000 d.166, effective April 17, 2000.

See: [31 N.J.R. 4151\(a\)](#), [32 N.J.R. 1376\(a\)](#).

Rewrote the section.

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)3, substituted "instructional spaces, the size of any such spaces" for "units" and substituted "such" for "instructional".

Administrative change.

See: [33 N.J.R. 4101\(a\)](#).

Amended by R.2004 d.68, effective February 17, 2004.

See: [35 N.J.R. 4630\(a\)](#), [36 N.J.R. 952\(a\)](#).

In (b), inserted "and approval by" following "upon notice to" and substituted "a" for "any" preceding "municipal code" in the introductory paragraph and added 1i; in (c), rewrote the introductory paragraph of 1, substituted a reference to the building subcode for a reference to BOCA/96 section 918.5 in 2 and substituted a reference to the mechanical subcode for a reference to the BOCA National Mechanical Code in 4.

Administrative correction.

See: [41 N.J.R. 2648\(a\)](#).

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

Rewrote the introductory paragraph of (a); deleted (a)1 through (a)5; deleted (c)1 through (c)2; recodified former (c)3 and (c)4 as (c)1 and (c)2; and in (d), substituted "6.3, 6.4, and 8.1" for "6.2".

Amended by R.2015 d.029, effective February 17, 2015.

See: [46 N.J.R. 1507\(a\)](#), [47 N.J.R. 459\(a\)](#).

Added (a)1; and in the introductory paragraph of (b), deleted ", upon notice to and approval by the Department," following "district".

Annotations

## Notes

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[\*Chapter Notes\*](#)

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## [N.J.A.C. 5:23-3.11B](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

### **§ 5:23-3.11B Underground storage tank systems**

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- (a) The installation, repair (other than "minor repair," as defined in [N.J.A.C. 7:14B-10.5](#)), and closure (or "demolition") of underground storage tank systems, as defined in [N.J.A.C. 7:14B-10.1](#), shall be controlled by the State Uniform Construction Code and by N.J.A.C. 7:14B-1 through 15.
- (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.

### **History**

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**HISTORY:**

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

See: 22 New Jersey Register 2629(c), 22 New Jersey Register 3482(d).

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

See: [29 New Jersey Register 2736\(a\)](#), [29 New Jersey Register 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 New Jersey Register 1377\(a\)](#), [30 New Jersey Register 2421\(b\)](#).

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

Annotations

**Notes**

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## [N.J.A.C. 5:23-3.12](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.12 Amended rules**

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

### **History**

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#### **HISTORY:**

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

See: [27 New Jersey Register 2827\(a\)](#), [27 New Jersey Register 3933\(a\)](#).

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

See: [32 New Jersey Register 2278\(a\)](#), [32 New Jersey Register 3783\(a\)](#).

Rewrote the section.

Annotations

### **Notes**

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[Chapter Notes](#)

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## [N.J.A.C. 5:23-3.13](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

### **§ 5:23-3.13 Code change proposals**

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(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.

## History

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### HISTORY

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).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.14](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

#### **§ 5:23-3.14 Building subcode**

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(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, 2018 International Building Code, known as the "IBC/2018." This code is hereby adopted by reference as the building subcode for New Jersey subject to the modifications stated in (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/2018, 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 appropriate plumbing subcode 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 "start of construction" shall be deleted.

**xxxviii.** 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.

**xxxix.** The definitions of the terms "substantial improvement" and "substantial damage" shall be deleted.

**xl.** 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<a,b,c,j>, the following shall be inserted as the fourth row of the table under "Material," "Storage<d>," "Use-Closed Systems<d>," and "Use-Open Systems<d>:"

Radioactive<j>	25 REM unsealed	100 REM sealed	25 REM
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## N.J.A.C. 5:23-3.14

source 100 REM  
sealed source

source

sealed source

- 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 308.3.2, 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".
- vii. 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.
- viii. Section 308.5.1, Classification as Group E, shall be deleted in its entirety.
- ix. 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"
- x. 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".
- xi. 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.

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

**xiii.** 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.

**xiv.** 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 407.4.4.1, Exit access through care suites, the first sentence shall be deleted.

**v.** 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.

**vi.** In Section 411.3, Automatic sprinklers, the exception shall be deleted in its entirety.

**vii.** 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.

**viii.** In Section 419.9, 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.

**ix.** In Section 420, "I-2 Assisted Living," shall be inserted in the title. Additionally, 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".

**x.** 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.

**xi.** 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.

xii. 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 502.1, Address identification, 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 or V construction shall be limited to 20 feet in height above grade plane."

(3) 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) 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. In addition, under construction Type IV 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. 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. 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, 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. In addition, 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.
- (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 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. In addition, 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. 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. In addition, under construction Type IIB for Group R-1 S, "5" shall be deleted and "4" shall be inserted. Finally, under construction Type IIIB for Group R-1 S, "5" shall be deleted and "4" shall be inserted.
- (20) Under construction Type IB for Group R-2 S, "12" shall be deleted and "10" shall be inserted. In addition, under construction Type IIB for Group R-2 S, "5" shall be deleted and "4" shall be inserted. Finally, under construction Type IIIB for Group R-2 S, "5" shall be deleted and "4" 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. In addition, under construction Type IIIB for Group R-3 S, "5" shall be deleted and "4" 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.

**(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. 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. In Section 505.2.3, Openness, Exception 5 shall be deleted in its entirety.

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

**(1)** 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, VA, and VB for Group A-5 NS, S1, and SM, "UL" shall be deleted.

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

**(4)** Under construction Type VB 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.

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

vii. 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."

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

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

i. In Table 602, Fire Resistance Rating 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.

ii. 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 703.3, Methods for determining fire resistance, Item #5 is amended to delete "Section 104.11" and insert "[N.J.A.C. 5:23-3.7](#)" in its place.

ii. In Section 703.4, Automatic sprinklers, the last sentence shall be deleted.



## N.J.A.C. 5:23-3.14

- iii. In Section 705.2.3, Combustible Projections, in the exception, "and U" shall be deleted.
  - iv. 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.
  - 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 Barrier Assemblies or Horizontal Assemblies Between Fire Areas, the last row containing "U" and "1" shall be deleted.
  - ix. In Section 715.3, 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, exception 4, "Section 104.11" shall be deleted and "the administrative provisions of the Uniform Construction Code ( [N.J.A.C. 5:23](#) )" 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."
  - 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 903.2.6, 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."
  - viii. In Section 903.2.11.1, Stories without openings, ", of all buildings where the floor area exceeds 1,500 square feet (139.4 m<2>)" and" shall be deleted. Additionally, in Item #1, in the first sentence, "exterior stairway complying with Section 1009 or an outside ramp complying with

Section 1010" shall be deleted and "exterior exit stairway or ramp complying with Section 1027" shall be inserted.

**vix.** 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 the IBC/2018.

#### 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 the IBC/2018"

**x.** 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.

**xi.** 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.

**xii.** In Section 903.3.6, Hose threads, "ire code official" shall be deleted and "fire protection subcode official" shall be inserted.

**xiii.** 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."

**xiv.** In Section 903.4, Sprinkler system supervision and alarms, in exception 2, delete "in accordance with Section 903.3.8."

**xv.** In Section 903.4.1, Monitoring, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

**xvi.** 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.

**xvii.** In Section 904.2, Where permitted, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

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

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

**xx.** In Section 904.7, Foam systems, delete the last sentence.

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

**xxii.** In Section 904.9, Halon systems, delete the last sentence.

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

**xxiv.** 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.

**xxv.** 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 1 1/2-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 1 1/2-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.

**xxvi.** New Section 905.3.2 shall be inserted as follows:

**"905.3.2** Building area. In buildings exceeding 10,000 square feet (929 m<sup>2</sup>) 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.

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

**xxviii.** 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.

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

**xxx.** 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.

**xxxi.** 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 1/2-inch hose connection with valves and threads compatible with the connections used by the local fire department."

**xxxii.** 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.

**xxxiii.** In Section 905.11, Locking standpipe outlet caps, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

**xxxiv.** In Section 906.1, Where required, in the exception to Item #1, insert the following exception from the 2009 International Building Code: "3. 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.

**xxxv.** In Section 906.5, Conspicuous location, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

**xxxvi.** 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.

**xxxvii.** 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.

**xxxviii.** 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.

**xxxvix.** 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."

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

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

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

**xlii.** 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."

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

**xliv.** 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."

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

907.2.9A, Automatic smoke detection systems for 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*.

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

**xlvii.** In Section 907.5.1, Presignal feature, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

**xlviii.** Section 907.5.2.3.3 is deleted and the following language from the 2015 International Building Code is substituted:

**907.5.2.3.3** Group R-2. In Group R-2 occupancies required by Section 907 to have a fire alarm system, all dwelling units and sleeping units shall be provided with the capability to support visible alarm notification devices in accordance with Chapter 10 of ICC A117.1. Such capability shall be permitted to include the potential for future interconnection of the building fire alarm system with the unit smoke alarms, replacement of audible appliances with combination audible/visual appliances, or future extension of the existing wiring from the unit smoke alarm locations to required locations for visible appliances.

**xliv.** Section 907.6.6.2, Termination of monitoring service, shall be deleted.

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

- li. In Section 909.7, Airflow design method, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.
- lii. In Section 909.8, Exhaust method, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.
- liii. In Section 909.9, Design fire, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.
- liv. In Section 909.10, Equipment, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.
- lv. Section 909.12.1, Verification, in the exception, "building official" shall be deleted and "fire protection subcode official" shall be inserted.
- lvi. 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 chief" shall be deleted.
- lvii. 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.
- lviii. In Section 909.18.8.3.1, Report filing, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.
- lix. 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.
- lx. In Section 909.20.6.3, Acceptance and testing, "building official" shall be deleted and "fire protection subcode official" shall be inserted.
- lxi. Section 909.21, Elevator hoistway pressurization alternative, shall be deleted in its entirety.
- lxii. In Section 910.1, General, "or otherwise installed" shall be inserted after "this code" in the first line.
- lxiii. In Section 911.1.1, Location and access, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.
- lxiv. 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."
- lxv. 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."
- lxvi. 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."
- lxvii. 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.



**lxxviii.** 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.

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

**lxxx.** 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."

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

**lxxxii.** 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.

**lxxxiii.** 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.

**lxxxiv.** 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.

**lxxxv.** Section 912.4.3, Physical protection, shall be renumbered as 912.6.3.

**lxxxvi.** Section 912.5, Signs, shall be renumbered 912.7.

**lxxxvii.** 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.

**lxxxviii.** . 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."

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

**lxxx.** 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.

**lxxxiiii.** In Subsections 915.1.2 through 915.1.5, including the exceptions, the word "and" shall be deleted before "classrooms" and the words "or any other occupiable space(s)" shall be added following "classrooms." In addition, for subsection 915.1.4, exceptions 1 and 2.1, and subsection 915.1.5, exceptions 1 and 4, the word "or" shall be deleted before "classrooms" and the words "or any other occupiable space(s)" shall be added following "classrooms."

**lxxxv.** In Section 915.2, Locations, "by Section 915.1.1" shall be deleted.

**lxxxvi.** 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)."

**lxxxvi.** 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 1010.1.5, Exception 3; Section 1010.1.7, 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, 25th row, delete "swimming pools," "and pool," and "Decks"; in the second column, OCUPANT LOAD FACTOR, 25th row, delete "15 gross."

**v.** In Section 1004.5.1, Increased occupant load, "7 square feet (.65 m<2>)" shall be deleted and "5 square feet (.47 m<2>)" 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 Section 1006.3.3, Single exits, in condition 1, "common path of travel" shall be deleted and "exit access" shall be inserted.

**ix.** In Table 1006.3.3(1), Stories with one exit or access to one exit for R-2 occupancies, in the heading of the fourth column, "common path of travel" shall be deleted and "exit access" shall be inserted.

**x.** In Table 1006.3.3(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. Additionally, in the heading of the fourth column, "common path of travel" shall be deleted and "exit access" shall be inserted.

**xi.** Section 1008.2.3, Exit discharge, is deleted.

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

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

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

**xv.** In Section 1009.7.2, Separation, the exception shall be deleted.

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

**xvii.** In Section 1010.1.4.5, Security grilles, "In Groups B, F, M, and S" shall be deleted and "horizontal" shall be capitalized.

**xviii.** In Section 1010.1.5, 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.

**xix.** In Section 1010.1.7, 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.

- xx.** In Section 1010.1.9.1, Hardware, "locks" shall be deleted.
- xxi.** Section 1010.1.9.4, Locks and latches, shall be amended as follows: In Item 2, 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 7 shall be inserted as follows: "7. 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."
- xxii.** In Section 1010.1.10, Panic and fire exit hardware, in exception 1, "other than nightclubs" shall be inserted after "Group A occupancies." Additionally, in the second paragraph, "1,200" shall be deleted and "800" shall be inserted.
- xxiii.** 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.
- xxiv.** 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.
- xxv.** 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.
- xxvi.** In Section 1014.4, Continuity, Exception 4 shall be deleted.
- xxvii.** 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.
- xxviii.** In Section 1015.8, Window openings, "36 inches (95mm)" shall be deleted and "24 inches (610 mm)" shall be inserted.
- xxix.** Section 1020.1.1, Hoistway opening protection is deleted.
- xxx.** In Table 1020.1, Corridor Fire Resistance Rating, under the heading "Occupancy," "U" shall be deleted from the third row.
- xxxi.** In Section 1029.1.1, Bleachers, after "ICC 300", insert "Chapters 2, 3 and 4".
- xxxii.** At Section 1029.2, entitled "Assembly main exit", add the text "other than nightclubs," after "used for assembly purposes" at the beginning of the first and fourth sentences.
- xxxiii.** Add new section 1029.2.1 as follows:
- 1029.2.1** 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."
- xxxiv.** Section 1030.1, General, 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.

**xxxv.** Section 1030.5, Bars, grills, covers and screens; the last sentence shall be deleted.

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

**i.** 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."

**ii.** 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."

**iii.** 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.** The text at section 105.2, entitled "Documents," shall be amended as follows:

**1.1** In section 105.2.2.2, entitled "National Fire Alarm Code," delete "NFPA 72-2007" and insert "the edition of NFPA 72 adopted by reference in this subcode;"

**1.2** In section 105.2.3, entitled "Power Assist and Low Energy Power Operated Doors," delete "ANSI/BHMA A156.19-2007" and insert "the edition of ANSI/BHMA A156.19 adopted by reference in this subcode;"

**1.3** In section 105.2.4, entitled "Power Operated pedestrian Doors," delete "ANSI/BHMA A156.10" and insert "the edition of ANSI/BHMA A156.10 adopted by reference in this subcode;"

**1.4** In section 105.2.5, entitled "Safety Code for Elevators and escalators," delete "ASME/ANSI A17.1-2007/CSA B44-07" and insert "the edition of ASME/ANSI A17.1/CSA B44 adopted by reference in this subcode;"

**1.5** In section 105.2.6, entitled "Safety Standard for Platform Lifts and Stairway Chairlifts," delete "ASME/ANSI A18.1-2005" and insert "ASME/ANSI A18.1 adopted by reference in this subcode."

**2.** In section 106.5, delete the definition of "Administrative Authority";

**3.** Delete Chapter 2, "Scoping";

**4.** Section 410.2 shall be deleted in its entirety and the following language from the 2003 edition of ICC/ANSI A117.1-2003 shall be inserted:

**410.2** Lift Entry. Lifts with doors or gates shall comply with Section 410.2.1. Lifts with ramps shall comply with Section 410.2.2.

**410.2.1** Doors and Gates. Doors and gates shall be low energy power operated doors or gates complying with Section 404.3. Doors shall remain open for 20 seconds minimum. End door clear opening width shall be 32 inches (815 mm) minimum. Side door clear opening width shall be 42 inches (1065) minimum.

EXCEPTION: Lifts serving two landings maximum and having doors or gates on opposite sides shall be permitted to have self-closing manual doors or gates.

**410.2.2** Ramps. End ramps shall be 32 inches (815 mm) minimum in width. Side ramps shall be 42 inches (1065 mm) minimum in width.

5. In section 410.5.2, Lifts with Doors on Adjacent Sides, the Exception shall be amended to add the following phrase after the words "in existing buildings," "where technically infeasible to provide the door arrangement prescribed by 410.5.2."
6. Delete section 607.8, entitled "Water Temperature," in its entirety.
7. Delete section 608.8, entitled "Water Temperature," in its entirety.
8. In section 611, entitled "Washing Machines and Clothes Dryers," delete section 611.3, entitled "Operable parts," and section 611.4, entitled "Height."
9. 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.
10. Amend section 1002.3.1, entitled "Location," as follows:
  - 10.1 In the Exception, delete the word "unfinished" in two places.
11. In section 1002.15.2, 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.
12. Amend section 1003.3.1, 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."
13. In Section 1003.9, Operable parts, Exception 2 shall be deleted and the following shall be inserted: "Receptacle outlets provided in a kitchen above a length of countertop shall not be required to comply with Section 309."
14. Section 1003.10, Laundry equipment, shall be deleted in its entirety.
15. Section 1003.11.2.5.2, entitled "Shower," shall be amended as follows:
  - 15.1 In the first line, after the word "Exception," insert the number "1."
  - 15.2 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."
16. In section 1003.12.3.1, entitled "Clear Floor Space," delete Exception (a) in its entirety and insert in its place: "(a) the cabinetry can be removed or replaced as a unit,".
17. In section 1003.12.3.2, 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."
18. In section 1003.12.4.1, entitled "Clear Floor Space," delete Exception 2 (a) in its entirety and insert in its place: "(a) the cabinetry can be removed or replaced as a unit,".
19. In section 1003.12.4.2, 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."
20. In section 1003.12.5, entitled "Appliances," delete the following sections: section 1003.12.5.1, entitled "Operable parts"; section 1003.12.5.3, entitled "Dishwasher"; section 1003.12.5.4, entitled "Cooktop"; section 1003.12.5.5, entitled "Oven"; and section 1003.12.5.6, entitled "Refrigerator/Freezer."

21. Delete section 1004, entitled "Type B Units," in its entirety.
- iv. 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."
- v. In Section 1103.2.5, Construction sites, the following exception shall be inserted:
- "Exception: Construction site trailers used as sales offices shall be accessible."
- vi. 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.
- vii. 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**
- 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 1104.4.1.1-1104.4.1.4, 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 1109.7."

**viii.** 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."

**ix.** 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."

**x.** Section 1105.1.7, 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."

**xi.** In Section 1106.2, Groups I-1, R-1, R-2, R-3, and R-4, in item 1, "or Type B" shall be deleted and "or" shall be inserted between "Accessible" and "Type A." 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 1106.1." Lastly, item number 3 shall be deleted.

**xii.** In Section 1106.6, 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."

**xiii.** Insert Section 1106.8 as follows:

**"1106.8** 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

**1106.8.1** 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.

**1106.8.2** The penalty sign shall be centered and mounted at the head of each parking space."

**xiv.** In Section 1107.2, 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.

**xv.** In Section 1107.3, 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.

**xvi.** In Section 1107.4, 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 line, to delete the words "and Type B units" on the fourth and fifth lines, and to delete the words "and Type B units" on the sixth line. Exception 7 is deleted.

**xvii.** In Section 1107.5, Group I, "and Type B units" shall be deleted.

**xviii.** In Section 1107.5.1, Group I-1, "and Type B units" and "and 1107.5.1.2" shall be deleted.

**xix.** Section 1107.5.1.2, Type B units, shall be deleted in its entirety.

**xx.** In Section 1107.5.2, Group I-2 nursing homes, "and Type B units" and "and 1107.5.2.2" shall be deleted.

**xxi.** Section 1107.5.2.2, Type B Units, shall be deleted and in its place insert the following:

**"1107.5.2.2** Toilets used by residents. Toilets used by residents shall be provided sufficient clearance on both sides of the toilet to enable the physical access and maneuvering by staff members to assist the resident in wheelchair-to-toilet transfers and returns. Alternative grab bar configurations shall be permitted."

**xxii.** In Section 1107.5.3, Group I-2 hospitals, "and Type B units" and "and 1107.5.3.2" shall be deleted.

**xxiii.** Section 1107.5.3.2, Type B Units, shall be deleted in its entirety.



**xxiv.** Section 1107.5.5, Group I-3, shall be renumbered as Section 1107.5.6 and the following shall be inserted in its place:

**1107.5.5** 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.

**1107.5.5.1.** Dwelling units that are available for occupancy only for 30 or more consecutive days shall be required to comply with Section 1003 of ICC/ANSI A117.1.

**1107.5.5.2.** 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 1002 of ICC/ANSI A117.1 and shall include one full bathroom that complies with Section 1002 of ICC/ANSI A117.1 and, where a kitchen is provided, it shall comply with Section 1002 of ICC/ANSI A117.1.

**1107.5.5.3.** In dwelling units in an assisted living facility that are designated Group R-2 for the purposes of accessibility, the following may be adaptable:

**1107.5.5.3.1.** 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

**1107.5.5.3.2.** 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.

**xxv.** In Section 1107.6, 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."

**xxvi.** In Section 1107.6.1, Group R-1, "and Type B units" and "and 1107.6.1.2" shall be deleted.

**xxvii.** Section 1107.6.1.2, Type B units, shall be deleted in its entirety.

**xxviii.** In Section 1107.6.2, Group R-2, "and Type B units" shall be deleted and "and" shall be inserted between "Accessible units" and "Type A units."

**xxix.** In Section 1107.6.2.1, Live/work units, in the last sentence, "be a Type B unit" shall be deleted and "comply with Sections 1107.6.2.2 and 1107.7" shall be inserted. Additionally, the exception shall be deleted.

**xxx.** In Section 1107.6.2.2, Apartment houses, monasteries and convents, "Live/Work Units" shall be added before "Apartment" in the title, "and Type B units" and "and 1106.6.2.2.2" shall be deleted, and "Live/Work Units" shall be added before "Apartment" in the third line.

**xxxi.** Section 1107.6.2.2.1, Type A units, shall be deleted entirety and the following shall be inserted:

**"1107.6.2.2.1** 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 1107.7.

**xxxii.** Section 1107.6.2.2.2, Type B units, shall be deleted in its entirety.

**xxxiii.** In Section 1107.6.2.3, 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.

**xxxiv.** Section 1107.6.2.3.2, Type B units, shall be deleted in its entirety and the following shall be inserted:

**"1107.6.2.3.2** 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 1107.7.

**xxxv.** In Section 1107.6.3, 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.

**xxxvi.** In Section 1107.6.4, Group R-4, "Type B units" shall be deleted and "Type A units" inserted in its place.

**xxxvii.** Section 1107.6.4.2, Type B units, shall be retitled "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.

**xxxviii.** Insert new section 1107.6.5 as follows: "1107.6.5 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/ANSI 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."

**xxxix.** In Section 1107.7, General exceptions, "and Type B units" shall be deleted. Additionally, in the last line "1107.7.5" shall be deleted and "1107.7.3" inserted in its place.

**xl.** Section 1107.7.1, Structures without elevator service, 1107.7.1.1, One story with Type B units required, and 1107.7.1.2, Additional stories with Type B units, shall be deleted in their entirety.

**xli.** Section 1107.7.2, Multistory units, shall be renumbered as Section 1107.7.1. 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 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.

**xlii.** Section 1107.7.3, Elevator service to the lowest story with units, shall be deleted in its entirety.

**xliii.** Section 1107.7.4, Site impracticality, shall be renumbered as Section 1107.7.2 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.

**xliv.** Section 1107.7.5, Design flood elevation, shall be renumbered as Section 1107.7.3 and in the first sentence "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."

**xliv.** Section 1109.1, General, in the exception, "and Type B unit" shall be deleted and "and" shall be inserted between "Accessible unit" and "Type A unit."

**xlvi.** In Section 1109.2.3, Lavatories, the last sentence shall be deleted.

**xlvi.** In Section 1109.7, 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 1109.8, Lifts, Items #4, #6, and #10 shall be deleted.

**xlix.** In Section 1109.12.3, Point of sale and service counters, 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."
  - I. In Section 1110.2.2, Facilities serving Type A and Type B units in a single building, delete "and Type B" in the title and "or Type B units" in the first sentence.
  - II. In Section 1110.2.3, Facilities serving Type A and Type B units in multiple buildings, delete "and Type B" in the title and "or Type B units" in the first sentence.
  - III. Section 1110.4.8, Amusement rides, 1110.4.8.1, Load and unload areas, 1110.4.8.2, Wheelchair spaces, ride seats designed for transfer and transfer devices, and 1110.4.8.3, Minimum number shall be deleted in their entirety.
  - III. Section 1110.4.12, Miniature golf facilities, 1110.4.12.1, Minimum number, 1110.4.12.2, Miniature golf course configuration, and 1110.4.12.3, Accessible route shall be deleted in their entirety.

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- liv.** In section 1110.4.13, Swimming pools, wading pools, hot tubs, and spas, Exception 3 shall be deleted in its entirety.
- lv.** In Section 1110.4.14, Swimming pools, wading pools, hot tubs, and spas, Exception 3 shall be deleted in its entirety.
- lvi.** In Section 1111.1, 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 1111.3, Other signs, Item #7 shall be deleted in its entirety.
- lviii.** Insert new Section 1112, Variations, as follows:

**1112.1** 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.

**1112.2** Prohibited. In no case shall a complete waiver of these requirements be granted.

**1112.3** 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.** In Section 1207.2, Minimum ceiling heights, "7 feet 6 inches (2286mm)" shall be deleted and "7 feet (2134 mm)" shall be inserted in its place.
  - iii.** Section 1209.3, Privacy, shall be deleted in its 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, "Sections 1106 and 1108 of the International Plumbing Code" shall be deleted and "plumbing subcode, [N.J.A.C. 5:23-3.15](#)" shall be inserted.
  - ii.** In Section 1502.2, Secondary (emergency overflow) drains or scuppers, "Sections 1106 and 1108, as applicable 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 Section 1507.2.7, Ice barrier, "Where required," 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.

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- vi.** 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.
  - vii.** In Section 1507.5.4, Ice barrier, "Where required," 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.
  - viii.** 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.
  - ix.** In Section 1507.6.4, Ice barrier, "Where required," 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.
  - x.** In Section 1507.7.4, Ice barrier, "Where required" 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.
  - xi.** In Section 1507.8.4, Ice barrier, Where required 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.
  - xii.** 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.
  - xiii.** In Section 1507.9.4, Ice barrier, "Where required" 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.
  - xiv.** 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.
  - xv.** In Section 1507.17.4, Ice barrier, Where required," 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.
  - xvi.** In Section 1507.18.4.2, 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 Table 1607.1, Minimum Uniformly Distributed Live Loads and Minimum Concentrated Live Loads, at Note g, "building official" shall be deleted and "design professional" shall be inserted.
  - iii.** In Section 1607.7.5, 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.
  - iv.** Section 1607.11, 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.
  - v.** In Section 1611.1, Design rain load, the second sentence 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.
  - vi.** In Section 1611, Rain loads, Figure 1611.1, "100-year, 1-hour rainfall (inches)" shall be deleted.
  - vii.** In Section 1612.1, General, in the first sentence, "including substantial improvement and restoration of substantial damage to buildings and structures" shall be deleted.
  - viii.** In Section 1612.4, Flood hazard documentation, items 1.1 and 2.1, "Section 110.3.3" and "Section 110.3.11.1" 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 Section 1701.1, Scope, "shall apply to Class 1 buildings and smoke control systems in all buildings and" shall be inserted after "chapter."
- ii.** 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.
- iii.** In Section 1703.1.1, Independence, in the second sentence, "building official" shall be deleted and "construction official" shall be inserted.
- iv.** 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."
- v.** In Section 1703.3, Record of approval, in the first sentence, "building official" shall be deleted and "construction official" shall be inserted.
- vi.** In Section 1703.4, Performance, in the first sentence, "building official" shall be deleted and "construction official" shall be inserted.
- vii.** 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.
- viii.** 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.
- ix.** In Section 1703.6.2, Test and inspection records, in the first sentence, "building official" shall be deleted and "construction official" shall be inserted.
- x.** In Section 1704.2, Special inspections and tests, in the first sentence, "of Class 1 buildings only 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.
- xi.** In Section 1704.2.3, Statement of special inspections, "in accordance with Section 107.1" shall be deleted.
- xii.** In Section 1704.3, Statement of special inspections, "registered design professional" shall be deleted and "person" shall be inserted.
- xiii.** In Section 1704.4, Contractors responsibility, in the first sentence, "main - wind- or" shall be deleted. In addition, in the same sentence, "or a wind-" shall be deleted.
- xiv.** 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.
- xv.** Section 1704.6, Structural observations, shall be deleted in its entirety.
- xvi.** In Section 1705.2, Steel construction, "the on-site erection of" shall be inserted between "of" and "steel."
- xvii.** 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.
- xviii.** Section 1705.5, Wood construction, shall be deleted.

- xix.** Section 1705.11, Special inspection for wind resistance, shall be deleted.
- xx.** In Section 1705.12.1.1, Seismic force-resisting systems, "B and C," shall be deleted in reference to seismic design categories. Additionally, the exception shall be deleted.
- xxi.** In Section 1705.12.1.2, Structural steel elements, "B and C," shall be deleted in reference to seismic design categories. In addition, exception 1 shall be deleted.
- xxii.** In Section 1705.12.2, Structural wood, in the first sentence, "C," shall be deleted in reference to seismic design categories.
- xxiii.** In Section 1705.12.3, Cold-formed light-frame construction, in the first sentence, "C," shall be deleted in reference to seismic design categories.
- xxiv.** In Section 1705.12.4, Designated seismic systems, in the first sentence, "C," shall be deleted in reference to seismic design categories.
- xxv.** In Section 1705.12.6, Plumbing, Mechanical and Electrical Components, in items 1, 3, 4, 5, and 6, "C," shall be deleted in reference to seismic design categories.
- xxvi.** In Section 1705.12.8, Seismic isolation systems, in the first sentence of the first paragraph, "B" and "C," shall be deleted in reference to seismic design categories.
- xxvii.** Section 1705.13.1, Structural steel, shall be deleted.
- xxviii.** In Section 1705.13.2, Nonstructural components, in the first sentence, "B and C," shall be deleted in reference to seismic design categories.
- xxix.** In Section 1705.13.3, Designated seismic systems, in the first sentence, "C," shall be deleted in reference to seismic design categories.
- xxx.** In Section 1705.13.4, Seismic isolation systems, in the first sentence, "B and C," shall be deleted in reference to seismic design categories.
- 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 m<sup>2</sup>) 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:

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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 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.

vi. 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:



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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.

**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. In Section 3001.2, Emergency elevator communication systems for the hearing 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 3008.7, Elevator system monitoring, in the first sentence, "or a central control point approved by the fire department and" shall be deleted.
- xv.** In Section 3008.7.1, Elevator recall, in the first sentence, "or an alternate location approved by the fire department and" shall be deleted.
- xvi.** In Section 3008.6.6, Two-way communication system, in the first sentence, "or an alternate location approved by the fire department" 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.** Section 3109, Swimming Pool Enclosures and Safety Devices, shall be deleted in its entirety and the following shall be inserted:

**3109.1** General. The design and construction of pools, spas, hot tubs and enclosures shall comply with the International Swimming Pool and Spa Code listed in Chapter 35.

**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

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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, "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 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 305.4, Structure wall as a barrier, shall be deleted.

**3.4.3** 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, 316.4, Installation, and 316.6.1, Installation, "in accordance with Section 102.7.1" shall be deleted.

**3.9** 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.

**3.10** In Section 321.4, Residential pool and deck illumination, "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:

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- 4.1** In Section 410.1, Dressing and sanitary facilities, "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, "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, 606.5, Toilet tissue holder, 609.6, Lavatory mirror, 606.7, Sanitary napkin receptacles, 609.8, Sanitary napkin dispensers, and 609.9, Infant Care, shall be deleted.
- 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.
- 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 last sentence of Section 3309.1, Where required, "On construction sites," shall be inserted before "Structures."
- 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.** 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, Tsumani-Generated Flood Hazard, and Appendix N, Replicable Buildings, shall be deleted in their entirety.

## History

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### HISTORY:

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 "Exceptions 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 "stairway" 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; recodified former (b)18v through (b)18xi as (b)18vi through (b)18xii; rewrote (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)10xxxi; recodified former (b)9xlvii through (b)9liii as (b)9xlvii through (b)9liv; and recodified former (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 period 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 insertions.

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)10l, recodified former (b)10ii13 through (b)10ii20 as (b)10ii14 through (b)10ii21; rewrote (b)10vi and (b)10xxxviii; and recodified former (b)10l 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\(a\)](#).

Annotations

## Notes

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### [Chapter Notes](#)

## Case Notes

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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 \(A.D.1990\)](#).

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End of Document

## [N.J.A.C. 5:23-3.15](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

#### **§ 5:23-3.15 Plumbing subcode**

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(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 Plumbing Heating-Cooling Contractors--National Association, known as "The National Standard Plumbing Code/2018," 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/2018," including appendices, may be known and cited as "the plumbing subcode."
  - i. Comments and illustrations contained in this code are denoted with a border and are supplemental information and not part of this subcode. The note "Comments are presented with a shaded background similar to this note and are intended as supplemental information" shall be deleted from the first printing of the National Standard Plumbing Code/2018 in its entirety.

(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 "Definitions," 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 Jurisdiction" and insert the following: "Unless otherwise defined herein, or unless the context clearly indicates otherwise, the term "authority having jurisdiction" for purposes of the plumbing subcode, shall mean the "plumbing subcode official."
  - iv. In the definition of "Building Classification" delete "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, typically" 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 entirety.
  - ii. In Section 2.9.3, From Weakened Structure, delete "building code" and insert "building subcode."
  - iii. In Section 2.11, Materials Exposed Within Plenums, "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. Additionally, 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 installed 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 delete 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 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.
    - 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:

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- 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[degrees]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[degrees]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 dwellings" 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 and third sentences.
- 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 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/APSP/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.

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:



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- (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: "APSP--The Association of Pool and Spa Professionals, 2110 Eisenhower Avenue, 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 of the plumbing subcode, entitled "Green Plumbing and Mechanical Code Supplement," shall be deleted in its entirety.

(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.

## History

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### HISTORY:

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)1i 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.

Annotations

## Notes

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[Chapter Notes](#)

## Case Notes

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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 \(A.D.1992\).](#)

NEW JERSEY ADMINISTRATIVE CODE

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End of Document

## [N.J.A.C. 5:23-3.16](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

#### **§ 5:23-3.16 Electrical subcode**

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(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 2017" 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 2017 may be known and cited as "the electrical subcode."
  - i. Codes and standards referenced in the Informational Notes of the electrical subcode (NEC 2017) 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 210.8(A)(2) and (5) of Article 210, entitled Branch Circuits, is deleted; it is replaced by Section 210.8(A)(2) and (5) and the exceptions in the National Electrical Code 2005 as follows:
    - "210.8(A)(2) - Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.
      - Exception No. 1 to (2) - Receptacles that are not readily accessible.
      - Exception No. 2 to (2) - A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)7, or (A)(8).
        - Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).
      - 210.8(A)(5) - Unfinished basements: For purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.
        - Exception No. 1 to (5) - Receptacles that are not readily accessible.
        - Exception No. 2 to (5) - A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)7, or (A)(8).
        - Exception No. 3 to (5) - A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.
          - Receptacles installed under the exceptions to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G)."
    - ii. 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 (1 1/4 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 425.9, entitled "Approval," is deleted.

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- (4) Section 425.10, entitled "Special Permission," is deleted.
  - (5) Section 425.12, entitled "Locations," including subsections (A) and (B) are deleted.
  - (6) Section 425.13, entitled "Spacing from Combustible Material," is deleted.
  - (7) Section 425.14, entitled "Infrared Lamp Industrial Process Heating Equipment," is deleted.
  - (8) Section 425.22(B), entitled "Resistance Elements," is deleted.
  - (9) Section 425.22(C), entitled "Overcurrent Devices," is deleted.
  - (10) Section 425.29, entitled "Heating Elements," is deleted.
  - (11) Section 425.45, entitled "Concealed Fixed Industrial Heating Equipment," is deleted.
  - (12) Sections 425.57 through 425.64 are deleted.
  - (13) Section 425.71, entitled "Identification," is deleted.
  - (14) Subsections (A)-(E) of Section 425.72 are deleted.
  - (15) Section 425.81, entitled "Identification," is deleted.
  - (16) Section 425.83, entitled "Overtemperature Limit Control," is deleted.
  - (17) 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 A17.1-2013/CSA B44-13" deleted and "ASME A17.1-2016/CSA B44-16" shall be inserted in its place;
  - ii. In Section 620.23(C), Duplex Receptacle, the Informational Note shall have "ASME A17.1-2013/CSA B44-13" deleted and "ASME A17.1-2016/CSA B44-16" shall be inserted in its place;
  - iii. In Section 620.24(C), Duplex Receptacle, the Informational Note shall have "A17.1-2013/CSA B44-13" deleted and "ASME A17.1-2016/CSA B44-16" shall be inserted in its place;
  - iv. In Section 620.51(A), Type, the Informational Note shall have "A17.1-2013/CSA B44-13" deleted and "ASME A17.1-2016/CSA B44-16" shall be inserted in its place;
  - v. In Section 620.91, Emergency and Standby Power Systems, the Informational Note shall have "A17.1-2013/CSA B44-13" deleted and "ASME A17.1-2016/CSA B44-16" shall be inserted in its place; and
  - 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 800.156, 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.

## History

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### HISTORY:

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.

Annotations

## Notes

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[Chapter Notes](#)

## Case Notes

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N.J.A.C. 5:23-3.16

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.

NEW JERSEY ADMINISTRATIVE CODE

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End of Document

## [N.J.A.C. 5:23-3.17](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

#### **§ 5:23-3.17 Fire protection subcode**

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(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 in [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 7--Fire and Smoke Protection Features;
- (4) Chapter 8--Interior Finishes;
- (5) Chapter 9--Fire Protection Systems and [N.J.A.C. 5:23-3.5\(d\)](#) entitled "Posted Hydraulic System Data Plate";
- (6) Chapter 10--Means of Egress;
- (7) Sections 2111 through 2113 of Chapter 21--Masonry;
- (8) Sections 2603 through 2613 of Chapter 26--Plastic;
- (9) Section 3104 of Chapter 31--Special Construction;
- (10) 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;

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- (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. Chapters 3, 10, 13, 14, 15, 16, 18, 22, 23, 24, and 29.

- (1) Sections R300, R302, R309.5, R310 through R316, R319 and R325 of Chapter 3--Building Planning;
- (2) Sections R1001 through R1006 of Chapter 10--Chimneys and Fireplaces;
- (3) Sections M1303, M1304, M1306, and M1307 of Chapter 13--General Mechanical System Requirements;
- (4) Sections M1408 through M1410, M1414, and M1415 of Chapter 14--Heating and Cooling Equipment and Appliances;
- (5) Sections M1501 through M1506 of Chapter 15--Exhaust Systems;
- (6) Sections M1601.1.1 and M1601.2 through M1601.6 of Chapter 16--Duct Systems;
- (7) Sections M1801 through M1805 of Chapter 18--Chimneys and Vents;
- (8) Sections M1901, M1903, and M1904 of Chapter 19--Special Appliances, Equipment and Systems;
- (9) Section M2201 of Chapter 22--Special Piping and Storage Systems;
- (10) Section M2301.4 of Chapter 23--Solar Thermal Energy Systems;
- (11) Sections G2404.3, G2408, G2409, G2425.1 through G2425.3, G2427.5.1 through G2427.5.3, G2427.5.6, G2427.5.8, G2427.6 through G2427.8, G2427.10.5, G2427.10.12, and G2427.10.13 of Chapter 24--Fuel Gas; and
- (12) Sections P2904.1, P2904.2.2, P2904.2.4, P2904.2.6, P2904.3.4, P2904.5 through P2904.7, P2904.8.1 #1-6, and P2904.8.2 #1-3 of Chapter 29--Water supply and Distribution.

2. The model code portions listed above may be known as "the fire protection subcode."

## History

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### HISTORY:

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)iv, 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.

Annotations

## Notes

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[Chapter Notes](#)

## Case Notes

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Zoning ordinance's definition of family violated [Constitution. Cherry Hill Tp. v. Oxford House, Inc., 263 N.J.Super. 25, 621 A.2d 952 \(A.D.1993\)](#).

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## [N.J.A.C. 5:23-3.18](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

#### **§ 5:23-3.18 Energy Subcode**

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(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/2018 (IECC/2018), as the energy subcode for New Jersey.

i. Copies of the IECC/2018 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 Administration, 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. Sections C103, Construction Documents, C104, Fees, C105, Inspections, and C106, Validity, Section C107.3, Other laws, C108, Stop Work Order, and C109, 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, Climate Zones, shall be deleted.

4. Chapter 4, Commercial Energy Efficiency, shall be amended as follows:

i. At Section C401.1, Scope, the text shall be deleted and replaced with the following: "The requirements contained in this chapter shall be applicable to commercial buildings, or portions thereof. These commercial buildings shall meet the ASHRAE Standard 90.1, Energy Standard for Buildings Except for Low-Rise Residential Buildings."

ii. Section C401.2, Application, shall be deleted and replaced with C401.2 Amendments. The following amendments shall apply to ASHRAE 90.1:

1. Chapter 8, Power, shall be considered optional.

iii. Section C401.2.1, Application to replacement fenestration products, 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,

## N.J.A.C. 5:23-3.18

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-18, International Plumbing Code" shall be deleted and "NSPC-18, National Standard Plumbing Code" shall be inserted. In addition, at the bottom of the ICC table, "\*\*\*NSPC-18 is non-ICC and is published by the National Association of Plumbing-Heating-Cooling Contractors" shall be inserted.
7. Appendix CA, Solar-Ready Zone--Commercial, is deleted.

(c) The following chapters and sections of the residential provisions of the energy subcode are amended as follows:

1. Chapter 1, Scope and Administration, 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. Sections R103, Construction Documents, R104, Fees, R105, Inspections, and R106, Validity, Section R107.3, Other laws, R108, Stop Work Order, and R109, 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. In Section R402.4.1, Building thermal envelope, the "and" between R402.4.1.1 and R402.4.1.2 shall be deleted and "or" shall be inserted in its place.
  - ii. Section R403.2, Hot water boiler outdoor temperature setback, shall be deleted.
  - iii. In Section R403.7, Equipment sizing and efficiency rating (Mandatory), "or replacement" shall be deleted in the second sentence.
  - iv. 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".
5. Chapter 5, Existing Buildings, shall be deleted.
6. Chapter 6, Referenced Standards, shall be amended as follows:
- i. In the ICC table, "IPC-18, International Plumbing Code" shall be deleted and "NSPC-18, National Standard Plumbing Code" shall be inserted. In addition, at the bottom of the ICC table, "\*\*\*NSPC-18 is non-ICC and is published by the National Association of Plumbing-Heating-Cooling Contractors" shall be inserted.
7. Appendix RA, Solar-Ready Provisions--Detached One- and Two-Family Dwellings, Multiple Single-Family Dwellings (Townhouses), is deleted.

## History

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### HISTORY:

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\(b\)](#).

Annotations

## Notes

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## Case Notes

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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 \(A.D.1988\)](#).

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## [N.J.A.C. 5:23-3.19](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.19 (Reserved)**

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### **History**

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#### **HISTORY:**

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".

Annotations

### **Notes**

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[Chapter Notes](#)

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## [N.J.A.C. 5:23-3.20](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

#### **§ 5:23-3.20 Mechanical subcode**

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(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/2018. This code is hereby adopted by reference as the Mechanical Subcode for the State of New Jersey subject to the modifications in (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/2018 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/2018 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.

## N.J.A.C. 5:23-3.20

- 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.
  - 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."



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- 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, 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--15, 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.

## History

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### HISTORY:

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.

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.20A](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

### **§ 5:23-3.20A (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule R.1992 d.183, effective April 20, 1992.

See: 24 New Jersey Register 167(a), 24 New Jersey Register 1475(b).

Repealed by R.2001 d.196, effective June 18, 2001.

See: [33 New Jersey Register 6\(a\)](#), [33 New Jersey Register 2090\(a\)](#).

Section was "Indoor air quality subcode".

Annotations

### **Notes**

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#### [Chapter Notes](#)

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## [N.J.A.C. 5:23-3.21](#)

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### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

#### **§ 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, 2018 International Residential Code known as the "IRC/2018" as the one-and two-family dwelling subcode in New Jersey subject to the modifications stated in (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/2018 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/2018 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."

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- 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(1), 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 "Winter Design Temp," insert "13 degrees F";
11. Under the heading of "Ice Barrier Underlayment Required," insert "see Bulletin 07-3";
12. Under the heading of "Flood Hazards," insert "LFPA" for local floodplain administrator;
13. Under the heading of "Air Freezing Index," insert "1500 or less";
14. Under the heading of "Mean Annual Temp;" insert "see Note j";
15. After the title "Manual J Design Criteria," insert "(see Table 1a from ACCA Manual J; fill in criteria from the closest municipality)";
16. 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.";
17. 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 "Live 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 Exception 1 of R302.3, Two-family dwellings, "13R, or 13D" shall be inserted after "NFPA 13."
- x.** In Section R302.5.1, Opening protection, in the last sentence, ", equipped with a self-closing or automatic-closing device" shall be deleted.
- xi.** In Section R302.6, Dwelling-garage fire separation, "Attachment of gypsum board shall comply with Table R702.3.5." shall be deleted.
- xii.** 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.
- xiii.** Section R303.7, Interior stairway illumination and R303.8, Exterior stairway illumination, shall be deleted in their entirety.
- xiv.** Section R303.10, Required heating, shall be deleted in its entirety.
- xv.** 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.
- xvi.** In Section R310.1, Emergency escape and rescue required, "Basements, habitable attics and" shall be deleted. The sentence shall start with "Every." In addition, the exception shall be deleted in its entirety.
- xvii.** In Sections R310.2.3.2, Drainage, and R310.3.2.2, 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.
- xviii.** Sections R310.2.5, Replacement windows, R310.5, Dwelling additions, and R310.6, Alterations or repairs of existing basements, shall be deleted.
- xix.** 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 for other exterior doors, "7 3/4 inches (196 mm)" shall be deleted and "8 1/4 inches (210 mm)" shall be inserted.

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- xx.** 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.
- xxi.** 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.
- xxii.** In Section R311.7.8.1, Height, "34 inches (864 mm)" shall be deleted and "30 inches (762 mm)" shall be inserted.
- xxiii.** Section R311.7.9, Illumination, shall be deleted in its entirety.
- xxiv.** In Section R311.8.1, Maximum slope, delete the second sentence.
- xxv.** In Section R311.8.3.1, Height, "34 inches (864 mm)" shall be deleted and "30 inches (762 mm)" shall be inserted.
- xxvi.** Section R313.1, Townhouse automatic fire sprinkler system, shall be deleted. Section R313.1.1 shall be retained.
- xxvii.** Section R313.2, One- and two-family dwellings automatic fire systems, shall be deleted. Section R313.2.1 shall be retained.
- xxviii.** Section R314.2.2, Alterations, repairs and additions, shall be deleted.
- xxix.** In Section R314.6, Power source, both exceptions shall be deleted.
- xxx.** 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."
- xxxi.** 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.
- xxxii.** In Section R319, Site address, 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.
- xxxiii.** Section R320, Accessibility, shall be deleted.
- xxxiv.** Section R321, Elevators and platform lifts, shall be deleted.
- xxxv.** In Section R322.1, General, "repair" shall be deleted and "restoration" shall be inserted.
- xxxvi.** Section R322.1.1, Alternative provisions, shall be deleted in its entirety.
- xxxvii.** In Section R322.1.6, Protection of mechanical, plumbing and electrical systems, the second sentence shall be deleted.
- xxxviii.** 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.
- xxxix.** 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.
- xl.** 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.
- xli.** In Section R322.3, Coastal high-hazard area (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.

**xlii.** Section R323, Storm Shelters, shall be deleted.

**xliii.** In Section R325, Mezzanines, the second sentence of R325.1, General, shall be deleted and Section R325.6, Habitable attic, shall be deleted.

**xliv.** In Section R326.1, General, "and enclosures" shall be inserted between "spas" and "shall." In addition, the following shall be added to the end of the section: "Amendments to the ISPC shall be 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:

**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, "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 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."

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

**3.4.3** 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" 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, 316.4, Installation, and 316.6.1, Installation, "in accordance with Section 102.7.1" shall be deleted.

**3.9** 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.

**3.10** In Section 321.4, Residential pool and deck illumination, "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, Dressing and sanitary facilities, "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, "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.

**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

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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 m<sup>2</sup>) or less for light framed construction, or 400 square feet (37 m<sup>2</sup>) 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 groundwater 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 dampproofed 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/m<sup>2</sup>) 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 coved 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:



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- 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 barrier, 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(1)", and "In areas where the average daily temperature in January is 25[degrees]F (-4[degrees]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, "12 IN." shall be deleted and "6 IN." shall be inserted.
- 10.** Chapter 11, Energy Efficiency, shall be amended as follows:



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- 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 N1102.4.1 (R402.4.1), Building thermal envelope, the "and" between R402.4.1.1 and R402.4.1.2 shall be deleted and "or" shall be inserted in its place.
  - v. Section N1103.2 (R403.2), Hot water boiler outdoor temperature setback, shall be deleted.
  - vi. In Section N1103.7 (R403.7), Equipment sizing and efficiency rating (Mandatory), "or replacement" shall be deleted in the second sentence.
  - vii. In Section N1103.8 (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 referenced by the energy subcode ([N.J.A.C. 5:23-3.18](#))".
  - viii. Sections N1107 (R501), Existing Buildings--General, N1108 (R502), Additions, N1109 (R503), Alterations, N1110 (R504), Repairs, and N1111 (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 M1307.7 as follows:

**M1307.7** 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:

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- i. Chapter M1401.3, 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, 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 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.
  - iv. In Section 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 as follows: 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. Section G2414.3, Other materials, shall be deleted in its entirety.

xii. 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.

xiii. 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.

xiv. 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.

- xv.** 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, Multi-purpose 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 A, Sizing and Capacities of Gas Piping; Appendix B, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents; and Appendix C, 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 D, Recommended Procedure for Safety Inspection of an Existing Appliance Installation; Appendix E, Manufactured Housing Used as Dwellings; Appendix F, Radon Control Methods; and Appendix G, Piping Standards for Various Applications, are deleted in their entirety.
- iii.** Appendix H, Patio Covers, and Appendix K, Sound Transmission, shall be adopted as part of this subcode.
- iv.** Appendix I, Private Sewage Disposal; Appendix J, Existing Buildings and Structures; Appendix L, Permit Fees; Appendix M, Home Day Care - R-3 Occupancy; Appendix N, Venting Methods; Appendix O, Automatic Vehicular Gates; and Appendix P, Sizing of Water Piping Systems, shall be deleted.
- v.** Appendix Q, Tiny Houses; Appendix R, Light Straw-Clay Construction; and Appendix S, Strawbale Construction, shall be adopted as part of this subcode.
- vi.** Appendix T, Solar-Ready Provisions--Detached One- And Two-Family Dwellings and Townhouses, shall be deleted in their entirety.

## History

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### HISTORY:

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)3xxviii; 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)3vii through (c)3xxi 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)3xli3, 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\(a\)](#).

Annotations

## Notes

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### [Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE

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## [N.J.A.C. 5:23-3.22](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES***

#### **§ 5:23-3.22 Fuel gas subcode**

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(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/2018. This code is hereby adopted by reference as the fuel gas subcode for the State of New Jersey subject to the modifications in (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/2018 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/2018 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."

## N.J.A.C. 5:23-3.22

- 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[degrees]F (-21[degrees]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)."
  - iv. Section 403.3, Other materials, is deleted.
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.
  - iii. In Section 503.5.6.1, Chimney lining, the exception shall be deleted in its entirety.
6. Chapter 6 of the fuel gas code, entitled "Specific Appliances," shall be amended as follows:
- i. In Section 614.10, 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 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--18, International Plumbing Code."
8. Appendices A, B, and C of the fuel gas subcode are informative and are not part of the subcode itself.
9. Appendix D of the fuel gas subcode, entitled "Recommended Procedure for Safety Inspection of an Existing Appliance Installation," is deleted in its entirety.

## History

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### HISTORY:

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[degrees]F (-21[degrees]C)" for "402.6.1, Liquefied petroleum gas systems".

Annotations

## Notes

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### [Chapter Notes](#)

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End of Document

**N.J.A.C. 5:23-3, Appx. 3-A**

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 3. SUBCODES**

**APPENDIX 3-A**

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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:

Code Development Unit

Department of Community Affairs

Division of Codes and Standards

PO Box 802

Trenton, New Jersey 08625

Fax code change proposals to:

Code Development Unit

(609) 984-7717 or

(609) 633-6729

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:

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.....  
.....

Supporting Statement (reason for code change):

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## History

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### HISTORY:

New Rule, R.2004 d.261, effective July 6, 2004.

See: [36 New Jersey Register 1267\(a\)](#), [36 New Jersey Register 3275\(a\)](#).

Annotations

## Notes

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[Chapter Notes](#)

## N.J.A.C. 5:23-6.1

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.1 Introduction; using this subcode**

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**(a)** This section is a guide to the use of the rehabilitation subcode. It should not be interpreted as containing substantive requirements and it is not intended to be cited for enforcement purposes.

1. The provisions of the other subcodes of the Uniform Construction Code do not apply to work in existing buildings, changing the use of an existing building or work in an existing building related to an addition unless the provisions of this subcode specifically reference them and make them applicable.
2. Traditionally, the New Jersey Uniform Construction Code has made the requirements that are applicable to new buildings also apply to buildings whose use is changed; applicable to buildings undergoing rehabilitation with the extent of the requirements depending on the amount of money being spent on the building; and to some extent applicable to existing buildings that have an addition constructed. Buildings whose use was changed and buildings receiving rehabilitation costing more than 50 percent of the replacement cost of the building were required to comply with all the provisions of the Uniform Construction Code for new buildings.
3. This subcode takes a new approach. The requirements that apply to a project are based upon the type of work being done rather than on the extent of the work. There is only one exception to this rule. In the case of reconstruction work, as the term reconstruction is defined in this subcode, there are some requirements which must be met when the project is a large one in floor area.
4. In this subcode, work is classified into six categories. Each category has a separate section which describes the requirements for that category of work. The categories are repair, renovation, alteration, reconstruction, change of use and additions. These terms are defined in [N.J.A.C. 5:23-6.3](#). The definitions are critical to understand the distinctions between these six categories of work. Where a project contains more than one category of work, each applicable category must be consulted for the requirements for that category of work.

**(b)** Repair Work: The requirements that apply to repair work are in [N.J.A.C. 5:23-6.4](#). The requirements for repairs are brief due to the limited nature of the work. There is a short list of materials that may not be used for repair work due to their inherently hazardous nature and another list of materials that must be used in connection with repair work where applicable. These lists should be used when planning the repair components of any project.

1. This subcode does not establish when a permit is required for a project. Those requirements are in N.J.A.C. 5:23-2. Although it is generally true that repair work undertaken by itself does not require a construction permit, it is important to understand that any repair work undertaken in connection with a project that involves other categories of work is required to meet only the provisions for the repair category established by this subcode. There is no limit to the amount of repair work which may be undertaken. The decision to renovate rather than repair is made only by the owner.
2. The installation of smoke alarms is required in any building of Groups R-3, R-4, R-5, and in dwelling units of Group R-2 that undergo a repair.

3. The installation of carbon monoxide detection equipment is required in buildings containing a fuel burning appliance or having an attached garage.

**(c) Renovation Work:** The requirements that apply to renovation work are in

[N.J.A.C. 5:23-6.5](#) . Renovation is defined in

[N.J.A.C. 5:23-6.3](#) .

1. There are short lists of materials that may not be used and materials or practices which must be used, where applicable, when renovation work is undertaken. These lists should be used when planning a project which involves renovation work.
2. The installation of smoke alarms is required in any building of Groups R-3, R-4, R-5, and in dwelling units of Group R-2, which undergoes a renovation.
3. The installation of carbon monoxide detection equipment is required in buildings containing a fuel burning appliance or having an attached garage.
4. Renovation work must comply with [N.J.A.C. 5:23-6.8](#) , Materials and methods. All materials used for the renovation work must meet the standards for those materials established by [N.J.A.C. 5:23-6.8](#) and methods of installation must comply with that section. [N.J.A.C. 5:23-6.8](#) , Materials and methods, references and makes applicable to renovation work certain specified subsections of the other subcodes of the Uniform Construction Code. Only those subsections specifically referenced in [N.J.A.C. 5:23-6.8](#) apply to renovation work. All materials and methods used in renovation work must comply with the requirements of that section.
5. This subcode never requires renovation. Any existing work may be repaired. The requirements for renovation apply only where the owner decides to renovate.

**(d) Alteration Work:** The requirements that apply to alteration work are in

[N.J.A.C. 5:23-6.6](#) . Alteration is defined in

[N.J.A.C. 5:23-6.3](#) .

1. [N.J.A.C. 5:23-6.6](#) , Alteration work, contains short lists of materials that may not be used and materials or practices which must be used, where applicable, when alteration work is undertaken. These lists should be used when planning a project which includes alteration work.
2. The installation of smoke alarms is required in any building of Groups R-3, R-4, R-5, and in dwelling units of Group R-2, which undergoes an alteration.
3. The installation of carbon monoxide detection equipment is required in buildings containing a fuel burning appliance or having an attached garage.
4. Alteration work must also comply with materials and methods that are set forth in [N.J.A.C. 5:23-6.8](#) .
5. In alteration work, the configuration of the building is changed in some manner. The definition of "alteration" in [N.J.A.C. 5:23-6.3](#) provides the information needed to fully understand this term. Because improper alteration work could create a safety hazard in the building, this subcode contains specific requirements which define these hazards. These are the basic requirements of the subcode which can be found in [N.J.A.C. 5:23-6.10](#) through [6.30](#) .
6. The subcode includes basic requirements, listed by group, with the exception of egress capacity, interior finish requirements, commercial cooking operations, and windowless stories which apply to all groups. Reference should be made to the list of basic requirements applicable to the particular group in which the building being altered falls. Care should be taken to ensure that the alteration will not create



a non-conformity with any of the basic requirements which did not exist before the alteration was undertaken.

**7.** Certain alterations create what are defined to be new building elements. There is a specific listing of those items which are to be treated as newly-created building elements which can be found in [N.J.A.C. 5:23-6.9](#). The elements on that list are required to conform to certain specific sections of the other subcodes of the Uniform Construction Code. The sections with which each newly-constructed element must comply are listed in [N.J.A.C. 5:23-6.9](#). Any alteration which creates one of the elements listed in that section must comply with the specific requirements listed in [N.J.A.C. 5:23-6.9](#).

**8.** Improvements to the accessibility of buildings may be required when alteration work is undertaken. Those requirements are specified in [N.J.A.C. 5:23-6.6\(e\)](#) and (k).

**(e) Reconstruction Work:** The requirements that apply to reconstruction work are in [N.J.A.C. 5:23-6.7](#). Reconstruction is defined in [N.J.A.C. 5:23-6.3](#). Unlike repair, renovation, and alteration, reconstruction is not a kind of work. A reconstruction may, as the definition of the term makes clear, include a combination of repair, renovation, and alteration work. It is the extent and nature of the work which makes a project a reconstruction. There are no quantitative criteria which determine whether a project is a reconstruction. A project becomes a reconstruction when the area where the project is taking place cannot be occupied while the work is in progress and when a new certificate of occupancy is required before the area can be re-occupied. Both criteria must be met.

**1.** This subcode requires that a reconstruction project have a delineated work area. This area is established by the permit applicant. The term "work area" is defined in [N.J.A.C. 5:23-6.3](#). A reconstruction project must always involve an entire use, primary function space, or tenancy as those three terms are defined in [N.J.A.C. 5:23-6.3](#). Projects which do not involve an entire use, primary function space, or tenancy are not reconstruction projects.

**2.** Although a reconstruction project is comprised of repair, renovation and alteration work, all of the requirements that apply are found in [N.J.A.C. 5:23-6.7](#). For ease of use, this section has been written to include all of the requirements applicable to reconstruction. The entire work area must conform to the basic requirements in [N.J.A.C. 5:23-6.10](#) through [6.30](#). These sections must be carefully reviewed when a reconstruction project is being planned.

**3.** The basic requirements are organized by individual groups in [N.J.A.C. 5:23-6.12](#) through [6.28](#). Only the sections relevant to the building's group must be consulted. Where a project involves mixed uses, then the special provisions of [N.J.A.C. 5:23-6.29](#) should also be consulted. Basic requirements that apply to all groups are in [N.J.A.C. 5:23-6.11](#) and [6.30](#). Therefore, [N.J.A.C. 5:23-6.11](#), [6.30](#), and the specific group section between 6.12 and 6.28 must be consulted for the basic requirements which apply to a project.

**4.** In addition to meeting the basic requirements, certain reconstruction projects must meet the supplemental requirements found in [N.J.A.C. 5:23-6.10](#) through

## N.J.A.C. 5:23-6.1

[6.30](#) . There is a specific section for each group as is the case with the basic requirements. Supplemental requirements that apply to all groups are in

[N.J.A.C. 5:23-6.11A](#) and

[6.30](#) . The supplemental requirements apply only when the work area for a reconstruction project exceeds a certain size. Each supplemental requirement has its own threshold of applicability.

5. The owner of a building in which a reconstruction project is planned must review the supplemental requirements applicable to the use of the project to determine if any of those requirements applies to the project. In addition to the specific group section between

[N.J.A.C. 5:23-6.12A](#) and

[6.28A](#) ,

[N.J.A.C. 5:23-6.11A](#) and

[6.30](#) should be consulted for the supplemental requirements that apply to a project.

(f) Applying the Subcode to a Project: The requirements of this subcode applicable to a project can be found as follows:

1. Separate the project into its component parts of repair, renovation, and alteration;
2. Where a portion of the work is repair, consult the repair section of this subcode ( [N.J.A.C. 5:23-6.4](#) ) to ensure that prohibited materials are not being used and that any applicable required materials or practices are being used;
3. Where a portion of the work is renovation:
  - i. Consult the renovation sections of this subcode ( [N.J.A.C. 5:23-6.5](#) );
  - ii. Ensure that the renovation work does not use any prohibited materials and that any applicable required materials or practices are being used; and
  - iii. Ensure that renovation materials and the methods of their installation conform to the Materials and Methods section of this subcode ( [N.J.A.C. 5:23-6.8](#) ).
4. Where a portion of the work is alteration work:
  - i. Consult the alteration section of this subcode ( [N.J.A.C. 5:23-6.6](#) );
  - ii. Ensure that the alteration work does not use any prohibited materials and that any applicable required materials or practices are being used;
  - iii. Ensure that any materials and methods used for the alterations conform to the requirements of the materials and methods section of this subcode ( [N.J.A.C. 5:23-6.8](#) );
  - iv. Ensure that alteration which creates a new building element listed in [N.J.A.C. 5:23-6.9](#) conforms to the requirements for new building elements that are specified in [N.J.A.C. 5:23-6.9](#) ; and
  - v. Ensure that none of the alteration work creates a new condition which would create a violation of any of the basic requirements applicable to the groups that are specified in [N.J.A.C. 5:23-6.10](#) through [6.30](#) .
5. Determine whether the project is a reconstruction project according to the definitions in [N.J.A.C. 5:23-6.3](#) . When the project is a reconstruction project:
  - i. Establish the work area of the project and show it on the plans and/or permit application;

## N.J.A.C. 5:23-6.1

ii. Ensure that the requirements applicable to the repair, renovation, and alteration portions of the project are followed;

iii. Ensure that the basic requirements for the particular uses that are specified in the relevant section of this subcode between

[N.J.A.C. 5:23-6.11](#)

and

[6.28](#)

are followed. Where the project work area includes more than one group,

then

[N.J.A.C. 5:23-6.29](#)

should be consulted; and

iv. Review the size of the work area against the relevant provisions of the supplemental requirements in

[N.J.A.C. 5:23-6.11A](#)

through

[6.28A](#)

. Where compliance with a supplemental requirement is necessary, then ensure that the plans and/or the permit application reflect compliance with the required section. Some supplemental requirements will require work outside the work area.

**(g) Changes of Use:** The Uniform Construction Code divides all buildings into categories called uses. The Rehabilitation Subcode uses these same classifications.

1. The different uses represent different hazards and different needs. Specific requirements apply to each use. Each of the other technical subcodes of the Uniform Construction Code: Building, Fire, Plumbing, Electrical, Mechanical, Fuel Gas, Energy, and One- and Two-Family Dwelling, defines these uses, each for its own purpose. Traditionally, the Uniform Construction Code required any building or portion of a building where the use was changed to conform to the requirements of the code for a new building of that use. This subcode takes a different approach.

2. A change of use in a building often, but not always, involves some construction work. Changes of use, in which the owner does not need any construction work to effect the new use, do happen. The different uses defined by the code reflect different levels of hazard and different safety requirements. Depending upon the specific change, a new use may not affect the hazard; it could pose a lesser hazard; or it might pose a greater hazard or necessitate additional safety measures.

3. This subcode allows changes of use where the new use is similar to or less demanding in terms of hazard or safety requirements than the present use. No modifications to the building are required by this subcode where such a change of use is planned.

4. This subcode uses the concept of hazard indexes in order to specify the requirements for a change of use. Separate hazard indexes are established for different aspects of building, health, and safety:

i. Basic Requirements: Changes of use specified in

[N.J.A.C. 5:23-6.31\(b\)](#)

must comply with the basic requirements set forth in

[N.J.A.C. 5:23-6.10](#)

through

[6.30](#)

before the building can be occupied for the new use.

ii. Means of Egress: Certain changes of use specified in

[N.J.A.C. 5:23-6.31\(c\)](#)

must comply with additional requirements for egress which

are set forth in

[N.J.A.C. 5:23-6.31\(c\)](#)

before the building can be occupied for the new use.

iii. Vertical Openings: Stairways and other vertical openings located in a building or portion of a building where there is a change of use are required to meet certain enclosure requirements for the new use which are specified in

[N.J.A.C. 5:23-6.12](#)

through

[6.28](#)

. These requirements must be met before the building may be occupied for the new use.

iv. Height and Area Limits: Changes of use are not allowed if the building will exceed the height and area limits specified in

## N.J.A.C. 5:23-6.1

[N.J.A.C. 5:23-6.31\(e\)](#) for its type of construction. The types of construction are defined in [N.J.A.C. 5:23-3.14](#), the Building Subcode.

**v. Exterior Walls:** Changes of use as specified in [N.J.A.C. 5:23-6.31\(f\)](#) of this subcode must have the fire resistance of exterior walls and any openings therein improved as specified in [N.J.A.C. 5:23-6.31\(f\)](#) before the building can be occupied for the new use.

**vi. Automatic Sprinkler System:** Changes of use as specified in [N.J.A.C. 5:23-6.31\(g\)](#) must have an automatic sprinkler system installed in accordance with the requirements of [N.J.A.C. 5:23-6.31\(g\)](#) before the building can be occupied for the new use.

**vii. Fire Alarms and Fire Detection Systems:** Changes of use as specified in [N.J.A.C. 5:23-6.31\(h\)](#) and (i) must have fire alarms or fire detection installed in accordance with the requirements of [N.J.A.C. 5:23-6.31\(h\)](#) and (i) before the building can be occupied for the new use.

**viii. Structural, Plumbing, Electrical, and Mechanical:** Some changes of use may necessitate changes to the structural, plumbing, electrical, or mechanical systems of a building. These requirements are set forth in [N.J.A.C. 5:23-6.31\(k\)](#), ( l ), (m) and (n) of this subcode. Only those requirements necessitated by the change and needed for health or safety in the new use as specified must be met.

**ix. Accessibility Requirements:** Changes of use must conform to the accessibility requirements specified in [N.J.A.C. 5:23-6.31](#) ( o ) before the building can be occupied for the new use.

**5.** Where the owner of a building undergoing a change of use decides to undertake work not required by

[N.J.A.C. 5:23-6.31](#), then that work must comply with the requirements for repair, renovation, alteration, and reconstruction, as the case may be, which are established by

[N.J.A.C. 5:23-6.4](#),

[6.5](#),

[6.6](#) and

[6.7](#).

**6.** Where the use of a building or portion of a building is changed, a new certificate of occupancy is required for the new use by the provisions of

N.J.A.C. 5:23-2. This does not mean that all changes of use are required to meet the requirements for reconstruction. Only a project which meets the definition of reconstruction set forth in

[N.J.A.C. 5:23-6.3](#) need comply with the provisions of

[N.J.A.C. 5:23-6.7](#), Reconstruction.

**(h) Additions:** Additions are required to comply with the provision of the other technical subcodes of the Uniform Construction Code. Work in the existing building which is related to the addition must conform with the requirements of

[N.J.A.C. 5:23-6.32](#). Additionally, such work undertaken in the existing building must comply with the requirements for repair, renovation, alteration, and reconstruction as set forth in

[N.J.A.C. 5:23-6.4](#),

[6.5](#),

[6.6](#) and

[6.7](#).

**(i) Historical Buildings:**

[N.J.A.C. 5:23-6.33](#) defines those buildings which are to be treated as historic and sets forth

certain special requirements applicable to historic buildings which modify the provisions of this subcode when a building is historic.

[N.J.A.C. 5:23-6.33](#) should be reviewed to determine if a building is to be treated as historic under this subcode and for the special provisions applicable to the various types of historical buildings.

## History

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### HISTORY:

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)3, deleted the last sentence; and in (d)7, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See:

[35 N.J.R. 29\(a\)](#) ,

[35 N.J.R. 2209\(a\)](#) .

In (c)2 and (d)2, substituted "R-3 and R-5" for "R-3/R-4"; in (f)5iii, (g)4ii, and (g)4vii, updated N.J.A.C. references.

Amended by R.2004 d.145, effective April 5, 2004.

See:

[35 N.J.R. 5190\(a\)](#) ,

[36 N.J.R. 1758\(a\)](#) .

Deleted references to use preceding references to group throughout; in (g)4vi, substituted references to automatic sprinkler system for fire suppression throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See:

[41 N.J.R. 18\(a\)](#) ,

[41 N.J.R. 1726\(a\)](#) .

In (c)2 and (d)2, substituted "alarms" for "detectors".

Amended by R.2011 d.270, effective November 7, 2011.

See:

[43 N.J.R. 1297\(a\)](#) ,

[43 N.J.R. 2999\(a\)](#) .

In (d)7, substituted "(k)" for "(j)"; and in (g)1, deleted "and" preceding "Mechanical" and inserted ", Fuel Gas, Energy, and One- and Two-Family Dwelling".

Amended by R.2017 d.077, effective May 1, 2017.

See:

[48 N.J.R. 1854\(a\)](#) ,

[49 N.J.R. 1020\(a\)](#) .

Rewrote (b) through (d).

Amended by R.2017 d.107, effective June 5, 2017.

See:

[48 N.J.R. 1851\(a\)](#) ,

[49 N.J.R. 1381\(b\)](#) .

In (b)3, (c)3, and (d)3, by substituting "detection equipment" for "alarms", and delete "of Groups I-1, R-1, R-2, R-3, R-4, or R-5" following "buildings".

Annotations

## Notes

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[Chapter Notes](#)

## [N.J.A.C. 5:23-6.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.2 Applicability and compliance**

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**(a)** This subchapter, adopted pursuant to authority of the State Uniform Construction Code Act (P.L. 1975, c.217), and entitled "Rehabilitation Subcode," shall be known and may be cited throughout the regulations as N.J.A.C. 5:23-6, and when referred to in subchapter 6 of this chapter, may be cited as "this subchapter" or "this subcode." Unless otherwise specifically provided, all references to article or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such article, section or provision of this subchapter.

**(b)** Scope: Except as otherwise specified, this subchapter shall control all matters concerning the repair, renovation, alteration, reconstruction, change of use, and addition to all buildings and structures and their service equipment as defined herein and shall apply to all existing buildings and structures in the State of New Jersey.

1. This subchapter shall not be applied to any building or portion thereof that has never been occupied. In such buildings or spaces, the requirements of the other subcodes of the Uniform Construction Code for new construction shall apply.
2. All work shall be classified by the construction official, in consultation with the appropriate subcode official(s), as one or more of six categories: repair, renovation, alteration, reconstruction, change of use, and additions. Specific requirements are established for each work category.
  - i. If a structure is demolished except for a de minimis amount, the construction official shall designate the replacement structure as a new structure and apply the requirements of the Uniform Construction Code applicable to new construction.
3. Work of more than one category may be part of a single work project.
  - i. Where a project includes repair, renovation or alteration work, then the work in each such category shall comply with the requirements for that category of work.
  - ii. Where a project is a reconstruction project which includes repair, renovation or alteration work, then the work in each such category shall comply with the requirements for that category of work.
  - iii. Where an alteration project results in a new building element, then each such new element shall comply with the requirements for new building elements.
  - iv. Where a project is a reconstruction project, then the entire work area shall comply with the basic requirements of this subcode. Where a reconstruction project in a building involves more than one work area, then each work area shall comply with the requirements of this subcode. Additionally, reconstruction projects shall comply with the supplemental requirements of this subcode where they exceed the size requirements specified by this subcode in the sections governing supplemental requirements.
  - v. Where the use of a building or portion thereof is changed, then the building or portion thereof shall be made to conform to the requirements of this subcode for a change of use. Where work is required by [N.J.A.C. 5:23-6.31](#) for a change of use to be approved, then that work shall comply with



## N.J.A.C. 5:23-6.2

the requirements of this subcode for changes of use. Where a project undertaken in connection with a change of use involves repairs, renovations or alterations which are not required by this subcode for the change of use, then the work in each such category shall comply with the requirements of this subcode for that category.

**vi.** Where the work project involves an addition to a building, then the addition shall comply with the requirements of the other subcodes of the Uniform Construction Code for new buildings. Any repair, renovation or alteration undertaken in an existing building in connection with an addition shall comply with the requirements of this subcode for such category of work.

**(c) Compliance:** The only requirements of the other subcodes of the UCC that apply are specifically set forth in this subchapter. Compliance with the requirements of the other subcodes of the Uniform Construction Code is not required for work in existing buildings. However, building components already in compliance with the requirements of the other subcodes of the Uniform Construction Code shall be replaced with components that comply. Where no year or edition is given for a standard referenced in this subchapter, the year or edition shall be the one referenced in the other subcode(s) of the UCC.

1. Buildings in compliance with the current edition of the applicable subcode shall not be required to comply with any more restrictive requirement of this subcode.
2. The repairs, renovations, alterations, reconstruction, and changes of use and/or additions, of any building or structure currently existing shall conform to the requirements of this subchapter. Where compliance with the provisions of this subchapter would result in practical difficulty, the owner may apply for a variation in accordance with [N.J.A.C. 5:23-2.10](#).
3. Any variation previously issued in writing pursuant to the UCC shall remain in force and effect unless the work to be performed during the course of the rehabilitation project causes one of the conditions of the variation to be violated or would otherwise create a hazardous condition.
4. As an alternative to compliance with the building and fire protection requirements of this subchapter, a permit applicant shall be allowed to evaluate the building in accordance with Sections 1301.5 through 1301.9 of the International Existing Building Code, as referenced by the building subcode, incorporated herein by reference, and to bring the building into compliance with the standards contained therein.
5. When a project is undertaken in an existing building having a group designation that no longer represents the use due to subsequent adoptions of each subcode, the current group designation that most closely resembles the approved use shall be used as the basis for applying the requirements of this subchapter.

**(d) Permits:** The requirements of this subchapter shall apply to all rehabilitation work without regard to whether a permit is required for such work. It should not be assumed that a permit is required simply because a requirement is established by this subchapter. Determinations as to whether a permit is required shall be made in accordance with the administrative provisions of the UCC contained at N.J.A.C. 5:23-2.

**(e) Enforcement Responsibilities:** Responsibility for the enforcement of the provisions of this subchapter shall be as indicated in parentheses at the end of each section, subsection, paragraph or subparagraph, as appropriate (for example, in a subsection of several paragraphs, the enforcement responsibility shall be in parentheses after the subsection's last paragraph). For provisions of other subcodes of the Uniform Construction Code referenced herein, enforcement responsibility shall be as indicated in [N.J.A.C. 5:23-3.4](#).

1. Assignment of enforcement responsibility for a requirement does not imply that work undertaken that would not otherwise require a permit under the provisions of N.J.A.C. 5:23-2 of the Uniform Construction Code would now require a permit. Assignment of enforcement responsibility means that when there is a permit required or a complaint lodged, the designated subcode official is responsible. The parenthetical notes shall have the following meanings:
  - i. "Building" means that responsibility is assigned to the building subcode official.
  - ii. "Fire" means that responsibility is assigned to the fire protection subcode official.



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- iii. "Electrical" means that responsibility is assigned to the electrical subcode official.
  - iv. "Plumbing" means that responsibility is assigned to the plumbing subcode official.
  - v. "Elevator" means that responsibility is assigned to the elevator subcode official.
2. Responsibility for the enforcement of mechanical requirements in buildings of Group R-3 or R-5 may be assigned as delineated in [N.J.A.C. 5:23-3.4](#) at the discretion of the construction official.
- (f) Pre-Existing Buildings: Buildings or structures legally in existence at the time of the adoption or subsequent amendment of this subchapter may continue in use and nothing herein shall be interpreted as requiring the repair, renovation, alteration or reconstruction of such building, except as provided at [N.J.A.C. 5:23-2.32](#), Unsafe Structures.
- (g) Relationship of this subcode to other codes, rules, and ordinances, shall be as follows:
1. It is the intent of this subcode to provide a uniform, Statewide, harmonious system of rehabilitation regulations applicable to all existing buildings and structures in the State. No code, ordinance, rule, regulation of any municipality, county, board, department, commission or agency thereof, shall establish any requirement for any matter covered by this subcode.
    - i. Exterior light fixtures that replace existing light fixtures shall comply with a municipal ordinance adopted to control light pollution.
  2. It is the intent of this subcode to establish requirements for reconstruction projects which are at least as stringent as the requirements applicable to that area under the Uniform Fire Code, [N.J.A.C. 5:70](#), the Regulations for Maintenance of Hotels and Multiple Dwellings ([N.J.A.C. 5:10](#)) and the New Jersey State Housing Code ([N.J.A.C. 5:28](#)). This subcode shall not be interpreted as establishing requirements less stringent than these codes.
  3. Certificates of occupancy issued for projects in compliance with the requirements of this subcode are specific to the work undertaken and shall not obviate the need for the building to be brought into compliance with the requirements of N.J.A.C. 5:70-4.
    - i. Notwithstanding the above, a variation issued in writing pursuant to the UCC in connection with a rehabilitation project shall remain in force and effect provided that all of the conditions of the variation continue to be met and shall be accepted for purposes of establishing compliance with N.J.A.C. 5:70-4 for the portion of the building to which the variation applies.
  4. This subcode is not intended to establish minimum standards of habitability for housing. No provision of any State or municipal housing code or the equivalent which establishes minimum standards for natural light, natural ventilation, minimum habitable floor area per occupant, or requirements for heat shall be deemed to be affected or superseded by this subchapter.
  5. Where work is proposed to an existing commercial farm building or where the use of a building is changed to a commercial farm building, the building shall be permitted to comply with the requirements of [N.J.A.C. 5:23-3.2\(d\)](#). For items not specifically covered by [N.J.A.C. 5:23-3.2\(d\)](#), the project shall comply with the requirements of this subchapter applicable to Group S-2.
  6. Any work performed in a licensed health care facility shall be in accordance with the "Guidelines for Design and Construction of Health Care Facilities," Facilities Guidelines Institute, current edition. All health care facilities shall comply with National Fire Protection Association (NFPA) 101, the Life Safety Code, as referenced in the rules promulgated by the Centers for Medicare and Medicaid Services. In the event of any conflict with this subcode, the more restrictive code provision shall govern.
- (h) Correction of Violations of Other Codes: Alterations or renovations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance, adopted pursuant to law, shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this subchapter unless the code requiring such alterations so provides.

(i) Variations: Building owners wishing to use an alternative to compliance with specific provisions of this subcode shall submit request(s) for variations in writing in accordance with [N.J.A.C. 5:23-2.10](#). For variation requests involving fire safety, the construction official shall consult with the fire official. If the fire official is also licensed as a fire subcode official under the Uniform Construction Code, then the approval of the fire official shall be required on such variation requests.

(j) Asbestos hazard abatement projects and lead hazard abatement projects shall not be categorized as reconstruction projects in and of themselves despite the fact that occupancy of the work area is not permitted. However, all related construction work undertaken in connection with such projects and all replacement materials used shall comply with the applicable provisions of this subcode.

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Inserted (b)2i.

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (g)2 and 3, updated N.J.A.C. references.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (c)4, substituted "Section 3409.6 of the International Building Code, 2000 edition" for "Section 3408.6 of the BOCA National Building Code, 1996 edition"; in (e)2, substituted "R-5" for "R-4".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout and added (g)1i.

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (c)4, substituted "3410.6" for "3409.6" and "2006" for "2000"; and in (g)6, substituted "2006" for "1992-93".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (c)4, substituted "Sections 3412.5 through 3412.9 of the building subcode" for "Section 3410.6 of the International Building Code, 2006 edition"; and in (g)6, substituted " 'Guidelines for Design and Construction of Health Care Facilities,' " for " 'Guidelines for Construction and Equipment of Hospital and Medical Facilities,' 2006 edition or" and "Facilities Guidelines Institute" for "American Institute of Architects Committee on Architecture for Health".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (c), substituted the first occurrence of "that" for "which"; in (c)4, substituted "1401.5" for "3412.5" and "1401.9" for "3412.9", and inserted "International Existing Building Code, as referenced by the"; added (c)5; and deleted (e)3.

Amended by R.2018 d.153, effective August 20, 2018.

See: [49 N.J.R. 2332\(a\)](#), [50 N.J.R. 1888\(a\)](#).

Rewrote (g)6.

Amended by R.2020 d.130, effective December 7, 2020.

See: [52 N.J.R. 835\(a\)](#), [52 N.J.R. 2097\(a\)](#).

Rewrote (g)6.

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (c)4, substituted "1301.5 through 1301.9" for "1401.5 through 1401.9".

Annotations

## Notes

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### [Chapter Notes](#)

## Case Notes

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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 \(App.Div. 2009\)](#).

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## [N.J.A.C. 5:23-6.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

## **§ 5:23-6.3 Definitions**

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The words and terms used in this subcode shall have the following meanings unless the context clearly indicates otherwise. Any term not defined herein which is defined in any of the other subcodes of the Uniform Construction Code shall have the meaning as defined in that subcode. Where a term is defined in this subcode and is also defined in another subcode, then the term shall have the meaning as defined herein wherever it is used in this subcode.

"Addition" means an increase in the footprint area of a building or an increase in the average height of the highest roof surface or the number of stories of a building.

"Alteration" means the rearrangement of any space by the construction of walls or partitions or by a change in ceiling height, the addition or elimination of any door or window, the extension or rearrangement of any system, the installation of any additional equipment or fixtures and any work which reduces the loadbearing capacity of or which imposes additional loads on a primary structural component.

"Change of use" means a change from one use to another use in a building or tenancy or portion thereof.

"Commercial energy code" means the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) standard 90.1 adopted at [N.J.A.C. 5:23-3.18](#) and applicable to all buildings other than residential buildings as defined at "residential energy code."

"Dormitory" means a building, or portion thereof, containing rooms which are provided as residences or for overnight sleeping for individuals or groups, and includes those residences utilized by fraternities or sororities which are recognized by or owned by a school or institution of higher education, but does not include those residences or multiple dwellings utilized by students which are not recognized by or owned by a school or institution of higher education. "Dormitory" is not to include a building used primarily to house faculty or a multiple dwelling in which occupancy of each dwelling unit is limited to persons who are members of a single family group.

"Equipment" or "fixture" means plumbing, heating, electrical, ventilating, air conditioning, refrigerating and fire protection equipment, elevators devices, boilers, pressure vessels and other mechanical facilities or installations, which are related to building services and shall not include manufacturing, production or process equipment, but which shall include any connections from building services to process equipment.

"Group" means the group classification of the building subcode.

"Load bearing element" means any column, beam, joist, girder, wall, floor or roof sheathing which supports any load in addition to its own weight.

"New building element" means any one of the elements listed in [N.J.A.C. 5:23-6.9](#) that did not exist previously.

"Nursing home" means a building used for nursing or custodial care on a 24-hour basis for more than five persons where evacuation is impractical (a group that, even with staff assistance, cannot reliably move to a point of safety in

a timely manner) as defined in Section 22-1.3 of NFPA 101-97. This shall include intermediate care facilities, skilled nursing facilities and long term care facilities.

"Primary function space" means a room or space housing a major activity for which the building or tenancy is intended including, but not limited to, office area, auditorium, assembly space, dining room, bar or lounge, warehouse, factory, dwelling, care, confinement, retail, and educational spaces, but not including kitchens, bathrooms, storage rooms or other spaces supporting a primary function space; a building or tenancy may contain more than one primary function space.

"Primary structural component" means any component of the primary load bearing structure of a building including footings, piles, foundations, columns, girders, beams, joists, wind or seismic bracing but not including, for the purposes of this subcode, sheathing or subflooring.

"Reconstruction" means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied. Reconstruction may include repair, renovation, alteration or any combination thereof. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

"Rehabilitation" means the repair, renovation, alteration or reconstruction of any building or structure.

"Renovation" means the removal and replacement or covering of existing interior or exterior finish, trim, doors, windows, or other materials with new materials that serve the same purpose and do not change the configuration of space. Renovation shall include the replacement of equipment or fixtures.

"Repair" means the restoration to a good or sound condition of materials, systems and/or components that are worn, deteriorated or broken using materials or components identical to or closely similar to the existing.

"Residential energy code" means the International Energy Conservation Code adopted at [N.J.A.C. 5:23-3.18](#) and applicable to residential buildings as defined as Group R-3 and R-5 buildings, as well as Group R-2 and Group R-4 buildings three stories or less in height above grade. Group R-5 buildings requirements are denoted in parentheses for the equivalent requirement in the one- and two-family dwelling subcode.

"System" means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building including any equipment, fixtures, connections, conduits, wires, pipes, ducts, as well as any associated sensors, controls, distribution or safety elements.

"Technically infeasible" means, in connection with accessibility requirements, a change that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a loadbearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

"Tenancy" means an entire building or that portion of a building or story which is or is intended to be under the control of a single owner or tenant.

"UFC fire barrier" means a continuous membrane, either vertical or horizontal, such as a wall or floor assembly, that is designed and constructed with a specified fire resistance rating and located to limit the spread of fire and restrict the movement of smoke. Such barriers may have protected openings when a specific fire resistive rating is indicated by this subcode.

"Use" means that portion of a building or tenancy which is devoted to a single group or special use or occupancy as defined in the building subcode or as established by the provisions of any other subcode for the purpose of specifying special requirements applicable to that portion of a building or tenancy.

"Work area" means any entire use, primary function space, or tenancy comprising all or part of a reconstruction project as delineated on the approved permit application and/or plans.

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Amended "Addition".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Added "Dormitory", "Group" and "UFC fire barrier"; in "Use", deleted "use" preceding "group"; deleted "Use Group".

Administrative correction.

See: [36 N.J.R. 2490\(b\)](#).

Amended by R.2007 d.2, effective January 2, 2007.

See: [38 N.J.R. 3377\(a\)](#), [39 N.J.R. 28\(b\)](#).

Added definition "Nursing home".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

Added definitions "Commercial energy code" and "Residential energy code".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Rewrote definition "Residential energy code".

Annotations

## Notes

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### [Chapter Notes](#)

## [N.J.A.C. 5:23-6.3A](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.3A Flood-resistant construction**

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(a) For buildings in designated flood hazard areas, any work that constitutes a substantial improvement or repair of substantial damage of the existing building, as determined by the local floodplain administrator, shall comply with the applicable flood-resistant construction requirements below. As defined in the National Flood Insurance Program rules, [44 CFR 59.1](#), "substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the 'start of construction' of the improvement. This term includes structures which have incurred 'substantial damage,' regardless of the actual repair work performed." As defined in these Federal rules, "substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred."

1. Group R-5 buildings: Sections R301.2.4, R322, R406.1.2.1, R408.7, M1301.1.1, M1401.5, M1601.4.10, M1701.2, M2001.4, M2201.6, and G2404.7 of the one- and two-family dwelling subcode.
2. All other buildings:
  - i. Building subcode: Sections 802.4, 1202.4.4, 1403.6, 1403.7, 1603.1.7, 1605.2.1, 1605.3.1.2, 1612, 1804.5, and 1805.1.2.1.
  - ii. Mechanical subcode: Sections 301.16, 401.4, 501.3.1, 602.4, 603.13, 1206.9.1, and 1305.2.1.
  - iii. Fuel gas subcode: Section 301.11.

### **History**

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#### **HISTORY:**

New Rule, R.2014 d.117, effective July 21, 2014.

See: [46 N.J.R. 160\(a\)](#), [46 N.J.R. 1685\(a\)](#).

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (a)1, substituted "M1601.4.10 for "M1601.4.9"; rewrote (a)2i; and in (a)2ii, substituted "301.16" for "301.13" and "501.3.1" for "501.2".

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (a)2i, substituted "802.4, 1202.4.4" for "801.5, 1203.4.2, Exception 5".

Annotations

## Notes

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### [Chapter Notes](#)

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End of Document



## [N.J.A.C. 5:23-6.4](#)

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### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.4 Repairs**

---

(a) Repairs, as defined in [N.J.A.C. 5:23-6.3](#), shall comply with the requirements of this section. There is no limit to the amount of repair work which may be undertaken.

1. The following work shall be considered renovation, alteration, or reconstruction, as appropriate, and not repair work:

- i. The cutting away of any wall, partition, or portion thereof;
- ii. The permanent, partial or complete removal of any primary structural component;
- iii. The removal or rearrangement of any part of a required means of egress; and
- iv. Addition to, alteration or relocation of:
  - (1) Any fire protection system piping;
  - (2) Water supply, sewer, drainage, gas, oil, waste, vent, or similar piping;
  - (3) Electrical wiring, other than wiring for a low voltage communication system in a one or two family dwelling;
  - (4) Mechanical system components such as ductwork; or
  - (5) Elevator devices.

(b) All work shall be done in a workmanlike manner.

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode or Table R301.5 of the one- and two-family dwelling subcode, as applicable, and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

- i. For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors.
- ii. For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.
- iii. For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.

2. Fire protection systems may be removed if the requirements of [N.J.A.C. 5:23-6.6\(c\)2](#) or 6.7(c)2 are met, as applicable. (Fire)

3. No work shall be undertaken that diminishes accessibility below that which is required by Chapter 11 of the building subcode. (Building)

- (d)** The following products and practices shall not be used:
1. Wood paneling being used as an interior finish not in conformance with Table 2 of [N.J.A.C. 5:23-6.11](#) of this subcode; (Building)
  2. Carpet used for floor covering that fails to meet the DOC FF-1 "Pill Test" (Consumer Product Safety Commission 16 CFR 1630); (Plan review - Building/Fire. Inspection - Building)
  3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90.7, 110.2, 110.3, and article 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/NRTL), etc.; and (Electrical)
  4. Plumbing materials and supplies:
    - i. All purpose solvent cement;
    - ii. Clear PB (polybutylene) piping;
    - iii. Flexible traps and tailpieces;
    - iv. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S (Brown & Sharpe) 17 gauge (.045 inch); and
    - v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)
  5. The following practices shall not be used on painted surfaces in all buildings of Group R that were constructed before 1978, Group E and Group I-4 buildings used as child-care facilities unless the painted surface has been tested and found to be free of lead-based paint:
    - i. Open flame burning or the use of high temperature (in excess of 1100 degrees Fahrenheit) heat guns;
    - ii. Power sanding or sandblasting, unless a special HEPA (high efficiency particulate air) filter equipped vacuum attachment is used to contain dust;
    - iii. Uncontained water blasting or power washing; or
    - iv. Dry scraping or sanding more than two square feet per room (interior) or 10 square feet or more per building (exterior). (Building)
  6. A mirror shall not be placed in or adjacent to any means of egress so as to confuse the direction of egress or give the appearance of a doorway, exit, or passageway. Draperies or similar hangings shall not obscure an exit.
    - i. Exception: Within dwelling units of Groups R-2, R-3, R-4, and R-5. (Plan review - Building/Fire. Inspection - Building)
- (e)** The following products and practices shall be required, when applicable:
1. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Hazardous Locations" as specified by Sections 2406.4 and 2406.5 of the building subcode or by Section R308.4 of the one- and two-family dwelling subcode, as applicable. (Building)
  2. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240.51(B) of the electrical subcode. (Electrical)
  3. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Group I-2, shall be replaced with "hospital grade" receptacles. (Electrical)

4. When door hardware is replaced in buildings required by Chapter 11 of the building subcode to be accessible, replacement hardware shall comply with ICC/ANSI A117.1, Section 404.2.6. (Building)
  5. Newly installed and replacement handrails and guardrails shall comply with Sections 1011.11, 1012.8, 1014, and 1015 of the building subcode, respectively, or Sections R311.7.8, R311.8.3, and R312.1 of the one- and two-family dwelling subcode, respectively, as applicable. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the above referenced sections. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)
  6. When the refrigerant in existing equipment is replaced with a different refrigerant, the requirements of the mechanical subcode applicable to the new refrigerant, if any, shall be met. (Plumbing)
  7. Existing roof covering shall be removed before installing new roof covering when any of the following conditions occur:
    - i. The existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing;
    - ii. The existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile; or
    - iii. The existing roof has two or more applications of any type of roof covering. (Building)
  8. When the work being performed exposes wood framing of any wall, floor, ceiling, or roof, fireblocking shall be provided as required by section 718.2 of the building subcode or section R302.11 of the one- and two-family dwelling subcode, as applicable. The fireblocking material shall comply with section 718.2.1 of the building subcode or section R302.11.1 of the one- and two-family dwelling subcode, as applicable.
- (f) In buildings of Groups R-3, R-4, and R-5 and in dwelling units of Group R-2, smoke alarms shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted, but shall not replace any AC-powered smoke alarms or a household fire alarm system. (Fire)
- (g) In buildings containing a fuel burning appliance or having an attached garage, carbon monoxide detection equipment shall be installed in accordance with Section 915 of the building subcode or Section R315 of the one- and two-family dwelling subcode, as applicable. (Fire)
1. Exception: Battery-powered or plug-in devices shall be accepted for purposes of meeting the requirements of this section.

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Inserted (e)5; and rewrote (f).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c), rewrote 2; in (d), added 5; in (e)2, rewrote iii and substituted "Section 250-140" for "Section 250-60" in v; and inserted (e)6.

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (d), added new 6; in (e), added new 7.

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Added (g).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Rewrote the section.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

In (c)2, substituted "automatic sprinkler" for "fire suppression"; deleted references to use preceding references to group throughout.

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (e)1, substituted "2406.3" for "2406.2"; in (e)3, substituted "2003" for "1998" and "404.2.6" for "404.2.7"; rewrote (e)4 and (e)7; added (e)8 and (e)9; and in (f), deleted "outside each separate sleeping area in the immediate vicinity of the bedrooms," following "bedrooms,".

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)1, inserted "or by section R308.4 of the one- and two-family dwelling subcode, as applicable"; and in (f), substituted "alarms" for "detectors".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (c)1, inserted "or Table R301.5 of the one- and two-family dwelling subcode, as applicable, "; rewrote (c)2 and (e)4; in (e)1, substituted "2406.4" for "2406.3"; in (e)7, substituted "R302.11" for "R602.8" and "R302.11.1" for "R602.8.1", and deleted "or 717.2.1.1" following "717.2.1"; deleted (e)8 and (e)9; and in (g), inserted "[N.J.A.C. 5:23-3.20\(c\)](#) of" and "or Section R315 of the one- and two-family dwelling subcode, as applicable".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Rewrote (c)3 and (d) through (g).

Amended by R.2017 d.107, effective June 5, 2017.

See: [48 N.J.R. 1851\(a\)](#), [49 N.J.R. 1381\(b\)](#).

Rewrote (g).

Administrative correction.

See: [49 N.J.R. 3423\(a\)](#).

Annotations

## Notes

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End of Document

## [N.J.A.C. 5:23-6.5](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.5 Renovations**

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- (a) Renovations, as defined in [N.J.A.C. 5:23-6.3](#), shall comply with the requirements of this section.
- (b) All work shall be done in a workmanlike manner.
- (c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.
  - 1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode or Table R301.5 of the one- and two-family dwelling subcode, as applicable, and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)
    - i. For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors.
    - ii. For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.
    - iii. For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.
  - 2. Fire protection systems may be removed if the requirements of [N.J.A.C. 5:23-6.6\(c\)2](#) or 6.7(c)2 are met, as applicable. (Fire)
  - 3. No work shall be undertaken that diminishes accessibility below that which is required by Chapter 11 of the building subcode. (Building)
- (d) The following products and practices shall not be used:
  - 1. Wood paneling being used as an interior finish not in conformance with Table 2 of [N.J.A.C. 5:23-6.11](#) of this subcode; (Building)
  - 2. Carpet used for floor covering that fails to meet the DOC FF-1 "Pill Test" (Consumer Product Safety Commission 16 CFR 1630); (Building)
  - 3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90.7, 110.2, 110.3, and article 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories, Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/NRTL), etc.; and (Electrical)
  - 4. Plumbing materials and supplies:
    - i. All purpose solvent cement;

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- ii. Clear PB (polybutylene) piping;
  - iii. Flexible traps and tailpieces;
  - iv. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S (Brown & Sharpe) 17 gauge (.045 inch); and
  - v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)
5. Bars, grilles and screens shall not be placed over emergency escape windows or doors in Groups R or I-1 unless they are releasable or removable from the inside without the use of a key, tool or force greater than that which is required for the normal operation of the window or door. (Building)
6. The following practices shall not be used on painted surfaces in all buildings of Group R that were constructed before 1978, Group E and Group I-4 buildings used as child-care facilities unless the painted surface has been tested and found to be free of lead-based paint:
- i. Open flame burning or the use of high temperature (in excess of 1100 degrees Fahrenheit) heat guns;
  - ii. Power sanding or sandblasting, unless a special HEPA (high efficiency particulate air) filter equipped vacuum attachment is used to contain dust;
  - iii. Uncontained water blasting or power washing; or
  - iv. Dry scraping or sanding more than two square feet per room (interior) or 10 square feet or more per building (exterior). (Building)
7. A mirror shall not be placed in or adjacent to any means of egress so as to confuse the direction of egress or give the appearance of a doorway exit, or passageway. Draperies or similar hangings shall not obscure an exit.
- i. Exception: Within dwelling units of Groups R-2, R-3, R-4, and R-5. (Plan review - Building, Fire. Inspection - Building)
- (e) The following products and practices shall be required, when applicable:
- 1. When any water closet is replaced, the replacement water closet shall require not more than 1.6 gallons of water per flush as required by the plumbing subcode. (Plumbing)
  - 2. In buildings required by Chapter 11 of the building subcode to be accessible, when bathrooms or toilet rooms are renovated, the following requirements for providing accessibility shall apply unless the requirements of Chapter 11 of the building subcode have been met:
    - i. When toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with ICC/ANSI A117.1, Section 604.9 shall be created provided that this can be accomplished without moving fixtures. (Building)
    - ii. When bathroom fixtures or hardware are replaced, the replacement fixtures or hardware shall comply with ICC/ANSI A117.1, Sections 603 through 608, as applicable, for nonresidential buildings or ICC/ANSI A117.1, Chapter 10 for residential buildings required by Chapter 11 of the building subcode to be accessible. (Plumbing)
    - iii. Where full compliance is technically infeasible, compliance shall be achieved to the maximum extent feasible. (Building)
  - 3. Replacement doors shall comply with the following: (Building)
    - i. When replacement doors are installed in buildings required by Chapter 11 of the building subcode to be accessible, replacement hardware shall comply with ICC/ANSI A117.1, Section 404.2.6.

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ii. Replacement dwelling unit, guest room or rooming unit corridor doors in Groups I-1, R-1 or R-2 shall be 13/4 inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames.

**(1)** 13/8 inch solid core replacement doors shall be accepted if the existing frame is not being replaced and will accommodate only a 13/8 inch door.

**4.** Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Hazardous Locations" as specified by Sections 2406.4 and 2406.5 of the building subcode or by Section R308.4 of the one- and two-family dwelling subcode, as applicable. (Building)

**5.** Where a fireproofing material is removed that is integral to the rating of an existing fire-rated assembly, the material shall be replaced so that the rating is preserved. (Building)

**6.** Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240.51(B) of the electrical subcode. (Electrical)

**7.** Any replacement to the electrical service equipment shall require that the grounding electrode system be updated to the requirements of Article 250 Part III of the electrical subcode. (Electrical)

**8.** Non-"hospital grade" receptacles in patient bed locations of health care facilities, Group I-2, shall be replaced with "hospital grade" receptacles. (Electrical)

**9.** When a new refrigerant is introduced, the requirements of the mechanical subcode applicable to that refrigerant, if any, shall be met. This shall apply to the replacement of existing equipment with equipment using a different refrigerant or the replacement of the refrigerant in existing equipment with a different refrigerant. (Plumbing)

**10.** When the work being performed exposes wood framing of any wall, floor, ceiling, or roof, fireblocking shall be provided as required by section 718.2 of the building subcode or section R302.11 of the one- and two-family dwelling subcode, as applicable. The fireblocking material shall comply with section 718.2.1 of the building subcode or section R302.11.1 of the one- and two-family dwelling subcode, as applicable.

**11.** When the work being performed creates or exposes the roof decking/sheathing or the framing of any wall, floor, ceiling, or roof assembly that is part of the building thermal envelope (encloses conditioned space), any accessible voids in insulation shall be filled using insulation meeting the R-values of Table R402.1.2 (N1102.1.2) of the residential energy code for wood framing and of Table R402.2.6 (N1102.2.6) of the residential energy code for metal framing equivalents or of Table 5.5-4 or 5.5-5 of the commercial energy code, as applicable.

i. In the event that insulation meeting the R-values above cannot be installed due to space constraints, and the equivalency exceptions of Sections R402.2.1 and R402.2.2 (N1102.2.1 and N1102.2.2) cannot be applied for residential buildings, insulation that fills the cavities of the framed assembly shall be installed.

**12.** When fenestration (windows, skylights or doors) is newly installed or replaced, the U-factor (thermal transmittance) shall not exceed the U-factor of Table R402.1.2 (N1102.1.2) of the residential energy code or of Table 5.5-4 or 5.5-5 of the commercial energy code, as applicable.

i. Exception: In residential buildings, fenestration that meets Sections R402.3.3 (N1102.3.3) and R402.3.4 (N1102.3.4), as applicable.

**13.** Ducts that are newly installed or replaced shall be installed with insulation meeting the R-values of Section R403.3.1 (N1103.3.1) of the residential energy code or of Section 6.4.4.1.2 of the commercial energy code, as applicable.

**14.** The total replacement of a building lighting system or a newly installed building lighting system shall meet Section R404 (N1104) of the residential energy code or Section 9.1.2 of the commercial



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energy code, as applicable. (A "lighting system" is defined by the commercial energy code as "a group of luminaires circuited or controlled to perform a specific function.")

i. Exception: The total replacement of a lighting system within a room, space or tenancy shall be required to meet Section 9.1.2 for the room, space, or tenancy only.

15. Where work, other than ordinary maintenance or minor work, is being performed on an elevator, the elevator shall be equipped to operate with a standardized fire service key. (Fire)

(f) In buildings of Groups R-3, R-4, and R-5 and in dwelling units of Group R-2, smoke alarms shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted, but shall not replace any AC-powered smoke alarms or a household fire alarm system. (Fire)

(g) In buildings containing a fuel burning appliance or having an attached garage, carbon monoxide detection equipment shall be installed in accordance with Section 915 of the building subcode or Section R315 of the one- and two-family dwelling subcode, as applicable. (Fire)

1. Exception: Battery-powered or plug-in devices shall be accepted for purposes of meeting the requirements of this section.

(h) All materials and methods used shall comply with the requirements specified in [N.J.A.C. 5:23-6.8](#), Materials and methods.

1. Exception: Windows may be replaced with windows like those existing without meeting the size requirements of the building subcode.

i. In sleeping rooms below the fourth story in occupancies of Groups R or I-1, where the size of window openings is being changed, at least one window shall:

(1) Be operable;

(2) Have a sill height of not more than 44 inches;

(3) Have a width of at least 20 inches, a height of at least 24 inches and a minimum of total area of 5.7 square feet measured from head to sill and from side to side.

(4) New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.

ii. Basement windows in buildings of Group R-2 shall comply with the requirements of [N.J.A.C. 5:23-6.26\(b\)](#) where the window serves as the second means of egress from the dwelling unit. (Plan review - Building, Fire. Inspection - Building)

2. Newly installed and replacement handrails and guardrails shall comply with Sections 1011.11, 1012.8, 1014, and 1015 of the building subcode, respectively, or Sections R311.7.8, R311.8.3, and R312.1 of the one- and two-family dwelling subcode, respectively, as applicable. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the above referenced sections. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

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Inserted (d)5; in (e), changed N.J.A.C. reference in 1, deleted "In all use groups other than H," at the beginning of 3ii(1), and added 7; and rewrote (f).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c), rewrote 2; in (d), added 6; in (e)6, deleted "listed," preceding "like material", rewrote 6iii and substituted "Section 250-140" for "Section 250-60" in 6v.

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (d), added new 7; in (e) added new 8 and 9.

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Deleted (e)9; added a new (g); recodified former (g) as (h).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Rewrote the section.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout and substituted "automatic sprinkler" for "fire suppression" throughout; in (h)1ii, amended the N.J.A.C. reference.

Amended by R.2005 d.4, effective January 3, 2005.

See: [36 N.J.R. 4049\(a\)](#), [37 N.J.R. 47\(a\)](#).

Added (e)9.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (e)1, deleted the N.J.A.C. reference and added "by the plumbing subcode"; in (e)8, added "or section R602.8 of the one- and two-family dwelling subcode, as applicable" and "or section R602.8.1 of the one- and two-family dwelling subcode, as applicable".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (e)2i, (e)2ii and (e)3i, substituted "2003" for "1998" throughout; in (e)3i, substituted "404.2.6" for "404.2.7"; in (e)4, substituted "2406.3" for "2406.2"; rewrote (e)8; added new (e)9 and (e)10; recodified former (e)9 as (e)11; in (h)2, substituted "1009.10, 1010.8, 1012," for "1003.3.3.11, 1003.3.4.7" and "1013.1" for "1003.2.12".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)4, inserted "or by section R308.4 of the one- and two-family dwelling subcode, as applicable"; and in (f), substituted "alarms" for "detectors".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (c)1, inserted "or Table R301.5 of the one- and two-family dwelling subcode, as applicable,"; rewrote (c)2, (e)9, (e)10, (g), the introductory paragraph of (h) and (h)2; in (e)4, substituted "2406.4" for "2406.3"; in (e)8, substituted "R302.11" for "R602.8", and "R302.11.1" for "R602.8.1", and deleted "or 717.2.1.1" following "717.2.1"; added new (e)11 and (e)12; and recodified former (e)11 as (e)13.

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Rewrote (c)3 and (d) through (h).

Amended by R.2017 d.107, effective June 5, 2017.

See: [48 N.J.R. 1851\(a\)](#), [49 N.J.R. 1381\(b\)](#).

Rewrote (g).

Administrative correction.

See: [49 N.J.R. 3423\(a\)](#).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the introductory paragraph of (e)13, substituted "R404" for "404".

Amended by R.2022 d.022, effective February 7, 2022.

See: [53 N.J.R. 1133\(a\)](#), [54 N.J.R. 263\(a\)](#).

Added (e)7; and recodified former (e)7 through (e)14 as (e)8 through (e)15.

Annotations

## Notes

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### [Chapter Notes](#)

## [N.J.A.C. 5:23-6.6](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.6 Alterations**

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- (a) Alterations, as defined in [N.J.A.C. 5:23-6.3](#), shall comply with the requirements of this section.
- (b) All work shall be done in a workmanlike manner.
- (c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.
  - 1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode or Table R301.5 of the one- and two-family dwelling subcode, as applicable, and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)
    - i. For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors.
    - ii. For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.
    - iii. For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.
  - 2. Fire protection system removal: Any fire protection system providing partial or redundant protection originally installed to protect a special hazard that no longer exists and that is not required in accordance with the current Uniform Construction Code, is allowed to be removed with the written approval of the fire subcode official and fire official. All disconnected equipment and devices, such as pull stations, nozzles, detectors, sprinklers, sensors, panels and hose connections, shall be removed so as not to give a false indication that the structure, area or space is protected. (Fire)
  - 3. No work shall be undertaken that diminishes accessibility below that which is required by Chapter 11 of the building subcode. (Building)
  - 4. Construction materials used as part of an alteration project shall be consistent with the existing construction type or the allowable construction type, whichever is less restrictive. (Plan review - Building, Fire. Inspection - Building)
- (d) The following products and practices shall not be used:
  - 1. Wood paneling being used as an interior finish not in conformance with Table 2 of [N.J.A.C. 5:23-6.11](#) of this subcode; (Building)
  - 2. Carpet used for floor covering that fails to meet the DOC FF-1 "Pill Test" (Consumer Product Safety Commission 16 CFR 1630); (Plan review - Building, Fire. Inspection - Building)

- 3.** Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90.7, 110.2, 110.3, and article 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories, Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/NRTL), etc.; and (Electrical)
- 4.** Plumbing materials and supplies:
- i.** All purpose solvent cement;
  - ii.** Clear PB (polybutylene) piping;
  - iii.** Flexible traps and tailpieces;
  - iv.** Sheet and tubular copper and brass trap and tailpiece fittings less than B&S (Brown & Sharpe) 17 gauge (.045 inch); and
  - v.** Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)
- 5.** Bars, grilles and screens shall not be placed over emergency escape windows or doors in Groups R or I-1 unless they are releasable or removable from the inside without the use of a key, tool or force greater than that which is required for the normal operation of the window or door. (Building)
- 6.** The following practices shall not be used on painted surfaces in all buildings of Group R that were constructed before 1978, Group E and Group I-4 buildings used as child-care facilities unless the painted surface has been tested and found to be free of lead-based paint:
- i.** Open flame burning or the use of high temperature (in excess of 1100 degrees Fahrenheit) heat guns;
  - ii.** Power sanding or sandblasting, unless a special HEPA (high efficiency particulate air) filter equipped vacuum attachment is used to contain dust;
  - iii.** Uncontained water blasting or power washing; or
  - iv.** Dry scraping or sanding more than two square feet per room (interior) or 10 square feet or more per building (exterior). (Building)
- 7.** A mirror shall not be placed in or adjacent to any means of egress so as to confuse the direction of egress or give the appearance of a doorway, exit, or passageway. Draperies or similar hangings shall not obscure an exit. (Plan review - Building, Fire. Inspection - Building)
- i.** Exception: Within dwelling units of Groups R-2, R-3, R-4 and R-5.
- (e)** The following products and practices shall be required, when applicable:
- 1.** When any water closet is replaced, the replacement water closet shall require not more than 1.6 gallons of water per flush as required by the plumbing subcode. (Plumbing)
  - 2.** In buildings required by Chapter 11 of the building subcode to be accessible, when bathrooms or toilet rooms are altered, the following requirements for providing accessibility shall apply unless the requirements of Chapter 11 of the building subcode have been met:
    - i.** When toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with ICC/ANSI A117.1, Section 604.9 shall be created provided that this can be accomplished without moving fixtures. (Building)
    - ii.** When bathroom fixtures or hardware are replaced, the replacement fixtures or hardware shall comply with ICC/ANSI A117.1, Sections 603 through 608, as applicable, for nonresidential buildings or ICC/ANSI A117.1, Chapter 10 for residential buildings required by Chapter 11 of the building subcode to be accessible. (Plumbing)

- iii. Where full compliance is technically infeasible, a single fixture unisex accessible bathroom shall be permitted. This may be accomplished by providing two unisex bathrooms, one of which is accessible. (Building)
  - iv. Where it is technically infeasible to gain compliance with the altered bathroom, signage to the closest accessible bathroom (if any) shall be provided at the altered bathroom. (Building)
3. In buildings required by Chapter 11 of the building subcode to be accessible, when space is reconfigured, the altered space shall comply with Chapter 11 of the building subcode. Where full compliance is technically infeasible, compliance shall be achieved to the maximum extent feasible. (Building)
4. Replacement doors shall comply with the following: (Building)
- i. In buildings required by Chapter 11 of the building subcode to be accessible, when new door openings are created, existing door openings are enlarged or door assemblies are replaced and the required door width can be achieved within the existing opening, the new door shall comply with ICC/ANSI A117.1, Section 404.
    - (1) If the door being added, enlarged or replaced is a building entrance and at least 50 percent of the entrance doors are accessible, then the door being added, enlarged or replaced is not required to comply with ICC/ANSI A117.1, Section 404.
  - ii. Replacement dwelling unit, guest room or rooming unit corridor doors in Groups I-1, R-1 or R-2 shall be 13/4 inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames.
    - (1) 13/8 inch solid core replacement doors shall be accepted if the existing frame is not being replaced and will accommodate only a 13/8 inch door.
5. In buildings required by Chapter 11 of the building subcode to be accessible, when entrance steps are being replaced, an accessible entrance shall be provided if this does not add more than 20 percent to the cost of replacing the steps. (Building)
- i. If at least 50 percent of the other building entrances are accessible, then the installation of a ramp shall not be required.
6. When providing vertical access is part of the scope of work, a limited use limited application elevator or platform lift may be installed as permitted by Chapter 11 of the building subcode. (Building)
7. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Hazardous Locations" as specified by Sections 2406.4 and 2406.5 of the building subcode or by Section R308.4 of the one- and two-family dwelling subcode, as applicable. (Building)
8. Where a fireproofing material is removed that is integral to the rating of an existing fire-rated assembly, the material shall be replaced so that the rating is preserved. (Building)
9. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240.51(B) of the electrical subcode. (Electrical)
10. Any replacement to the electrical service equipment shall require that the grounding electrode system be updated to the requirements of Article 250 Part III of the electrical subcode. (Electrical)
11. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Group I-2, shall be replaced with "hospital grade" receptacles. (Electrical)
12. In buildings of Group R or I-1, when the work being performed creates a bedroom, the following shall be provided:

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- i. A hard-wired smoke alarm shall be installed within each new bedroom and a second, hard-wired smoke alarm shall be installed within the immediate vicinity of the bedroom in accordance with NFPA 72. (Fire)
  - ii. A bedroom window or exterior door that meets the requirements of [N.J.A.C. 5:23-6.9\(a\)](#)17 shall be provided when the bedroom created is below the fourth floor. (Building)
    - (1) This requirement shall not apply in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.
- 13. In buildings of Use Groups R-3, R-4, and R-5:
  - i. When the work being performed creates living space over a private garage, the private garage shall comply with Section 406.3.2 of the building subcode or R302.6 of the one- and two-family dwelling subcode, as applicable, for fire resistance rating.
  - ii. When the work being performed creates an additional dwelling unit within the building, the new dwelling unit shall be separated from the existing dwelling unit(s) with fire partitions or horizontal assemblies having a fire resistance rating of not less than one hour constructed in accordance with Sections 708 and 711 of the building subcode or R302 of the one- and two-family dwelling subcode, as applicable.
  - iii. When finished space is created in previously unfinished space, receptacle and lighting outlets shall comply with Section 210.52 and 210.70, respectively, of the electrical subcode.
- 14. In buildings of Group R-1, in at least one sleeping room or suite of every 25 or fewer that are part of the scope of work, the work being performed shall comply with the applicable provisions of ICC/ANSI A117.1 unless the facility already provides the number of accessible sleeping rooms required by Chapter 11 of the building subcode. In addition, at least one sleeping room or suite of every 25 or fewer that are part of the scope of work shall be equipped with a visual alarm and notification device for the hearing impaired unless the facility already provides the number required by Chapter 11 of the building subcode. (Building)
- 15. In buildings of Groups R-1 and R-2:
  - i. When habitable space is created in previously unoccupied space, the minimum clear ceiling height shall be seven feet. For rooms with a sloped ceiling, the minimum clear ceiling height shall be seven feet for at least 35 square feet of the floor area of the room. Any portion of the room measuring less than five feet from the finished floor to the finished ceiling shall not be considered usable floor area. (Plan review - Building, Fire. Inspection - Building)
  - ii. Group R-2 only: When finished space is created in previously unfinished space, receptacle and lighting outlets shall comply with Section 210.52 and 210.70, respectively, of the electrical subcode.
- 16. When a new refrigerant is introduced, the requirements of the mechanical subcode applicable to that refrigerant, if any, shall be met. This shall apply to the installation of new equipment, the replacement of existing equipment with equipment using a different refrigerant, or the replacement of the refrigerant in existing equipment with a different refrigerant. (Plumbing)
- 17. When the work being performed creates or exposes wood framing of any wall, floor, ceiling, or roof, fireblocking shall be provided as required by section 718.2 of the building subcode or section R302.11 of the one- and two-family dwelling subcode, as applicable. The fireblocking material shall comply with section 718.2.1 of the building subcode or section R302.11.1 of the one- and two-family dwelling subcode, as applicable.
- 18. When the work being performed creates or exposes the roof decking/sheathing or the framing of any wall, floor, ceiling, or roof assembly that is part of the building thermal envelope (encloses conditioned space), any accessible voids in insulation shall be filled using insulation meeting the R-values of Table R402.1.2 (N1102.1.2) of the residential energy code for wood framing and of Table

R402.2.6 (N1102.2.6) of the residential energy code for metal framing equivalents or of Table 5.5-4 or 5.5-5 of the commercial energy code, as applicable.

i. In the event that insulation meeting the R-values above cannot be installed due to space constraints, and the equivalency exceptions of Sections R402.2.1 and R402.2.2 (N1102.2.1 and N1102.2.2) cannot be applied for residential buildings, insulation that fills the cavities of the framed assembly shall be installed.

**19.** When fenestration (windows, skylights, or doors) is newly installed or replaced, the U-factor (thermal transmittance) shall not exceed the U-factor of Table R402.1.2 (N1102.1.2) of the residential energy code or of Table 5.5-4 or 5.5-5 of the commercial energy code, as applicable.

i. Exception: In residential buildings, fenestration that meets Sections R402.3.3 (N1102.3.3) and R402.3.4 (N1102.3.4), as applicable.

**20.** Ducts that are newly installed or replaced shall be installed with insulation meeting the R-values of Section R403.3.1 (N1103.3.1) of the residential energy code or of Section 6.4.4.1.2 of the commercial energy code, as applicable.

**21.** The total replacement of a building lighting system or a newly installed building lighting system shall meet Section R404 (N1104) of the residential energy code or Section 9.1.2 of the commercial energy code, as applicable. (A "lighting system" is defined by the commercial energy code as "a group of luminaires circuited or controlled to perform a specific function.")

i. Exception: The total replacement of a lighting system within a room, space or tenancy shall be required to meet Section 9.1.2 for the room, space, or tenancy only.

**22.** When the work being performed results in an indoor or outdoor gas meter, related regulator or piping becoming subject to vehicle impact, which work includes, but is not limited to, new installation, relocation or other construction, the gas meter, related regulator or piping 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. (Plumbing)

i. Exception: If verification of the installation of an excess flow valve is provided by the gas utility, vehicle impact barriers shall not be required.

**23.** Where work, other than ordinary maintenance or minor work, is being performed on an elevator, the elevator shall be equipped to operate with a standardized fire service key. (Fire)

**24.** The work shall not cause an exit enclosure to be used for any purpose other than means of egress, except those penetrations permitted by Section 1023.5 of the building subcode.

**25.** Existing openings that become part of an exit or exit access and newly created openings to be used as an exit or exit access shall meet Section 1008.3 and Section 1013 of the building subcode when more than one exit or exit access is required. This shall apply only to the portion of the building served by the new exit or exit access.

**(f)** In buildings of Groups R-3, R-4, and R-5 and in dwelling units of Group R-2, smoke alarms shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted, but shall not replace any AC-powered smoke alarms or a household fire alarm system. (Fire)

**(g)** In buildings containing a fuel burning appliance or having an attached garage, carbon monoxide detection equipment shall be installed in accordance with Section 915 of the building subcode or Section R315 of the one- and two-family dwelling subcode, as applicable. (Fire)

**1.** Exception: Battery-powered or plug-in devices shall be accepted for purposes of meeting the requirements of this section.



**(h)** The work shall not make the building less conforming with the basic requirements of this subchapter than it was when the alteration was undertaken.

1. Where the building currently exceeds the basic requirements, the extent to which it exceeds shall not be reduced unless the building also exceeds the requirements of the corresponding subcode of the UCC. In this case, the extent of compliance with the basic requirements may be reduced, but not below the requirements of the corresponding subcode of the UCC.
2. Where the scope of work consists of an item for which requirements are established in the basic requirements of this subcode, the work shall comply with the basic requirements.

**(i)** All materials and methods used shall comply with the requirements specified in [N.J.A.C. 5:23-6.8](#), Materials and methods.

1. Exception: Windows may be replaced with windows like those existing without meeting the size requirements of the building subcode.

i. In sleeping rooms below the fourth story in occupancies of Groups R or I-1, where new window openings are being created or the size of window openings is being changed, at least one window shall:

- (1) Be operable;
- (2) Have a sill height of not more than 44 inches;
- (3) Have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.
- (4) New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.

ii. Basement windows in buildings of Group R-2 shall comply with the requirements of [N.J.A.C. 5:23-6.26\(b\)](#)<sup>3</sup> where the window serves as the second means of egress from the dwelling unit (Plan review - Building, Fire. Inspection - Building).

2. Newly installed and replacement handrails and guardrails shall comply with Sections 1011.11, 1012.8, 1014, and 1015 of the building subcode, respectively, or Sections R311.7.8, R311.8.3, and R312.1 of the one- and two-family dwelling subcode, respectively, as applicable. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the above referenced sections. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

**(j)** All new building elements, as listed in [N.J.A.C. 5:23-6.9](#), shall comply with the requirements of that section.

**(k)** In a building required by Chapter 11 of the building subcode to be accessible, where the space altered is a primary function space, an accessible path of travel to the altered space shall be provided up to the point at which the cost of providing accessibility is disproportionate to the cost of the overall alteration project; a cost is disproportionate if it exceeds 20 percent of the cost of the alteration work. (Building)

1. The accessible path of travel shall include, but not be limited to, an accessible parking space, an accessible exterior route, an accessible building entrance, an accessible interior route to the altered area, accessible restrooms, accessible drinking fountains, and accessible telephones serving the altered primary function space. Priority shall be given to providing an accessible entrance or accessible restrooms where possible.
2. In determining disproportionate cost, the following materials may be deducted from the overall cost of the project:

i. Windows, hardware, operating controls, electrical outlets and signage;

- ii. Mechanical systems, electrical systems, installations or alterations of fire protection systems or abatement of hazardous materials; or
  - iii. The repair or installation of roofing, siding, or other exterior wall facade.
3. Where the work consists solely of the alteration of materials or systems listed in (k)2 above, the path of travel requirements shall not apply.
  4. Where the alteration work is for the primary purpose of increasing the accessibility of the building or tenancy, the requirement to further improve the path of travel shall not apply.
  5. Where it is technically infeasible to comply with the technical standards in Chapter 11 of the building subcode, the work must comply to the maximum extent feasible.

(l) When work is performed in a Class 1 structure or when work is performed on a smoke control system, a list of all materials and work requiring special inspections, and a list of agencies, qualified licensed professionals or firms intended to be retained for conducting those inspections in accordance with the requirements of the building subcode shall be submitted as part of the permit application. (Building, except smoke control systems - Fire)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Inserted (d)5; in (e), changed N.J.A.C. reference in 1, inserted a second sentence in 2iii(2), deleted "In all use groups other than H," at the beginning of 3ii(1), rewrote 9, inserted a new 10, recodified former 10 and 11 as 11 and 12, and added 13; and rewrote (f).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c), rewrote 2 and added 4; in (d), added 6; in (e), rewrote 8iii and substituted "Section 250-140" for "Section 250-60" in 8v; in (j)3, amended internal reference.

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (d), added new 7; in (e) added new 14 and 15.

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Deleted (e)15; added a new (g); recodified former (g) through (j) as (h) through (k).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Rewrote the section.

Administrative correction.

See: [35 N.J.R. 4861\(a\)](#).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout and substituted references to automatic sprinkler for references to fire suppression throughout; rewrote (e)10; added (h)2; in (i)1ii, amended the N.J.A.C. reference.

Amended by R.2004 d.468, effective December 20, 2004.

See: [36 N.J.R. 1858\(b\)](#), [36 N.J.R. 5711\(a\)](#).

In (e), added 15.

Amended by R.2005 d.4, effective January 3, 2005.

See: [36 N.J.R. 4049\(a\)](#), [37 N.J.R. 47\(a\)](#).

Added (e)16.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (e)1, deleted the N.J.A.C. reference and added "by the plumbing subcode"; added (e)10iii and (e)12ii; in (e)14, added "or section R602.8 of the one- and two-family dwelling subcode, as applicable" and "or section R602.8.1 of the one- and two-family dwelling subcode, as applicable".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Rewrote (e); and in (i)2, substituted "1009.10, 1010.8, 1012," for "1003.3.3.11, 1003.3.4.7" and "1013.1" for "1003.2.12".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)6, inserted "or by section R308.4 of the one- and two-family dwelling subcode, as applicable"; in (e)9i, substituted "alarm" for "detector" twice; in (e)14 and in the introductory paragraph of (e)15, inserted "creates or"; in (e)16, inserted "newly installed or"; added (e)19; and in (f), substituted "alarms" for "detectors".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (c)1, inserted "or Table R301.5 of the one- and two-family dwelling subcode, as applicable, "; rewrote (c)2, (e)14, (e)15, (e)16, (g) and (i)2; in (e)6, substituted "2406.4" for "2406.3"; in (e)10i, substituted "R302.6" for "R309.2"; in (e)10ii, substituted "709 and 712" for "708 and 711" and "R302" for "R317.1"; in (e)14, substituted "R302.11" for "R602.8", and "R302.11.1" for "R602.8.1", and deleted "or 717.2.1.1" following "717.2.1"; added new (e)17, (e)18 and (l); recodified former (e)17 through (e)19 as (e)19 through (e)21; and in (e)21, substituted "1022.4" for "1020.1.2".

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 (e)2iii and (e)2iv; recodified former (e)2iii as (e)3; rewrote (e)3; and recodified former (e)3 through (e)21 as (e)4 through (e)22.

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

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\(b\)](#).

Rewrote (g).

Administrative correction.

See: [49 N.J.R. 3423\(a\)](#).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (e)12i, substituted "406.3.2" for "406.3.4"; and in the introductory paragraph of (e)20, substituted "R404" for "404".

Amended by R.2022 d.022, effective February 7, 2022.

See: [53 N.J.R. 1133\(a\)](#), [54 N.J.R. 263\(a\)](#).

Added (e)10; and recodified former (e)10 through (e)24 as (e)11 through (e)25.

Annotations

## Notes

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### [Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE  
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## [N.J.A.C. 5:23-6.7](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.7 Reconstruction**

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- (a) Reconstruction, as defined in [N.J.A.C. 5:23-6.3](#), shall comply with the requirements of this section.
1. If a project is less than the entire use, primary function space or tenancy by a de minimis amount, the construction official may designate the project a reconstruction project and require that the requirements of this section be met.
  2. If work performed or to be performed in phases is so extensive that the project would require a new certificate of occupancy if the work were performed at one time, the construction official may designate the project a reconstruction project and require that the requirements of this section be met.
- (b) All work shall be done in a workmanlike manner.
- (c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.
1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode or Table R301.5 of the one- and two-family dwelling subcode, as applicable, and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)
    - i. For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors.
    - ii. For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.
    - iii. For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.
  2. Fire protection system removal: Any fire protection system providing partial or redundant protection originally installed to protect a special hazard that no longer exists and that is not required in accordance with the current Uniform Construction Code, is allowed to be removed with the written approval of the fire subcode official and fire official. All disconnected equipment and devices, such as pull stations, nozzles, detectors, sprinklers, sensors, panels and hose connections, shall be removed so as not to give a false indication that the structure, area or space is protected. (Fire)
  3. No work shall be undertaken that diminishes accessibility below that which is required by Chapter 11 of the building subcode. (Building)
  4. Construction materials used as part of a reconstruction project shall be consistent with the existing construction type or the allowable construction type, whichever is less restrictive. (Plan review - Building, Fire. Inspection - Building)

**(d)** The following products and practices shall not be used:

1. Carpet used for floor covering that fails to meet the DOC FF-1 "Pill Test" (Consumer Product Safety Commission 16 CFR 1630); (Plan review - Building, Fire. Inspection - Building)
2. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electric Code (sections 90.7, 110.2, 110.3, and article 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/NRTL), etc.; (Electrical)
3. Plumbing materials and supplies:
  - i. All purpose solvent cement;
  - ii. Clear PB (polybutylene) piping;
  - iii. Flexible traps and tailpieces;
  - iv. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S (Brown & Sharpe) 17 gauge (.045 inch); and
  - v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems (Plumbing); and
4. Bars, grilles and screens shall not be placed over emergency escape windows or doors in Groups R or I-1 unless they are releasable or removable from the inside without the use of a key, tool or force greater than that which is required for the normal operation of the window or door. (Building)
5. The following practices shall not be used on painted surfaces in all buildings of Group R that were constructed before 1978, Group E and Group I-4 buildings used as child-care facilities unless the painted surface has been tested and found to be free of lead-based paint:
  - i. Open flame burning or the use of high temperature (in excess of 1100 degrees Fahrenheit) heat guns;
  - ii. Power sanding or sandblasting, unless a special HEPA (high efficiency particulate air) filter equipped vacuum attachment is used to contain dust;
  - iii. Uncontained water blasting or power washing; or
  - iv. Dry scraping or sanding more than two square feet per room (interior) or 10 square feet or more per building (exterior). (Building)
6. A mirror shall not be placed in or adjacent to any means of egress so as to confuse the direction of egress or give the appearance of a doorway, exit, or passageway. Draperies or similar hangings shall not obscure an exit. (Plan review - Building, Fire. Inspection - Building)
  - i. Exception: Within dwelling units of Groups R-2, R-3, R-4 and R-5.

**(e)** The following products and practices shall be required, when applicable:

1. When any water closet is replaced, the replacement water closet shall require not more than 1.6 gallons of water per flush as required by the plumbing subcode. (Plumbing)
2. In buildings required by Chapter 11 of the building subcode to be accessible, when bathrooms or toilet rooms are altered, the following requirements for providing accessibility shall apply unless the requirements of Chapter 11 of the building subcode have been met:
  - i. When toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with ICC/ANSI A117.1, Section 604.9 shall be created provided that this can be accomplished without moving fixtures. (Building)

- ii. When bathroom fixtures or hardware are replaced, the replacement fixtures or hardware shall comply with ICC/ANSI A117.1, Sections 603 through 608, as applicable, for nonresidential buildings or ICC/ANSI A117.1, Chapter 10 for residential buildings required by Chapter 11 of the building subcode to be accessible. (Plumbing)
        - iii. Where full compliance is technically infeasible, a single fixture unisex accessible bathroom shall be permitted. This may be accomplished by providing two unisex bathrooms, one of which is accessible. (Building)
        - iv. Where it is technically infeasible to gain compliance with the altered bathroom, signage to the closest accessible bathroom (if any) shall be provided at the altered bathroom. (Building)
3. In buildings required by Chapter 11 of the building subcode to be accessible, when space is reconfigured, the reconstructed space shall comply with Chapter 11 of the building subcode.
  - i. Where full compliance is technically infeasible, compliance shall be achieved to the maximum extent feasible. (Building)
4. Replacement or new doors shall comply with the following: (Building)
  - i. In buildings required by Chapter 11 of the building subcode to be accessible, when new door openings are created, existing door openings are enlarged or door assemblies are replaced and the required door width can be achieved within the existing opening, the new door shall comply with ICC/ANSI A117.1, Section 404.
    - (1) If the door being added, enlarged or replaced is a building entrance and at least 50 percent of the entrance doors are accessible, then the door being added, enlarged or replaced is not required to comply with ICC/ANSI A117.1, Section 404.
  - ii. Replacement dwelling unit, guest room or rooming unit corridor doors in Groups I-1, R-1 or R-2 shall be 13/4 inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames.
    - (1) 13/8 inch solid core replacement doors shall be accepted if the existing frame is not being replaced and will accommodate only a 13/8 inch door.
5. In buildings required by Chapter 11 of the building subcode to be accessible, when entrance steps are being replaced, a ramp shall be installed provided that the installation of a ramp does not add more than 20 percent to the cost of replacing the steps. (Building)
  - i. If at least 50 percent of the other building entrances are accessible, then the installation of a ramp shall not be required.
6. When providing vertical access is part of the scope of work, a limited use limited application elevator or platform lift may be installed as permitted Chapter 11 of the building subcode. (Building)
7. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Hazardous Locations" as specified by Sections 2406.4 and 2406.5 of the building subcode or by Section R308.4 of the one- and two-family dwelling subcode, as applicable. (Building)
8. Where a fireproofing material is removed that is integral to the rating of an existing fire-rated assembly, the material shall be replaced so that the rating is preserved. (Building)
9. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240.51(B) of the electrical subcode. (Electrical)
10. Any replacement to the electrical service equipment shall require that the grounding electrode system be updated to the requirements of Article 250 Part III of the electrical subcode. (Electrical)
11. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Group I-2, shall be replaced with "hospital grade" receptacles. (Electrical)

- 12.** In buildings of Groups R-1 and R-2, when habitable space is created in previously unoccupied space, the minimum clear ceiling height shall be seven feet. For rooms with a sloped ceiling, the minimum clear ceiling height shall be seven feet for at least 35 square feet of the floor area of the room. Any portion of the room measuring less than five feet from the finished floor to the finished ceiling shall not be considered usable floor area. (Building)
- 13.** When a new refrigerant is introduced, the requirements of the mechanical subcode applicable to that refrigerant, if any, shall be met. This shall apply to the installation of new equipment, the replacement of existing equipment with equipment using a different refrigerant, or the replacement of the refrigerant in existing equipment with a different refrigerant. (Plumbing)
- 14.** When the work being performed creates or exposes wood framing of any wall, floor, ceiling, or roof, fireblocking shall be provided as required by Section 718.2 of the building subcode or Section R302.11 of the one- and two-family dwelling subcode, as applicable. The fireblocking material shall comply with Section 718.2.1 of the building subcode or Section R302.11.1 of the one- and two-family dwelling subcode, as applicable.
- 15.** When the work being performed creates or exposes the roof decking/sheathing or the framing of any wall, floor, ceiling, or roof assembly that is part of the building thermal envelope (encloses conditioned space), any accessible voids in insulation shall be filled using insulation meeting the R-values of Table R402.1.2 (N1102.1.2) of the residential energy code for wood framing and of Table R402.2.6 (N1102.2.6) of the residential energy code for metal framing equivalents or of Table 5.5-4 or 5.5-5 of the commercial energy code, as applicable.
- i.** In the event that insulation meeting the R-values above cannot be installed due to space constraints, and the equivalency exceptions of Sections R402.2.1 and R402.2.2 (N1102.2.1 and N1102.2.2) cannot be applied for residential buildings, insulation that fills the cavities of the framed assembly shall be installed.
- 16.** When fenestration (windows, skylights, or doors) is newly installed or replaced, the U-factor (thermal transmittance) shall not exceed the U-factor of Table R402.1.2 (N1102.1.2) of the residential energy code or of Table 5.5-4 or 5.5-5 of the commercial energy code, as applicable.
- i.** Exception: In residential buildings, fenestration that meets Sections R402.3.3 (N1102.3.3) and R402.3.4 (N1102.3.4), as applicable.
- 17.** Ducts that are newly installed or replaced shall be installed with insulation meeting the R-values of Section R403.3.1 (N1103.3.1) of the residential energy code or of Section 6.4.4.1.2 of the commercial energy code, as applicable.
- 18.** The total replacement of a building lighting system or a newly installed building lighting system shall meet Section R404 (N1104) of the residential energy code or Section 9.1.2 of the commercial energy code, as applicable. (A "lighting system" is defined by the commercial energy code as "a group of luminaires circuited or controlled to perform a specific function.")
- i.** Exception: The total replacement of a lighting system within a room, space or tenancy shall be required to meet Section 9.1.2 for the room, space or tenancy only.
- 19.** When the work being performed results in an indoor or outdoor gas meter, related regulator or piping becoming subject to vehicle impact, which work includes, but is not limited to, new installation, relocation or other construction, the gas meter, related regulator or piping 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. (Plumbing)
- i.** Exception: If verification of the installation of an excess flow valve is provided by the gas utility, vehicle impact barriers shall not be required.



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- 20.** Where work, other than ordinary maintenance or minor work, is being performed on an elevator, the elevator shall be equipped to operate with a standardized fire service key. (Fire)
- 21.** The work shall not cause an exit enclosure to be used for any purpose other than means of egress, except those penetrations permitted by Section 1023.5 of the building subcode.
- 22.** Existing openings that become part of an exit or exit access and newly created openings to be used as an exit or exit access shall meet Section 1008.3 and Section 1013 of the building subcode when more than one exit or exit access is required. This shall apply only to the portion of the building served by the new exit or exit access.
- (f)** In buildings containing a fuel burning appliance or having an attached garage, carbon monoxide detection equipment shall be installed in accordance with Section 915 of the building subcode or Section R315 of the one- and two-family dwelling subcode, as applicable. (Fire)
1. Exception: Battery-powered or plug-in devices shall be accepted for purposes of meeting the requirements of this section.
- (g)** All materials and methods used shall comply with the requirements specified in [N.J.A.C. 5:23-6.8](#), Materials and methods.
1. For repair work undertaken as part of a reconstruction project, materials like those existing may be used. There is no limit to the amount of repair work which may be undertaken.
2. Exception: Windows may be replaced with windows like those existing without meeting the size requirements of the building subcode.
- i. In sleeping rooms below the fourth story in occupancies of Groups R or I-1, where new window openings are being created or the size of window openings is being changed, at least one window shall:
- (1) Be operable;
- (2) Have a sill height of not more than 44 inches;
- (3) Have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.
- (4) New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.
- ii. Basement windows in buildings of Group R-2 shall comply with the requirements of [N.J.A.C. 5:23-6.26\(b\)](#)<sup>3</sup> where the window serves as the second means of egress from the dwelling unit. (Plan review - Building, Fire. Inspection - Building)
3. Newly installed and replacement handrails and guardrails shall comply with Sections 1011.11, 1012.8, 1014, and 1015 of the building subcode, respectively, or Sections R311.7.8, R311.8.3, and R312.1 of the one- and two-family dwelling subcode, respectively, as applicable. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the above referenced sections. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)
- (h)** All new building elements, as listed in [N.J.A.C. 5:23-6.9](#), shall comply with the requirements of that section.
- (i)** The basic requirements of this subchapter for the applicable group shall be met within the work area(s). Attendant work outside the work area(s) shall not make the building less conforming with the basic requirements than it was when the reconstruction was undertaken.

1. Where the building currently exceeds the basic requirements, the extent to which it exceeds shall not be reduced unless the building also exceeds the requirements of the corresponding subcode of the UCC. In this case, the extent of compliance with the basic requirements may be reduced, but not below the requirements of the corresponding subcode of the UCC. Existing fire alarm, automatic sprinkler and standpipe systems shall not be removed without replacement and shall be maintained in operating condition.

(j) The supplemental requirements of this subchapter for the applicable group shall be met wherever the extent of the work is such that the trigger accompanying each requirement is met or exceeded.

(k) In a building required by Chapter 11 of the building subcode to be accessible, where the space reconstructed is a primary function space, an accessible path of travel to the space shall be provided up to the point at which the cost of providing accessibility is disproportionate to the cost of the overall project; a cost is disproportionate if it exceeds 20 percent of the cost of the work. (Building)

1. The accessible path of travel shall include, but not be limited to, an accessible parking space, an accessible exterior route, an accessible building entrance, an accessible interior route to the reconstructed area, accessible restrooms, accessible drinking fountains, and accessible telephones serving the reconstructed primary function space. Priority shall be given to providing an accessible entrance or accessible restrooms where possible.

2. In determining disproportionate cost, the following materials may be deducted from the overall cost of the project:

- i. Windows, hardware, operating controls, electrical outlets and signage;
- ii. Mechanical systems, electrical systems, installations or alterations of fire protection systems or abatement of hazardous materials; or
- iii. The repair or installation of roofing, siding, or other exterior wall facade.

3. Where the work consists solely of the reconstruction of materials or systems listed in (k)2 above, the path of travel requirements shall not apply.

4. Where the work is for the primary purpose of increasing the accessibility of the building or tenancy, the requirement to further improve the path of travel shall not apply.

5. Where it is technically infeasible to comply with the technical standards of ICC/ANSI A117.1, the work must comply to the maximum extent feasible.

(l) When work is performed in a Class 1 structure or when work is performed on a smoke control system, a list of all materials and work requiring special inspections, and a list of agencies, qualified licensed professionals or firms intended to be retained for conducting those inspections in accordance with the requirements of the building subcode shall be submitted as part of the permit application. (Building, except smoke control systems - Fire)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c), rewrote 2 and added 4; in (d), added 5; in (e), amended the N.J.A.C. reference in 5, rewrote 8iii, and substituted "Section 250-140" for "Section 250-60" in 8v.

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (d), added new 6; in (e), added new 11.

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Deleted (e)11; added a new (f); recodified former (f) through (j) as (g) through (k).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Rewrote the section.

Administrative correction.

See: [35 N.J.R. 4861\(a\)](#).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout and substituted references to automatic sprinkler for references to fire suppression throughout; in (g)2ii, amended the N.J.A.C. reference.

Amended by R.2004 d.468, effective December 20, 2004.

See: [36 N.J.R. 1858\(b\)](#), [36 N.J.R. 5711\(a\)](#).

In (e), added 11.

Amended by R.2005 d.4, effective January 3, 2005.

See: [36 N.J.R. 4049\(a\)](#), [37 N.J.R. 47\(a\)](#).

Added (e)12.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (e)1, deleted the N.J.A.C. reference and added "by the plumbing subcode".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (e) and (k)5, substituted "2003" for "1998" throughout; in (e)2ii, inserted "ICC/ANSI A117.1-2003, Chapter 10"; in (e)6, substituted "2406.3" for "2406.2"; added new (e)11 and (e)12; recodified former (e)11 and (e)12 as (e)13 and (e)14; and in (g)3, substituted "1009.10, 1010.8, 1012" for "1003.3.3.11, 1003.3.4.7" and "1013.1" for "1003.2.12".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)6, inserted "or by section R308.4 of the one- and two-family dwelling subcode, as applicable"; in the introductory paragraph of (e)11, inserted "creates or"; in (e)12, inserted "newly installed or"; and added (e)15.

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (c)1, inserted "or Table R301.5 of the one- and two-family dwelling subcode, as applicable,"; rewrote (c)2, (e)11, (e)12 and (g)3; in (e)6, substituted "2406.4" for "2406.3"; added new (e)13, (e)14 and (f); recodified former (e)13 through (e)15 as (e)15 through (e)17; in (e)17, substituted "1022.4" for "1020.1.2"; and in (f), inserted "[N.J.A.C. 5:23-3.20\(c\)](#) of" and "or Section R315 of the one- and two-family dwelling subcode, as applicable".

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In the introductory paragraph of (e)2, inserted a comma following "altered"; added new (e)2iii and (e)2iv; recodified former (e)2iii as (e)3; rewrote (e)3; and recodified former (e)3 through (e)17 as (e)4 through (e)18.

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

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\(b\)](#).

Rewrote (f).

Administrative correction.

See: [49 N.J.R. 3423\(a\)](#).

Amended by R.2020 d.130, effective December 7, 2020.

See: [52 N.J.R. 835\(a\)](#), [52 N.J.R. 2097\(a\)](#).

Inserted (e)10 and recodified former (e)10 through (e)21 as (e)11 through (e)22.

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the introductory paragraph of (e)18, substituted "R404" for "404".

Amended by R.2022 d.022, effective February 7, 2022.

See: [53 N.J.R. 1133\(a\)](#), [54 N.J.R. 263\(a\)](#).

In (e)10, deleted "repair or" following "Any", and "NEC" preceding "Article", substituted "of" for ", as referenced in", and deleted "[\(N.J.A.C. 5:23-3.16\)](#)" following "subcode".

Annotations

## Notes

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### [Chapter Notes](#)

## [N.J.A.C. 5:23-6.8](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.8 Materials and methods**

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(a) The following requirements shall be met for materials and installation methods for all items that are part of the applicant's proposed project for all categories of work other than repair as defined in [N.J.A.C. 5:23-6.3](#).

1. Where sections listed below reference other sections not listed below, those sections shall apply within that limited context.

(b) Building and Fire Protection Materials and Methods: The following sections of the building subcode ([N.J.A.C. 5:23-3.14](#)) shall constitute the building and fire protection materials and methods requirements for this subchapter:

1. The following sections of Chapter 5 entitled "General Building Height and Areas":
  - i. Section 505 shall apply to newly constructed "Mezzanines and Equipment Platforms";
2. The following sections of Chapter 7 entitled "Fire and Smoke Protection Features":
  - i. Sections 703.2, 703.3, 703.4, 703.5, 703.6;
  - ii. Sections 705.2.1, 705.2.2, 705.4;
  - iii. Sections 706.2, 706.3;
  - iv. Sections 707.2, 707.9;
  - v. Section 708.2;
  - vi. Section 709.2;
  - vii. Sections 710.2, 710.5, 710.6, 710.7, 710.8;
  - viii. Sections 711.2.1, 711.3.1;
  - ix. Section 712.1.13;
  - x. Section 713.3;
  - xi. Section 714, except that the rating requirement of Section 714.4.1.2 shall not apply;
  - xii. Section 715;
  - xiii. Section 716;
  - xiv. Section 717;
  - xv. Sections 718.2.1, 718.3.1;
  - xvi. Section 719;
  - xvii. Section 720;
  - xviii. Section 721; and

- xix.** Section 722;
- 3.** All of Chapter 8 entitled "Interior Finishes";
  - 4.** All of Chapter 9 entitled "Fire Protection Systems" except Sections 902, 903.2, 904.2, 905.3, 906.1, 907.2, 908, 910.2, 911, 917, 918;
  - 5.** The following sections of Chapter 10 entitled "Means of Egress":
    - i.** Sections 1010.1.4.1, 1010.1.4.2, 1010.1.4.3, 1010.1.4.4, 1010.1.4.5, 1010.1.9, 1010.1.10.1, 1010.1.10.2;
    - ii.** Sections 1013.3, 1013.5, 1013.6.1, 1013.6.3;
    - iii.** Section 1015.8.1; and
    - iv.** Sections 1025.4, 1025.5;
  - 6.** The following sections of Chapter 12 entitled "Interior Environment":
    - i.** Section 1202.5.2 shall apply to new sources of contaminants; and
    - ii.** Section 1209;
  - 7.** All of Chapter 14 entitled "Exterior Walls" except Sections 1401, 1402.2, 1402.3, 1402.4;
  - 8.** All of Chapter 15 entitled "Roof Assemblies and Rooftop Structures" except Sections 1501, 1502, 1503.4, 1510.9;
  - 9.** All of Chapter 16 entitled "Structural Design," except Sections 1601, 1604, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, shall apply to new or replaced structural members. The referenced sections of Chapter 16 shall not be used to analyze any existing structural members, except as otherwise provided by this subcode;
  - 10.** All of Chapter 18 entitled "Soil and Foundations" except Sections 1801, 1802, 1803, 1804, 1805, 1806;
    - i.** Additionally, the following requirements of Section 1805 shall be included as part of Materials and Methods: 1805.2.1, 1805.2.2, 1805.3.1, 1805.3.2, 1805.3.3, 1805.4.1, 1805.4.2, 1805.4.3;
  - 11.** All of Chapter 19 entitled "Concrete" except Sections 1901, 1902;
  - 12.** All of Chapter 20 entitled "Aluminum";
  - 13.** All of Chapter 21 entitled "Masonry" except Sections 2101, 2102;
  - 14.** All of Chapter 22 entitled "Steel" except Section 2201;
  - 15.** All of Chapter 23 entitled "Wood" except Section 2301.1;
  - 16.** All of Chapter 24 entitled "Glass and Glazing" except Sections 2401, 2402;
  - 17.** All of Chapter 25 entitled "Gypsum Board and Plaster" except Sections 2501.1, 2502;
  - 18.** All of Chapter 26 entitled "Plastic" except Sections 2601, 2602;
  - 19.** For the applicability of Chapter 30 entitled "Elevators and Conveying Systems," refer to (i) and (j) below; and
  - 20.** The following sections of Chapter 31 entitled "Special Construction":
    - i.** Section 3105;
    - ii.** Sections 3106.3;
    - iii.** Section 3107;

- iv. Section 3109 shall apply to newly installed and completely replaced enclosures for swimming pools, spas, and hot tubs. This shall also apply to partial enclosure replacement if the portion being replaced exceeds 25 percent of the total perimeter of the enclosure; and
- v. Section 3110.

(c) Plumbing Materials and Methods: The following sections of the plumbing subcode ([N.J.A.C. 5:23-3.15](#)) shall constitute the plumbing materials and methods requirements for this subchapter:

1. All of Chapter 2 entitled "General Regulations" except 2.19:
  - i. Sections 2.16a.1 and 2 shall not apply to the replacement of water service or building sewers in the same location.
  - ii. Section 2.19 for mandatory connections to the public water supply and sewer shall apply when existing septic or water supply facilities are no longer suitable for use as determined by the local health inspector, and public facilities are available within the meaning of 2.19.
2. All of Chapter 3 entitled "Materials."
3. All of Chapter 4 entitled "Joints and Connections."
4. All of Chapter 5, entitled "Traps, cleanouts and backwater valves."
5. Chapter 6, entitled "Interceptors" except sections 6.1.1, 6.3.1 and 6.4.1:
  - i. Section 6.1.1, 6.3.1, 6.4.1 for when interceptors are required shall not apply. However, when new fixtures, or devices are installed that will produce wastes that need to be separated, an interceptor shall be required.
6. Chapter 7, entitled "Plumbing Fixtures, Fixture Fittings and Plumbing Appliances" except section 7.21 and table 7.21.1.
7. Chapter 8 entitled "Hangers and Supports."
8. Chapter 9 entitled "Indirect Wastes Piping and Special Waste."
9. Chapter 10 entitled "Water Supply and Distribution" except for sections 10.3, 10.6.5, 10.8.1, 10.14 and 10.15.9:
  - i. Water shall be supplied so that fixtures within a building are provided with an adequate supply of water so that they are functional.
  - ii. In Section 10.6.4, the minimum of five feet for the wall sleeve shall not be required for "trenchless pipe replacement systems" for water service replacement using plastic pipe.
  - iii. Section 10.6.5 shall apply to all newly-installed or completely replaced water services.
  - iv. Section 10.8.1 shall apply, where there is not sufficient pressure for proper functioning of fixtures, a water pressure booster system shall be required.
  - v. Section 10.14 for sizing water distribution systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required. All new piping associated with the installation of additional fixtures shall comply with the sizing requirements of Chapter 10.
10. All of Chapter 11, entitled "Sanitary Drainage Systems" except 11.2.2, 11.2.3, 11.5, and 11.6:
  - i. Section 11.2.3 for sizing building sewers shall apply when the proposed work will impose additional loads on the sewer. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.
  - ii. Section 11.5 for sizing drainage systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load

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on the existing system, no increase in size shall be required. All new piping associated with the installation of additional fixtures shall comply with the sizing requirements of 11.5.

iii. Section 11.6 for sizing offsets in drainage systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.

11. All of Chapter 12, entitled "Vents and Venting" except 12.3.1, 12.3.2 and 12.16:

i. Section 12.3.1 for locations where vent stacks are required shall apply where new stacks are being installed;

ii. Section 12.3.2 "Relief Vents for Stacks having Ten or More Branch Intervals" shall apply only when new stacks of ten or more branch intervals are being installed; and

iii. Section 12.16 for size and length of vents shall apply when new vents are being installed.

12. All of Chapter 13 entitled "Storm Water Drainage" except 13.1.1, 13.1.2, 13.1.6, 13.1.7, 13.1.10.1, 13.4.3, 13.6.1, 13.6.2:

i. Section 13.1.1 for where storm water drains are required shall apply only when new roofs, paved areas, yards, courts and courtyards are created.

ii. Section 13.1.2 "Storm Water Drainage to Sewer Prohibited" shall not be applied to existing connections to the sewer. This section shall only prohibit the connection of new storm water drains to a sanitary sewer that is prohibited from accepting such discharge.

iii. Section 13.1.6 "Areaway Drains" shall apply only to newly created, open, below grade areaways where storm water can accumulate.

iv. Section 13.1.7 "Window Well Drains" shall apply only to newly created window wells.

v. Section 13.1.10.1 for sizing roof drains, as amended in [N.J.A.C. 5:23-3.15](#), shall apply only where additional roof area is to be drained or where other circumstances increase the load on existing roof drains.

vi. Section 13.4.3 "Combining Storm with Sanitary Drainage" shall not be applied to existing connections to the sewer. This section shall only require that newly installed sanitary and storm sewers be separate.

vii. Section 13.6.1 for sizing of "Vertical Conductors and Leaders" shall only apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.

viii. Section 13.6.2 "Size of Horizontal Storm Drain Piping" shall only apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the system, no increase in size shall be required.

13. All of Chapter 14 entitled "Special Requirements For Health Care Facilities."

14. All of Chapter 15 entitled "Tests and Maintenance."

15. Section 16.1.7 of Chapter 16 entitled "Regulations Governing Individual Sewage Disposal Systems for Homes and Other Establishments Where Public Sewage Systems Are Not Available."

(d) Electrical Materials and Methods. The following sections of the electrical subcode ([N.J.A.C. 5:23-3.16](#)) shall constitute the electrical materials and methods requirements for this subchapter:

1. Section 90.7, entitled "Examination of Equipment for Safety" of the Introduction, Article 90;

2. All of Chapter 1 entitled "General" except Sections 110.8 Wiring Methods, 110.26 Spaces About Electrical Equipment (1,000 Volts, Nominal, or less), 110.32 Work Space About Equipment (over 1,000 Volts, Nominal) and 110.33 Entrance to Enclosures and Access to Working Space;



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- i. Section 110.32 shall be required for upgrading the complete system or where the voltage is increased;
  - 3. All of Chapter 2 entitled "Wiring and Protection" except Sections 210.11 Branch Circuits Required, 210.12 Arc-Fault Circuit-Interrupter Protection, 210.52 Dwelling Unit Receptacle Outlets, 210.60 Guest Rooms or Guest Suites Dormitories and Similar Occupancies, 210.62 Show Windows, 210.63 Heating, Air Conditioning, and Refrigeration Equipment Outlet and 210.70 Lighting Outlets Required;
  - 4. All of Chapter 3 entitled "Wiring Methods and Materials";
  - 5. All of Chapter 4, entitled "Equipment for General Use" except Section 404.8 Accessibility and Grouping (switches) and Section 408.18 Clearances (switchboards and panelboards);
  - 6. All of Chapter 5, entitled "Special Occupancies;"
  - 7. All of Chapter 6, entitled "Special Equipment;"
  - 8. All of Chapter 7, entitled "Special Conditions;" and
  - 9. All of Chapter 8 entitled "Communications Systems."
  - 10. Existing working clearances, clear space, access and entrance dimensions to working spaces, illumination, headroom clearances, and location of overcurrent protection devices shall be allowed to remain without modification.
- (e) Mechanical Materials and Methods:** The following sections of the mechanical subcode ([N.J.A.C. 5:23-3.20](#)) shall constitute the mechanical materials and methods requirements for this subchapter:
- 1. All of Chapter 3, entitled "General Regulations" except Sections 301.2, 301.10, 301.11, 301.16, 301.18, 303.5, 303.6, 303.7, 306, 307.2.3, 309, and 312;
    - i. Section 312 shall apply when appliance/equipment input ratings are increased.
  - 2. All of Chapter 4, entitled "Ventilation" except Sections 402, 403, and 407;
  - 3. All of Chapter 5, entitled "Exhaust Systems" except Sections 502, 509, 510, and 513;
    - i. Section 509 shall apply to newly installed or replaced commercial food heat-processing appliances and Type I hoods;
    - ii. Section 510 shall apply to newly introduced sources of hazardous exhaust;
  - 4. All of Chapter 6, entitled "Duct Systems" except Sections 602 and 604.1;
    - i. Section 602 shall apply to newly-constructed plenums. Modifications to existing plenums, such as installation of new building, electrical or plumbing materials inside the plenum, increasing air flow rate within the plenum, etc. shall not require the plenum to comply with the construction requirements for new plenums. However, newly-installed materials within the plenum shall be consistent with material requirements of Section 602;
  - 5. All of Chapter 7, entitled "Combustion Air";
    - i. Chapter 7 shall not apply if the work being performed does not increase the input rating of the equipment.
  - 6. All of Chapter 8, entitled "Chimneys and Vents";
  - 7. All of Chapter 9, entitled "Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment";
  - 8. All of Chapter 10, entitled "Boiler, Water Heaters and Pressure Vessels";
  - 9. All of Chapter 11, entitled "Refrigeration";
  - 10. All of Chapter 12, entitled "Hydronic Piping" except Section 1204;
  - 11. All of Chapter 13, entitled "Fuel Oil Piping and Storage" except Section 1305.1;

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i. Section 1305.1 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums; and

**12.** All of Chapter 14, entitled "Solar Thermal Systems."

**(f)** Fuel Gas Materials and Methods: The following sections of the fuel gas subcode ([N.J.A.C. 5:23-3.22](#)) shall constitute the fuel gas materials and methods requirements of this subchapter:

**1.** All of Chapter 3, entitled "General Regulations" except Sections 301.2, 301.6, 301.11, 301.12, 303.7, and 306 (excluding Section 306.6);

i. Section 304 shall not apply if the work being performed does not increase the input rating of the equipment.

**2.** All of Chapter 4, entitled "Gas Piping Installations" except Sections 401.8 and 402.3;

i. Sections 401.8 and 402.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums;

**3.** All of Chapter 5, entitled "Chimneys and Vents";

i. Section 503.6.10 shall apply only when the equipment being installed results in a greater output to the common venting system;

**4.** All of Chapter 6, entitled "Specific Appliances"; and

**5.** All of Chapter 7, entitled "Gaseous Hydrogen Systems."

**(g)** Barrier Free Materials and Methods: The requirements of ICC/ANSI A117.1 shall constitute the barrier free materials and methods requirements for this subchapter and shall apply to work projects in all buildings other than buildings of Group R-2, R-3, R-4, or R-5 containing fewer than four dwelling units or buildings of Use Group U.

**1.** Exception: Where full compliance is technically infeasible, compliance shall be achieved to the maximum extent feasible.

**2.** For toilet or bathing facilities, at least one of each type of fixture shall comply with the barrier free materials and methods. Where six or more toilet stalls are provided, in addition to a wheelchair accessible stall, at least one ambulatory accessible stall shall be provided.

**3.** Limited exceptions to the accessibility requirements for theatres and auditoriums are permitted as follows:

i. Where fixed seating is provided and it is technically infeasible to provide integrated accessible seating, accessible seating may be clustered.

ii. When a facility contains more than one performing area and it is technically infeasible to make all performing areas accessible, the provision of one accessible performing area shall be accepted as meeting the requirement for providing access to performing areas.

**4.** In buildings of Group M, where fitting room partitions are installed or moved, five percent of the fitting rooms, but not less than one, shall comply.

**5.** Section 309 of the ICC/ANSI A117.1 shall not apply to electrical panelboard replacement(s).

**(h)** Residential Materials and Methods: The following sections of the one- and two-family dwelling subcode ([N.J.A.C. 5:23-3.21](#)) shall constitute the residential materials and methods requirements for this subchapter:

**1.** The following sections of Chapter 3, entitled "Building Planning":

- i.** Section R301.8;
  - ii.** Sections R302.10, R302.14;
  - iii.** Section R307.2;
  - iv.** Section R308;
  - v.** Section R309.4;
  - vi.** Sections R313.1.1, R313.2.1;
  - vii.** Sections R314.1.1, R314.5, R314.7.1, R314.7.4;
  - viii.** Sections R315.1.1, R315.4, R315.7.1, R315.7.4;
  - ix.** Section R316;
  - x.** Section R317; and
  - xi.** Section R318;
  - xii.** Section R324 shall apply to newly installed and completely replaced solar energy systems;
  - xiii.** Section R326 shall apply to newly installed and completely replaced enclosures for swimming pools, spas, and hot tubs. This shall also apply to partial enclosure replacement if the portion being replaced exceeds 25 percent of the total perimeter of the enclosure; and
  - xiv.** Section R327 shall apply to newly installed and completely replaced stationary storage battery systems;
- 2.** The following sections of Chapter 4 entitled "Foundations":
  - i.** Section R402; and
  - ii.** Section R407;
- 3.** The following sections of Chapter 5 entitled "Floors":
  - i.** Sections R502.1, R502.8, R502.11;
  - ii.** Sections R503.2.1, R503.2.3, R503.3.1, R503.3.3;
  - iii.** Sections R504.1.2, R504.1.3, R504.3;
  - iv.** Sections R505.2.1, R505.2.2, R505.2.3, R505.2.4, R505.2.5, R505.2.6.3, R505.3.5; and
  - v.** Section R507 shall apply to newly installed and completely replaced decks;
- 4.** The following sections of Chapter 6 entitled "Wall Construction":
  - i.** Sections R602.1, R602.2, R602.6;
  - ii.** Sections R603.2.1, R603.2.2, R603.2.3, R603.2.4, R603.2.5, R603.2.6.3, R603.3.4;
  - iii.** Sections R604.1, R604.3;
  - iv.** Section R605;
  - v.** Sections R606.1, R606.2;
  - vi.** Section R607.2;
  - vii.** Sections R608.5.1.1, R608.5.1.2, R608.5.2, R608.5.3;
  - viii.** Sections R609.3, R609.4, R609.5; and
  - ix.** Sections R610.3, R610.7;
- 5.** All of Chapter 7 entitled "Wall Covering";

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6. The following sections of Chapter 8, entitled "Roof-Ceiling Construction":
    - i. Sections R802.1, R802.7, R802.10.4;
    - ii. Section R803.2.1; and
    - iii. Sections R804.2.1, R804.2.2, R804.2.3, R804.2.4, R804.2.5, R804.2.6.3, R804.3.3;
  7. All of Chapter 9 entitled "Roof Assemblies";
  8. All of Chapter 10 entitled "Chimneys and Fireplaces";
  9. All of Chapter 13, entitled "General Mechanical System Requirements", except Section M1301.1.1 and M1305;
  10. All of Chapter 14, entitled "Heating and Cooling Equipment," except Sections M1401.2, M1401.3, and M1401.5;
    - i. Section M1401.3 shall apply when appliance/equipment input ratings are increased.
  11. All of Chapter 15, entitled "Exhaust Systems";
  12. All of Chapter 16, entitled "Duct Systems";
  13. All of Chapter 17, entitled "Combustion Air," except M1701.2;
    - i. Chapter 17 shall not apply if the work being performed does not increase the input rating of the equipment.
  14. All of Chapter 18, entitled "Chimneys and Vents";
  15. All of Chapter 19, entitled "Special Fuel-Burning Equipment";
  16. All of Chapter 20, entitled "Boilers and Water Heaters";
  17. All of Chapter 21, entitled "Hydronic Piping";
  18. All of Chapter 22, entitled "Special Piping and Storage Systems";
  19. All of Chapter 23, entitled "Solar Thermal Energy Systems"; and
  20. All of Chapter 24, entitled "Fuel Gas," except Sections G2404.7, G2404.8, G2412.8, and G2413.3.
    - i. Section G2407 shall not apply if the work being performed does not increase the input rating of the equipment.
    - ii. Sections G2412.8 and G2413.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums;
- (i) Elevator Devices Materials and Methods: The following sections of the elevator subcode (N.J.A.C. 5:23-12) shall constitute the elevator device materials and methods requirements for this subchapter:
1. The following sections of the elevator subcode and ASME A17.1 referenced by the adopted building subcode: [N.J.A.C. 5:23-12.2\(c\)](#) and [12.8](#), ASME A17.1, Sections 8.7 Alterations, 8.8, Welding; and 8.9, Code Data Plate, and Appendices, except for E, J, N, T, W, X, and Y.
  2. The following section of Chapter 30 of the building subcode: Section 3002.1.2--"Hoistway Enclosures, Hardware."
  3. The requirements of ASME A17.1 Section 2.8.3.3, as referenced by the adopted building subcode, when an automatic sprinkler system is installed in an elevator hoistway, machine room and/or machinery space.

4. When a controller is replaced, without any change in the type of operation or control, the newly installed controller shall conform to the requirements of ASME A17.1 Sections 2.26.4 and 2.26.9. The installation shall also conform to the requirements of ASME A17.1 Sections 2.25; 2.26.6; 2.26.7; and 2.26.8.

5. When a controller is replaced, with any change in the type of operation or control, the newly installed controller shall conform to the requirements of ASME A17.1 Sections 2.26.4 and 2.26.9. The installation shall also conform to the requirements of ASME A17.1 Sections 2.25; 2.26.6; 2.26.7; 2.26.8; and 2.27.3 through 2.27.9.

**(j) Conveying Devices Materials and Methods:** The following sections of Chapter 30 of the building subcode ([N.J.A.C. 5:23-3.14](#)) shall constitute the conveying device materials and methods requirements for this subchapter:

1. Section 3004.3--"Conveyors"; Section 3004.4--"Personnel and material hoists" and the following referenced standards from Table 3001.3--"ALI ALCTV," "ANSI MH 29.1," "ASME B20.1."

**(k) Manufactured Home Materials and Methods:** The following sections of Part 3280 of Title 24 of the Code of Federal Regulations shall constitute the manufactured home materials and methods requirements for this subcode:

1. All of Part 3280 of Title 24 of the Code of Federal Regulations except 3280.1, 3280.5, 3280.6, 3280.7, and 3280.8.

**(l) Energy Conservation Materials and Methods:** The following sections of the energy subcode ([N.J.A.C. 5:23-3.18](#)) shall constitute the energy conservation materials and methods requirements for this subchapter:

1. Residential energy code provisions:

i. The following sections of Chapter 3 entitled "Climate Zones":

(1) Section R303 (N1101.10).

ii. The following sections of Chapter 4 of the residential energy code entitled "Residential Energy Efficiency":

(1) Sections R402.2.3, R402.2.4, R402.2.8, R402.2.12, R402.4.1.1, R402.4.3 and 402.4.5 (N1102.2.3, N1102.2.4, N1102.2.8, N1102.2.12, N1102.4.1.1, N1102.4.3, and N1102.4.5).

2. Commercial energy code provisions:

i. The following sections of Chapter 4 of the commercial energy code entitled "Commercial Energy Efficiency":

(1) Section 4.2.3;

(2) Sections 5.4.3.1 (excluding 5.4.3.1.3a), 5.4.3.2, 5.4.3.3, 5.5.4.1, 5.8.1, and 5.8.2;

(3) Sections 6.4.1, 6.4.4.1.1, and 6.4.4.2.1;

(4) Section 7.4.2; and

(5) Section 10.4.1.

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (b), inserted a reference to fire protection materials the introductory paragraph, inserted 4i and 4ii, inserted a new 5iii, and recodified former 5iii and 5iv as 5iv and 5v; and in (c), changed chapter 5 reference in 4, substituted a reference to section 7.21 for a reference to 7.24 in 6, substituted a reference to section 11.2.3 for a reference to 11.2.2 in 10i, changed chapter 14 reference in 13, and changed section 16.1.7 reference in 15.

Administrative correction.

See: [32 N.J.R. 688\(a\)](#).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (b), rewrote 15 and 21; in (d), rewrote 2 through 4; and added (h).

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (b), added new 5vi.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Rewrote the section.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout; in (b), substituted "906.1" for "906" in the introductory paragraph of 4 and inserted "1003.3.1.3.1" in 5iii; in (i), substituted a reference to automatic sprinkler for a reference to fire suppression in 3.

Administrative correction.

See: [36 N.J.R. 2490\(b\)](#).

Amended by R.2005 d.82, effective March 7, 2005.

See: [36 N.J.R. 4222\(a\)](#), [37 N.J.R. 771\(a\)](#).

In (b), substituted "906.2" for "906.1" in the introductory paragraph of 4, and deleted i, substituted "1614" for "1613" in 9; in (c), deleted "and" following "108.1" and inserted "and 10.15.9" following "10.14" in 9.

Administrative change.

See: [37 N.J.R. 1016\(a\)](#).

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (b)19, a correction is made to a cross reference; in (c)5, deletes reference to section 6.1.7; in (e)1, section 301.16 is replaced with section 301.15; added (f)5 and (h)9 through 20.

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Rewrote (b); in the introductory paragraph of (c), substituted "materials and methods" for "material and method"; added (d)2i; rewrote (d)3; in (d)4, inserted "and materials"; in (d)5, substituted "408.18" for "408.8"; in (f)4, deleted

"and" from the end; in (f)5, substituted "; and" for the period at the end; added (f)6; in the introductory paragraph of (g), substituted "2003" for "1998"; and rewrote (h).

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In (b)19, substituted "and (j) below" for "below, Elevator Devices"; rewrote (i)1; in (i)2, substituted "section" for "sections" and deleted "and Section 3005.3--"Conveying Systems, Conveyors" from the end; in (i)3, substituted "Section 2.8.2.3" for "Rule 102.2(c)4" and "installed" for "provided"; added (i)4, (i)5, and new (j); and recodified former (j) as (k).

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (h)9, inserted "M1301.1.1 and".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

Rewrote (b)2ii through (b)2xi, (b)10, (d)2i and (h); in (b)4, inserted "907.2,"; added new (b)5i; recodified former (b)5i as new (b)5ii; in (b)5ii, substituted "Subsections" for "Subsection"; deleted former (b)5ii through (b)5iv; in (b)8, substituted "1502" for "1502.0"; in (b)9, inserted "1614,"; in (c)16, substituted "Requirements" for "Standards"; in (d)2, inserted "to Enclosures" and substituted "Working" for "Work"; in (d)3, inserted "210.12 Arc-Fault Circuit-Interrupter Protection," and "Dormitories and Similar Occupancies"; added (d)7i, (g)5 and (l); in (e)1, substituted "and 309" for ", 309 and 312"; in the introductory paragraph of (e)4, substituted "604.1" for "604"; in (i)3, substituted "2.8.3.3" for "2.8.2.3"; and in (j)1, inserted "the following referenced standards from" and " 'ASME B20.1' ".

Administrative correction.

See: [45 N.J.R. 2471\(a\)](#).

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Rewrote the section.

Amended by R.2019 d.083, effective August 5, 2019.

See: [51 N.J.R. 3\(a\)](#), [51 N.J.R. 1269\(a\)](#).

In the introductory paragraph of (k), substituted "Part 3280 of Title 24 of the Code of Federal Regulations" for "the manufactured home subcode ([N.J.A.C. 5:23-3.19](#))".

Amended by R.2020 d.130, effective December 7, 2020.

See: [52 N.J.R. 835\(a\)](#), [52 N.J.R. 2097\(a\)](#).

In (b)4, inserted a comma following "Systems" and inserted "903.3.2,".

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (b)1i, inserted "and Equipment Platforms"; in (b)2ii, deleted "705.2.3," preceding "705.4.:"; in (b)3, deleted "except Section 802" from the end; in the introductory paragraph of (b)4, substituted "917, 918" for "916"; in (b)5i, inserted "1010.1.4.5.,"; in (b)6i, substituted "1202.5.2" for "1203.5.2"; in (b)6ii, substituted "1209" for "1210"; in (b)7, substituted "1402.2, 1402.3, 1402.4" for "1402, 1403.2, 1403.3, 1403.4"; in (b)8, deleted "1503.5," preceding "1510.9"; in (b)14, substituted "Section 2201" for "Sections 2201, 2202"; in (b)15, substituted "Section 2301.1." for "Sections 2301.1, 2302"; in (b)17, deleted "2501.2," preceding "2502"; deleted (c)16; in the introductory paragraph of (d)2, substituted "1,000" for "600" twice; in (e)12, inserted "Thermal"; in (h)1viii, substituted "R315.7.1, R315.7.4" for "R315.6.1, R315.6.4"; in (h)1xii, deleted "and" from the end; in (h)1xiii, inserted "and" at the end; added (h)1xiv; in the introductory paragraph of (h)13, substituted "Air, except M1701.2" for "Air"; in the introductory paragraph of (i) updated the N.J.A.C. cite; rewrote (i)1 and (j)1; and in (l)2i(2), inserted "(excluding 5.4.3.1.3a)".

Amended by R.2021 d.121, effective October 18, 2021.

See: [53 N.J.R. 586\(a\)](#), [53 N.J.R. 1781\(a\)](#).

In (e)1i and (h)10i, substituted "increased" for "increased/decreased"; in the introductory paragraph of (f)1, inserted "(excluding Section 306.6)"; and in the introductory paragraph of (h)10, substituted "Equipment,' " for "Equipment',".

Annotations

## Notes

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### [Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE  
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## [N.J.A.C. 5:23-6.9](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.9 New building elements**

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(a) When the rehabilitation of an existing building creates or includes any building element of a type listed in this section, then the new element shall comply with the requirements for such an element established by this section.

1. The installation of a floor system which did not previously exist, shall be constructed utilizing the live load requirements as specified in Section 1607 of the building subcode, or with Section R301.5 of the one- and two-family dwelling subcode, as applicable.
2. When the number of stories in a building is increased without increasing the height of the building, the building shall comply with the story requirements of Table 504.4 of the building subcode.
  - i. Stories or habitable attics within buildings of Group R-5 shall comply with [N.J.A.C. 5:23-3.21\(c\)](#)3i of the one- and two-family dwelling subcode.
3. Newly created floor openings shall comply with the requirements of Sections 712 and 713 of the building subcode.
4. Newly created atriums shall comply with the requirements of Section 404 of the building subcode.
5. Newly created door openings shall comply with Section 1010.1.1 of the building subcode. Additionally, newly created door openings in walls which are fire-resistance rated shall comply with Section 716 of the building subcode.
  - i. Newly created exit doors in buildings of Group R-5 shall comply with Section R311.2 of the one- and two-family dwelling subcode.
6. Newly created openings in fire resistance rated assemblies shall be protected in accordance with Sections 714, 715, 716, and 717, as applicable, of the building subcode, or with Sections R302.4 and R302.5 of the one- and two-family dwelling subcode, as applicable.
7. Newly created exit passageways and newly created exit discharge used as exit elements shall:
  - i. Comply with the requirements of Section 1024 of the building subcode for exit passageways. However, the fire resistance rating of the passageway shall not be required to exceed the fire resistance rating of the exit element that discharges into the passageway; or
  - ii. Comply with the requirements of Section 1028 of the building subcode for exit discharge.
8. Newly created stairways:
  - i. Stairways in buildings subject to the one- and two-family dwelling subcode shall comply with Sections R311.7.1, R311.7.2, R311.7.4, R311.7.5, R311.7.8, R311.7.10, R311.7.11, R311.7.12, and R312.1;
  - ii. Exit stairways in buildings subject to the building subcode shall comply with Sections 1022 and 1028. Within the references of Section 1022, Section 1009 shall not be applicable;

iii. Non-exit stairways in buildings subject to the building subcode shall comply with Sections 1011.3, 1011.4, 1011.5, 1011.9, 1011.10, 1011.11, 1011.14, 1011.15, 1011.16, 1015.2, 1015.3, and 1015.4.

**9.** Newly installed fire escapes shall be constructed in accordance with FTO-3 of the Uniform Construction Code as permitted in the basic requirements of this subcode. (Building)

**10.** Newly installed elevator devices, including those newly installed in existing hoistways/machine rooms, completely replaced elevator devices, and a change in use of an elevator device from freight to passenger, passenger to freight, or from one freight class to another freight class and other equipment within the scope of Chapter 30 newly installed or installed in existing hoistways/machine rooms, shall conform to the requirements of Chapter 30 of the building subcode and N.J.A.C. 5:23-12, as applicable.

i. Exception: Such devices shall not be required to comply with Section 8.4 and Section 8.5 of ASME A17.1 adopted by reference in the building subcode and Section 3002.4 of the building subcode.

**11.** Newly created corridors shall comply with Sections 1020.1, 1020.3, 1020.4, 1020.5, and 1020.6 of the building subcode.

**12.** Newly constructed mezzanines shall comply with Section 505 of the building subcode.

**13.** Newly created covered mall and open mall buildings shall comply with Section 402 of the building subcode.

**14.** Newly created motion picture projection rooms, screening rooms and sound stages shall comply with Section 409 of the building subcode.

**15.** Newly created stages, platforms, and technical production areas shall comply with Section 410 of the building subcode.

**16.** Newly created spaces which are utilized for the application of flammable finishes shall comply with Section 416 of the building subcode.

**17.** At least one newly created window opening in sleeping rooms below the fourth story in occupancies in Groups R or I-1 shall:

i. Be operable;

ii. Have a sill height of not more than 44 inches;

iii. Have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side. (Building)

iv. New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.

v. Basement windows in buildings of Group R-2 shall comply with the requirements of [N.J.A.C. 5:23-6.26\(b\)](#)3 where the window serves as the second means of egress from the dwelling unit. (Plan review - Building, Fire. Inspection - Building)

**18.** Newly created specific occupancy areas shall comply with the following:

i. Paint shops in other than Group F which contain chemicals below the exempt amount for Group H, waste and soiled linen collection rooms and chute termination rooms shall be separated from other portions of the building by a one-hour fire partition or provided with an automatic sprinkler system.

ii. Newly installed children's play structures shall meet Section 424 of the building subcode.

iii. Incinerator rooms in all groups shall be separated from other portions of the building by a two-hour fire separation assembly and provided with an automatic sprinkler system.

- iv. In Groups I-2 and I-3, physical plant maintenance shops, laundries in excess of 100 square feet in area and padded cells shall be separated from other portions of the building by a one-hour fire partition or provided with an automatic sprinkler system. (Plan review--Building, Fire. Inspection--Fire)
- 19.** Newly created dwelling unit separation and guestroom separation assemblies shall comply with the requirements of Sections 708, 711, and 1206 of the building subcode, as appropriate, based on the construction type of the existing building, or with Section R302 and Appendix K of the one- and two-family dwelling subcode, as applicable.
- 20.** Newly created roof decks shall comply with Section 1006.3 of the building subcode for egress from occupied roofs.
- 21.** Newly created openings in exterior walls shall comply with the table in [N.J.A.C. 5:23-6.31\(f\)2](#).
- i. Exception: Newly created openings in buildings of Group R-2, R-3, R-4, or R-5 with a fire separation distance of three feet or less shall be provided with opening protectives. (Plan review - Building, Fire. Inspection - Building)
- 22.** Newly created passageways, aisle accessways and aisles shall comply with the minimum width requirements of Section 1018 of the building subcode.
- 23.** Newly installed special construction shall comply with Section 3105 of the building subcode for awnings and canopies, Section 3106 of the building subcode for marquees and Section 3107/Appendix H of the building subcode for signs.
- 24.** Newly installed (not replacing an existing device) electrical service equipment, switchboards, panelboards, motor control centers and other electrical equipment containing overcurrent, switching or control devices likely to require examination, adjustment, servicing, or maintenance while energized shall conform with the requirements specified at [N.J.A.C. 5:23-6.8](#), Materials and methods, and, in addition, shall conform with Sections 110.26 (Space About Electrical Equipment--1,000 Volts, Nominal or Less), 110.32 (Work Space About Equipment--Over 1,000 Volts, Nominal), 110.33 (Entrance and Access to Work Space), 404.8 (Accessibility and Grouping) and 408.18 (Clearances), as applicable, of the electrical subcode. (Electrical)
- i. Where the requirements of Section 110.26(A)(3) (Height of Working Space) cannot be met due to existing height constraints, this section shall not apply.
- ii. In buildings required to comply with the barrier free subcode, newly installed panelboards (not replacement) shall comply with Sections 309.2 and 309.3 of the ICC/ANSI A117.1.
- 25.** Newly installed (not replacing an existing device) heating, air conditioning or refrigeration equipment likely to require examination, adjustment, servicing or maintenance shall conform with the requirements of [N.J.A.C. 5:23-6.8](#), Materials and methods, and, in addition, shall conform with Section 210.63 Heating, Air Conditioning, and Refrigeration Equipment Outlet and, if newly installed in an attic, underfloor space, utility room or basement, 210.70 Lighting Outlets Required, as applicable, of the electrical subcode.
- 26.** As specified in Section 210.12 of the electrical subcode, Arc-Fault Circuit-Interrupter (AFCI) Protection shall be required for all newly installed (not replacement) branch circuits in dwelling units provided a listed combination type arc fault circuit interrupter breaker is available.
- 27.** Newly created thermally isolated sunrooms shall meet the R-value and U-factor requirements of Sections R402.2.13 and R402.3.5 (N1102.2.13 and N1102.3.5) of the residential energy code.
- 28.** Newly installed wood burning fire places shall meet Section R402.4.2 (N1102.4.2) of the residential energy code and Section R1006 of the one- and two-family dwelling subcode or Section 5.4.3.1.2 of the commercial energy code and Section 2111.14 of the building subcode, as applicable.

- 29.** Newly installed heating, cooling and ventilation systems shall have controls meeting Sections R403.1 and R403.6 (N1103.1 and N1103.6) of the residential energy code or Sections 6.4.3, 6.5, 7.4.4, and 7.4.6 of the commercial energy code, as applicable. Systems include, but are not limited to, the heating and cooling of air or liquids and the ventilation or exhausting of spaces.
- 30.** Newly installed systems that include piping carrying fluids shall meet Sections R403.4 and R403.5 (N1103.4 and N1103.5) of the residential energy code or Sections 6.4.4.1.3 or Section 7.4.3 of the commercial energy code and Section 1204 of the mechanical subcode, as applicable.
- 31.** Newly installed heating and cooling equipment shall be sized in accordance with Section R403.7 (N1103.7) of the residential energy code or Section 6.4.2.1 and 7.4.1 of the commercial energy code, as applicable.
- 32.** Newly-installed snow and ice melting systems shall be installed in accordance with Section R403.9 (N1103.9) of the residential energy code or Section 6.4.3.7 of the commercial energy code, as applicable.
- 33.** Newly-installed pools heaters shall meet Section R403.10 (N1103.10) of the residential energy code or Section 7.4.5 of the commercial energy code, as applicable.
- 34.** Newly-installed sensible heating systems and radiant floor heating systems shall meet the insulation requirements of Sections 6.4.4.1.4 and 6.4.4.1.5 of the commercial energy code, as applicable.

## History

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### HISTORY:

Administrative correction.

See: [30 N.J.R. 539\(a\)](#).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (a), inserted new 6 and 7, recodified former 6 through 17 as 8 through 19, and added 20.

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), rewrote 19 and 20, and added 21 and 22.

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (a), inserted new 10i, and added new 23 and 24.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Updated building subcode section citations throughout.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout and substituted references to automatic sprinkler for references to fire suppression throughout; in (a), amended the N.J.A.C. reference in 17v and inserted "(not replacing an existing device)" in 19.

Amended by R.2005 d.82, effective March 7, 2005.

See: [36 N.J.R. 4222\(a\)](#), [37 N.J.R. 771\(a\)](#).

Rewrote the section.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (a)20, deleted "tenant separation,".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Rewrote the section.

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In the introductory paragraph of (a)10, substituted ", including those newly installed in existing hoistways/machine rooms," for "(not replacing an existing device)", deleted "newly installed (not replacement)" preceding "equipment", and inserted "newly installed or installed in existing hoistways/machine rooms,,"; and rewrote (a)10i.

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (a)3, substituted "708" for "707"; in (a)5i, substituted "R311.2" for "R311.4.2"; in (a)6, substituted "713" for "712" and "Sections R302.4 and R302.5" for "Section R317.3"; in (a)7, substituted "1023" for "1021"; rewrote (a)8 and (a)11; added new (a)19 through (a)23; recodified former (a)19 and (a)20 as (a)24 and (a)25; added (a)24i; deleted former (a)21 through (a)25; and added (a)26 through (a)37.

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Rewrote the section.

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the introductory paragraph of (a)2, substituted "504.4" for "503"; in (a)2i, substituted "Stories or habitable attics within buildings of Group" for "Buildings of group" and "one- and" for "one-and"; in (a)19, substituted "1206" for "1207"; and in the introductory paragraph of (a)24, inserted a comma following "servicing", substituted "specified at" for "specified in", and "1,000" for "600" twice.

Amended by R.2021 d.105, effective September 20, 2021.

See: [53 N.J.R. 105\(a\)](#), [53 N.J.R. 1567\(a\)](#).

In (a)8ii, inserted ". Within the references of Section 1022, Section 1009 shall not be applicable".

Administrative correction, effective September 10, 2021.

See: [53 N.J.R. 1671\(b\)](#).

Annotations

## Notes

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## [N.J.A.C. 5:23-6.10](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### § 5:23-6.10 Basic requirements and supplemental requirements--general

- (a) The basic requirements, set forth in [N.J.A.C. 5:23-6.11](#) for all groups and for individual groups in [N.J.A.C. 5:23-6.12](#) through [6.28](#), shall be met within or with regard to the work area in all reconstruction projects. (These requirements are in addition to the requirements contained in [N.J.A.C. 5:23-6.8](#), Materials and methods.)
- (b) The supplemental requirements, set forth in [N.J.A.C. 5:23-6.11A](#) for all groups and for individual groups in [N.J.A.C. 5:23-6.12A](#) through [6.28A](#), shall be met in all buildings where there are reconstruction projects that meet or exceed the stated threshold for each requirement.
1. All reconstruction work begun within a single 12 month period shall be considered for determining the applicability of the supplemental requirement.
  2. If a project falls under the threshold for a supplemental requirement by a de minimis amount, the construction official may require that the supplemental requirement be met.
- (c) Reconstruction projects contained in mixed use buildings shall comply with the requirements of [N.J.A.C. 5:23-6.29](#) as applicable.
- (d) Special technical specifications for windowless stories, the supervision of automatic sprinkler systems, automatic sprinkler system risers, acceptances of existing alarm and automatic sprinkler systems, smoke barriers, elevators and specific occupancy areas are established in [N.J.A.C. 5:23-6.30](#). The windowless story, supervision of automatic sprinkler systems and smoke barrier special technical requirements shall apply only in those uses where specified by this subcode.

### History

#### **HISTORY:**

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout; in (d), substituted references to automatic sprinkler for references to fire suppression throughout.

Annotations

### Notes

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**N.J.A.C. 5:23-6.11**

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

**§ 5:23-6.11 Basic requirements in all Groups**

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- (a) This section shall apply within the work area for all reconstruction projects.
- (b) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be sufficient for the maximum permitted occupant load of the work area and any adjacent spaces served by that means of egress as calculated on a per floor basis. Means of egress shall be measured in units of exit width of 22 inches.
  - 1. The maximum permitted occupant load of a space shall be determined by the capacity of the means of egress serving the space as calculated in accordance with Table 1. Building owners shall have the option of establishing a reasonable restriction on the occupant load of the space based on the existing capacity of the means of egress or of providing additional egress capacity. (Plan review--Building, Fire. Inspection--Building)
    - i. Exception: For nightclubs, the occupant load of the space shall be determined in accordance with the building subcode. The occupant load for dance floors shall be calculated at seven square feet of floor area per occupant. (Plan review--Building, Fire. Inspection--Building)

**Table 1**

Group	Without automatic sprinkler a system		With automatic sprinkler system	
	Number of occupants		Number of occupants	
	Stairways	Doors, Ramps and Corridors	Stairways	Doors, Ramps and Corridors
A	75	100	113	150
B	60	100	90	150
E	75	100	113	150
F	60	100	90	150
H	-	-	60	100

Table 1

CAPA CITY PER UNIT EGRE SS WIDT H	Without automatic sprinkler a system		With automatic sprinkler system	
	Number of occupants		Number of occupants	
	Group	Stairways  Doors, Ramps and Corridors	Stairwa ys  Doors, Ramps and Corridors	Doors, Ramps and Corridors
I-1	60	100	90	100
I-2 / I-4	22	30	35	45
I-3	60	100	90	150
M	60	100	90	150
R	75	100	113	150
S	60	100	90	150

Note: The occupant load may be equal to the total number of occupants for which exit capacity is provided as determined by Table 1 above. For Group A occupancies, the resulting total occupant load shall not exceed one occupant per five square feet of net floor area over the entire use.

Interpolation shall be allowed in determining capacity of egress width.

Unit of egress width = 22 inches

**(c) Interior Finishes:** Interior finishes within work areas shall comply with the following:

1. Existing interior finishes of walls and ceilings shall have a flame spread rating not greater than the class prescribed by Table 2 below. All existing interior finish materials which do not comply with the requirements of this section shall be removed or shall be treated with an approved fire retardant coating in accordance with the manufacturer's instructions to secure compliance with the requirements of this section. Exceptions are allowed as follows:

- i. The use of vinyl or paper wall coverings not exceeding 1/28th of an inch in thickness which is applied directly to a noncombustible or fire retardant treated wood substrate shall not be regulated by this section.
- ii. Interior trim which does not exceed 10 percent of the aggregate wall and ceiling area of any room or space shall not be regulated by this section.
- iii. When an approved automatic sprinkler system is provided, interior finish of Class II or Class III materials shall be permitted where Class I or Class II materials, respectively, are required by this section.

iv. Exposed portions of structural members complying with the requirements for heavy timber construction in accordance with the Uniform Construction Code shall not be regulated by this section. (Plan review--Building, Fire. Inspection--Building)

<b>Table 2</b>	<b>Existing Interior Finish Requirements</b>	<b><u>Group</u></b>	<b><u>Enclosures</u></b>
A, E, I, R-1	, I	II	III
All Other Groups	I	II	No Minimum

The classification of interior finishes referred to herein corresponds to

flame spread ratings determined by ASTM E84 as follows: Class I flame spread,

0-25; Class II flame spread, 26-75; Class III flame spread, 76-200. In all

cases, the smoke developed rating determined by ASTM E84 shall not exceed

450.

See Group A-3 for amusement buildings.

**(d)** Commercial cooking operations: An automatic fire extinguishing system shall be required for newly installed commercial equipment producing grease-laden vapors, except within individual dwelling units in multiple-family dwellings in Group R-2. No automatic fire extinguishing system shall be required for completely enclosed ovens, steam tables or similar equipment.

**1.** Exception: Bed and breakfast homestay facilities, which are designed to accommodate five or fewer guests, shall not be required to comply with this provision. (Fire)

**(e)** The following requirements shall apply to all casino hotels:

1. All casino hotel standpipe connections throughout the building shall be identified by a constantly lit four-inch round blue light connected to an emergency electrical system located no less than 24 inches and not more than 48 inches above the hose connection. Standpipe connections located on columns shall be marked on all four sides of the column as described above.
  - i. This requirement shall not apply to standpipe hose connections in buildings or portions thereof of Group R-1 that are located in or within 10 feet of an approved exit stairway enclosure.
  - ii. This requirement shall not apply to standpipe hose connections located in open parking structures.
2. All illuminated signs, amplification systems, turn tables, or sound-producing equipment located on or open and adjacent to the casino floor(s) shall be interlocked with the fire alarm system so that activation of the fire alarm system results in disconnection of electrical power to the device(s).
  - i. This requirement does not apply to exit signs or emergency communications systems.
  - ii. This requirement shall not apply to slot machines or similar gaming equipment.
3. On casino gaming floors and adjacent spaces open to the casino gaming floor, all house lighting shall return to normal lighting levels or all emergency lights shall be activated upon activation of the fire alarm system. For the purpose of applying this requirement, normal lighting level shall mean an illumination level of not less than one foot-candle (11 lux) at the floor level. (Plan Review--Electrical, Fire. Inspection--Fire)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (b), rewrote the note at the end of Table 1.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout; in (c)1iii, substituted a reference to automatic sprinkler for a reference to fire suppression; in (d), substituted references to fire extinguishing system for references to fire suppression throughout.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (b)1, added Group I-4 to Table 1.

Amended by R.2007 d.51, effective February 5, 2007.

See: [38 N.J.R. 375\(a\)](#), [39 N.J.R. 371\(a\)](#).

In the introductory paragraph of (b)1, deleted "(Plan review--Building, Fire. Inspection--Building)" following "capacity"; and added new (b)1i.

Amended by R.2007 d.338, effective November 5, 2007.

See: [39 N.J.R. 280\(a\)](#), [39 N.J.R. 4569\(a\)](#).

Added (e).

Annotations

## Notes

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## [N.J.A.C. 5:23-6.11A](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.11A Supplemental requirements in all Groups**

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- (a) This section shall apply to all reconstruction projects.
- (b) Vertical Opening Protection: For purposes of applying the supplemental requirement for vertical opening protection below, a low hazard occupancy is an occupancy having contents of such low combustibility that no self-propagating fire can occur therein. A moderate hazard occupancy is an occupancy having contents that are likely to burn with moderate rapidity or to give off a considerable volume of smoke. (Plan review--Building, Fire. Inspection-Building)
- (c) Windowless Stories: Any windowless basement or story located below the seventh story which is created by the work being performed or any existing windowless basement or story below the seventh story in which the work area exceeds 50 percent of the gross enclosed floor area of the windowless story, shall comply with the requirements listed in [N.J.A.C. 5:23-6.30](#). (Fire)
- (d) Underground Structures: When the work area exceeds 50 percent of the gross enclosed floor area of an underground structure, the entire structure shall comply with Section 405 of the building subcode.

### **History**

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#### **HISTORY:**

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (d), substituted "405" for "405.0".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-6.12](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.12 Basic requirements--Group A-1**

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**(a)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.
2. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.
  - i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.
  - ii. Ladders shall be prohibited on fire escapes used as a required means of egress. (Plan review--Building, Fire. Inspection--Building)

**(b)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review--Building, Fire. Inspection--Building)

**(c)** Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review--Building, Fire. Inspection--Building)

**(d)** Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building subcode in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required. Exceptions are as follows:



N.J.A.C. 5:23-6.12

- i. When connecting the main floor and mezzanines; or
- ii. When all of the following conditions are met:
  - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
  - (2) The lowest or next to the lowest level is a street floor;
  - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
  - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
  - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)
- (j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)
- (k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy<1 >	Water Closets		Lavatories	Drinking Water	Service
	Male	Female		Facilities	Sinks
1-50	1 Unisex		1	1	1
51-100	1	1	1 per sex	1	1
101 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

- (l) Mechanical Requirements: All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.
  - 1. Spaces intended to be naturally ventilated shall be provided with operable doors, windows, louvers, or other openings to the outdoors. The minimum operable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
  - 2. Mechanically-ventilated spaces shall comply with the following:
    - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

- ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
- 3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)
- (m) Interior finishes shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)
- (n) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the 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 (e), added the second sentence in the introductory paragraph; and added (o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (l)2i and in the first sentence of (l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

In (d)2, substituted "an automatic sprinkler" for "a suppression" preceding "system" and substituted "code" for "subcode" following "with the building"; in (i)3, inserted "UFC" following "30-minute" in the introductory paragraph, and substituted "sprinkler" for "suppression" preceding "system" in ii(1).

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (l)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (a)2; in (l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; in (a)1, deleted "(Plan review--Building, Fire. Inspection--Building)" from the end; in (a)2ii, inserted "(Plan review--Building, Fire. Inspection--Building)"; and deleted (o).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.12A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.12A Supplemental requirements--Group A-1**

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**(a) Automatic Sprinkler System:** An automatic sprinkler system shall be installed throughout the fire area containing the A-1 Group and all floors between the A-1 Group and the level of exit discharge when any one of the following conditions exists:

1. The work area exceeds 12,000 square feet (gross enclosed floor area);
2. The work area has an occupant load of 300 or more;
3. The work area is located on a floor other than the level of exit discharge; or
4. The work area contains a multi-theatre complex. (Fire)

**(b) Automatic Alarm System:** When the work area exceeds 25 percent of the gross enclosed floor area of the building, an automatic fire alarm system that complies with NFPA 72 shall be installed in all storage, workshop, boiler or furnace rooms. (Fire)

**(c) Manual Alarm System:** For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 25 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

**(d) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows.

- i. When connecting the main floor and mezzanines; or
- ii. When all of the following conditions are met:

- (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
- (2) The lowest or next to the lowest level is a street floor;
- (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
- (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

**(5)** Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)

**(e)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

**1.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

**2.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

**i.** All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

**ii.** At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

**(1)** In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

**iii.** All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

**3.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

**i.** No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

**ii.** Hose and hose cabinets shall not be required. (Fire)

**(f)** Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#) below. (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (e)2i, amended the N.J.A.C. reference.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Rewrote (a); in (d)3, inserted "UFC" following "30-minute"; substituted references to sprinkler for references to fire suppression throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.13](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.13 Basic requirements--Group A-2 Nightclubs**

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**(a)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 and with exit travel distance greater than 75 feet.

1. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review--Building, Fire. Inspection--Building)
2. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.
  - i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.
  - ii. Ladders shall be prohibited on fire escapes used as a required means of egress.

**(b)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware.
3. If there are more than two individual rooms which can be used for separate functions, each with an occupant load of more than 300, the required egress doors from such rooms shall lead directly outside or to an exit passageway. Exit passageways shall be completely enclosed by assemblies having a fire-resistance rating of at least two hours, shall lead directly outside and shall not be used for any other purpose unless a horizontal exit is provided in accordance with the building subcode. (Plan review--Building, Fire. Inspection--Building)

**(c)** Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). The main exit and at least one remaining exit shall be placed a distance apart equal to one-half the length of the maximum overall diagonal distance of the area served in buildings not equipped throughout with an automatic fire sprinkler system and one-third the maximum overall diagonal distance of the area served in buildings that are equipped throughout with an automatic fire sprinkler system. (Plan review -- Building, Fire. Inspection -- Building)

1. Buildings 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.
  2. Buildings 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.
- (d) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:
1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
  2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire, Inspection-- Building)
- (e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.
1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review--Building, Fire, Electric, Inspection--Building)
- (f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:
1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
  2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire, Inspection--Building)
- (g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire, Inspection--Building)
- (h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of



collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum 30 minute UFC fire barrier shall be required. Exceptions are as follows:
  - i. When connecting the main floor and mezzanines; or
  - ii. When all of the following conditions are met:
    - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic suppression system; and
    - (2) The lowest or next to the lowest level is a street floor; and
    - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants; and
    - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
    - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)

**(j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(k) Plumbing Fixtures:** Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy<1>	Water Closets		Lavatories	Drinking	Service
	Male	Female		2*Water Facilities	
1-25	1 Unisex		1		0
26 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For

Total	Water Closets		Drinking		Service
	Male	Female	Lavatories	2*Water Facilities	
Occupancy<1> purposes of determining the number of plumbing fixtures  required, total occupancy shall be the anticipated occupancy of the building  under normal use conditions. It is not necessarily the same as the total  permitted occupant load based on egress capacity.					

**(l)** Mechanical Requirements: All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(m)** Interior finishes shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(n)** Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

**(o)** Fireblocking and Draftstopping: When the work being performed creates or exposes the framing of any wall, floor, ceiling or roof, the framing shall comply with Section 717 of the building sub-code.

## History

**HISTORY:**

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (g)2, rewrote the 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 (f), added the second sentence in the introductory paragraph; and added (p).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (m)2i and in the first sentence of (m)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (p), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (m)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.51, effective February 5, 2007.

See: [38 N.J.R. 375\(a\)](#), [39 N.J.R. 371\(a\)](#).

Deleted former (a); recodified former (b) through (d) as (a) through (c); rewrote new (c); and recodified former (e) through (p) as (d) through (o).

Administrative correction.

See: [39 N.J.R. 1249\(a\)](#).

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (a)2; in (l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (i)3, inserted "UFC".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.13A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.13A Supplemental requirements--Group A-2 Nightclubs**

**(a)** Automatic Fire Sprinkler System: An automatic fire sprinkler system shall be installed throughout all floors containing the Group A-2 nightclub and all floors between the Group A-2 nightclub and the level of exit discharge when the conditions in (a)1 or 2 below exist. For purposes of applying this section, the level of exit discharge shall be defined as having all exits discharging not more than five feet above nor more than two feet below the adjacent grade.

1. The work area is located on a floor other than the level of exit discharge; or
2. The work area is at the level of exit discharge and has an occupant load of 300 or more or a net occupiable floor area of greater than 5,000 square feet.
3. The automatic fire 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 the building subcode. (Fire)

**(b)** Automatic Alarm System: When the occupant load of the work area exceeds 100, an automatic fire alarm system that complies with NFPA 72 shall be installed throughout.

1. 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.
2. The automatic fire alarm 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 of the building subcode. (Fire)

**(c)** Manual alarm system: For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 25 percent of the gross enclosed floor area of the building, or for buildings where the occupant load of the work area exceeds 100, manual fire alarms shall be required throughout the building. (Fire)

**(d)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum 30 minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
  - i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

- (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic fire suppression system;
- (2) The lowest or next to the lowest level is a street floor;
- (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
- (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
- (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)

(e) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle, shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:
  - i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;
  - ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c; and
    - (1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation.
  - iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)
3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:
  - i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic fire suppression system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)
  - ii. Hose and hose cabinets shall not be required. (Fire)

(f) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (e)2i, amended the N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (a), inserted "Nightclubs" following "A-2" throughout.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Amended by R.2007 d.51, effective February 5, 2007.

See: [38 N.J.R. 375\(a\)](#), [39 N.J.R. 371\(a\)](#).

Rewrote (a) and (b); and in (c), inserted "or for buildings where the occupant load of the work area exceeds 100,".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (b)2, substituted "1006.2" for "1003.2.11.1"; and in the introductory paragraph of (d)3, inserted "UFC".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (b)2, substituted "1008.2.1" for "1006.2".

Annotations

## Notes

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### [Chapter Notes](#)

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End of Document



## [N.J.A.C. 5:23-6.14](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.14 Basic requirements--Groups A-2 other than Nightclubs, A-3 and A-4**

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**(a)** Automatic Sprinkler System: An automatic sprinkler system shall be required in spaces of Group A-3 used as ballrooms, exhibit areas and accessory spaces which exceed 12,000 square feet and are located in buildings of Group R-1 and R-2.

**1.** Exceptions:

**i.** An automatic sprinkler system shall not be required if the space is divided into fire areas of not more than 12,000 square feet by a two-hour fire separation with 1 1/2-hour opening protectives or if the space is completely separated from any other uses by a two-hour fire separation with 1 1/2-hour opening protectives. (Fire)

**(b)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

**1.** When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

**i.** When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

**ii.** Ladders shall be prohibited on fire escapes used as a required means of egress.

**2.** A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review--Building, Fire. Inspection--Building)

**(c)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

**1.** Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

**2.** All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware.

**3.** If there are more than two individual rooms which can be used for separate functions, each with an occupant load of more than 300, the required egress doors from such rooms shall lead directly outside

or to an exit passageway. Exit passageways shall be completely enclosed by assemblies having a fire-resistance rating of at least two hours, shall lead directly outside and shall not be used for any other purpose. (Plan review--Building, Fire. Inspection--Building)

**(d) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review--Building, Fire. Inspection--Building)

**(e) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(f) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review--Building, Fire, Electric. Inspection--Building)

**(g) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(h) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

- (i) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)
- (j) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:
1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
  2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
  3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required. Exceptions are as follows:
    - i. When connecting the main floor and mezzanines; or
    - ii. When all of the following conditions are met:
      - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
      - (2) The lowest or next to the lowest level is a street floor;
      - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
      - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
      - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)
- (k) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)
- (l) Plumbing fixtures: The following apply to plumbing fixtures: (Plumbing)
1. For auditoriums, museums, libraries, and similar facilities, plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section.

Total Occupancy< 1,2>	Water Closets			Drinking Water	Service
	Male	Female	Lavatorie s	Facilities	Sinks
1-50	1 Unisex		1	1	1
51-100	1	1	1 per sex	1	1
101 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

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Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

2. For restaurants, plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section.

<b>Total</b>			<b>Drinking Water</b>	<b>Service</b>
<b>Occupancy&lt;1,2&gt;</b>	<b>Water Closets</b>	<b>Lavatories</b>	<b>Facilities</b>	<b>Sinks</b>
1-25	1 Unisex	1	0	0
26 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

3. For recreational facilities, passenger terminals, and other buildings of Groups A-2 other than Nightclubs, A-3 and A-4, plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section.

**(m) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(n) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

- (o) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection.  
(Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (g)2, rewrote the second sentence.

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Rewrote (a); in (f), added the second sentence in the introductory paragraph; and added (p).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (a), introductory paragraph and (l)3, substituted "A-2 other than Nightclubs, A-3 and A-4" for "A-3"; in (m)2i and first sentence of (m)2ii, substituted "the International Mechanical Code" for "ASHRAE 62-89"; in (p), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Rewrote (a); in (j)3, inserted "UFC" following "30-minute"; in (l), deleted "Use" preceding "Groups" in 3; substituted references to sprinkler for references to fire suppression throughout.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (m)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (b)1ii; in (m)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (p), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (p), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (b), substituted "or" for "and"; and deleted (p).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.14A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.14A Supplemental requirements--Groups A-2 other than Nightclubs, A-3 and A-4**

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**(a)** Automatic fire sprinkler system: An automatic fire sprinkler system shall be installed throughout the floors containing the Group A-2 other than nightclubs, Groups A-3 and A-4 and all floors between the Group A-2 other than nightclubs, Groups A-3 and A-4 and the level of exit discharge when any one of the following conditions exists:

1. The work area exceeds 12,000 square feet (gross enclosed floor area);
2. The work area has an occupant load of 300 or more;
3. The work area is located on a floor other than the level of exit discharge.
4. Exception: Sprinklers shall not be required for participant sport areas where the main floor of the participant sport is at the level of exit discharge of the main entrance. (Fire)

**(b)** Automatic Alarm System: When the work area exceeds 25 percent of the gross enclosed floor area of the building, an automatic fire alarm system that complies with NFPA 72 shall be installed in all storage, workshop, boiler or furnace rooms. (Fire)

**(c)** Manual Alarm System: For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 25 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

**(d)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
  - i. When connecting the main floor and mezzanines; or
  - ii. When all of the following conditions are met:
    - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system; and
    - (2) The lowest or next to the lowest level is a street floor; and
    - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants; and



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**(4)** Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

**(5)** Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)

**(e)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

**1.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

**2.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

**i.** All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

**ii.** At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c; and

**(1)** In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation.

**iii.** All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

**3.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

**i.** No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

**ii.** Hose and hose cabinets shall not be required. (Fire)

**(f)** Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

**(g)** Amusement Buildings: When any reconstruction project is undertaken in a building or portion thereof designed to disorient the occupant, reduce vision, present barriers or otherwise impede the flow of traffic, the following requirements shall be met throughout the building or portion thereof that constitutes the amusement use:



1. Every such amusement facility shall be equipped throughout with an automatic sprinkler system installed in accordance with the New Jersey Uniform Construction Code.
2. The interior finish of all walls and ceilings shall in no case be less than a Class II material in accordance with this subchapter.
3. Every such amusement facility shall be equipped with exit signs installed in accordance with this subchapter.
4. Every such amusement facility shall be equipped throughout with an approved automatic fire alarm system installed in accordance with the Uniform Construction Code and in accordance with (g)5 through 8 below.
5. The automatic alarm system shall activate a prerecorded message which can be clearly heard throughout the entire facility instructing the patrons to proceed to the nearest exit. Any alarm signals used in conjunction with the prerecorded message shall produce a signal which is distinctive from all sounds used in the normal operation of the amusement facility.
6. Every such amusement facility shall be equipped with emergency lighting equipment installed in accordance with the New Jersey Uniform Construction Code. The emergency lighting equipment shall automatically activate when:
  - i. The automatic sprinkler system is activated;
  - ii. The fire alarm system is activated; or
  - iii. Loss of the primary power supply occurs.
7. All audio and visual equipment such as horns, bells, flashing, or otherwise distracting stimuli and mechanized displays shall cease operation upon initiation of an alarm by the automatic fire alarm system or activation of the automatic sprinkler system.
8. Activation of the automatic alarm system shall automatically shut down the air distribution system. (Plan review--Building, Fire. Inspection--Building)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Deleted former (a) and recodified former (b) through (g) as (a) through (f); in (d)2i, amended N.J.A.C. reference; in (f)4, amended internal reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Added a new (a); recodified former (a) through (f) as (b) through (g); in (d)3, inserted "UFC" following "30-minute"; and substituted references to automatic sprinkler for references to fire suppression throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

N.J.A.C. 5:23-6.14A

In (e)1, deleted "or exhaust" preceding the first and second occurrences of "system" and deleted a closing parenthesis following the final occurrence of "system."

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (g)4, substituted "(g)5" for "(f)5".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.15](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.15 Basic requirements--Group A-3 Places of Worship**

**(a)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

ii. Ladders shall be prohibited on fire escapes used as a required means of egress.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review--Building, Fire. Inspection--Building)

**(b)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review--Building, Fire. Inspection--Building)

**(c)** Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review--Building, Fire. Inspection--Building)

**(d)** Dead end corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required. Exceptions are as follows:

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- i. When connecting the main floor and mezzanines; or
- ii. When all of the following conditions are met:
  - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
  - (2) The lowest or next to the lowest level is a street floor;
  - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
  - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
  - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)
- (j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)
- (k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy<1 >	Water Closets			Drinking Water	Service
	Male	Female	Lavatorie s	Facilities	Sinks
1-50	1 Unisex		1	1	1
51-100	1	1	1 per sex	1	1
101 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

- (l) Mechanical Requirements: All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.
  - 1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
  - 2. Mechanically-ventilated spaces shall comply with the following:
    - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

- ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)
- (m) Interior finishes shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)
- (n) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the 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 (e), added second sentence in the introductory paragraph; and added (o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (j), substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89" in 2i and the second paragraph of 2ii; in (o), substituted section "716" for "721.0" of the building subcode.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to suppression throughout; in (i)3, inserted "UFC" following "30-minute".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (j)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (a)1ii; in (j)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; and deleted (o).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.15A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.15A Supplemental requirements--Group A-3 Places of Worship**

**(a) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
  - i. When connecting the main floor and mezzanines; or
  - ii. When all of the following conditions are met:
    - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
    - (2) The lowest or next to the lowest level is a street floor;
    - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
    - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
    - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection-- Building)

**(b) Requirements for high-rise buildings:** Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:



## N.J.A.C. 5:23-6.15A

- i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;
  - ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c; and
    - (1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation.
  - iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)
3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:
- i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)
  - ii. Hose and hose cabinets shall not be required. (Fire)
- (c) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (b)2i, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to sprinkler for references to fire suppression throughout; in (a)3, inserted "UFC" following "30-minute".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (b)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.16](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.16 Basic requirements--Group A-5**

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**(a)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

ii. Ladders shall be prohibited on fire escapes used as a required means of egress.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review--Building, Fire. Inspection--Building)

**(b)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review--Building, Fire. Inspection--Building)

**(c)** Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review--Building, Fire. Inspection--Building)

**(d)** Dead End Corridors: Existing dead end corridors shall not exceed 65 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows. Stairways are not required to be enclosed where all portions of the means of egress are essentially open to the outside.

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required. Exceptions are as follows:

## N.J.A.C. 5:23-6.16

- i. When connecting the main floor and mezzanines; or
  - ii. When all of the following conditions are met:
    - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
    - (2) The lowest or next to the lowest level is a street floor;
    - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
    - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
    - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review--Building, Fire. Inspection--Building)
- (j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)
- (k) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)
- (l) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.
1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
  2. Mechanically-ventilated spaces shall comply with the following:
    - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.
    - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
  3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)
- (m) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)
- (n) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the 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 (e), added second sentence in the introductory paragraph; and added ( o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In ( l)2i and in the first sentence of ( l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in ( o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to suppression throughout; in (i)3, inserted "UFC" following "30-minute".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( l)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (a)1ii; in ( l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in ( o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In ( o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; and deleted ( o).

Annotations

## Notes

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[Chapter Notes](#)

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## [N.J.A.C. 5:23-6.16A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.16A Supplemental requirements--Groups A-5**

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- (a)** Automatic fire sprinkler system: An automatic fire sprinkler system shall be installed in all Group A-5 work areas when the work area contains concession stands, retail areas, press boxes or other accessory use areas in excess of 1,000 square feet.
- (b)** Manual Alarm Systems: For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)
- (c)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:
1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
  2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
  3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
    - i. When connecting the main floor and mezzanines; or
    - ii. When all of the following conditions are met:
      - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic sprinkler system;
      - (2) The lowest or next to the lowest level is a street floor;
      - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;
      - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
      - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level.
  4. Exception: Stairways are not required to be enclosed where all portions of the means of egress are essentially open to the outside. (Plan review--Building, Fire. Inspection--Building)
- (d)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:



1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
  2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:
    - i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;
    - ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c; and
      - (1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation.
    - iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)
  3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:
    - i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)
    - ii. Hose and hose cabinets shall not be required. (Fire)
- (e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c)2i, updated N.J.A.C. reference.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Added a new (a); recodified former (a) through (d) as (b) through (e); in (c)3, inserted "UFC" following "30-minute"; and substituted references to sprinkler for references to fire suppression throughout.

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Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (d)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.17](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.17 Basic requirements--Group B**

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(a) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.

3. A single exit shall be permitted in buildings of not more than two stories in height, with not more than 3,000 square feet per floor when the exit access travel distance does not exceed 75 feet and a minimum fire resistance rating of one hour is provided for the exit enclosure and the opening protection. (Plan review--Building, Fire. Inspection--Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review--Building, Fire. Inspection--Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or

spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required, with the following exception:
  - i. No vertical opening protection shall be required for vertical openings of up to three stories in buildings not exceeding 3,000 square feet per floor or in buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(k) Plumbing Fixtures:** Plumbing fixtures shall be provided as follows: Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total	Water		Drinking Water	Service
Occupancy<1,2,3,4>	Closets	Lavatories	Facilities	Sinks
1-15	1 Unisex	1	1	1
Employee s	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			
16 and over	1 Unisex	1	1	1
Customer s	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			
26 and over	subcode.			

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Customer and employee facilities may be satisfied with a single unisex toilet facility where the number of employees does not exceed 15 and where the total occupancy does not exceed 25 or where the occupied floor area does not exceed 1,500 square feet.

Note 3. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

Note 4. Regardless of total occupancy, exam rooms shall comply with Section 7.21.6e of the plumbing subcode.

**(l) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(m) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(n) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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**HISTORY:**

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence of the introductory paragraph; and in (f)2, rewrote the 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 (e), added second sentence; and added (o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (j)2i and in the first sentence of (j)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to sprinkler for references to fire suppression throughout; in (i)3, inserted "UFC" following "30-minute".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (j)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (j)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; and deleted (o).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the table in (k), inserted ", 4" to the heading of the second column, and added "Note 4".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.17A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.17A Supplemental requirements--Group B**

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**(a) Manual Alarm System:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, a fire alarm system shall be installed throughout the building.

1. Exception: Manual alarm systems are not required in buildings which do not have occupied floors which are two or more stories above the lowest level of exit discharge or floors two or more stories below the highest level of exit discharge. (Fire)

**(b) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.
  - i. Exception: No vertical opening protection shall be required for buildings up to 3,000 square feet per floor or for buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(c) Requirements for high-rise buildings:** Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:
  - i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;
  - ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c; and



## N.J.A.C. 5:23-6.17A

**(1)** In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation.

**iii.** All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

**3.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

**i.** No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

**ii.** Hose and hose cabinets shall not be required. (Fire)

**4.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, central control station and communication systems shall be provided as follows:

**i.** An approved public address communication system consisting of loudspeakers in each corridor and in each room and tenant space exceeding 1,000 square feet, each elevator and elevator lobby and in each stair enclosure which shall be capable of being operated from the central control station;

**ii.** A two-way fire department communication system which shall operate between the central control and every elevator, elevator lobby and entry to enclosed exit stairways;

**iii.** A central control station for fire department operations shall be provided in a location approved by the fire department. It shall contain the public address panel, the fire department communications panel, fire detection and alarm system annunciator panels, status indicators and controls for air handling systems, sprinkler valve and water flow detector display panels, and status indicators and a telephone for fire department use with controlled access to the public telephone system. (Fire)

**5. Automatic Sprinkler System:** When the work area is an entire floor, an automatic sprinkler system shall be installed on that floor. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

**(d) Elevator Devices:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

**(e) Airport Traffic Control Towers:** When the work area exceeds 50 percent of the gross enclosed floor area of an airport traffic control tower, the entire structure shall comply with the requirements of Section 412.3 of the building subcode.

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c)2i, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (e), substituted "Section 412.1" for "Section 414.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to sprinkler for references to fire suppression throughout; in (b)3, inserted "UFC" following "30-minute".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (c)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (e), substituted "412.3" for "412.1".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.18](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.18 Basic requirements--Group E**

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**(a)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.

i. A single exit shall not be permitted when a building is used as a child care center.

2. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

ii. Ladders shall be prohibited on fire escapes used as a required means of egress. (Plan review--Building, Fire. Inspection--Building)

**(b)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. A single means of egress shall be permitted in classrooms having a maximum occupant load of 75 in buildings equipped throughout with an automatic sprinkler system.

3. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review--Building, Fire. Inspection--Building)

**(c)** Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(d)** Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one-hour UFC fire barrier shall be required, with the following exception:

- i. No vertical opening protection shall be required for vertical openings of up to three stories with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)
- (j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)
- (k) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)
- (l) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation. All public school buildings shall be provided with mechanical ventilation.
1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
  2. Mechanically ventilated spaces shall comply with the following:
    - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.
    - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
  3. All newly-introduced devices, equipment, or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke, or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)
- (m) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)
- (n) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Administrative correction.

See: [30 N.J.R. 3785\(b\)](#).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the 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 (e), added second sentence in the introductory paragraph; and added ( o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In ( l)2i and in the first sentence of ( l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in ( o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to sprinkler for references to fire suppression throughout; in (b), added 3; in (i)3, inserted "UFC" following "one-hour".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( l)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Administrative correction.

See: [38 N.J.R. 5010\(d\)](#).

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (a)2; in ( l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in ( o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In ( o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; in (a)1i and (b)2, deleted "(Plan review--Building, Fire. Inspection--Building)" from the end; in (a)2ii and (b)3, inserted "(Plan review--Building, Fire. Inspection--Building)"; and deleted ( o).

Annotations

## Notes

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End of Document

## [N.J.A.C. 5:23-6.18A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.18A Supplemental requirements--Group E**

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- (a) Automatic Sprinkler System:** In buildings three stories or more in height, with greater than 12,000 square feet per floor, when the work area exceeds 50 percent of the gross enclosed floor area of a floor, an automatic sprinkler system shall be installed throughout that floor. (Fire)
- (b) Automatic Alarm System:** When the work area exceeds 50 percent of the gross enclosed floor area of a building, an automatic fire alarm system shall be installed throughout the building as follows:
1. An approved system of automatic smoke detectors; or
  2. An approved automatic sprinkler system equipped with automatic fire alarm devices; or
  3. An approved system which combines the following elements shall be acceptable when devices are located as indicated below:
    - i. Combination fixed temperature/rate-of-rise detectors in classrooms and ancillary spaces;
    - ii. Photoelectric or projected-beam smoke detectors in exit access corridors and at the top of the exit stair enclosures; and
    - iii. Fixed temperature detectors in such a system shall be accepted in locations such as boiler rooms, garage areas and other spaces in which conditions render other detectors inappropriate.
  4. Existing fire detection systems, installed and maintained in accordance with the manufacturer's recommendations, and meeting the intent of current standards for automatic fire alarms, shall be acceptable, provided:
    - i. The existing system is certified as functional by an approved service agency competent in the manufactured system.
    - ii. Where a portion of an existing system is not serviceable and cannot be repaired, the existing system shall be replaced in accordance with the above and the provisions of the building subcode. (Fire)
- (c) Manual Alarm System:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarm boxes shall be provided throughout the building in compliance with Section 907.4.2 of the building subcode and in accordance with the following:
1. Manual fire alarm boxes shall be provided in the natural path of escape from fire, near each exterior door from the corridor, kitchen, heater room and other exterior exits that are required to serve 50 or more persons. Additional fire alarm boxes shall be located in the main office, stage, at each stairway entrance from a corridor or place of assembly and near one exterior exit in each section of a place of assembly. It shall not be necessary to traverse more than 200 feet of unobstructed horizontal distance on the same floor in order to reach a fire alarm box. (Fire)
- (d) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:



1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum one-hour UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. No vertical opening protection shall be required for buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(e)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

**(1)** In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by the fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system at a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

**(f)** Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

**HISTORY:**

Administrative correction.

See: [30 N.J.R. 3242\(a\)](#).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (e)2i, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (c), substituted "Section 907.3" for "Section 918.5".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to sprinkler for references to fire suppression throughout; in(d)3, inserted "UFC" following "one-hour".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (c), substituted "907.4.2" for "907.3".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (a), substituted "12,000" for "20,000".

Annotations

**Notes**

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[Chapter Notes](#)

## [N.J.A.C. 5:23-6.19](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.19 Basic requirements--Group F**

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**(a) Exits:** Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review--Building, Fire. Inspection--Building)

**(b) Egress Doorways:** A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review--Building, Fire. Inspection--Building)

**(c) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(d) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria: (Plan review--Building, Fire. Inspection--Building)

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum one-hour UFC fire barrier shall be required, with the following exceptions:
  - i. No vertical opening protection shall be required for vertical openings of up to three stories in special purpose manufacturing occupancies when necessary for manufacturing operations and when direct access is provided to at least one protected stairway; or
  - ii. In buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(k) Plumbing Fixtures:** Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy<1>	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
Light Industrial	1-15	1 Unisex 16 and over	1	1	1 Fixtures to be provided as per Table

7.21.1 of the plumbing subcode.

Heavy

Fixtures to be provided as per Table

Industrial

7.21.1 of the plumbing subcode

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

**(l) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(m)** Interior finishes shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(n)** Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and added a reference to plan review and inspection in the last sentence of the introductory paragraph; and in (f)2, rewrote the second sentence.

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Added ( o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In ( l)2i and in the first sentence of ( l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in ( o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to suppression throughout; in(i)3, inserted "UFC" following "one-hour".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( l)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In ( l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in ( o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In ( o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; and deleted ( o).

Annotations

## Notes

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### [Chapter Notes](#)

## [N.J.A.C. 5:23-6.19A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.19A Supplemental Requirements--Group F**

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**(a)** Automatic sprinkler system: In buildings with a Group F-1 fire area greater than 12,000 square feet or a Group F-1 fire area more than three stories in height, when the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic sprinkler system shall be provided throughout the entire building.

**(b)** Manual Alarm System: For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building.

1. Exception: Manual alarm systems shall not be required in buildings equipped throughout with an automatic sprinkler system. (Fire)

**(c)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum one-hour UFC fire barrier required for interior stairways and other vertical openings not exceeding three stories.
  - i. Exception: No vertical opening protection shall be required for special purpose occupancies when necessary for manufacturing operations and direct access is provided to at least one protected stairway or for buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(d)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:



i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

(1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm of 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

(e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c)2i, updated N.J.A.C. reference.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Added a new (a); recodified former (a) through (d) as (b) through (e); in (c)3, inserted "UFC" following "one-hour"; and substituted references to sprinkler for references to fire suppression throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (d)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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[\*Chapter Notes\*](#)

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## [N.J.A.C. 5:23-6.20](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.20 Basic requirements--Group H**

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**(a) Automatic Sprinkler System:** An automatic sprinkler shall be installed throughout the work area. The sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

**(b) Exits:** Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants.

1. For buildings of Group H-1, H-2 or H-3, a minimum of two exits shall be required from all mezzanines with an occupant load of greater than three or in which the travel distance exceeds 50 feet. For buildings of Group H-4 or H-5, a minimum of two exits shall be required from all mezzanines with an occupant load of greater than 10 or in which the travel distance exceeds 75 feet.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.

3. For buildings of Group H-1 or H-2, new slidescapes or safety chutes shall be permitted where constructed in accordance with the building subcode.

4. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3. (Plan review--Building, Fire. Inspection--Building)

**(c) Egress Doorways:** For buildings or spaces of Group H-1, H-2, or H-3, a minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than three or in which the travel distance exceeds 50 feet. For buildings or spaces of Group H-4 or H-5, a minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 10 or in which the travel distance exceeds 75 feet. All egress doors shall swing in the direction of exit travel. (Plan review--Building, Fire. Inspection--Building)

**(d) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(e) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. (Plan review--Building, Fire. Inspection--Building)

**(f) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of

egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

**1.** Exception: Lighting to illuminate the exit discharge shall not be required. (Plan review--Building, Fire, Electric. Inspection--Building)

**(g)** Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria: (Plan review--Building, Fire. Inspection--Building)

**1.** Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

**2.** Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(h)** Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(i)** Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(j)** Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

**1.** For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

**2.** For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

**3.** For vertical openings not exceeding three stories, a minimum one-hour UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories, with the following exception:

**i.** No vertical opening protection shall be required for vertical openings of up to three stories when necessary for manufacturing operations in a building where every floor level has direct access to at least two remote enclosed stairways or other approved exits. (Plan review--Building, Fire. Inspection--Building)

**(k)** Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the

standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(l) Plumbing Fixtures:** Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy<1>	Water Closets	Lavatories	Drinking Water Facilities	Servic e Sinks
Light Industrial	1-15	1 Unisex 16 and over	1	1	1 Fixture s to be provid ed as per Table
Heavy Industrial				7.21.1 of the plumbing subcode. Fixtures to be provided as per Table 7.21.1 of the plumbing subcode	

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

**(m) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
2. Mechanically-ventilated spaces shall comply with the following:
  - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.
  - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(n) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(o) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and inserted a reference to electric plan review in 1; and in (g)2, rewrote the second sentence.

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Added (p).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (b)1 and (c), inserted "or H-5" following "H-4"; in (m)2i and in the first sentence of (m)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (p), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted "Use" preceding "Group" throughout; rewrote (a); in (j)3, inserted "UFC" following "one-hour".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (m)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (b)4; in (m)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (p), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (p), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (b)3, deleted "(Plan review--Building, Fire. Inspection--Building)" from the end; in (b)4i, inserted "(Plan review--Building, Fire. Inspection--Building)"; and deleted (p).

Annotations

## Notes

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## [N.J.A.C. 5:23-6.20A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.20A Supplemental requirements--Group H**

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**(a) Manual Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building or use, a manual fire alarm system shall be installed throughout for buildings or portions thereof of Group H-2, H-3, H-4 or H-5. (Fire)

**(b) Automatic Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building or use, an automatic fire alarm system shall be installed throughout in buildings of Group H. (Fire)

**(c) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum one-hour UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required when the opening is necessary for manufacturing operations in a building where every floor level has direct access to at least two remote enclosed stairways or other approved exits. (Plan review--Building, Fire. Inspection--Building)

**(d) Requirements for high-rise buildings:** Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:
  - i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;
  - ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

- (1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and
- iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)
3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:
- i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)
  - ii. Hose and hose cabinets shall not be required. (Fire)
- (e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)
- (f) Use Group H-5: When the work area exceeds 50 percent of the gross enclosed floor area of a facility of Use Group H-5, the entire building is required to comply with the requirements of Section 415.11 of the building subcode. (Building)
- (g) Hazardous materials: When the work exceeds 25 percent of the gross enclosed floor area of the Group H portion of a building, the entire building is required to comply with the requirements of Sections 414 and 415 of the building subcode. (Building)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (e)2i, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (b), substituted ", H-4 or H-5" for "or H-4"; in (g), substituted "Use Group H-5" for "HPFM Facilities", substituted "a facility of Use Group H-5" for "an HPM facility", and substituted "Section 415.9" for "Section 416.0"; in (h), substituted "Section 414 and 415" for "Section 417.0 and 418.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted former (a); recodified former (b) through (h) as (a) through (g); in (c)1, inserted "UFC" following "one-hour"; in (d)3i, substituted "sprinkler" for "fire suppression" preceding "system"; deleted "Use" preceding "Group" throughout.

Amended by R.2007 d.122, effective May 7, 2007.



See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (f), substituted "415.8" for "415.9".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (d)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (f), substituted "415.11" for "415.8" and "building" for "Building".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.21](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.21 Basic requirements--Group I-1**

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- (a) Automatic Sprinkler System: In buildings greater than two stories in height above grade or having an occupant load greater than 20 persons, excluding staff, an automatic sprinkler system shall be installed throughout the work area. The sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)
- (b) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.
1. A single exit shall not be permitted.
  2. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.
    - i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.
    - ii. Ladders shall be prohibited on fire escapes used as a required means of egress.
    - iii. Window access to fire escapes shall be permitted from individual rooms.
  3. Existing slidescapes or safety chutes shall be permitted. (Plan review--Building, Fire. Inspection--Building)
- (c) Emergency Egress Windows: When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:
1. Be operable;
  2. Have a sill height of not more than 44 inches; and
  3. Have a width of at least 20 inches, a height of at least 24 inches, and a minimum total area of 5.7 square feet measured from head to sill and side to side.
  4. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.
- (d) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

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1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
  2. All dwelling unit, guest room or rooming unit corridor doors shall be at least 1 3/8 inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames. Corridor doors shall not be constructed of hollow core wood, shall not contain louvers and shall not be of panel construction. Doors shall fit both plumb and level in frames, and be reasonably tight fitting. All replacement doors shall be 1 3/4 inch solid core wood or approved equal, unless existing frame will accommodate only a 1 3/8 inch door. (Note: Existing doors meeting HUD Guidelines or BOCA Existing Structures Code (1984) for a rating of 15 minutes or better shall be accepted.)
  3. In buildings with an automatic sprinkler system, doors are required only to provide a smoke barrier, to be free of louvers, to fit plumb and level and to be reasonably tight fitting.
  4. All doors opening onto a passageway at grade or onto an exit stair shall be self-closing or automatic closing by listed closing devices.
    - i. Exception: Group homes with a maximum of 15 occupants and an approved automatic fire detection system shall not be required to have self-closing doors. (Plan review--Building, Fire. Inspection--Building)
- (e) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)
- (f) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are as follows:
1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
  2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)
- (g) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review--Building, Fire, Electric. Inspection--Building)
- (h) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (h)1 and 2 below:
1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
  2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued

## N.J.A.C. 5:23-6.21

illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.

**3. Exceptions:** Illuminated exit signs shall not be required for buildings with an occupant load, excluding staff, of 20 or less or when the second means of egress is a fire escape that is accessed directly from the individual sleeping room. (Plan review--Building, Fire. Inspection--Building)

**(i) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(j) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(k) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

**1.** For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

**2.** For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

**3.** For vertical openings not exceeding three stories, a minimum one-hour UFC fire barrier shall be required, with the following exception:

**i.** Exception: Vertical opening protection shall not be required for either the top or bottom of a stairway connecting not more than two floor levels when such stairway does not serve as a required means of egress and the occupant load does not exceed 12, excluding staff. (Plan review--Building, Fire. Inspection--Building)

**(l) Boiler/Furnace Equipment Rooms:** Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies.

**1.** Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

**2.** Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 903.3.5.1.1 of the building subcode.

**3.** For group homes and supervised transitional living homes heated with oil-burning equipment, an emergency shutoff switch shall be required at the top of the stairs leading to the basement for equipment in the basement or outside of the room for equipment located in other enclosed rooms. (Plan review--Building, Fire. Inspection--Building)

**(m) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(n) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

**(o) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(p) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(q) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Inserted a new (c); recodified former (c) through (p) as (d) through (q); in the new (g), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in the new (h), made an internal reference change in introductory paragraph, and rewrote the second sentence in 2.

Administrative correction.

See: [32 N.J.R. 688\(a\)](#).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (g), added second sentence; and added (r).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In ( l)2, substituted "Section 903.3.5.1.1" for "Section 907.0"; in ( o)2i and in the first sentence of ( o)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (r), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Rewrote (a); in (k)3, inserted "UFC" following "one-hour"; substituted references to automatic sprinkler for references to fire suppression throughout.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( o)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In ( o)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (r), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (r), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (b), substituted "or" for "and"; and deleted (r).

Annotations

## Notes

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### [Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE

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## [N.J.A.C. 5:23-6.21A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.21A Supplemental requirements--Group I-1**

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**(a) Automatic Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout the building.

1. Exception: Automatic alarm systems shall not be required in buildings, other than boarding homes, with an automatic sprinkler system and a manual fire alarm system and with single station smoke alarms in the vicinity of sleeping areas in accordance with NFPA 72. (Fire)

**(b) Manual Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

**(c) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum one-hour UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

- i. Exception: No vertical opening protection shall be required for either the top or bottom of a stairway connecting not more than two floor levels when such stairway does not serve as a required means of egress and the occupant load does not exceed 12, excluding staff. (Plan review--Building, Fire. Inspection--Building)

**(d) Requirements for high-rise buildings:** Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)
2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:
  - i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

## N.J.A.C. 5:23-6.21A

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

(1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

(e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

Amended by R.1999 d.259, effective August 16, 1999.

See: [31 N.J.R. 825\(a\)](#), [31 N.J.R. 2330\(a\)](#).

Inserted a new (d); and recodified former (d) through (f) as (e) through (g).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (f)2i, updated N.J.A.C. reference.

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Deleted former (d); recodified former (e) through (g) as (d) through (f).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted former (a); recodified former (b) through (f) as (a) through (e); in (c)3, inserted "UFC" following "one-hour"; substituted "sprinkler" for "fire suppression" preceding "system" throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).



In (a)1, substituted "alarms" for "detectors"; and in (d)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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### [\*Chapter Notes\*](#)

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## [N.J.A.C. 5:23-6.22](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.22 Basic requirements--Groups I-2 and I-4**

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- (a) Automatic Sprinkler System: An automatic sprinkler system shall be installed throughout the work area.
1. Exception: Automatic sprinklers shall not be required in buildings of Type I or Type IIA construction of any height or of Type IIB construction not over one story in height. This exception shall not apply to nursing homes.
  2. Exception: For other than buildings of construction Type IIIB or VB, an automatic sprinkler system shall not be required in day care centers with an occupant load of 100 or less where all the children under 2 1/2 years of age are cared for on the first floor and in which each child care room has an exit door directly to the exterior. (Fire)
- (b) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.
1. A single exit shall not be permitted.
  2. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.
    - i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.
    - ii. Ladders shall be prohibited on fire escapes used as a required means of egress. (Plan review--Building, Fire. Inspection--Building)
- (c) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.
1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
  2. A minimum of two egress doorways shall be required for any patient sleeping room or suite of rooms greater than 1,000 square feet. (Plan review--Building, Fire. Inspection--Building)
- (d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)
- (e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
  2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)
- (f) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan Review--Building, Fire, Electric. Inspection--Building)
- (g) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (g)1 and 2 below:
1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
  2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.
  3. Exception: When the second means of egress is a fire escape that is accessed directly from the individual sleeping room, illuminated exit signs shall not be required above the means of egress serving the fire escape. (Plan review--Building, Fire. Inspection--Building)
- (h) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)
- (i) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)
- (j) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:
1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
  2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
  3. For vertical openings not exceeding three stories, a minimum one-hour UFC fire barrier shall be required, with the following exception:

i. Exception: Vertical opening protection shall not be required for vertical openings connecting not more than two floor levels which are separated by a one-hour UFC fire barrier equipped with a self-closing or automatically closing 20-minute door at the top or bottom of the stairway when such stairway does not serve as a required means of egress. (Plan review--Building, Fire. Inspection--Building)

**(k) Boiler/Furnace Equipment Rooms:** Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies for day nurseries, children's shelter facilities, residential child care facilities and similar facilities with children below the age of 2 1/2 years.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 903.3.8 of the building subcode.

3. Where oil-burning equipment is used, an emergency shutoff switch shall be required at the top of the stairs leading to the basement for equipment in the basement or outside of the room for equipment located in other enclosed rooms. (Plan review--Building, Fire. Inspection--Building)

**(l) Smoke Barriers:** On every story used for sleeping purposes for more than 30 occupants and on stories which are usable, but unoccupied, when the work area exceeds 22,500 square feet on a floor, the work area shall be divided into not less than two compartments by smoke barrier walls complying with the technical requirements of [N.J.A.C. 5:23-6.30\(e\)](#) such that each compartment does not exceed 22,500 square feet and is no more than 150 feet in length and width. (Plan review--Building, Fire. Inspection--Building)

**(m) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(n) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

**(o) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

(p) Interior finishes shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

(q) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (g)2, rewrote the 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 (f), added second sentence; and added (r).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (k)2, substituted "Section 903.3.5.1.1" for "Section 907.0"; in ( o)2i and in the first sentence of ( o)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (r), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; in (a), substituted "installed throughout the work area" for "required" following "shall be"; in (j), inserted "UFC" following "one-hour" throughout.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( o)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.2, effective January 2, 2007.

See: [38 N.J.R. 3377\(a\)](#), [39 N.J.R. 28\(b\)](#).

In (a)1, added last sentence; and in (a)2, substituted "has" for "as".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (b)2; in ( o)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (r), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (r), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (a)1, substituted "I" for "1", "IIA" for "2A", and "IIB" for "2B"; in (a)2, substituted "For other than buildings of construction Type IIIB or VB, an automatic sprinkler system" for "Automatic sprinklers"; in the introductory paragraph of (b), substituted "or" for "and"; in (b)1, deleted "(Plan review--Building, Fire. Inspection--Building)" from the end; in (b)2ii, inserted "(Plan review--Building, Fire. Inspection--Building)"; in (k)2, substituted "903.3.8" for "903.3.5.1.1" and "building" for "Building"; and deleted (r).

Annotations

## Notes

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### [Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE

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## [N.J.A.C. 5:23-6.22A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.22A Supplemental requirements--Groups I-2 and I-4**

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**(a) Automatic Sprinkler System:** When the work area is 50 percent or more of the occupied floor area of the building, an automatic sprinkler system shall be required throughout the floor. The sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building.

1. Exception: For other than buildings of construction Type IIIB or VB, an automatic sprinkler system shall not be required for day care centers with an occupant load of 100 or less where all children below 2 1/2 years of age are cared for on the first floor and in which each child care room has an exit door directly to the exterior. (Fire)

**(b) Automatic Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout the building.

1. Exception: Automatic alarm systems shall not be required for buildings with an automatic sprinkler system and a manual fire alarm system with single station smoke alarms in the vicinity of sleeping areas in accordance with NFPA 72. (Fire)

**(c) Manual Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

**(d) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum one-hour UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.
  - i. Exception: No vertical opening protection shall be required for vertical openings connecting not more than two floor levels which are separated by a one-hour UFC fire barrier equipped with a self-closing or automatically closing 20-minute door at the top or bottom of the stairway when such stairway does not serve as a required means of egress. (Plan review--Building, Fire. Inspection--Building)

**(e) Requirements for high-rise buildings:** Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type.

Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

(1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

(f) Smoke Barriers: When the work area exceeds 50 percent of the occupied enclosed floor area of a story used for sleeping purposes for more than 30 occupants or of a story which is usable, but unoccupied, the story shall be divided into two or more compartments by smoke barrier walls complying with the technical requirements of [N.J.A.C. 5:23-6.30\(e\)](#) such that each compartment does not exceed 22,500 square feet and is no more than 150 feet in length and width. (Plan review--Building, Fire. Inspection--Building)

(g) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (e)2i, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Amended by R.2004 d.145, effective April 5, 2004.



See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; in (d), inserted "UFC" following "one-hour" throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (b)1, substituted "alarms" for "detectors"; and in (e)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (a)1, substituted "For other than buildings of construction Type IIIB or VB, an automatic" for "No Automatic", and inserted "not".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.23](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.23 Basic requirements--Group I-3**

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**(a) Automatic Sprinkler System:** An automatic sprinkler system shall be installed throughout the work area. As an alternative, buildings shall be in compliance with all applicable provisions of Chapter 15 "Existing Detention and Correctional Occupancies" of the Life Safety Code, NFPA 101, 1985 edition.

1. In buildings not required to be equipped throughout with an automatic sprinkler system, an automatic sprinkler system shall be provided in all padded cells, boiler rooms, storage and workshop rooms 24 square feet or larger, mechanical equipment and similar rooms. (Fire)

**(b) Exits:** Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. A single exit shall not be permitted.
2. Existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.
  - i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.
  - ii. Ladders shall be prohibited on fire escapes used as a required means of egress. (Plan review--Building, Fire. Inspection--Building)

**(c) Egress Doorways:** A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
2. Buildings with remote power unlocking capability on more than 10 doors shall be provided with an emergency power source for such locks. Power shall be arranged to automatically operate upon failure of normal power within 10 seconds and for a duration of not less than one hour. (Plan review--Building, Fire. Inspection--Building)

**(d) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(e) Dead End Corridors:** Existing dead end corridor shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
  2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)
- (f) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review--Building, Fire, Electric. Inspection--Building)
- (g) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (g)1 and 2 below:
1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
  2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.
  3. Exception: When the second means of egress is a fire escape that is accessed directly from the individual sleeping room, illuminated exit signs shall not be required above the means of egress serving the fire escape. (Plan review--Building, Fire. Inspection--Building)
- (h) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)
- (i) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)
- (j) Vertical Opening Protection:** Approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required for all vertical openings. The vertical opening protection may be omitted if either of the following conditions is met:
1. The building is in compliance with NFPA 101, Chapter 15, 1985 edition; or
  2. The building is equipped throughout with an automatic sprinkler system. (Plan review--Building, Fire. Inspection--Building)
- (k) Interior Finishes and Furnishings:** Interior furnishings, drapes, curtains, carpeting, decorations, bedding, etc. shall be flame retardant. (Plan review--Building, Fire. Inspection--Building)

**(l) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(m) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

**(n) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(o) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(p) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (g)2, rewrote the 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 (f), added second sentence; and added (q).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (n)2i and in the first sentence of (n)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (q), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; rewrote (a).

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (n)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Added (b)2; in (n)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (q), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (q), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (b), substituted "or" for "and"; in (b)1, deleted "(Plan review--Building, Fire. Inspection--Building)" from the end; in (b)2ii, inserted "(Plan review--Building, Fire. Inspection--Building)"; and deleted (q).

Annotations

## Notes

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### [Chapter Notes](#)

## [N.J.A.C. 5:23-6.23A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.23A Supplemental requirements--Group I-3**

---

**(a)** Automatic Sprinkler System: When the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic sprinkler system or compliance with Chapter 15 "Existing Detention and Correctional Occupancies" of the Life Safety Code, NFPA 101, 1985 edition shall be required throughout the building. In buildings without an automatic sprinkler system, padded cells, boiler and mechanical equipment rooms, and storage and workshop rooms 24 square feet or larger must have an automatic sprinkler system. (Fire)

**(b)** Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout all resident housing areas in the building. Smoke detectors shall be arranged and positioned to prevent damage or tampering, provided that the function and speed of detecting a fire is equivalent to that provided by the spacing and arrangement of requirements of NFPA 72 listed in Chapter 35 of the building subcode.

1. Exception: An automatic fire alarm system shall not be required for buildings with an automatic sprinkler system and a manual fire alarm system and with single station smoke detectors in the vicinity of sleeping areas in accordance with NFPA 72.

2. Exception: Smoke detectors shall not be required in sleeping rooms with four or fewer occupants. (Fire)

**(c)** Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

**(d)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided between floor levels of residential areas unless the building is equipped throughout with an automatic sprinkler system or the building complies with NFPA 101, Chapter 15, 1985 edition. (Plan review--Building, Fire. Inspection--Building)

**(e)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

## N.J.A.C. 5:23-6.23A

- i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;
  - ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;
    - (1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and
  - iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)
3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:
- i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)
  - ii. Hose and hose cabinets shall not be required. (Fire)
- (f) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (e)2i, updated N.J.A.C. reference.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (e)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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[\*Chapter Notes\*](#)

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## [N.J.A.C. 5:23-6.24](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.24 Basic requirements--Group M**

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**(a) Exits:** Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review--Building, Fire. Inspection--Building)

**(b) Egress Doorways:** A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review--Building, Fire. Inspection--Building)

**(c) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(d) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be

required to be provided for not less than one hour in the case of primary power loss. (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required, with the following exceptions:
  - i. No vertical opening protection shall be required for openings connecting only two floor levels, such as between the street floor and mezzanine or second floor; or
  - ii. In buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

## N.J.A.C. 5:23-6.24

**(k) Plumbing Fixtures:** Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy<1,2,3>	Water Closets	Lavatories	Drinking Water Facilities	Servic e Sinks
Employees	1-15	1 Unisex 16 and over	1	1	1 Fixture s to be provid ed as per Table
					7.21.1 of the plumbing subcode.
Customers	1-25	1 Unisex 26 and over	1	1	1 Fixture s to be provid ed as per Table
					7.21.1 of the plumbing subcode.

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Customer and employee facilities may be satisfied with a single unisex toilet facility where the number of employees does not exceed 15 and where the total occupancy does not exceed 25 or where the occupied floor area does not exceed 1, 500 square feet.

Note 3. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

**(l) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
2. Mechanically-ventilated spaces shall comply with the following:
  - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.
  - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(m) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

(n) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection.  
(Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (f)2, rewrote the 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 (e), added second sentence; and added ( o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In ( l)2i and in the first sentence of ( l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in ( o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to suppression throughout; in (i)3, inserted "UFC" following "30-minute".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( l)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In ( l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in ( o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In ( o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; and deleted ( o).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.24A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.24A Supplemental requirements--Group M**

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**(a)** Automatic Sprinkler System: In buildings with a Group M fire area greater than 12,000 square feet or a Group M fire area more than three stories in height, when the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire sprinkler system shall be provided throughout the entire building. (Fire)

**(b)** Manual Alarm System: For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building.

1. Exception: Manual alarm systems shall not be required in buildings equipped throughout with an automatic sprinkler system. (Fire)

**(c)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.

2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.

3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required for openings connecting only two floor levels, such as between the street floor and mezzanine or second floor, or for buildings with an automatic sprinkler system throughout. (Plan review--Building, Fire. Inspection--Building)

**(d)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

## N.J.A.C. 5:23-6.24A

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

(1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

4. Automatic Sprinkler System: When the work area is an entire floor, an automatic sprinkler system shall be installed on that floor. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

(e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (d)2i, updated N.J.A.C. reference.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; rewrote (a); in (c)3, inserted "UFC" following "30-minute".

Administrative correction.

See: [36 N.J.R. 2490\(b\)](#).

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (d)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.25](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.25 Basic requirements--Group R-1**

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- (a) Smoke alarms: Battery-powered, single station smoke alarms or smoke alarms complying with the building subcode shall be required in individual guest rooms. (Fire)
- (b) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.
1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.
    - i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.
    - ii. Window access to fire escapes shall be permitted from individual guestrooms.
    - iii. Window access shall be permitted to serve more than one guestroom for bed and breakfasts provided that the window serves a floor with a maximum occupant load of 10 and that the window has a clear opening of at least 5.7 square feet, a minimum net clear opening of 24 inches in height, a minimum net clear opening of 20 inches in width, and a sill height of not more than 44 inches above the finished floor.
    - iv. For bed and breakfasts, where a door is required because the occupant load served exceeds 10, the door shall have a clear opening of at least 10 square feet, a minimum net clear opening of 54 inches in height and a minimum net clear opening of 24 inches in width.
  2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.
  3. Multilevel guest units do not require an exit from each level within the unit provided that these conditions are met: The building is Type I or Type II construction, with travel distance within the dwelling unit not exceeding 75 feet or the building is not more than three stories and all third floor space is part of a dwelling unit located in part on the second floor and no habitable room has a travel distance of greater than 50 feet from the door of the room to the entrance of the dwelling unit.
  4. A single exit is permitted from floors that are not more than 16 feet above grade provided that each unit on such floors has an operable window with a sill height of not more than 44 inches.
  5. A single exit is permitted in buildings that are not more than two stories in height from floors that are more than 16 feet above grade with not more than four dwelling units per floor and exit access travel distance not exceeding 50 feet and with a minimum fire resistance rating of one hour for the exit

enclosure and opening protectives and provided that each dwelling unit on such floors has an operable window with a sill height of not more than 44 inches. (Plan review--Building, Fire. Inspection--Building)

**(c) Emergency Egress Windows:** When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

1. Be operable;
2. Have a sill height of not more than 44 inches;
3. Have a width of at least 20 inches, a height of at least 24 inches, and have a minimum total area of 5.7 square feet measured from head to sill and side to side.
4. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.

**(d) Egress Doorways:** A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
2. All dwelling unit, guest room or rooming unit corridor doors shall be at least 1 3/8 inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames. Corridor doors shall not be constructed of hollow core wood, shall not contain louvers and shall not be of panel construction. Doors shall fit both plumb and level in frames, and be reasonably tight fitting. All replacement doors shall be 1 3/4 inch solid core wood or approved equal, unless existing frame will accommodate only a 1 3/8 inch door. (Note: Existing doors meeting HUD Guidelines or BOCA Existing Structures Code (1984) for a rating of 15 minutes or better shall be accepted.)
3. In buildings equipped with an automatic sprinkler system, doors are required only to provide a smoke barrier, to be free of louvers, to fit plumb and level and to be reasonably tight fitting.
4. All doors opening onto a passageway at grade or onto an exit stair shall be self-closing or automatic closing by listed closing devices. (Plan review--Building, Fire. Inspection--Building)

**(e) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(f) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(g) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review--Building, Fire, Electric. Inspection--Building)

**(h) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible

from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (h)1 and 2 below:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.
3. Exception: When the second means of egress is a fire escape that is accessed directly from the individual sleeping room, illuminated exit signs shall not be required above the means of egress serving the fire escape. (Plan review--Building, Fire. Inspection--Building)

**(i)** Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(j)** Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(k)** Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum one-hour UFC fire barrier shall be required, with the following exceptions:
  - i. Vertical opening protection shall not be required in buildings not exceeding three stories with an automatic sprinkler system throughout; or
  - ii. In buildings with not more than 25 guests when the following conditions are met:
    - (1) Every sleeping room is provided with an operable window having a sill height not greater than 44 inches;
    - (2) Every sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit;
    - (3) Any exit access corridor exceeding eight feet in length which serves two means of egress, at least one of which is an unprotected vertical opening, is separated from the vertical opening by a one-hour UFC fire barrier; and
    - (4) The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review--Building, Fire. Inspection--Building)

**(l) Transoms and Other Interior Openings:** All transoms shall be either glazed with 1/4 inch wire glass set in metal frames and permanently secured in the closed position or sealed with materials consistent with the corridor construction. Any other sash, grill or opening in a corridor, and any window in a corridor not opening to the outside air shall be sealed with materials consistent with the corridor construction. (Plan review--Building, Fire. Inspection--Building)

**(m) Boiler/Furnace Equipment Rooms:** Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 903.3.8 of the building subcode. (Plan review--Building, Fire. Inspection--Building)

**(n) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(o) Electrical Equipment and Wiring:** Guestrooms shall be provided with one switch-controlled ceiling or wall type outlet or equivalent to illuminate entrances and exits. Additionally, each guest bathroom shall be provided with at least one duplex receptacle outlet which is GFCI protected and at least one switch-controlled lighting outlet.

**(p) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

**(q) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(r) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

(s) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection.

1. Exception: Specific occupancy areas within and serving a dwelling unit are not required to comply with this section. (Building)

(t) Accessibility of Sleeping Rooms: At least one sleeping room or suite of every 25 or fewer that are part of the scope of work shall be made accessible unless the facility already provides the number of accessible sleeping rooms required by Chapter 11 of the building subcode. In addition, at least one sleeping room or suite of every 25 or fewer that are part of the scope of work shall be equipped with a visual alarm and notification device for the hearing impaired unless the facility already provides the number required by Chapter 11 of the building subcode. (Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Inserted a new (c); recodified former (c) through (s) as (d) through (t); in the new (g), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in the new (h), made an internal reference change in the introductory paragraph, and rewrote the second sentence in 2.

Administrative change.

See: [32 N.J.R. 688\(a\)](#).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (g), added second sentence; and added (u).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (m)2, substituted "Section 903.3.5.1.1" for "Section 907.0"; in (q)2i and in the first sentence of (q)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (u), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; in (k), inserted "UFC" following "one-hour" throughout.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (q)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (q)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (u), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (a), substituted "alarms" for "detectors" throughout; and in (u), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (b), substituted "or" for "and"; added (b)1iii and (b)1iv; in (b)3, substituted "I" for "1" and "II" for "2"; in (m)2, substituted "903.3.8" for "903.3.5.1.1" and "building" for "Building"; in (t), substituted the first occurrence of "Chapter 11 of the building subcode." for "the barrier free subcode. ([N.J.A.C. 5:23-7.1\(b\)7](#))", and substituted the second occurrence of "Chapter 11 of the building" for "the barrier free"; and deleted (u).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.25A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.25A Supplemental requirements--Group R-1**

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- (a)** Automatic Sprinkler System: In buildings four or more stories in height (excluding basements), when the work area is an entire floor, an automatic sprinkler system shall be installed throughout the work area. (Fire)
- (b)** Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire alarm system shall be required throughout the building. System smoke detectors are not required in guestrooms provided that the single-station detectors required by Section 907.2.11.1 of the building subcode are connected to the emergency electrical system and are annunciated by guestroom at a constantly attended location from which the fire alarm system is capable of being manually activated.
1. Exception: An automatic fire detection system is not required in buildings that do not have interior corridors serving guestrooms and where all guestrooms have a means of egress door opening directly to an exterior exit access which leads directly to the exits. (Note: Single station smoke alarms are still required in individual guest rooms in such buildings in accordance with [N.J.A.C. 5:23-6.25\(a\)](#) or [6.25A\(d\)](#), as applicable). (Fire)
- (c)** Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a manual fire alarm system shall be required throughout the building.
1. No manual fire alarms shall be required for buildings with less than 25 occupants and less than 10 guestrooms. (Fire)
- (d)** Smoke Detectors: When the work area exceeds 25 percent of the gross enclosed floor area of the building, smoke detectors within guestrooms that meet the specifications of the building subcode shall be required throughout the building. The smoke detectors shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72. (Fire)
- (e)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:
1. A minimum two hours fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
  2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
  3. A minimum one-hour UFC fire barrier required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
    - i. For buildings with an automatic sprinkler system throughout;
    - ii. For buildings with not more than 25 guests when the following conditions are met:
      - (1) Every sleeping room is provided with an approved, operable window having a sill height not greater than 44 inches;

## N.J.A.C. 5:23-6.25A

**(2)** Every sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit;

**(3)** Any exit access corridor exceeding eight feet in length which serves two means of egress, at least one of which is an unprotected vertical opening, shall be separated from the vertical opening by a one-hour UFC fire barrier; and

**(4)** The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review--Building, Fire. Inspection--Building)

**(f)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

**1.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

**2.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

**i.** All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

**ii.** At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

**(1)** In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

**iii.** All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

**3.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

**i.** No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

**ii.** Hose and hose cabinets shall not be required. (Fire)

**4.** When the work area is one entire floor or more, central control station and communication systems shall be provided as follows:

**i.** An approved public address communication system consisting of loudspeakers in each corridor and in each room and tenant space exceeding 1,000 square feet, each elevator and elevator lobby and in each stair enclosure which shall be capable of being operated from the central control station;



ii. A two-way fire department communication system which shall operate between the central control and every elevator, elevator lobby and entry to enclosed exit stairways;

iii. A central control station for fire department operations shall be provided in a location approved by the fire department. It shall contain the public address panel, the fire department communications panel, fire detection and alarm system annunciator panels, status indicators and controls for air handling systems, sprinkler valve and water flow detector display panels, and status indicators and a telephone for fire department use with controlled access to the public telephone system. (Fire)

5. Automatic Sprinkler System: When the work area is an entire floor, an automatic sprinkler system shall be installed on that floor. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

(g) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

## History

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### HISTORY:

Amended by R.1999 d.259, effective August 16, 1999.

See: [31 N.J.R. 825\(a\)](#), [31 N.J.R. 2330\(a\)](#).

Inserted (e); and recodified existing (e) through (g) as (f) through (h).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (d), substituted "25 percent" for "50 percent" following "exceeds" in the first 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 (e), substituted "detectors" for "alarms" preceding "shall be installed" in the introductory paragraph; and in (g)2i, updated N.J.A.C. reference.

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 (e), substituted "alarms" for "detectors", inserted "located" preceding "in a building", and 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\(c\)](#).

Deleted former (e); recodified former (f) through (h) as (e) through (g).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; in (e), inserted "UFC" following "one-hour" throughout.

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (b), substituted "907.2.10.1.1 of the building subcode" for "920.3.1".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (b)1, substituted "alarms" for "detectors" and "(a)" for "(b)"; and in (f)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (b), substituted "907.2.11.1" for "907.2.10.1.1".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.26](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.26 Basic requirements--Groups R-2 and R-4**

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**(a)** Automatic Fire Sprinkler System: In Group R-2 dormitories, an automatic fire sprinkler system shall be installed throughout the work area.

**(b)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 or with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

ii. Window access to fire escapes shall be permitted from individual units.

iii. For rooming houses, ladders shall be prohibited on fire escapes used as a required means of egress.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.

3. Dwelling units in basements (stories below grade) shall have two means of egress unless the building has an automatic sprinkler system. (An operable window with a net clear opening of at least five square feet, a minimum net clear opening of 24 inches in height and 20 inches in width, and a sill height of not more than 44 inches above the finished floor is acceptable as one of the means of egress.)

4. For rooming houses, a single exit shall be prohibited.

5. Multilevel dwelling units do not require an exit from each level within the dwelling unit provided that these conditions are met: The building is Type 1 or Type 2 construction, with travel distance within the dwelling unit not exceeding 75 feet or the building is not more than three stories and all third floor space is part of a dwelling unit located in part on the second floor and no habitable room has a travel distance of greater than 50 feet from the door of the room to the entrance of the dwelling unit.

6. A single exit is permitted from floor(s) that are not more than 16 feet above grade provided that each dwelling unit on such floors has an operable window with a sill height of not more than 44 inches. (In community residences for the developmentally disabled, the maximum occupant load, excluding staff, is 12.)

7. A single exit is permitted in buildings that are not more than two stories in height from floors that are more than 16 feet above grade with not more than four dwelling units per floor and exit access travel distance not exceeding 50 feet and with a minimum fire resistance rating of one hour for the exit enclosure and opening protectives and provided that each dwelling unit on such floors has an operable window with a sill height of not more than 44 inches. (In community residences for the developmentally disabled, the maximum occupant load, excluding staff, is 12.)

8. As used in this subsection, "rooming house" means any building and any part thereof, which contains two or more units of dwelling space which do not provide a private, secure dwelling space arranged for independent living and containing both full bath and kitchen facilities (exclusive of any such unit occupied by an owner or operator), including any residential hotel. The term does not include any hotel, motel or established guest house in which a minimum of 85 percent of the units of dwelling space are offered on a temporary basis only, for periods lasting no more than 90 days, to guests who either maintain or intend to maintain a primary residence at a location other than the hotel, motel or established guest house. The term also does not include one-family residential dwellings made available for occupancy by not more than five roomers. (Plan review--Building, Fire. Inspection--Building)

(c) Emergency Egress Windows: When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

1. Be operable;
2. Have a sill height of not more than 44 inches; and
3. Have a width of at least 20 inches, a height of at least 24 inches, and have a minimum total area of 5.7 square feet measured from head to sill and side to side.
4. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system. For dwelling units in basements, one of the two remote exits may be as per (b)3 above.

(d) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.
2. All dwelling unit, guest room or rooming unit corridor doors shall be at least 13/8 inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames. Corridor doors shall not be constructed of hollow core wood, shall not contain louvers and shall not be of panel construction. Doors shall fit both plumb and level in frames, and be reasonably tight fitting. All replacement doors shall be 13/4 inch solid core wood or approved equal, unless existing frame will accommodate only a 13/8 inch door. (Note: Existing doors meeting HUD Guidelines or BOCA Existing Structures Code (1984) for a rating of 15 minutes or better shall be accepted.)
3. In buildings with an automatic sprinkler system, doors are required only to provide a smoke barrier, to be free of louvers, to fit plumb and level and to be reasonably tight fitting.
4. All doors opening onto a passageway at grade or onto an exit stair shall be self-closing or automatic closing by listed closing devices.
  - i. Exception: Group homes with a maximum of 15 occupants and an approved automatic detection system shall not be required to have self-closing doors. (Plan review--Building, Fire. Inspection--Building)

- (e) Capacity of Means of Egress:** The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)
- (f) Dead End Corridors:** Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:
1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.
  2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)
- (g) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. Lighting shall also be required to illuminate the exit discharge. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.
1. Means of egress lighting shall be wired on a circuit independent of circuits within any dwelling unit. The disconnecting means and over current protection device shall not be located within a dwelling unit or such that access must be obtained by going through a dwelling unit. (Plan review--Building, Fire, Electric. Inspection--Building)
- (h) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (h)1 and 2 below:
1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.
  2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.
  3. Exceptions: Illuminated exit signs shall not be required for buildings with an occupant load, excluding staff, of 20 or less or when the second means of egress is a fire escape that is accessed directly from the individual sleeping room. (Plan review--Building, Fire. Inspection--Building)
- (i) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)
- (j) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(k) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum 30-minute UFC fire barrier shall be required, with the following exceptions:
  - i. Buildings with an automatic sprinkler system throughout; or
  - ii. When the vertical opening connects not more than two floor levels and not more than four dwelling units per floor provided that each dwelling unit has access to a fire escape or other approved secondary exit; or
  - iii. Owner-occupied buildings with not more than four dwelling units per floor, and in which the following conditions are met:
    - (1) Every sleeping room is provided with an operable window having a sill height not greater than 44 inches;
    - (2) Every dwelling unit or sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit; and
    - (3) The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review--Building, Fire. Inspection--Building)

**(l) Transoms and Other Interior Openings:** All transoms shall be either glazed with 1/4 inch wire glass set in metal frames and permanently secured in the closed position or sealed with materials consistent with the corridor construction. Any other sash, grill or opening in a corridor, and any window in a corridor not opening to the outside air shall be sealed with materials consistent with the corridor construction. (Plan review--Building, Fire. Inspection--Building)

**(m) Boiler/Furnace Equipment Rooms:** Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)
2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 903.3.8 of the building subcode.
3. For group homes and supervised transitional living homes heated by oil-burning equipment, an emergency shutoff switch is required at top of the stairs leading to the basement for equipment in the basement or outside of the room for equipment located in other enclosed rooms. (Plan review--Building, Fire. Inspection--Building)

**(n) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(o) Electrical Equipment and Wiring:**

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1. All areas shall have receptable and lighting outlets in accordance with Section 210.52 and 210.70, respectively, of the electrical subcode.
    - i. In the event that receptacle and lighting outlets cannot be installed in the required locations without updating the small appliance branch circuits, kitchen areas shall have a minimum of two duplex receptable outlets or equivalent and a switch controlled lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space.
  2. Electrical service equipment (overcurrent devices) shall be located where they will not be subject to physical damage and shall not be located in the vicinity of easily ignitable material.
  3. All 125 volt, single-phase, 15 and 20 ampere receptacles in locations specified in Section 210.8(A) of the electrical subcode shall have ground-fault circuit protection for personnel.
  4. All 125 volt, single phase, 15 and 20 ampere receptacles in locations specified in Section 210.52 of the electrical subcode shall be tamper resistant as specified in Section 406.12 of the electrical subcode. (Electrical)
- (p) Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)
- (q) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.
1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
  2. Mechanically-ventilated spaces shall comply with the following:
    - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.
    - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
  3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)
- (r) Interior finishes** shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)
- (s) Specific Occupancy Areas:** Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection.
1. Exception: Specific occupancy areas within and serving a dwelling unit are not required to comply with this section. (Building)
- (t) Accessibility:** Accessible features shall be provided for all items that are part of the scope of work in those buildings with four or more dwelling units that are required by Chapter 11 of the building subcode to be accessible.
- (u) Communicating Attic Spaces:** Where adjacent dwelling units have communicating space in the attic, a wall shall be constructed to provide a continuous one hour fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be

performed on the side of the wall of the dwelling unit that is undergoing reconstruction. (Plan review-- Building, Fire. Inspection-- Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Inserted a new (b); recodified former (b) through (s) as (c) through (t); in the new (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and inserted a reference to electric plan review in 1; in the new (g), made an internal reference change in the introductory paragraph, and rewrote the second sentence in 2; and rewrote the new (s).

Administrative change.

See: [32 N.J.R. 688\(a\)](#).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (f), added second sentence in the introductory paragraph; and added (u).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (a)7, substituted "opening protectives and" for "opening protection"; in (l)2, substituted "Section 903.3.5.1.1" for "Section 907.0"; in (n)7, substituted "210.8(A)" for "210-8(a)"; in (p)2i and in the first sentence of (p)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (u), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Added a new (a); recodified former (a) to (u) as (b) to (v); in (k)3, inserted "UFC" following "30-minute"; substituted references to automatic sprinkler for references to fire suppression throughout.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

Added (o)8; in (q)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (q)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in (v), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (v), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".



Administrative correction.

See: [43 N.J.R. 3083\(a\)](#).

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (b), substituted "or" for "and"; in (m)2, substituted "903.3.8" for "903.3.5.1.1" and "building" for "Building"; in (o)7, deleted "(Electrical)" from the end; added new (o)8; recodified former (o)8 as (o)9; in (o)9, inserted "(Electrical)"; in (t), substituted "Chapter 11 of the building" for "the barrier free"; and deleted (v).

Amended by R.2022 d.035, effective March 7, 2022.

See: [53 N.J.R. 977\(a\)](#), [54 N.J.R. 417\(a\)](#).

Rewrote the introductory paragraph of (o)1; recodified former (o)2 as (o)1i; in (o)1i, substituted "In the event that lighting and receptacle outlets cannot be installed in the required locations without updating the small appliance branch circuits, kitchen" for "Kitchen"; deleted former (o)3 through (o)5 and (o)9; and recodified former (o)6 through (o)8 as (o)2 through (o)4.

Administrative correction, effective May 2, 2022.

See: [54 N.J.R. 1017\(b\)](#).

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-6.26A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.26A Supplemental requirements--Groups R-2 and R-4**

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**(a)** Automatic Sprinkler System: Automatic fire sprinkler systems shall be installed in Group R-2 and R-4 as follows:

1. In Group R-2 buildings four or more stories in height (excluding basements), when the work area is an entire floor, an automatic fire sprinkler system shall be installed throughout the work area.
2. In Group R-4 buildings where the occupant load of the work area exceeds eight occupants. (Fire)

**(b)** Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a manual fire alarm system shall be required throughout the building.

1. Exception: No manual fire alarm system shall be required for buildings where all dwelling units are located fewer than three stories above the lowest level of exit discharge or one story or less below the highest level of exit discharge serving the dwelling unit(s). (Fire)

**(c)** Smoke Detection Systems: When the work area exceeds 25 percent of the gross enclosed floor area of the building, approved smoke detection systems shall be located in all interior common areas. Such systems shall be powered by an alternating current (AC) constantly active electric circuit that cannot be deactivated by the operation of any interconnected switching device and shall comply with the electrical subcode, except as otherwise provided in this section. Such systems shall be on circuitry that is connected into the building owner's electric meter.

1. In multiple dwellings six stories or more in height and having 30 or more dwelling units, such systems:
  - i. Shall be connected to a supervisory type listed control panel conforming to U.L. 864 requirements and NFPA 72 standards as adopted by the building subcode, except as otherwise provided in this section;
  - ii. Shall be powered by an approved emergency power source as installed in conformance with the electrical subcode; and
  - iii. Shall have a control panel of the multi-zoned type that will visually indicate the floor or zone from which the alarm is activated, which panel shall be located in accordance with NFPA 72 standards as adopted by the building subcode or as directed by the local fire subcode official.
2. A pre-signal alarm feature is not permitted.
3. The separate zoning of floors in high-rise buildings for selective floor evacuation is permitted at the discretion of the fire subcode official in consultation with the fire department.
4. Alarms shall be located so as to be effectively heard above all other sounds, by all the occupants, in every occupied space within the building not separated by fire walls having a fire-resistance rating of at least two hours.
5. With the approval of the fire subcode official, fixed temperature heat detectors in those locations where frequent nuisance alarms would be likely to occur. Such building spaces include, but are not

limited to, garages, crawl spaces, uninhabitable attics, heater and boiler rooms, laundry rooms, kitchens, restaurant service areas, and other rooms where the ambient temperatures are below 40 degrees Fahrenheit or above 100 degrees Fahrenheit and/or have a relative humidity either below 20 percent or above 85 percent or where environmental conditions are likely to produce nuisance alarms.

**6.** Existing common area smoke detection systems that were installed in compliance with this subchapter or with the Regulations Governing Rooming and Boarding Houses or Regulations for the Maintenance of Hotels and Multiple Dwellings and maintained in accordance with N.J.A.C. 5:70-3, for which a construction permit was issued subject to plan review approval, shall be accepted as conforming to this section. (Fire)

**(d)** Smoke Detection within Dwelling Units: Smoke alarms shall be provided within dwelling units as follows:

- 1.** When the work area is an entire dwelling unit, smoke alarms that meet the specifications of the building subcode shall be installed. The smoke alarms shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72.
- 2.** When any work is undertaken within a dwelling unit, single station smoke alarms shall be installed. (Battery-powered units shall be permitted.) The smoke alarms shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72. (Fire)

**(e)** Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

- 1.** A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
- 2.** A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
- 3.** A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
  - i.** Buildings with an automatic sprinkler system throughout;
  - ii.** When the vertical opening connects not more than two floor levels with not more than four dwelling units per floor and each dwelling unit has access to a fire escape or other approved secondary exit; or
  - iii.** Owner-occupied buildings with not more than four dwelling units per floor, and in which the following conditions are met:
    - (1)** Every sleeping room is provided with an approved, operable window having a sill height not greater than 44 inches;
    - (2)** Every dwelling unit or sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit; and
    - (3)** The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review--Building, Fire. Inspection--Building)

**(f)** Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle, shall comply with the following:

- 1.** When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

(1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

4. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, central control station and communication systems shall be provided as follows:

i. An approved public address communication system consisting of loudspeakers in each common corridor, each elevator and elevator lobby and in each stair enclosure which shall be capable of being operated from the central control station;

ii. A two-way fire department communication system which shall operate between the central control and every elevator, elevator lobby and entry to enclosed exit stairways;

iii. A central control station for fire department operations shall be provided in a location approved by the fire department. It shall contain the public address panel, the fire department communications panel, fire detection and alarm system annunciator panels, status indicators and controls for air handling systems, sprinkler valve and water flow detector display panels, and status indicators and a telephone for fire department use with controlled access to the public telephone system. (Fire)

(g) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#).

1. Exception: Elevator devices wholly within individual dwelling units and not accessible to the general public shall not be required to comply. (Elevator)

## History

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**HISTORY:**

Amended by R.1999 d.259, effective August 16, 1999.

See: [31 N.J.R. 825\(a\)](#), [31 N.J.R. 2330\(a\)](#).

Inserted (e); and recodified existing (e) through (g) as (f) through (h).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c)6 and in (g)2i, updated N.J.A.C. reference.

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 (e), substituted "alarms" for "detectors" and 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\(c\)](#).

Deleted former (e); recodified former (f) through (h) as (e) through (g).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Substituted references to automatic sprinkler for references to fire suppression throughout; rewrote (a); in (e)3, inserted "UFC" following "30-minute".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (c), substituted "05" for "93" and "02" for "90" throughout.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In the introductory paragraph of (d) and in (d)1 and (d)2, substituted "alarms" for "detectors" throughout; and in (f)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (c), substituted "the electrical subcode" for "NFPA 70-05 (National Electric Code) requirements"; in (c)1i and (c)1iii, deleted "-02" following "72" and inserted "as adopted by the building subcode"; and in (c)1ii, substituted "the electrical subcode; and" for "NFPA 70-05 (National Electric Code)".

Annotations

**Notes**

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[Chapter Notes](#)

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## [N.J.A.C. 5:23-6.27](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

#### **§ 5:23-6.27 Basic requirements--Groups R-3 and R-5**

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**(a)** Smoke Detection within Dwelling Units: Smoke alarms that meet the specifications of the building subcode or one- and two-family dwelling subcode, as applicable, shall be installed. The smoke alarms shall be installed in the locations indicated in the building subcode or one- and two-family dwelling subcode, as applicable, and placed within those locations in accordance with NFPA 72. (Fire.)

**(b)** Egress Windows:

1. When the building is used as a bed and breakfast, every sleeping room below the fourth story shall be provided with an operable window having a sill height of not more than 44 inches.

i. Windows in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system.

2. When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

i. Be operable;

ii. Have a sill height of not more than 44 inches; and

iii. Have a width of at least 20 inches, a height of at least 24 inches, and have a minimum total area of 5.7 square feet measured from head to sill and side to side.

iv. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic sprinkler system. (Plan review--Building, Fire. Inspection--Building)

**(c)** When the work being performed creates living space over a private garage, the private garage shall comply with Section 406.3.2 of the building subcode for fire resistance rating or Section R302.6 of the one- and two-family dwelling subcode, as applicable.

**(d)** Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode or one- and two-family dwelling subcode, as applicable. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(e)** When the work being performed creates an additional dwelling unit within the building, the new dwelling unit shall be separated from the existing dwelling unit(s) with fire partitions or horizontal assemblies having a fire resistance rating of not less than one hour constructed in accordance with Sections 708 and 711 of the building subcode or R302 of the one- and two-family dwelling subcode, as applicable.

**(f)** Electrical equipment and Wiring:

1. All areas shall have receptacle and lighting outlets in accordance with Sections 210.52 and 210.70, respectively, of the electrical subcode.
    - i. In the event that receptacle and lighting outlets cannot be installed in the required locations without updating the small appliance branch circuits, kitchen areas shall have a minimum of two duplex receptacle outlets or equivalent and one switch controlled lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space.
  2. Electrical service equipment (overcurrent devices) shall be located where they will not be subject to physical damage and shall not be located in the vicinity of easily ignitable material.
  3. All 125 volt, single-phase, 15 and 20 ampere receptacles in locations specified in Section 210.8(A) of the electrical subcode shall have ground-fault circuit protection for personnel.
  4. All 125 volt, single phase, 15 and 20 ampere receptacles in locations specified in Section 210.52 of the electrical subcode shall be tamper resistant as specified in Section 406.12 of the electrical subcode. (Electrical)
- (g) Communicating Attic Spaces:** Where adjacent dwelling units have communicating space in the attic, a wall shall be constructed to provide a continuous one hour fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be performed on the side of the wall of the dwelling unit that is undergoing reconstruction. (Plan review -- Building, Fire. Inspection-- Building)
- (h) Plumbing Fixtures:** Each dwelling unit shall be provided with a minimum of one kitchen sink, one water closet, one lavatory, and one bathtub or shower or bathtub/shower combination.

## History

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### HISTORY:

Amended by R.1999 d.259, effective August 16, 1999.

See: [31 N.J.R. 825\(a\)](#), [31 N.J.R. 2330\(a\)](#).

Inserted (b); and recodified existing (b) through (e) as (c) through (f).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

Rewrote (c); inserted a new (d); recodified former (d) through (f) as (e) through (g); and added (h).

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Added (i).

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Deleted former (b); recodified former (c) through (i) as (b) through (h).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (c), substituted "Section R309" for "section 407"; in (e)7, substituted "Section 210.8(A)" for "Section 210-8(a)"; in (h), substituted "Section 716" for "Section 721.0".



Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

In (b), substituted "sprinkler" for "fire suppression" in 1i and 2iv; added a new (e) and recodified former (e) through (h) as (f) through (i).

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

Added (f)8; in (i), added "for Group R-3 or Sections R502.12 and R.602.8 of the one- and two- family subcode for Group R-5".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (a), inserted "or one- and two-family dwelling subcode, as applicable," in two places; in (c), substituted "406.1.4" for "R309", and inserted "or Section R309 of the one- and two-family dwelling subcode, as applicable"; in (e), substituted "711" for "710", and "R317.1" for "R321.1"; and in (i), substituted "717" for "716", and inserted "dwelling".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (a), substituted "alarms" for "detectors" twice; and in (i), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (c), substituted "R302.6" for "R309"; in (e), substituted "709 and 712" for "708 and 711" and "R302" for "R317.1"; and in (i), substituted "R302.11 and R302.12" for "R502.12 and R602.8".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (b)1i, deleted "(Plan review--Building, Fire. Inspection--Building)" from the end; in (b)2iv, inserted "(Plan review--Building, Fire. Inspection--Building)"; in (d), inserted "or one- and two-family dwelling subcode, as applicable"; in (e), substituted "708 and 711" for "709 and 712"; in (f)7, deleted "(Electrical)" from the end; added new (f)8; recodified former (f)8 as (f)9; in (f)9, inserted "(Electrical)"; and deleted (i).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (c), substituted "406.3.2" for "406.1.4".

Amended by R.2022 d.035, effective March 7, 2022.

See: [53 N.J.R. 977\(a\)](#), [54 N.J.R. 417\(a\)](#).

Rewrote the introductory paragraph of (f)1; recodified former (f)2 as (f)1i; in (f)1i, substituted "In the event that lighting and receptacle outlets cannot be installed in the required locations without updating the small appliance branch circuits, kitchen" for "Kitchen"; deleted former (f)3 through (f)5 and (f)9; and recodified former (f)6 through (f)8 as (f)2 through (f)4.

Administrative correction, effective May 2, 2022.

See: [54 N.J.R. 1017\(b\)](#).

Annotations

## Notes

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## [N.J.A.C. 5:23-6.27A](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.27A Supplemental requirements--Groups R-3 and R-5**

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There are no supplemental requirements applicable to Groups R-3 and R-5.

### **History**

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#### **HISTORY:**

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Substituted "R-3 and R-5" for "R-3/R-4".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted "Use" preceding "Groups".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-6.28](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.28 Basic requirements--Group S**

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**(a)** Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 30 or with an exit travel distance greater than 100 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 30 and the exit access travel distance does not exceed 100 feet.

3. A single exit is permitted in open parking structures where vehicles are mechanically parked.

4. A single exit is permitted in buildings of Group S-2 not more than two stories in height, with not more than 3,000 square feet per floor when the exit access travel distance does not exceed 50 feet and a minimum fire resistance rating of one hour is provided for the exit enclosure and the opening protection. (Plan review--Building, Fire. Inspection--Building)

**(b)** Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 30 or in which the travel distance exceeds 100 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review--Building, Fire. Inspection--Building)

**(c)** Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with [N.J.A.C. 5:23-6.11\(b\)](#). (Plan review--Building, Fire. Inspection--Building)

**(d)** Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with an automatic sprinkler system installed in conformance with the building code in effect at the time of its installation. (Plan review--Building, Fire. Inspection--Building)

**(e) Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. Exception: Lighting to illuminate the exit discharge shall not be required. (Plan review--Building, Fire, Electric. Inspection--Building)

**(f) Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke 3/4 inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review--Building, Fire. Inspection--Building)

**(g) Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review--Building, Fire. Inspection--Building)

**(h) Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review--Building, Fire. Inspection--Building)

**(i) Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required. (Plan review--Building, Fire. Inspection--Building)

**(j) Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in [N.J.A.C. 5:23-6.7\(c\)1](#)), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by [N.J.A.C. 5:23-6.7\(c\)](#), existing structural elements shall be permitted to remain. (Building)

**(k) Plumbing Fixtures:** Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy<1>	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
1-15	1 Unisex	1	1	1
16 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

**(l) Mechanical Requirements:** All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
2. Mechanically-ventilated spaces shall comply with the following:
  - i. Newly-installed HVAC systems shall comply with the requirements of the mechanical subcode.
  - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the mechanical subcode, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person.
3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

**(m)** Interior finishes shall comply with [N.J.A.C. 5:23-6.11\(c\)](#). (Plan review--Building, Fire. Inspection--Building)

**(n)** Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in [N.J.A.C. 5:23-6.30\(h\)](#), shall comply with the requirements established in that section for separation and/or protection. (Building)

## History

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### HISTORY:

Administrative correction.

See: [30 N.J.R. 539\(a\)](#).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and inserted a reference to electric plan review in 1; and in (f)2, rewrote the second sentence.

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

Added ( o).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In ( l)2i and in the first sentence of ( l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in ( o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

In (a), inserted "an" preceding "exit" in the last sentence of the introductory paragraph, and deleted "Use" preceding "Group" in 4; in (b), substituted "30" for "50" following "load greater than" and "100" for "75" preceding "feet"; in (d)2, substituted "an automatic sprinkler" for "a suppression" preceding "system".

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In ( l)2i and ii, substituted "mechanical subcode" for "International Mechanical Code, 2000 edition".

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In ( l)2ii, deleted "unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount" following "ventilation air per person"; and in ( o), substituted "717" for "716".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In ( o), inserted "creates or" and deleted "exposed" preceding the second occurrence of "framing".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (a), substituted "or" for "and"; and deleted ( o).

Annotations

## Notes

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## [N.J.A.C. 5:23-6.28A](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.28A Supplemental requirements--Group S**

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**(a) Automatic Sprinkler System:** In buildings with a Group S-1 fire area greater than 12,000 square feet or a Group S-1 fire area more than three stories in height, when the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic sprinkler system shall be provided throughout the entire building.

**(b) Manual Alarm System:** For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building.

1. Exception: Manual alarm systems shall not be required in buildings equipped throughout with an automatic sprinkler system. (Fire)

**(c) Vertical Opening Protection:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.

2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels. (Plan review--Building, Fire. Inspection--Building)

**(d) Requirements for high-rise buildings:** Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air system, the recirculating air system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

**(1)** In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and



iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

(e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of [N.J.A.C. 5:23-6.30\(g\)](#). (Elevator)

(f) Public Garages: When the work area exceeds 50 percent of the gross floor area of a public garage, the entire building is required to comply with Sections 406.2.5, 406.2.8, 406.2.9, 406.4.1, 406.4.2, 406.5.3, 406.5.7, 406.5.8, 406.5.9, 406.5.10, 406.5.11, 406.6.2, and 406.6.3 of the building subcode.

## History

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### HISTORY:

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

See: [32 N.J.R. 3219\(a\)](#), [32 N.J.R. 4437\(b\)](#).

In (c)2i, updated N.J.A.C. reference.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (e), substituted "Section 406.3" for "Section 408.0, except Subsection 408.3.3".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Added a new (a); recodified former (a) through (e) as (b) through (f); in (b)1 and (d)3i, substituted references to automatic sprinkler for references to fire suppression preceding "system".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (d)1, deleted "or exhaust" preceding the first and second occurrences of "system".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (f), substituted "Sections 406.2 and" for "Section".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Rewrote (f).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (f), substituted "406.2.5, 406.2.8, 406.2.9, 406.4.1, 406.4.2," for "406.4.2, 406.4.3, 406.4.6, 406.4.7, 406.4.8".

Annotations

## Notes

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## [N.J.A.C. 5:23-6.29](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE**

### **§ 5:23-6.29 Mixed use buildings**

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(a) Each portion of a building shall be separately classified as to use. The requirements of this subcode shall apply to each portion of the building based on the group of that portion, except that the most restrictive requirements of this subcode for an automatic sprinkler system shall apply to the entire building.

1. Exception: An automatic sprinkler system shall not be required for uses that would not otherwise need an automatic sprinkler system provided that there is a one-hour fire separation between the use(s) requiring an automatic sprinkler system and the other use(s) in the same building. A two-hour fire separation assembly shall be required to apply this exception in any building where one or more of the uses is H. (Plan review--Building, Fire. Inspection--Building)

(b) Separation: In any nonresidential use located below or attached to one or more dwelling units, when the work area exceeds 50 percent of the gross enclosed floor area of the nonresidential use, the nonresidential use shall be separated from the residential use by a one hour fire resistance-rated wall or ceiling assembly designed to protect the dwelling unit(s) attached or above. (Plan review--Building, Fire. Inspection--Building)

(c) Alarms: In any nonresidential use located below or attached to one or more dwelling units (including single room occupancies), when the work area exceeds 50 percent of the gross enclosed floor area of the nonresidential use, single or multiple station smoke alarms shall be installed in the nonresidential portion(s) of the building in accordance with NFPA 72 and provided with an audible alarm located within each dwelling unit of the residential portion of the building. The alarms shall be AC powered with battery back-up. Hard-wired, interconnected smoke alarms installed throughout the building shall be accepted as meeting this requirement. (Fire)

### **History**

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#### **HISTORY:**

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

In (a), substituted references to automatic sprinkler for references to fire suppression throughout and deleted "use" preceding "group of that portion" in the introductory paragraph.

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (c), substituted "alarms" for "detectors" throughout.

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (b) and (c), inserted "or attached to"; and in (b), inserted "wall or" and "attached or".

Annotations

## Notes

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## [N.J.A.C. 5:23-6.30](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.30 Special technical requirements--all groups**

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- (a) The requirements of this section shall apply to reconstruction projects in all groups except R-3 and R-5.
- (b) When an automatic sprinkler system is required or provided, the sprinkler riser shall be sized to serve the entire building even if the system currently being installed serves only a portion of the building.
1. Exception: This requirement shall not apply to limited area sprinkler systems installed in accordance with Section 903.3.8 of the building subcode. (Fire)
- (c) Windowless stories: In all buildings, any windowless basement or story located below the seventh story which is created by the work being performed or any existing windowless basement or story located below the seventh story in which the work area exceeds 50 percent of the gross enclosed floor area of the windowless story shall be equipped throughout with an automatic sprinkler system installed in accordance with the New Jersey Uniform Construction Code.
1. Stories or basements shall not be considered windowless when there is provided on at least one side of such story or basement firefighter access through openings, such as windows, doors or access panels, that are located entirely above the adjoining grade level.
  2. Such openings shall be at least:
    - i. Thirty-two inches by 48 inches in size, spaced not more than 100 feet apart in each story or basement; or
    - ii. Twenty-two inches by 42 inches in size, spaced not more than 30 feet apart in each story or basement.
  3. All openings for firefighter access shall conform to all the following:
    - i. Openings shall be unobstructed to allow fire fighting and rescue operations from the exterior;
    - ii. Openings in stories at or above grade shall have a sill height of not more than 36 inches as measured from the finished floor level. Openings in basements shall have no sill height restrictions; and
    - iii. Openings shall be readily identifiable and openable from the outside.
  4. When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be considered windowless unless openings as specified above are provided on at least two sides of the exterior walls of the story.
  5. If any portion of a basement is located more than 75 feet from openings as specified above, the basement shall be considered windowless.
  6. Windowless basements not exceeding 3,000 square feet in area shall be exempt from this automatic sprinkler system requirement, provided a supervised automatic fire alarm system shall be installed in accordance with the New Jersey Uniform Construction Code.

7. In windowless basements greater than 3,000 square feet, but not exceeding 10,000 square feet in area, the required automatic sprinkler system need not be connected to a water supply other than an existing domestic supply if the following conditions are met:

- i. The automatic sprinkler system shall be provided with a fire department connection, which shall be marked with a sign reading "Basement Area Sprinkler Water Supply"; and
- ii. A supervised automatic fire alarm system shall be installed in accordance with the New Jersey Uniform Construction Code. (Fire)

**(d)** Supervision of automatic sprinkler systems: When automatic sprinkler systems are required by this subcode to be supervised, this shall be accomplished by one of the following methods as determined by the fire subcode official:

1. Approved central station system in accordance with NFPA 72;
2. Approved proprietary system in accordance with NFPA 72;
3. Approved remote station system of the jurisdiction in accordance with NFPA 72; or
4. Approved local alarm service which will cause the sounding of an alarm in accordance with NFPA 72;
5. The following are exceptions to (d) above:
  - i. Underground gate valves with roadway boxes;
  - ii. Halogenated extinguishing systems;
  - iii. Carbon-dioxide extinguishing systems;
  - iv. Dry chemical extinguishing systems; and
  - v. Limited area sprinkler systems. (Fire)

**(e)** Technical Requirements for Smoke Barriers: Wherever smoke barriers are required by this subchapter, they shall be constructed in accordance with the following provisions:

1. Smoke barriers shall have a fire resistance rating of not less than one-half hour and shall form an effective membrane continuous from outside wall to outside wall and from floor slab to floor or roof deck above, including continuity through all concealed spaces, such as those found above suspended ceilings, and including interstitial structural and mechanical spaces. Transfer grilles, whether equipped with fusible link-operated dampers or not, shall not be used in these partitions. Wire glass panels not exceeding 1,296 square inches in approved steel frames may be used in smoke barriers.

- i. Exception: Smoke barriers are not required in interstitial spaces when such spaces are designed and constructed with ceilings that provide resistance to the passage of fire and smoke equivalent to that provided by smoke barriers.

2. A means of egress shall be provided from each smoke compartment created by smoke barriers such that it is possible to reach an exit without re-entering the smoke compartment.

3. Doors in smoke barriers shall have a fire-resistance rating of not less than 20 minutes when tested in accordance with ASTM E152 without the hose stream and labeled by an approved agency. Double egress corridor doors shall have vision panels of one-quarter inch thick labeled wire glass mounted in approved steel frames. Such panels may also be provided in other doors in smoke barriers. The glass area of the vision panels shall be limited to 1,296 square inches for each door. The doors shall close the openings with only the clearance necessary for proper operation under self-closing or automatic closing and shall be without undercuts, louvers or grilles. Rabbits or astragals are required at the meeting edges of double egress doors, and stops are required on the head and jambs of all doors in smoke barriers. Positive latching devices are not required on double egress corridor doors, and center mullions are prohibited.



4. Escalators shall conform to ASME A17.3-2000 for Operating and Safety Devices (Section 5.3), Anti-Slide Devices (5.1.4), Handrail Guards (5.1.6), Guards at Ceiling or Soffit Intersection (5.1.3), Lighting (5.4), Distinction Between Comb and Step (5.5.2), Adjacent Floor Surfaces (5.5.3). (Elevator)

(h) Specific Occupancy Areas: Specific occupancy areas, as listed below, shall comply with the following:

1. Paint shops in other than Group F which contain chemicals below the exempt amount for Group H, waste and soiled linen collection rooms and chute termination rooms shall be separated from other portions of the building by a one-hour fire partition or provided with an automatic sprinkler system.
2. Incinerator rooms in all groups shall be separated from other portions of the building by a two-hour fire separation assembly and provided with an automatic sprinkler system.
3. In Groups I-2, I-3 and I-4, physical plant maintenance shops, laundries in excess of 100 square feet in area and padded cells shall be separated from other portions of the building by a one-hour fire partition or provided with an automatic sprinkler system. (Building)

## History

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### HISTORY:

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (a), substituted "R-5" for "R-4"; in (b)1, substituted "Section 903.3.5.1.1" for "Section 907.0"; in (g)1ii and (g)3i, substituted "A17.1-1996" for "A17.1-1993"; in (g)1ii, deleted "Supply Line" preceding "Shutoff Valve"; in (h)3, substituted ", I-3 and I-4" for "and I-3".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted references to use preceding references to group throughout and substituted references to automatic sprinkler for references to fire suppression throughout.

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (g)1i and (g)4, substituted "2000" for "1993".

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (b)1, substituted "903.3.8" for "903.3.5.1.1".

Annotations

## Notes

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## [N.J.A.C. 5:23-6.31](#)

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### **§ 5:23-6.31 Change of use**

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(a) General: The following are of general applicability to changes of use:

1. When the use of a building is changed, then the building must be brought into compliance with the requirements of this section. Each of the lettered subsections of this section establishes a specific type of requirement. This section establishes requirements for compliance with the basic requirements of this subcode, for means of egress, for enclosure of vertical openings, for height and area limitation, for exterior wall fire resistance, for automatic sprinkler systems, for fire alarm systems, for fire detection systems, for structural soundness, for plumbing, electrical, and mechanical systems, and for accessibility.
  - i. Limit on new buildings undergoing a change of use: Buildings that have been occupied for their originally intended use for less than one year shall be required to comply with the requirements of the Uniform Construction Code for new construction for the proposed use.
2. The subsections governing compliance with the basic requirements, means of egress, height and area limitations, exterior wall fire resistance, and automatic sprinkler systems incorporate Relative Group Hazard Index Tables. Compliance with the requirements of the subsection is required when the change of use will increase the relative hazard. Each of the subsections should be applied separately to the proposed new use.
3. This section may require an owner to undertake work in order to be permitted to change the use of a building or a portion of a building. Additionally, the owner of a building may wish to undertake other work not required by the section. That work must comply with the requirements for repair, renovation, alteration, and/or reconstruction applicable to the new group in accordance with the provisions of this subcode.
4. Fire protection system removal: Any fire protection system providing partial or redundant protection originally installed to protect a special hazard that no longer exists and that is not required in accordance with the current Uniform Construction Code, is allowed to be removed with the written approval of the fire subcode official and fire official. All disconnected equipment and devices, such as pull stations, nozzles, detectors, sprinklers, sensors, panels, and hose connections, shall be removed so as not to give a false indication that the structure, area, or space is protected. (Fire)
5. Where the character of use of an existing building or portion thereof is changed to one of the following special use or occupancy categories as defined in the building subcode, the building or portion shall comply with the referenced section of the building subcode specific to the special use or occupancy regardless of whether a change of use group is involved.
  - i. Covered Mall and Open Mall Buildings--Section 402;
  - ii. Atriums--Sections 404;
  - iii. Underground Buildings--Section 405;
  - iv. Motor-Vehicle-Related Occupancies -- Section 406;

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- v. Motion Picture Projection Rooms--Section 409;
  - vi. Stages, Platforms, and Technical Production Areas --Section 410;
  - vii. Special Amusement Buildings--Section 411:
    - (1) A variation shall not be granted for the flame spread and smoke development ratings of interior finish and trim requirements of Section 411.
    - (2) For the use of a building as a special amusement building, where a variation request has been submitted, the Construction Official shall consult with the Fire Official as required by [N.J.A.C. 5:23-6.2\(i\)](#).
  - viii. Aircraft-Related Occupancies--Section 412;
  - ix. Hazardous Materials--Section 414;
  - x. Application of Flammable Finishes--Section 416;
  - xi. Drying Rooms--Section 417;
  - xii. Organic Coatings--Section 418;
  - xiii. Live/Work Units-Section 419;
  - xiv. Ambulatory Health Care Facilities-Section 422;
  - xv. Children's Play Structures - Section 424;
  - xvi. Hyperbaric Facilities - Section 425;
  - xvii. Combustible Dusts, Grain Processing and Storage - Section 426;
  - xviii. Medical Gas Systems--Section 427; and
  - xix. Higher Education Laboratories--Section 428.
6. Any automatic sprinkler system or fire detection and/or alarm requirements applicable to the special use or occupancy shall be applied throughout the entire building unless the special use or occupancy is separated from the remainder of the building by fire separation assemblies having a rating of at least two hours. (Fire)
7. Group overnight stays: If any non-residential occupancy, other than Group F, H or S, accommodates seven or more non-consecutive group overnight stays within a calendar year for persons over 21/2 years of age, and the activities involve planned periods of sleep, the building is considered to have undergone a change of use. In such a case, it shall be necessary to apply for and be issued a Certificate of Occupancy. This shall be a dual Certificate of Occupancy to allow Group R-1 in addition to the existing use of a building. Any facility that accommodates six or fewer overnight stays within a calendar year shall obtain a permit under the Uniform Fire Code, [N.J.A.C. 5:70](#). Group overnight stays in Groups F, H and S shall be prohibited.
8. Where an existing single-family dwelling is converted into a two-family dwelling, the following shall apply:
- i. Smoke alarms shall be installed and maintained within each dwelling unit as required by Section 907.2.11.2 of the building subcode or Section R314 of the one- and two-family dwelling subcode, as applicable.
  - ii. Fire separation between dwelling units.
    - (1) One-hour dwelling unit separation; or
    - (2) Two layers of 5/8-inch thick type X gypsum wallboard. The base layer shall be applied at right angles to the joists with 1 1/4-inch minimum drywall screws or nails at 24 inches on center. The face layer shall be applied at right angles to the joists with 1-7/8-inch minimum

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drywall screws or nails at 12 inches on center. The face layer joints shall be offset from the base layer joints by a minimum of one joist bay. The joints of the face layer shall be taped and provided with a minimum of one layer of spackle. (Plan review--Building, Fire. Inspection--Building)

**(b) Compliance with Basic Requirements:** Compliance with the basic requirements shall be required as follows:

TABLE B

Relative Group  
Hazard

1 (highest)	H-1, H-2, H-3
2	A-1, A-2 Nightclubs, H-4, H-5, F-1, I-3, M, S-1
3	A-2 Other than Nightclubs, A-3, A-4, A-5, B, F-2, I-2, I-4, R-1, S-2
4	A-3 Churches, E, I-1, R-2 and R-4 buildings more than two stories in height or more than four dwelling units
5 (lowest)	R-2 and R-4 buildings two stories or fewer in height and four dwelling units or less, R-3, R-5, U

1. When the use of a building is changed to a higher relative use group hazard as shown in Table B above, the building shall comply with the basic requirements of [N.J.A.C. 5:23-6.10](#) through [6.30](#) applied throughout the building for the new group unless otherwise provided. Where another lettered subsection of this section establishes a requirement that differs from the basic requirement, the requirement contained in that other lettered subsection shall govern.

i. Where a portion of a building is changed to a higher relative group hazard, the building shall comply with the basic requirements of [N.J.A.C. 5:23-6.10](#) through [6.30](#) for an automatic sprinkler system and fire detection and/or alarms applied throughout the building for the new group unless the proposed use is separated from the existing use(s) by a fire barrier or horizontal assembly, or both, having a fire resistance rating in accordance with Table 707.3.10 of the building subcode in which case only the portion changed shall comply; mixed occupancies shall use the highest applicable rating from Table 707.3.10. The portion of the building changed shall comply with all the other basic requirements of [N.J.A.C. 5:23-6.10](#) through [6.30](#) for the new group.

2. When a change of use is made to an equal or lesser relative group hazard as shown in Table B above, the existing building is not required to comply with the basic requirements except:

i. Where required in connection with alteration or reconstruction work by the sections of this subcode applicable to alteration or reconstruction work; or

ii. Where the proposed use is subject to and not in compliance with the applicable requirements of N.J.A.C. 5:70-4.

**(c) Means of Egress:** The following requirements apply to means of egress in a change of use:

TABLE C

Hazard Categories and  
Classifications

Means of Egress

Relative Hazard	Use Classification
1 (highest)	H-1, H-2, H-3, A2 nightclubs
2	I-2, I-3, I-4
3	A (other than A-2 nightclubs), E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, R-5, S-1, H-4, H-5
5 (lowest)	F-2, S-2, U

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1. For any change of use, except a change of use to Group A-2 Nightclubs, the occupant load of the space shall be calculated based on the capacity of the exits as per [N.J.A.C. 5:23-6.11\(b\)](#). The occupant load shall not exceed one occupant per five square feet floor area unless the building complies with chapter 10 of the building subcode in its entirety.
  - i. For Group A-2 Nightclubs, the occupant load shall be calculated using section 1029.2 of the building subcode, except the maximum occupant load shall not exceed one occupant per five square feet of occupiable floor space.
  - ii. Where a portion of a building undergoes a change of use, the determination of the capacity of the exit(s) serving that portion shall include all spaces served by those exit(s).
2. When a change in use is made to a higher hazard category as shown in Table C above, the entire building or portion thereof shall comply with the following requirements of the building subcode or of this subcode as specified below.
  - i. Sections 1006 (Number of Exits and Exit Access Doorways) and 1007 (Exit and Exit Access Doorway Configuration).
    - (1) Exception: The occupant load of the space may be restricted in order to comply with the requirements of these sections;
    - (2) Exception: A single exit shall be permitted in a change of use to a Group R-2 or R-4 where the conditions of [N.J.A.C. 5:23-6.26\(b\)](#) for a single exit are met;
  - ii. Section 1008 (Means of Egress Illumination);
  - iii. Section 1010 (Doors, Gates and Turnstiles) except section 1010.1.1 (Size of doors). Apply the Basic Requirements (6.10 through 6.30) for door widths;
  - iv. Sections 1011.7.2 (Outdoor conditions), 1011.7.3 (Enclosures under stairways), 1011.12 (Stairway to roof), and the Basic Requirements (6.10 through 6.30) for stair widths;
  - v. Sections 1012.8 (Ramps - Handrails), 1012.9 (Guards), and 1012.10 (Edge protection), and the Basic Requirements (6.10 through 6.30) for ramp widths;
  - vi. Section 1013.1 (Exit signs - where required) and Section 1013.3 (Illumination);
  - vii. Section 1016.2 (Egress through intervening spaces);
  - viii. Section 1017 (Exit Access Travel Distance);
  - ix. Section 1018 (Aisles);
  - x. Sections 1020.1 (Corridor construction), 1020.3 (Corridor obstruction), 1020.5 (Air movement in corridors), 1020.6 (Corridor continuity), and the Basic Requirements (6.10 through 6.30) for corridor widths.
    - (1) Existing lath and plaster in good condition or existing 1/2-inch thick gypsum wallboard on both sides of the wall shall be accepted where a one-hour fire separation assembly is required by Table 1020.1 (Corridor Fire-Resistance Rating);
  - xi. Section 1025 (Luminous Egress Path Markings);
  - xii. Section 1026 (Horizontal Exits);
  - xiii. Section 1028 (Exit Discharge); and
  - xiv. Section 1029 (Assembly).
3. When a change of use is made to an equal or lesser hazard category as shown in Table C above, the existing building is not required to comply with the requirements contained in (c)2 above except in areas where reconstruction work being performed in connection with the change of use triggers these requirements.

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4. Vertical opening protection shall be provided for all stairs in accordance with [N.J.A.C. 5:23-6.10](#) through [6.30](#) when a change of use that also constitutes a change of group is made and the proposed group is a higher hazard category as shown in Table C above.

i. Where the group of a portion of a building is changed to a higher hazard category, vertical opening protection shall be provided for all stairs serving the proposed group from the floor(s) on which the proposed group is located to the level of exit discharge.

5. Notwithstanding the relative hazard as determined by Table C above, where any change of use occurs to a story with one exit, the story shall meet the requirements of Section 1006.3.3 (single exits) of the building subcode for the proposed use.

i. Exception: A single exit shall be permitted in a change of use to a Group R-2 or R-4 where the conditions of [N.J.A.C. 5:23-6.26\(b\)](#) for a single exit are met.

6. When a change of use is made to any residential group (R-1, R-2, R-3, R-4 or R-5) or to Group I-1, every sleeping room below the fourth story shall have at least one operable window or exterior door. Where windows are provided to comply with this requirement, the window shall have a sill height of not more than 44 inches, and have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.

i. An outside window or exterior door is not required in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits.

ii. An outside window or exterior door is not required in buildings equipped throughout with an automatic sprinkler system.

iii. In a building that originally was in Group R-3 or R-5 and is returning to Group R-3 or R-5, the windows shall be permitted to remain as they were during the time when the building previously was in use as a residence. (Plan review--Building, Fire. Inspection--Building)

7. Notwithstanding the relative hazard as determined by Table B or C above, where any change in use occurs to a Group A or Group E with an occupant load greater than 100, approved panic hardware shall be installed in accordance with Section 1010.1.10 (panic and fire exit hardware) of the building subcode.

8. Notwithstanding the relative hazard as determined by Table B or C above, a single exit shall not be permitted when a building is to be used as a child care center. (Plan review--Building, Fire. Inspection--Building)

**(d) Enclosure of vertical openings:**

1. For any change of use that also constitutes a change in group, vertical openings other than stairs shall be protected as required by [N.J.A.C. 5:23-6.10](#) through [6.30](#) for the proposed use within each space undergoing a change of use.

2. Stairs shall be enclosed in accordance with [N.J.A.C. 5:23-6.10](#) through [6.30](#) for the proposed use when a change of use that also constitutes a change of group is made and the proposed group is a higher hazard category as shown in Table C above.

3. Atriums in compliance with Section 404 of the building subcode are not required to be enclosed. (Plan review--Building, Fire. Inspection--Building)

**(e) Height and Area Limitations:** The following height and area limitations apply in a change of use.

TABLE E

Hazard Categories and Classifications

Height and Area

Relative Hazard

1 (highest)

2

Use Classification

A-2 Nightclubs, H-1, H-2, I-2, I-3, I-4

A-1, A-2 Other than Nightclubs, A-3, A-4, E,

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3  
4 (lowest)

F-1, H-3, H-4, H-5, I-1, M, S-1  
A-3 Churches, B, R-1, R-2, R-4  
F-2, R-3, R-5, S-2, U

**1.** When a change of use is made to a higher hazard category as shown in Table E above, the height and area of the building shall meet the limitations of Chapter 5 of the building subcode for the proposed group.

**i.** For the purpose of determining the construction type, the fire resistance rating of the following structural elements shall be considered: exterior loadbearing walls, interior loadbearing walls, columns, girders, trusses and framing, floor construction, including beams, and roof construction, including beams, trusses and framing, arches and roof decks.

**2.** When a change of use is made to an equal or lesser hazard category as shown in Table E, the existing building may continue to exceed the maximum allowable height and area permitted for new buildings.

**3.** Where a change of use is made in a mixed use building or a single use building is changed to a mixed use building, and any of the proposed uses is a higher category as per Table E, the building shall comply with one or any combination of the following:

**i.** Nonseparated groups: The maximum allowable height and area shall be determined by applying the more restrictive of the height and area limitations of each group, as per Table 504.3 and Table 506.2 of the building subcode, to the entire building.

**(1)** Occupancies of Group H shall not be permitted to be unseparated when located in the same building as Groups A, E, I, M, R, or non-accessory Group B.

**(2)** Accessory occupancies in compliance with Section 508.2 of the building subcode are not required to comply with this requirement.

**(3)** When a change of use is made such that any nonresidential use is located below or attached to a residential use, a one-hour fire separation shall be provided between the groups. The exits from the residential floors shall be separately enclosed.

**ii.** Separated groups: Each portion of the building containing a group shall be completely separated from adjacent groups by a fire barrier or horizontal assembly, or both, having a fire resistance rating in accordance with Table 707.3.10 of the building subcode; mixed occupancies shall use the highest applicable rating from Table 707.3.10. For buildings equipped throughout with an automatic sprinkler system, the required fire resistance rating for groups other than H is permitted to be reduced by one hour but shall not be reduced to less than one hour. Each portion of the building shall comply with the height limitation of Table 504.4 of the building subcode for that group. In each story, the area shall be such that the sum of the ratios of the floor area of each group divided by the allowable area of Table 506.2 of the building subcode for each group shall not exceed 1.0.

**(1)** Exception: Accessory occupancies in compliance with Section 508.2 of the building subcode are not required to comply with this requirement.

**iii.** Separate buildings: If each group is separated from other groups by fire walls that meet the requirements of Table 601 of the building subcode, then each group shall be considered a separate building. Each building shall comply with the height and area limitation of Table 504.3 and Table 506.2 of the building subcode.

**(1)** Exception: Accessory occupancies in compliance with Section 508.2 of the building subcode are not required to comply with this requirement.

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4. In an unlimited area building, when a change of use is made to a higher hazard category as shown in Table E above, the building or portion thereof is required to comply with Section 507 of the building subcode for the proposed new use. (Plan review--Building, Fire Inspection--Building)

(f) Exterior Wall Fire Resistance Ratings and Maximum Area of Exterior Wall Openings: The following exterior wall fire resistance ratings and maximum area of exterior wall openings apply in changes of use:  
TABLE F

Hazard Categories and  
Classifications

Exposure of Exterior Walls

Relative Hazard	Use Classification
1 (highest)	H
2	Buildings exceeding 12,000 sq ft of F-1, M or S-1
3	A, B, E, F-2, I, R-1, S-2 Buildings 12,000 sq ft or less of F-1, M or S-1
4 (lowest)	R-2, R-3, R-4, R-5, U

1. Exterior Wall Protection: If the group of a building is changed to a higher hazard classification in accordance with Table F, the requirements for exterior wall fire resistance rating in the table below shall be met.

Requirements for Exterior Wall

Fire Resistance Rating

Building Use

Group<b>

Fire Separation Distance	H-2	F-1, H-3, M, S-1	A, B, E, F-2, S-2, H-4, H-5, I, R-1
0-5 feet	4	3	2<a>
Over 5-10 feet	3	2	1
Over 10-15 feet	2	r 1	0
Over 15-30 feet	r 1	-30	0
Over 30 feet	30	30	0

Note a: Existing eight-inch hollow or six-inch solid masonry walls shall be accepted as a two-hour rating in other than Group H-2 or H-3.

Note b: When the group of a building is changed to H-1, the building shall be located in accordance with Section 415.3 of the building subcode.

i. The requirements for exterior wall fire resistance rating shall not apply to exterior walls which face buildings on the same lot where the buildings are such that, if combined into one structure, the resulting building would comply with the height and area limitations of Table 504.3 and Table 506.2 of the building subcode.

ii. Where a portion of a building is changed to a higher hazard classification, exterior walls and openings of the entire building shall comply with the provisions of this section. If the proposed use is separated from the rest of the building by a fire barrier having a fire resistance rating in accordance with Table 707.3.10 of the building subcode, then only the portion changed must comply with the provisions of this section; mixed occupancies shall use the highest applicable rating from Table 707.3.10.

iii. When a change of use is made to an equal or lesser hazard classification as shown in Table F, no change in the rating of existing exterior walls is required.

iv. The fire resistance rating of non-loadbearing exterior walls may be reduced by one hour in buildings equipped throughout with an automatic sprinkler system. In a building equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13, the fire



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resistance rating of a non-loadbearing exterior wall may be reduced by one hour with the following exceptions:

- (1) Exception: Where the fire separation distance is five feet or less, the fire resistance rating shall not be reduced to less than one hour.
- (2) Exception: The rating of non-loadbearing exterior walls shall not be reduced in buildings of Group H.

**2. Exterior Wall Openings:** If the group of a building is changed to a higher hazard classification in accordance with Table F, the requirements for exterior wall openings in the table below shall be met.

Group	Exterior Wall Requirements
H	No opening permitted with a fire separation distance of three feet or less. Protected openings required with a fire separation distance of 20 feet or less.
A-1, A-2 Nightclubs, A-2 Other than Nightclubs, A-3, A-4, A-3 Churches, B, E, F-1, I-1, I-2, I-3, I-4, M, S-1, R-1	No openings permitted with a fire separation distance of three feet or less. Walls with a fire separation distance of 10 feet or less are permitted to have unprotected openings with an aggregate area not exceeding 10 percent of the area of the wall. Openings in excess of 10 percent of the aggregate wall area shall be protected.
F-2, S-2	No openings permitted with a fire separation distance of three feet or less. Protected openings required with a fire separation distance of five feet or less.

i. If the building is provided with an automatic sprinkler system throughout, the amount of unprotected openings shall be permitted to be increased to the limit for protected openings.

ii. In all occupancies other than Group H, unlimited unprotected openings are permitted in the first story of exterior walls facing a street which have a fire separation distance of greater than 15 feet, or facing unoccupied space. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than 30 feet in width and shall have access from a street by a posted fire lane not less than 30 feet in width and shall have access from a street by a posted fire lane not less than 18 feet in width.

iii. When a change of use is made to an equal or lesser hazard classification as shown in Table F, no change in existing exterior wall openings is required. (Plan review--Building, Fire. Inspection--Building)

**(g) Automatic Sprinkler Systems:** The following automatic sprinkler system requirements apply in changes of use.

TABLE G

Hazard Categories and Classifications  
Automatic Sprinkler Systems

Relative Hazard	Use Classification
1 (highest)	A-2 nightclubs, H, I
2	A-2 (other than nightclubs), R-1, R-2, R-3, R-4
3	A-1, A-3, A-4
4	F-1, M, S-1
5	A-3 Churches, E
6 (lowest)	A-5, B, F-2, R-5, S-2, U

1. When a change of use is made to a higher hazard category as shown in Table G, the building shall be provided with an automatic sprinkler system as required by the following sections of the building subcode: 903.2.1 for Group A occupancies, 903.2.3 for Group E occupancies, 903.2.4 for Group F-1 occupancies, 903.2.5 for Group H occupancies, 903.2.6 for Group I occupancies, 903.2.7 for Group M occupancies, 903.2.8 for Group R occupancies, 903.2.9 for Group S-1, 903.2.10 for Group S-2, and 903.2.11.1 for windowless stories (stories without openings.) When this section requires an automatic sprinkler system, compliance with 903.3 of the building subcode is also required.

i. When a portion of a building is changed to a higher hazard category and the proposed use is separated from the existing use(s) by a fire barrier or horizontal assembly, or both, having a fire resistance rating in accordance with Table 707.3.10 of the building subcode, an automatic sprinkler system as required above shall be installed only in the portion changed; mixed occupancies shall use the highest applicable rating from Table 707.3.10.

ii. When an attached single-family townhouse or portion thereof or a portion of a detached one- or two-family dwelling is changed to any nonresidential use, except Group H, Group F, or Group S, the remaining attached dwelling(s) or portion of the dwelling(s) are not required to be provided with an automatic sprinkler system.

2. When a change of use is made to an equal or lesser hazard category as shown in Table G, there is no requirement to install an automatic sprinkler system except in areas where work being performed in connection with the change of use triggers a requirement for an automatic sprinkler system and in windowless stories in accordance with [N.J.A.C. 5:23-6.30\(c\)](#) of this subchapter.

3. Notwithstanding the relative hazard as determined by Table G, when a change in the character of the use is made to a higher degree of hazard as defined by NFPA 13 (Light Hazard, Ordinary Hazard Group 1, Ordinary Hazard Group 2, Extra Hazard Group 1, Extra Hazard Group 2 and Special Occupancy Hazards), the sprinkler system shall be evaluated and, where required by NFPA 13, altered to conform to the required density and maximum sprinkler protection area per head for the proposed occupancy.

4. Notwithstanding the relative hazard as determined by Table G above, when a change in the group or a change in the character of the use is made to create a dormitory, the building or portion thereof is required to be provided with an automatic sprinkler system. (Fire)

**(h) Fire Alarm and Detection Systems:** When a change of use is made to any of the following groups, a fire alarm system and/or an automatic fire detection system shall be installed in accordance with Section 907 of the building subcode. Where a portion of a building is changed to any of the following groups, a fire alarm system and/or an automatic fire detection system shall be installed throughout the building in accordance with Section 907 of the building subcode unless the proposed use is separated from the other use(s) in the building by a fire barrier having a fire resistance rating in accordance with Table 707.3.10 of the building subcode in which case only the portion changed shall comply; mixed occupancies shall use the highest applicable rating from Table 707.3.10. (For purposes of applying this section, horizontal separation shall not be considered.)

1. Group A: A manual or automatic fire alarm system shall be installed and maintained as required by Section 907.2.1 of the building subcode.

2. Group B: A manual fire alarm system shall be installed and maintained as required by Section 907.2.2 of the building subcode.

3. Group E: A manual fire alarm system shall be installed and maintained as required by Section 907.2.3 of the building subcode.

4. Group F: A manual fire alarm system shall be installed and maintained as required by Section 907.2.4 of the building subcode.

5. Group H: A manual fire alarm system shall be installed and maintained as required by Section 907.2.5 of the building subcode.
6. Group I: A manual fire alarm system and an automatic smoke detection system shall be installed and maintained as required by Section 907.2.6 of the building subcode.
7. Group M: A manual fire alarm system shall be installed and maintained as required by Section 907.2.7 of the building subcode.
8. Group R-1: A manual fire alarm system and an automatic smoke detection system shall be installed and maintained as required by Section 907.2.8 of the building subcode.
9. Group R-2: A fire alarm system shall be installed and maintained as required by Section 907.2.9 of the building subcode.
10. Group R-4: An automatic smoke detection system shall be installed and maintained as required by Section 907.2.9A of the building subcode. (Fire)

**(i) Single and Multiple Station Smoke Alarms:** When a change of use is made to any of the following groups, single and multiple station smoke alarms shall be installed in accordance with Section 907.2.10 of the building subcode.

1. Group R-1: Single or multiple station smoke alarms shall be installed and maintained as required by Section 907.2.10.1 of the building subcode.
2. Groups R-2, R-3, R-4, R-5, and I-1: Smoke alarms shall be installed and maintained as required by Section 907.2.10.2 of the building subcode or Section R314 of the one- and two-family dwelling subcode, as applicable.
3. Where the use of a portion of a building is changed such that any nonresidential use is located below or attached to one or more dwelling units (including single room occupancies), single or multiple station smoke alarms shall be installed in the nonresidential portion(s) of the building in accordance with NFPA 72 and provided with an audible alarm located within each dwelling unit of the residential portion of the building. The alarms shall be AC powered with battery back-up. Hard-wired, interconnected smoke alarms installed throughout the building shall be accepted as meeting this requirement. (Fire)

**(j) Carbon monoxide detection equipment:** When the use of a building is changed and the building contains a fuel-burning appliance or has an attached garage, carbon monoxide detection equipment shall be installed in accordance with Section 915 of the building subcode or Section R315 of the one- and two-family dwelling subcode, as applicable. (Fire)

1. Exception: In occupancies other than Group I-1, I-2, I-4 or R or classrooms in Group E occupancies, battery-powered or plug-in devices shall be accepted for purposes of meeting the requirements of this section.

**(k) Structural Requirements:** The following structural requirements shall apply in changes of use:

TABLE K

Structural Load Categories

Load Category	Use or Character of Use
1 (highest)	F-1, F-2, S-1, S-2, stack areas in libraries, stages and platforms, areas subject to vehicular loads, queuing areas
2	All loading conditions not listed in category 1 or 3
3 (lowest)	B, E, I-1, I-2, I-3, I-4, R-1, R-2, R-3, R-4, R-5

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1. When the use or the character of use of a building is changed to a higher load category as shown in Table K above, then the structure shall be capable of supporting the load requirement for the new use or character of use as specified in Table 1607.1 of the building subcode.

i. If the building subcode official determines that the number of occupants or the placement and weight of furniture and equipment can be controlled by the occupants, the areas designed for the reduced live load shall be posted with the approved live load. Placards stating the allowable live loads shall be posted. Placards may state loads in forms usable by the occupants, in addition to posting the allowable load in pounds per square foot. Such information shall be developed by a licensed design professional and be approved by the subcode official.

(1) Analysis and test methods for evaluation of existing structural members shall use methods specified in the code in effect at the time the building was originally constructed or other standards as approved by the subcode official.

ii. The corridor and lobby loading requirements of Table 1607.1 shall be met only if the corridor exceeds six feet in width or if the lobby or corridor area is used for queuing purposes.

2. Where the use or character of use within an existing building is changed to an equal or lower load category as shown in Table K above, then the existing structure may be used without modification, provided that the building is structurally sound and in good structural repair.

3. When a building is reclassified into one of the following occupancies, the building shall comply with the seismic design requirements of Section 1613 of the building subcode: Fire, rescue and police stations; Group I-2 having surgery or emergency treatment facilities; emergency preparedness centers; post-earthquake recovery vehicle garages; post-earthquake shelters; power-generating stations and other utilities required as emergency backup facilities; primary communication facilities; highly toxic materials as defined by Section 307 of the building subcode where the quantity of material exceeds the exempt amount as per Section 307.1 of the building subcode. (Building)

(l) Plumbing Requirements: When the character of the use of a building or portion of a building is changed, the following plumbing provisions shall apply:

1. The fixture requirements for the proposed new use shall comply with the basic requirements for that use.

2. If the new use is a food handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas except where it is the only practical alternative. Where new lines are to be installed, they shall be protected in accordance with the plumbing subcode.

3. New uses that will produce grease or oil laden wastes shall be provided with interceptors as required in the plumbing subcode.

4. If the new use produces chemical wastes, the following shall apply:

i. If the existing piping is compatible with the chemical waste, no change to the existing piping material is required.

ii. If the existing piping is not compatible with the chemical waste, either the waste must be neutralized prior to entering the drainage system or the piping must be changed to a compatible material.

iii. No chemical waste shall discharge to a public sewer system without the approval of the sewage authority.

5. Where a building's use is changed to a health care facility, the requirements of chapter 14 of the plumbing subcode shall apply. (Plumbing)

(m) Electrical Requirements: The following electrical requirements shall apply in changes of use:

1. When the character of the use of a building or portion thereof is changed to one of the following special occupancies as described in Chapter 5 of the electrical subcode, the electrical wiring and equipment of the building or portion thereof that contains the proposed use shall comply with all applicable requirements of the electrical subcode regardless of whether a change of group is involved:

- i. Hazardous (classified) Locations;
- ii. Commercial Garages, Repair and Storage;
- iii. Aircraft Hangars;
- iv. Gasoline Dispensing and Service Stations;
- v. Bulk Storage Plants;
- vi. Spray Application, Dipping, and Coating Processes;
- vii. Health Care Facilities;
- viii. Places of Assembly;
- ix. Theaters, Audience Areas of Motion Picture and Television Studios and Similar Locations;
- x. Motion Picture and Television Studios and Similar Locations; and
- xi. Agricultural Buildings.

2. When the use of a building is changed to Group R-2, R-3, R-4 or R-5, the electrical wiring and equipment of the building shall comply, at a minimum, with the Basic Requirements of this subcode for that use and shall have the electrical service (conductors and equipment) sized and rated in accordance with the electrical subcode. (Electrical)

**(n) Mechanical Requirements:** When the character of the use of a building is changed, the following mechanical provisions shall apply:

1. All spaces intended for human occupancy shall be provided with natural or mechanical ventilation. A building intended to be used as a public school shall be mechanically ventilated.

i. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

ii. Spaces intended to be mechanically ventilated shall comply with the following:

(1) If the occupancy of a building is changed and the new occupancy would require the same or a lesser amount of outdoor air based on the equations below, no change to the mechanical ventilation system is required.

(2) If the occupancy of a building is changed and the new occupancy would require a greater amount of outdoor air based on the equations below, the HVAC system shall be upgraded to satisfy the requirements of Table 403.3.1.1 in the mechanical subcode for the new occupancy.

(3) Residential buildings that are intended to be mechanically ventilated shall be provided with the ventilation specified in the mechanical subcode.

(4) When the use of a building is changed to a health care facility, mechanical ventilation shall be provided as required by the mechanical subcode and [N.J.A.C. 5:23-3.2\(b\)](#).

(5) When the group of a building is changed to B or E and the building is a class one or class two building, a test and balance report shall be submitted prior to the issuance of a certificate of occupancy. (Building)

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2. A commercial hood and an automatic suppression system that comply with the mechanical subcode shall be required for commercial cooking operations producing grease-laden vapors. No automatic suppression system shall be required for completely enclosed ovens, steam tables or similar equipment.

i. Exception: Bed and breakfast home stay facilities, which are designed to accommodate five or fewer guests, shall not be required to comply with this provision. (Fire)

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities as to be irritating or injurious to health shall be provided with local exhaust in accordance with Section 502 of the mechanical subcode. (Building)

## TABLE N

## Outdoor Air Rates Based on Occupancy Type

Occupancy	P/1,000 sq. ft.	CFM/person
Storage Warehouses	5	10
Correction Facilities		
Dining Halls	100	15
Guard Stations	40	15
Dry Cleaners, laundries		
Coin oper dry cleaner	20	15
Coin oper laundries	20	15
Education		
Auditoriums	150	15
Classrooms	50	15
Libraries	20	15
Music Rooms	50	15
Food & Bev Service		
Dining Rooms	70	15
Kitchens (cooking)	20	15
Hospitals, Nursing & Convalescent Homes		
Med Procedure Rooms	20	15
Physical Therapy	20	15
Recovery and ICU	20	15
Hotels, Motels, Resorts, Dormitories		
Assembly Rooms	120	15
Dormitory Sleep Areas	20	15
Lobbies	30	15
Specialty Shops		
Barber	25	15
Florists	8	15
Hardware, drug, fabric	8	15
Reducing Salons	20	15
Supermarkets	8	15
Theaters		
Auditoriums	150	15

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Stages and Studios	70	15
Transportation		
Platforms	100	15
Vehicles	150	15
Waiting Rooms	100	15
Workrooms		
Bank Vaults	5	15
Meat Processing<a>	10	15
Pharmacy	20	15
Photo Studios	10	15
Sports and Amusement		
Spectator Areas	150	15
Correctional Facilities		
Cells	20	20
Education		
Laboratories	50	20
Training Shops	30	20
Food & Bev Service		
Cafeteria, fast food	100	20
Hotels, Motels, Resorts, Dormitories		
Conference Rooms	50	20
Dry Cleaners		
Commercial Laundry	10	25
Hospitals, Nursing and Convalescent Homes		
Patient Rooms	10	25
Specialty Shops		
Beauty	25	25
Dry Cleaners, Laundries		
Commercial Dry Cleaner	30	30
Food & Bev Service		
Bars & Cocktail Lounges	100	30
Dry Cleaners, Laundries		
Storage, Pick-up	30	35
Smoking Lounges	70	60
Offices		

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Conference Rooms	50	20
Office Spaces	7	20
Reception Areas	60	20
Telecommunication Ctrs & Data Entry	60	20
Theaters		
Lobbies	150	20
Ticket Booths	60	20
Sports and Amusement Playing floors (gym)	30	20
Sports and Amusement Ballrooms and Discos	100	25
Bowling Alleys (Seating areas)	70	25
Game Rooms	70	25
Hospitals, Nursing & Convalescent Homes Operating Rooms	20	30
Hotels, Motels, Resorts, Dormitories Gambling Casinos	120	30
Occupancy	CFM/sq. ft.	
Education		
Corridors	0.1	
Locker Rooms	0.5	
Hospitals, Nursing and Convalescent Homes Autopsy Rooms	0.5	
Public Spaces Corridors and Utilities	0.05	
Elevators	1.0	
Locker & Dressing Rooms	0.5	
Public Restrooms	75 cfm per water closet or urinal	
Retail Stores, Sales Floors and Showroom Floors		
Basement and Street	0.3	
Dressing Rooms	0.2	
Malls and Arcades	0.2	
Shipping and Receiving	0.15	
Storage Rooms	0.15	
Upper Floors	0.2	
Warehouses	0.05	
Specialty Shops Automotive Service	1.5	
Clothes and Furniture	0.3	



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Pet Shops	1.0
Sports & Amusement	
Ice Arenas	0.5
Swimming Pools (Pool & Deck Area)	0.5
Storage	
Repair Garages/Public Garages	1.5
Workrooms	
Darkrooms	0.5
Duplicating	0.5

Note: P/1,000 sq. ft. = persons per 1,000 square feet of building area.

Note a. Spaces unheated or maintained below 50 degrees F are not covered by these requirements unless the occupancy is continuous.

Where the ventilation rates in Table N are based on CFM/person

- (1)  $OL[n] \times V[n]$  is less than or equal to  $OL[e] \times V[e]$  + no upgrade
- (2)  $OL[n] \times V[n]$  is greater than  $OL[e] \times V[e]$  + upgrade

Where the ventilation rates in Table N are based on CFM/square footage

- (3)  $SF[n] \times V[n]$  is less than or equal to  $SF[e] \times V[e]$  + no upgrade
- (4)  $SF[n] \times V[n]$  is greater than  $SF[e] \times V[e]$  + upgrade

Where the ventilation rates in Table N are based on CFM/square footage and CFM/person

- (5)  $OL[n] \times V[n]$  is less than or equal to  $SF[e] \times V[e]$  + no upgrade
- (6)  $OL[n] \times V[n]$  is greater than  $SF[e] \times V[e]$  + upgrade
- (7)  $SF[n] \times V[n]$  is less than or equal to  $OL[e] \times V[e]$  + no upgrade
- (8)  $SF[n] \times V[n]$  is greater than  $OL[e] \times V[e]$  + upgrade

Where:

$OL[n]$  = the occupant load of the proposed occupancy based on Table N. When accepted by the administrative authority this occupant load can be reduced.

$OL[e]$  = the occupant load of the existing occupancy based on Table N.

$SF[n]$  = the square footage of the proposed occupancy.

$SF[e]$  = the square footage of the existing occupancy.

$V[n]$  = the ventilation rate for the proposed occupancy based on Table N.

$V[e]$  = the ventilation rate for the existing occupancy based on Table N.

- (o) Accessibility requirements: The following accessibility requirements shall apply in changes of use:

1. Nonresidential buildings and buildings of Use Group R-1.

- i. The change of use of a building of 10,000 square feet or more total gross enclosed floor area shall comply with all applicable provisions of Chapter 11 of the building subcode.
- ii. The change of use of a building of less than 10,000 square feet total gross enclosed floor area shall be exempt from the provisions of Chapter 11 of the building subcode, except as follows:

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- (1) An alteration project undertaken in connection with the change of use of a small building shall provide accessibility as required by [N.J.A.C. 5:23-6.6](#).
- (2) A reconstruction project undertaken in connection with the change of use of a small building shall provide accessibility as required by [N.J.A.C. 5:23-6.7](#).
- iii. In a building of any size, where there is a change of use of an area of 10,000 square feet or more, the proposed new use shall comply with the requirements of Chapter 11 of the building subcode.
- iv. In a building of any size, where there is a change of use of an area of less than 10,000 square feet, the proposed new use shall be exempt from the provisions of Chapter 11 of the building subcode, except as follows:
- (1) A renovation project undertaken in connection with the change of use of a small building shall provide accessibility as required by [N.J.A.C. 5:23-6.5](#).
- (2) An alteration project undertaken in connection with the change of use of a small building shall provide accessibility as required by [N.J.A.C. 5:23-6.6](#).
- (3) A reconstruction project undertaken in connection with the change of use of a small building shall provide accessibility as required by [N.J.A.C. 5:23-6.7](#). (Building)
2. When an assisted living facility that was constructed with dwelling units or rooms pursuant to Chapter 11 of the building subcode because it provided accommodations for stays of 30 or more consecutive days makes any of those dwelling units or rooms available for less than 30 consecutive days, 50 percent of the accommodations or rooms made thus available shall be made fully accessible. The work needed to make those units accessible shall be completed and approved before any occupancy of less than 30 days.
3. Residential buildings, other than buildings of Group R-1, with four or more dwelling units.
- i. A renovation project undertaken in connection with the change of use shall provide accessibility as required by [N.J.A.C. 5:23-6.5](#).
- ii. An alteration project undertaken in connection with the change of use shall provide accessibility as required by [N.J.A.C. 5:23-6.6](#).
- iii. A reconstruction project undertaken in connection with the change of use shall provide accessibility as required by [N.J.A.C. 5:23-6.7](#). (Building)
- (p) Change of use to a bed and breakfast shall be done in compliance with this subchapter except as modified below. (Plan review--Building, Fire. Inspection--Building)
1. Single-family dwellings of Group R-3, R-4, or R-5 that are being converted to bed and breakfast guest houses shall meet the requirements of this section.
- i. "Bed and breakfast guest house" shall mean a facility providing sleeping or dwelling accommodations to transient guests which:
- (1) Consists of a structure originally constructed for the purposes of a private residence;
- (2) Includes individual sleeping accommodations for six to 12 guests;
- (3) Has at least one dwelling unit occupied by the owner of the facility or the owner's agent as his or her place of residence during any time this facility is being used for the lodging of guests or has an owner or agent of the owner within 15 minutes travel distance of the facility while guests are lodging there;
- (A) If the owner or agent is not on site, there shall be a clearly legible sign, conspicuously displayed in the area where guests register, containing the owner's or agent's name, address (including unit number or apartment number), and a 24-hour emergency telephone number;

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- (4) Has not less than 300 square feet of common area for the exclusive use of the guests, including, but not limited to, parlors, dining rooms, libraries, porches, verandas, and solariums for occupancies with more than 10 guests or not less than 150 square feet of common area for occupancies with 10 or fewer guests;
        - (5) Prohibits cooking and smoking in guest rooms;
        - (6) Provides a meal to the guests in the forenoon of each day but does not operate as a restaurant open to the general public;
        - (7) Is not a "rooming house" or "boarding house" as defined in [N.J.S.A. 55:13B-3](#);
        - (8) Does not allow more than 15 percent of the guests to remain more than 30 successive days or more than 30 days of any period of 60 successive days; and
        - (9) Does not allow any guest to remain more than 60 successive days or more than 60 days of any period of 90 successive days.
2. Single-family dwellings of Group R-3, R-4, or R-5 that have been converted to bed and breakfast guest houses shall be deemed to have met the intent of the rules, as provided in [N.J.A.C. 5:23-2.6\(b\)](#), if the following requirements have been met:
  - i. AC-powered interconnected smoke alarms with battery back-ups shall be installed in accordance with the building subcode in the locations listed below. Fixed temperature or rate-of-rise and fixed temperature heat detectors may be substituted for smoke alarms in those locations where frequent nuisance alarms would be likely to occur. At least one portable visual alarm-type smoke alarm for the deaf or hearing impaired shall be available. Notification of the availability of such devices shall be provided to each occupant. Installation shall be required at the following locations:
    - (1) In all guestrooms;
    - (2) On each story in common areas;
    - (3) In storage rooms;
    - (4) In basements; and
    - (5) In utility and mechanical rooms.
  - ii. Except as otherwise provided in (p)2ii(1) and (2) below, every story utilized for human occupancy shall be provided with a minimum of two exits.
    - (1) An existing fire escape shall be accepted as providing one of the required means of egress if it can safely be used under emergency exiting conditions. All occupants shall have unobstructed access to the fire escape without having to pass through a room subject to locking. Access to a fire escape shall be through a door, except that window access shall be permitted from guest rooms;
      - (A) Window access shall be permitted to serve more than one guestroom provided that the window serves a floor with a maximum occupant load of 10 and that the window has a clear opening of at least 5.7 square feet, a minimum net clear opening of 24 inches in height, a minimum net clear opening of 20 inches in width, and a sill height of not more than 44 inches above the finished floor.
      - (B) Where a door is required because the occupant load served exceeds 10, the door shall have a clear opening of at least 10 square feet, a minimum net clear opening of 54 inches in height, and a minimum net clear opening of 24 inches in width.
    - (2) In buildings having a single exit, no additional exit shall be required if all of the following conditions are met:
      - (A) At all locations in the story at the level of discharge, the exit access travel distance shall not exceed 75 feet;

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- (B)** In buildings not more than two stories in height, from floors that are not more than 16 feet above grade, where there are not more than four guestrooms per floor and the exit access travel distance does not exceed 50 feet, the exit shall be enclosed with construction and opening protection providing a one hour fire-resistance rating; and
- (C)** No part of the building open to guests shall be on a floor that is more than 16 feet above exterior grade.
- iii.** Every sleeping room shall be provided with an operable window having a sill height of not more than 44 inches, having a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.
- iv.** Dead-end corridors shall not exceed 35 feet.
- v.** Emergency egress lighting shall be provided and shall be connected to an emergency electrical system conforming to NFPA 70 to assure continued illumination for a duration of not less than one hour, in case of primary power loss in all building rooms or spaces required to have more than one exit or exit access.
- vi.** In all buildings, rooms or spaces required to have more than one exit or exit access, all required means of egress shall be indicated with approved, internally illuminated or self-luminous exit signs that comply with the building subcode. Exit signs shall not be required if the second means of egress is a fire escape that is accessed directly from an individual sleeping room(s) or on main exterior doors that are clearly identified as exits. Exit signs shall be connected to an emergency electrical system to assure continued illumination for not less than one hour in case of primary power loss.
- vii.** Means of egress doors shall comply with the following:
- (1)** All doors opening into a passageway at grade or exit stair shall be self closing or automatic closing by listed closing devices; and
  - (2)** All guest room doors shall be at least 13/8 inch solid core wood or approved equal with approved door closers and shall be reasonably tight fitting. Replacement doors shall be 13/4 inch solid cord wood or approved equal unless existing frame will accommodate only a 13/8 inch door.
- viii.** Existing handrails and guardrails provided for stairways and open sided floor areas shall be permitted to remain in place, provided they are structurally sound. When handrails or guardrails do not exist in locations where the building subcode requires them, or where handrails or guardrails are in danger of collapse when used under emergency conditions, handrails and guardrails complying with the building subcode shall be provided.
- ix.** Transoms shall be either glazed with 1/4 inch wire glass set in metal frames and permanently secured in the closed position or sealed with materials consistent with the corridor construction.
- x.** Interior finish shall comply with the following:
- (1)** Interior finish of exit enclosures shall have a flame spread of 0-25 and a smoke developed rating of 450 or less (Class I finish as determined by ASTM-E84);
  - (2)** Interior finish of exit access enclosures shall have a flame spread of 26-75 and a smoke developed rating of 450 or less (Class II finish as determined by ASTM-E84);
  - (3)** Interior finish of all other spaces shall have a flame spread rating of under 200 and a smoke developed rating of 450 or less (Class III finish as determined by ASTM-E84).
- xi.** Interior stairways and other vertical openings connecting more than six floor levels shall be enclosed with approved assemblies having a two-hour fire-resistance rating. Those connecting four to six floor levels shall be enclosed with approved assemblies having a one-hour fire-resistance rating. Interior stairways connecting three or fewer levels shall be enclosed as follows:

**(1)** A minimum one-hour fire barrier shall be provided to protect all interior stairways and other vertical openings not exceeding three stories. Such fire barrier may be omitted provided that:

**(A)** The building is provided throughout with an approved automatic fire suppression system complying with the building subcode; or

**(B)** All of the following conditions exist:

**I.** Every sleeping room has an operable window with a sill height of not more than 44 inches, a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side;

**II.** The building is protected throughout by an automatic fire alarm system complying with the building subcode and is supervised in accordance with NFPA 72; and

**III.** Every sleeping room above the second floor or more than 16 feet above grade is provided with direct access to a fire escape or other approved secondary exit or any exit-access corridor exceeding 20 feet in length which serves two means of egress, at least one of which is an unprotected vertical opening, shall be separated from the vertical opening by a one-hour fire barrier.

**(q)** A change in the character of use of a single-family home to a cooperative sober living residence shall comply with this subchapter except as modified below. (Plan review--Building, Fire. Inspection--Building, Fire.)

**1.** Single-family dwellings of Group R-3 or R-5 that are being converted to a cooperative sober living residence shall meet the requirements of this section.

**i.** There shall be not more than 10 occupants, excluding staff; each occupant, including staff, shall be capable of prompt self-evacuation;

**ii.** Each home shall have smoke alarms that comply with the Uniform Fire Code ([N.J.A.C. 5:70-4.19](#)). Fire alarm systems installed in accordance with the One- and Two-Family Dwelling Subcode shall also be deemed to comply. Smoke alarms shall be located in each sleeping room, in the area outside separate sleeping rooms, and on each additional story of the dwelling, including basements and habitable attics;

**iii.** In the vicinity of each sleeping area, each home with a fuel burning appliance or with an attached garage shall have carbon-monoxide alarms that comply with the Uniform Fire Code ([N.J.A.C. 5:70-4.19](#)) or with [N.J.A.C. 5:27-14.1](#); and

**iv.** Each bedroom shall have an operable egress window that complies with the Uniform Construction Code ([N.J.A.C. 5:23](#)).

## History

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### HISTORY:

Administrative correction.

See: [30 N.J.R. 539\(a\)](#).

Amended by R.1999 d.259, effective August 16, 1999.

See: [31 N.J.R. 825\(a\)](#), [31 N.J.R. 2330\(a\)](#).

Inserted (k); and recodified existing (k) through (p) as (l) through (q).

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (c), rewrote 4; rewrote (d); in (e)1, inserted a new i and recodified former i as ii; in (f)1, changed fire prevention code reference in Note b, and rewrote i; in (g)1, added the last sentence in the introductory paragraph; in (h) and (i), inserted references to section 924.2 throughout the introductory paragraphs; in (j), added the last sentence in the introductory paragraph; and in (o), added "(Building)" at the end of 1ii(5), and substituted "(Fire)" for "(Building)" at the end of 2i.

Administrative correction.

See: [32 N.J.R. 688\(a\)](#).

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), rewrote 4; in (f)2, rewrote Use Group table; in (i), added 6; in (o), added 3 and in Table N amended the square foot values for Corridors and Utilities under Public Spaces.

Amended by R.2002 d.5, effective January 7, 2002.

See: [33 N.J.R. 3392\(a\)](#), [34 N.J.R. 267\(a\)](#).

In (b), rewrote 3; in (c), rewrote 1, inserted new iii and recodified existing iii through xii as iv through xiii in 2.

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 (k), inserted the last sentence preceding "(Fire)" in the introductory paragraph, and rewrote 1.

Amended by R.2002 d.255, effective August 5, 2002.

See: [33 N.J.R. 4177\(a\)](#), [34 N.J.R. 2783\(a\)](#).

In (a), added 5 through 7; in (b), deleted 3 and 4.

Amended by R.2003 d.137, effective April 7, 2003.

See: [34 N.J.R. 4277\(a\)](#), [35 N.J.R. 1558\(c\)](#).

Rewrote (k).

Amended by R.2003 d.157, effective April 21, 2003.

See: [34 N.J.R. 4247\(a\)](#), [35 N.J.R. 1663\(b\)](#).

In (a)5x, added (1) through (3).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

Rewrote the section.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Rewrote the section.

Administrative correction.

See: [36 N.J.R. 3398\(a\)](#).

Amended by R.2004 d.423, effective November 15, 2004.

See: [36 N.J.R. 3004\(a\)](#), [36 N.J.R. 5090\(a\)](#).

In (a), deleted former (1), recodified former (2) and (3) as (1) and (2), in 5.

Administrative correction.

See: [36 N.J.R. 5337\(a\)](#).

Amended by R.2005 d.82, effective March 7, 2005.

See: [36 N.J.R. 4222\(a\)](#), [37 N.J.R. 771\(a\)](#).

In (e), rewrote 4; in (i), deleted the last sentence; in (k), deleted "change of use results in a" following "When a", substituted "is" for "being" following "building", inserted "post-earthquake shelters;" following "vehicle garages".

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

In (o), added 5.

Amended by R.2006 d.120, effective April 3, 2006.

See: [37 N.J.R. 3753\(a\)](#), [38 N.J.R. 1567\(a\)](#).

In (k)3, substituted section 1617 with section 1623 and made "Subcode" lowercase throughout; in introductory paragraph (p), deleted N.J.A.C. reference and added "this subchapter except as modified below"; added (p)1 and 2.

Administrative Correction.

See: [38 N.J.R. 3024\(a\)](#).

Amended by R.2007 d.51, effective February 5, 2007.

See: [38 N.J.R. 375\(a\)](#), [39 N.J.R. 371\(a\)](#).

In the "Use Classification" column of TABLE C, inserted "A2 nightclubs" and "(other than A-2 nightclubs)"; in (g), substituted "TABLE" for "Table"; in the "Use Classification" column of TABLE G, inserted "A-2 nightclubs," substituted "(other than nightclubs)" for "Nightclubs", and deleted "A-2 Other than Nightclubs," following "A-1,"; and in (h)1, inserted "or automatic".

Administrative correction.

See: [39 N.J.R. 767\(b\)](#).

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In (a)8i, substituted "alarms" for "detectors"; in (b)1i, (e)3ii, (f)1ii, (g)1i and the introductory paragraph of (h), substituted "706.3.9" for "508.3.3" and inserted "; mixed occupancies shall use the highest applicable rating from

Table 706.3.9"; in (b)1i, substituted "a fire barrier or horizontal assembly, or both, having a" for "assemblies with the appropriate"; in (e)3ii, substituted "a fire barrier or horizontal assembly, or both" for "fire separation assemblies and floor/ceiling assemblies" and "rating" for "determined"; in (f)1ii, substituted "a fire barrier having a" for "walls with the appropriate"; in (g)1i, substituted "a fire barrier or horizontal assembly, or both, having a" for "assemblies that meet the applicable" and inserted "resistance" and "accordance with"; in the introductory paragraph of (h), substituted "a fire barrier having a" for "assemblies with the appropriate"; in the introductory paragraph of (i), in (i)1 through (i)3 and (p)2i, substituted "alarms" for "detectors" throughout; in the introductory paragraph of (i), substituted "Alarms" for "Detectors"; and in the introductory paragraph of (n)2, substituted "suppression" for "sprinkler" twice and "operations" for "equipment" and deleted ", except in groups R-2, R-3, R-4 and R-5" following "vapors".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In (a)5i, substituted "and Open Mall Buildings" for "Building"; in (a)5v, inserted "Rooms"; in (a)5vii(1), substituted "Section 411" for "section 413.0"; in (a)5x, substituted "Finishes" for "Finished"; added (a)5xiii and (a)5xiv; in (a)8i, substituted "Section 907.2.11.2" for "Sections 907.2.10.1.2 and 907.2.10.1.3"; in (a)8ii(2), substituted "1-7/8-inch" for "1-inch"; in (b)1i, substituted "707.3.9" for "706.3.9"; in (c)1i, substituted "1028.2" for "1025.2"; rewrote (c)2i through (c)2xiii and the introductory paragraph of (g)1; added (c)2xiv; in (c)5, substituted "1021.2" for "1019.2"; in (c)7, substituted "1008.1.10 (panic and fire exit hardware)" for "1008.1.9"; in (e)3i(2), (e)3ii(1) and (e)3iii(1), substituted "508.2" for "508.3.1"; in (e)3ii, (f)1ii, (g)1i and the introductory paragraph of (h), substituted "707.3.9" for "706.3.9" throughout; in the introductory paragraph of (i), substituted "907.2.11" for "907.2.10"; in (i)1, substituted "907.2.11.1" for "907.2.10.1.1"; and in (i)2, substituted "Section 907.2.11.2" for "Sections 907.2.10.1.2 and 907.2.10.1.3".

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In (e)3i(3) and (i)3, inserted "or attached to"; and added (g)1ii.

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

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\(b\)](#).

Rewrote (j).

Amended by R.2018 d.060, effective January 16, 2018.

See: [49 N.J.R. 1276\(a\)](#), [50 N.J.R. 310\(a\)](#).

Added (q).

Administrative correction.

See: [50 N.J.R. 2327\(a\)](#).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In (a)5xvi, substituted "Hyperbaric" for "Hyberbaric" and deleted "and" from the end; rewrote (a)5xvii; added (a)5xviii and xix; in the introductory paragraph of (e)3i, the introductory paragraph of (e)3iii, and (f)1i, substituted "504.3 and Table 506.2" for "503"; in the introductory paragraph of (e)3ii, substituted "504.4" for the first occurrence



of "503", and "506.2" for the second occurrence of "503"; in (h)10, substituted "An" for "A manual fire alarm system and an" and "907.2.10A" for "907.2.10"; in the introductory paragraph of (i), substituted "907.2.10" for "907.2.11"; in (i)1, substituted "907.2.10.1" for "907.2.11.1"; in (i)2, substituted "907.2.10.2" for "907.2.11.2"; and in the introductory paragraph of (j), substituted "R315" for "315".

Administrative correction, effective September 10, 2021.

See: [53 N.J.R. 1671\(c\)](#).

Annotations

## Notes

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### [Chapter Notes](#)

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End of Document

## [N.J.A.C. 5:23-6.32](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

#### **§ 5:23-6.32 Additions**

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- (a)** Any addition to a building or structure shall comply with the requirements of the Uniform Construction Code applicable to new construction.
1. Any repair, renovation, alteration or reconstruction work undertaken within an existing building in connection with an addition shall comply with the requirements of this subchapter.
- (b)** No addition shall create or extend any non-conformity in the existing building to which the addition is constructed with regard to accessibility, structural strength, egress capacity, exit access travel distance or the capacity of mechanical, plumbing, electrical or fire protection system provisions of the basic requirements of this subcode.
- (c)** No addition shall increase the height of an existing building beyond that permitted under the applicable provisions of the building subcode for a new building of the same group. (Plan review--Building, Fire. Inspection--Building)
- (d)** No addition shall increase the area of an existing building beyond that permitted under the applicable provisions of the building subcode unless a fire wall is provided in accordance with Section 706 of the building subcode.
1. Infilling of floor openings, such as elevator and exit stair shafts, and the addition of mezzanines and equipment penthouses shall be permitted as allowed by the building subcode. (Plan review--Building, Fire. Inspection-- Building)
- (e)** Where an addition increases or extends the size of a fire area beyond that which is allowed by Section 903 of the building subcode, an automatic sprinkler system shall be provided throughout the fire area unless the addition is separated from the existing building by a fire barrier or horizontal assembly, or both, having a fire resistance rating in accordance with Table 707.3.10 of the building subcode; mixed occupancies shall use the highest applicable rating from Table 707.3.10.
1. Exception: This requirement shall not apply to increases to the floor area of the building of less than five percent. (Fire)
- (f)** Whenever an addition is made to a dwelling of Group R-3 or R-5, smoke alarms shall be installed in accordance with the following:
1. If the cumulative area of all floors of the addition(s) is 25 percent or more of the floor area of the largest floor of the existing dwelling, smoke alarms complying with the building subcode or one- and two-family dwelling subcode, as applicable, shall be installed throughout the addition and the existing dwelling.
  2. If the cumulative area of all floors of the addition(s) is five percent or more, but less than 25 percent, of the floor area of the largest floor of the existing dwelling, hardwired, interconnected smoke alarms with battery back-up meeting the requirements of NFPA 72, except as otherwise provided in the building or fire protection subcode or one- and two-family dwelling subcode, as applicable, shall be installed and maintained in each story in the dwelling unit, including basements. (Fire)

**(g)** All additions shall comply with the requirements of Chapter 11 of the building subcode for accessibility, where applicable.

1. The addition shall include accessible entrance(s) unless the requirement that 50 percent of the building entrances be accessible has been met in the existing building. (For purposes of calculating the number of accessible entrances required, all entrances in the existing building and planned for the addition shall be included.)

i. If the only accessible entrance to the addition is located in the existing building or facility, at least one interior accessible route shall provide access through the existing building to all rooms, elements, or spaces in the addition.

2. If there are no toilet rooms in the addition, accessible toilet facilities that comply with Chapter 11 of the building subcode shall be provided in the existing building. (Building)

**(h)** Structural loads: The following concern structural loads imposed by additions:

1. An addition shall not impose new loads which would cause the existing building to be subject to stresses exceeding those permitted by the building subcode.

2. An addition shall not increase the forces in any structural element of the existing building or structure by more than five percent, unless the increased forces on the element are still in compliance with the building subcode for new structures.

3. An addition shall not decrease the strength of any structural element of the existing building or structure unless the element still exceeds the strength required by the building subcode for new structures. (Building)

**(i)** When work is performed in a Class 1 structure or when work is performed on a smoke control system, a list of all materials and work requiring special inspections, and a list of agencies, qualified licensed professionals or firms intended to be retained for conducting those inspections in accordance with the requirements of the building subcode shall be submitted as part of the permit application.

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (d)1, rewrote the first sentence; and in (g)2, deleted "Section 1110 of" following "comply with".

Administrative change.

See: [32 N.J.R. 1380\(a\)](#).

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (d), substituted "Section 705" for "Section 313.1.3"; in (e), substituted "which is allowed by Section 903" for "allowed by Chapter 9" and substituted "Table 302.3.3" for "Section 313.1.2" in the introductory paragraph; in (f), substituted "R-5" for "R-4" in the introductory paragraph.

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

In (c), deleted "use" preceding "group"; in (d), deleted 1 and recodified former 2 as 1; in (e), substituted "an automatic sprinkler system" for "suppression"; in (f), deleted "Use" preceding "Group" in the introductory paragraph, and substituted "If the cumulative area of all floors of the addition(s)" for "If the area of the addition" at the beginning of 1 and 2.

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (e), substituted "508.3.3" for "302.3.3".

Amended by R.2009 d.117, effective April 20, 2009.

See: [41 N.J.R. 18\(a\)](#), [41 N.J.R. 1726\(a\)](#).

In the introductory paragraph of (e), substituted "fire barrier or horizontal assembly, or both, having a fire resistance rating" for "fire separation assembly" and "706.3.9" for "508.3.3", and inserted "; mixed occupancies shall use the highest applicable rating from Table 706.3.9"; in the introductory paragraph of (f) and in (f)1 and (f)2, substituted "alarms" for "detectors"; and in (f)1 and (f)2, inserted "or one- and two-family dwelling subcode, as applicable".

Amended by R.2011 d.270, effective November 7, 2011.

See: [43 N.J.R. 1297\(a\)](#), [43 N.J.R. 2999\(a\)](#).

In the introductory paragraph of (d), substituted "706" for "705"; in the introductory paragraph of (e), substituted "707.3.9" for "706.3.9" twice; and added (i).

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In the introductory paragraph of (e), substituted "707.3.10" for "707.3.9" twice; in the introductory paragraph of (f), deleted "detached, single-family" preceding "dwelling"; in (f)1 and (f)2, substituted "dwelling" for "building" throughout; in the introductory paragraph of (g), substituted "Chapter 11 of the building subcode for accessibility" for "the barrier free subcode ([N.J.A.C. 5:23-7](#))"; in (g)2, substituted "Chapter 11 of the building" for "the barrier free"; and in (i), substituted "1" for "I".

Annotations

## Notes

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## [N.J.A.C. 5:23-6.33](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 6. REHABILITATION SUBCODE***

### **§ 5:23-6.33 Historic buildings**

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(a) Except as provided for in this section, historic buildings shall comply with the provisions of this subcode relating to the repair, renovation, alteration, restoration, reconstruction, movement and/or change of use of structures.

1. For purposes of applying this section, historic buildings shall include any building that meets one or more of the following criteria:
  - i. Buildings listed on the New Jersey or National Registers of Historic Places either individually or as a contributing building to a historic district;
  - ii. Buildings that have been issued a Determination of Eligibility by the Keeper of the National Register of Historic Places;
  - iii. Buildings identified as contributing buildings to Local Historic Districts which have been certified by the Keeper of the National Register as substantially meeting the National Register Criteria; or
  - iv. Buildings with a State Historic Preservation Officer Opinion or Certification that the property is eligible to be listed on the National Register of Historic Places either individually or as a contributing building to a historic district.
2. Variations: Building owners wishing to use an alternative to compliance with specific provisions of this subcode shall submit request(s) for variations in writing in accordance with [N.J.A.C. 5:23-2.10](#). Requests for variations shall identify all nonconformities with the requirements of this subcode and shall include: a statement of the requirements of this subcode from which a variation is sought, a statement of the manner by which strict compliance with the provisions of this subcode would result in practical difficulties or would detract from the historic character of the building and a statement of feasible alternatives to the requirements of this subcode that would adequately protect the health, safety and welfare of the intended occupants and of the public generally.
  - i. The provisions of [N.J.A.C. 5:23-2.10](#), Variations, notwithstanding, a variation may be granted where no feasible alternative to the strict requirements of the subcode exists, provided that the owner submits a finding by a qualified architect that the feature of the building which cannot be brought into strict compliance with the requirements of this subcode is essential to maintaining the historical value and character of the building. Any such finding submitted in support of a variation application shall be in writing and shall state the basis and reasons for the finding.
  - ii. Variations to applicable barrier free requirements may be granted only if the historic character of the building would be threatened or destroyed as determined by the New Jersey State Historic Preservation Office.
3. When a historic building is used as a historic museum, the building shall be classified as Group B provided that the following conditions are met:
  - i. A limit on occupancy, not to exceed 50, is set by the construction official based on egress capacity and travel distance using the following parameters:

## N.J.A.C. 5:23-6.33

(1) For buildings with a single means of egress, occupancy shall be limited to the first and second floors, and the travel distance shall not exceed 75 feet;

(2) Two means of egress shall be required from all floors above the second floor where occupancy is permitted.

ii. There is supervision by a guide or other employee or volunteer knowledgeable in the emergency exiting procedures during all times that the building is occupied by visitors. (Plan review--Building, Fire. Inspection--Building)

(b) Special provisions: Historic buildings undergoing repair, renovation, alteration, restoration or reconstruction consistent with the U.S. Secretary of the Interior Standards for the Treatment of Historic Properties may comply with the following in lieu of compliance with the corresponding requirements of this subcode.

1. Materials and methods: Original or replica materials and original methods of construction may be used, subject to the provisions of this section.

i. Exception: Components of building systems hidden from public view, including but not limited to electrical equipment and wiring, plumbing equipment and piping and heating equipment, shall comply with [N.J.A.C. 5:23-6.8](#), Materials and methods. (Plan review--Building, Fire. Inspection--Building)

2. Exterior Walls: Exterior walls shall not be required to be modified to meet the requirements for fire-resistive wall construction. (Plan review--Building, Fire. Inspection--Building)

3. One hour fire-resistive assemblies: Where one hour fire-resistive construction is required by this subcode, it need not be provided regardless of construction or occupancy where the existing wall and ceiling finish is lath and plaster. (Plan review--Building, Fire. Inspection--Building)

4. Roof covering: Historic buildings shall meet the intent of Section 1504 of the building subcode, but shall not be required to meet Sections 1506 and 1507. The existing type of roof covering may be continued or replaced with the same materials or the preexisting materials may be replaced or restored if the materials are documented to be historic. (Building)

5. Means of Egress: Existing door openings and corridor and stairway widths of less than that specified in [N.J.A.C. 5:23-6.10](#) through [6.30](#) may be approved, provided that, in the opinion of the subcode official, there is sufficient width and height for a person to pass through the opening or traverse the exit. (Plan review--Building, Fire. Inspection--Building)

6. Doors: The existing front or main exit doors need not swing in the direction of exit travel when serving fewer than 50 people or when other approved exits having sufficient capacity to serve the total occupant load are provided.

i. Existing or replica hardware shall be permitted provided that no life safety hazard is created and that the hardware meets the intent of the barrier free subcode if applicable (that is, operable without pinching, grasping or twisting.) Existing or replica hardware may be fixed in place or modified to meet the intent of the barrier free subcode. (Plan review--Building, Fire. Inspection--Building)

7. Transoms: Existing transoms in corridors and other fire rated walls may be retained in accordance with this subcode. (Plan review--Building, Fire. Inspection--Building)

8. Interior Finishes: The existing finishes or replacement finishes on corridor walls and ceilings may be accepted where it is demonstrated that it is the historic finish.

i. In buildings other than Group R-3 or R-5, finishes in exitways shall have a flame-spread classification of Class III or better. Existing nonconforming materials shall be surfaced with an approved fire-retardant paint or finish unless the building is equipped throughout with an automatic sprinkler system installed in accordance with the building subcode. (Plan review--Building, Fire. Inspection--Building)

- 9. Stairways:** Stairways shall comply with the following:
- i. Enclosure:** Stairway enclosures may be omitted in a historic building for that portion of the stair serving the first and second floor. This provision shall be applied to only one stair per building.
    - (1)** In buildings of three stories or less, exit enclosure construction shall limit the spread of smoke by the use of tight fitting doors and solid elements. Such elements shall not require a fire-resistance rating.
  - ii. Riser height and tread width:** When stairs are replaced or repaired, the existing or original riser height and tread width shall be permitted to remain. (Plan review--Building, Fire. Inspection--Building)
- 10. Railings:** Railings shall comply with the following:
- i. Handrails:** Existing handrails may remain or may be replaced with handrails matching the original handrails.
  - ii. Guardrails:** For vertical drops of between 30 inches and 48 inches, a rail height of at least 30 inches shall be accepted and the existing or original baluster spacing shall be permitted to remain.
    - (1)** Exception: Replacement guardrails in buildings of Group E or R-1 shall comply with Sections 1015.2 through 1015.7 of the building subcode. (Plan review--Building, Fire. Inspection--Building)
- 11. Exit Signs:** The fire protection subcode official may accept alternate exit sign design and/or location where strict compliance would damage the historic character of the building. Alternative signs shall identify the exits and exit path. (Plan review--Building, Fire. Inspection--Building)
- 12. Ceiling height:** Existing ceiling heights shall be permitted to remain.
- i. Exception:** Buildings of Group R-1 or R-2 shall comply with the applicable requirements of the Hotel and Multiple Dwelling Regulations ([N.J.A.C. 5:10](#)) or shall obtain an exception under those rules. (Building)
- (c) Relocated historic buildings:** The following apply to relocated historic buildings:
- 1.** Foundations of relocated historic buildings and structures shall comply with the building subcode. (Building)
  - 2.** Relocated historic buildings shall be so sited that exterior walls and openings comply with the requirements of the building subcode. (Plan review--Building, Fire. Inspection--Building)
- (d) Special change of use provisions:** Compliance with the following and with the provisions of (b) above shall be permitted for any change of use of a historic building provided that the restoration of the building is being performed consistent with the U.S. Secretary of the Interior Standards for the Treatment of Historic Properties.
- 1. Building Area:** The floor area for historic buildings undergoing a change of use to a higher hazard category as per Table E of [N.J.A.C. 5:23-6.31](#) may exceed the allowable areas specified in the building subcode for the proposed group by 50 percent. (Plan review--Building, Fire. Inspection--Building)

## History

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### HISTORY:

Amended by R.1999 d.424, effective December 6, 1999.

See: [31 N.J.R. 2428\(a\)](#), [31 N.J.R. 4001\(c\)](#).

In (a), inserted 2ii, deleted a former 3, and recodified former 4 as 3.

Amended by R.2003 d.218, effective May 19, 2003.

See: [35 N.J.R. 29\(a\)](#), [35 N.J.R. 2209\(a\)](#).

In (b)4, substituted "Section 1504" for "Section 1505.0" and substituted "Sections 1506 and 1507" for "Section 1507.0"; in (b)8i, inserted "or R-5" after "Use Group R-3"; in (b)10ii(1), substituted "Section 1003.2.12" for "Section 1021.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: [35 N.J.R. 5190\(a\)](#), [36 N.J.R. 1758\(a\)](#).

Deleted "Use" preceding "Group" throughout, and substituted references to automatic sprinkler for references to fire suppression in (b)8i.

Administrative correction.

See: [36 N.J.R. 3398\(b\)](#).

Amended by R.2007 d.122, effective May 7, 2007.

See: [38 N.J.R. 4951\(a\)](#), [39 N.J.R. 1673\(a\)](#).

In (b)10ii(1), substituted "1013.1" for "1003.2.12".

Amended by R.2017 d.077, effective May 1, 2017.

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

In (b)10ii(1), substituted "1015.2 through 1015.7" for "1013.1".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-7](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE***

### **Title 5, Chapter 23, Subchapter 7 Notes**

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Annotations

### **Notes**

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### **Research References & Practice Aids**

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#### **LAW REVIEW AND JOURNAL COMMENTARIES:**

Disability Law: Public Accommodations and the ADA. David J. Popiel, 170 N.J.Law. 16 (Mag.) (July 1995).

Disability Law: Housing Discrimination and the Disabled. David P. Lazarus, Susan DiMaria, 170 N.J.Law. 20 (Mag.) (July 1995).

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## [N.J.A.C. 5:23-7.1](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.1 Barrier Free Subcode**

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The accessibility regulations, other than recreation, shall be found in Chapter 11 of the building subcode, as amended at [N.J.A.C. 5:23-3.14\(b\)](#).

### **History**

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#### **HISTORY:**

Repeal and New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Section was "Accessibility Standards".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Applicability".

New Rule, R.2018 d.153, effective August 20, 2018.

See: [49 N.J.R. 2332\(a\)](#), [50 N.J.R. 1888\(a\)](#).

Section was "(Reserved)".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-7.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.2 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.2, Recreation, recodified to [N.J.A.C. 5:23-7.15](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Amended by R.2004 d.59, effective February 2, 2004.

See: [35 N.J.R. 4631\(a\)](#), [36 N.J.R. 649\(a\)](#).

Rewrote (b).

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Added new (b)20, (b)26, and (b)29; recodified former (b)20 through (b)24 as (b)21 through (b)25, former (b)25 and (b)26 as (b)27 and (b)28, and former (b)27 through (b)38 as (b)30 through (b)41; and rewrote (b)21.

Amended by R.2009 d.254, effective August 17, 2009.

See: [41 N.J.R. 1920\(a\)](#), [41 N.J.R. 3065\(b\)](#).

In (b)24 and (b)28, inserted "the text of" and substituted "and insert the following: 'In new construction, electrical panelboards shall meet 309.2 and 309.3 only' " for "in its entirety".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Accessibility standard".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-7.3](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.3 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.3, Recreation: definitions, recodified to [N.J.A.C. 5:23-7.16](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (a), rewrote the introductory paragraph, deleted (3), and recodified former (4) as (3); in (b), inserted "not" following "shall" and substituted "required to comply with" for "exempt from" in the introductory paragraph; added (c).

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (b)2, added R-5 to the list of groups.

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

In (b), rewrote 1i and inserted "or partywalls" following "firewalls" in 2i.

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Rewrote (b)1; and added (b)2ii.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Exceptions".

Annotations

## Notes

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## [N.J.A.C. 5:23-7.4](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.4 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former [N.J.A.C. 5:23-7.4](#), Recreation: exceptions, recodified to [N.J.A.C. 5:23-7.17](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Administrative correction.

See: [40 N.J.R. 4945\(a\)](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Nonresidential buildings and buildings of Use Group R-1".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-7.5](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.5 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.5, Recreation: route of travel, recodified to [N.J.A.C. 5:23-7.18](#).

Amended by R.2002 d.256, effective August 5, 2002.

See: [33 N.J.R. 4184\(a\)](#), [34 N.J.R. 2787\(a\)](#).

Rewrote the section.

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Administrative correction.

See: [34 N.J.R. 4195\(a\)](#).

Amended by R.2003 d.402, effective October 20, 2003.

See: [35 N.J.R. 2797\(b\)](#), [35 N.J.R. 4861\(b\)](#).

Rewrote the section.

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (a), added R-5 to the list of groups.

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

In (c), inserted "or that does not meet any of the exemptions provided at [N.J.A.C. 5:23-7.3\(b\)](#)" preceding "all multistory dwelling" in 2; rewrote (f); added a new (g); recodified former (g) as (h).

## N.J.A.C. 5:23-7.5

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Section was "Residential buildings other than Group R-1". Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

In (a)3, inserted "required to comply with this subchapter" and inserted "one full" twice.

Amended by R.2009 d.254, effective August 17, 2009.

See: [41 N.J.R. 1920\(a\)](#), [41 N.J.R. 3065\(b\)](#).

In (e), inserted "and" following "Code" and updated the N.J.A.C. reference.

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In the introductory paragraph of (a), inserted a comma following "R-3"; rewrote (a)4 and (e); and in the introductory paragraph of (f), inserted "and shall comply with Section 1002 of ICC/ANSI A117.1-03", and substituted "elevator service" for "an elevator".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Residential buildings other than buildings of Group R-1".

Annotations

## Notes

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## [N.J.A.C. 5:23-7.6](#)

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### **§ 5:23-7.6 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.6](#), Exterior accessible route, recodified to [N.J.A.C. 5:23-7.7](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Added (e).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Exception for accessible entrance due to site impracticality".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-7.7](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.7 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.6, Recreation: pools, recodified to [N.J.A.C. 5:23-7.19](#).

Recodified from [N.J.A.C. 5:23-7.6](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.7](#), Accessible building entrances, recodified to [N.J.A.C. 5:23-7.8](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Exterior accessible route".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-7.8](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.8 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.7, Recreation: swimming and skating areas, recodified to [N.J.A.C. 5:23-7.20](#).

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

In (a), inserted the last sentence in the introductory paragraph.

Recodified from [N.J.A.C. 5:23-7.7](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In the introductory paragraph of (a), substituted "Unless exempted by [N.J.A.C. 5:23-7.6](#), for" for "For".

Former [N.J.A.C. 5:23-7.8](#), Interior accessible routes, recodified to [N.J.A.C. 5:23-7.9](#).

Repealed by R.2015 d.139, effective September 8, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Accessible building entrances".

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### **Notes**

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## [N.J.A.C. 5:23-7.9](#)

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### **§ 5:23-7.9 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.8, Recreation: boating areas, recodified to [N.J.A.C. 5:23-7.21](#).

Recodified from [N.J.A.C. 5:23-7.8](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.9](#), Accessible parking, repealed.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Interior accessible routes".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-7.10](#)

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### **§ 5:23-7.10 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.10](#), Requirements applicable to specific nonresidential Groups and Group R-1, recodified to [N.J.A.C. 5:23-7.11](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

In the introductory paragraph of (a), inserted "provided", "those spaces" and "route, which shall be an", and inserted a comma following "accessible route".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Accessible parking".

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### **Notes**

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## [N.J.A.C. 5:23-7.11](#)

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### **§ 5:23-7.11 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.10, Recreation: court games, recodified to [N.J.A.C. 5:23-7.23](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

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)2, added R-5 to the list of groups.

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

Rewrote (b) and (c).

Recodified from [N.J.A.C. 5:23-7.10](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In the introductory paragraph of (a), deleted "Use" preceding "Group"; in (a)6, updated the N.J.A.C. reference; and rewrote the introductory paragraph of (c) and (c)2.

Former [N.J.A.C. 5:23-7.11](#), Requirements applicable to all nonresidential use groups, including spaces other than guestrooms in Use Group R-1, recodified to [N.J.A.C. 5:23-7.12](#).

Amended by R.2007, d.384, effective December 17, 2007.

See: [39 N.J.R. 2684\(a\)](#), [39 N.J.R. 5211\(a\)](#).

In the introductory paragraph of (c), inserted a comma; and added (c)5.

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Added new (c); and recodified former (c) as (d).

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In the introductory paragraph of (b)6, inserted "and shall be required to comply with Section 1003 of ICC/ANSI A117.1-03,"; and rewrote (a)6i.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Requirements applicable to specific nonresidential Groups and Group R-1".

Annotations

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## [N.J.A.C. 5:23-7.12](#)

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### **§ 5:23-7.12 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.11, Recreation: ice rinks and roller rinks, recodified to [N.J.A.C. 5:23-7.24](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote (a), (b) and (h); in (j)3, amended the N.J.A.C. reference.

Recodified from [N.J.A.C. 5:23-7.10](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Deleted (a)2; recodified (a)3 and (a)4 as (a)2 and (a)3; in (a)3, inserted ", designed and constructed in accordance with Section 604.9 of ICC/ANSI A117.1-03,"; and in (b)2 and (j)3, updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.12](#), Existing facilities, recodified to [N.J.A.C. 5:23-7.13](#).

Amended by R.2007, d.384, effective December 17, 2007.

See: [39 N.J.R. 2684\(a\)](#), [39 N.J.R. 5211\(a\)](#).

Inserted new (b); recodified former (b) through ( l) as (c) through (m); and in (i)3, substituted "(i)2" for "(h)2".

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Section was "Requirements applicable to all nonresidential use groups, including spaces other than guestrooms in Use Group R-1". In (g)2i through (g)2iii, inserted "service" throughout.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Requirements applicable to all nonresidential groups, including spaces other than guestrooms in Group R-1".

Annotations

## Notes

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## [N.J.A.C. 5:23-7.13](#)

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### **§ 5:23-7.13 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.12, Recreation: playing fields, recodified to [N.J.A.C. 5:23-7.25](#).

Recodified from [N.J.A.C. 5:23-7.12](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.13](#), Variations, recodified to [N.J.A.C. 5:23-7.14](#).

Amended by R.2007, d.384, effective December 17, 2007.

See: [39 N.J.R. 2684\(a\)](#), [39 N.J.R. 5211\(a\)](#).

In (c)4, substituted "A-3, places of religious worship" for "A-4".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Existing facilities".

Annotations

### **Notes**

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## [N.J.A.C. 5:23-7.14](#)

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### **§ 5:23-7.14 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.13, Recreation: golf facilities, recodified to [N.J.A.C. 5:23-7.26](#).

Recodified from [N.J.A.C. 5:23-7.13](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.14](#), Enforcement, recodified to [N.J.A.C. 5:23-7.15](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Variations".

Annotations

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## [N.J.A.C. 5:23-7.15](#)

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### **§ 5:23-7.15 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.14, Recreation: ski lifts, aerial tramways, and conveyors, recodified to [N.J.A.C. 5:23-7.27](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Recodified from [N.J.A.C. 5:23-7.14](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.15](#), Recreation, recodified to [N.J.A.C. 5:23-7.16](#).

Amended by R.2009 d.51, effective February 2, 2009.

See: [40 N.J.R. 5325\(a\)](#), [41 N.J.R. 738\(a\)](#).

In the introductory paragraph of (a)1, (a)2 and the introductory paragraph of (a)3, substituted "2003" for "1998"; in (a)1i, deleted "and water coolers" following "fountains"; in (a)1v, substituted "1003.11.7" for "1002.11.5"; in (a)1vi, substituted "1003.11.8" for "1002.11.6"; in (a)1vii, substituted "1003.11.9" for "1002.11.7"; in (a)1viii, substituted "1003.12.4" for "1002.12.4"; in (a)3iii, inserted "and sinks" three times; in (a)3iv, substituted "bathtubs--hand shower" for "bathtub--shower unit"; in (a)3v, inserted "and hand showers", deleted "and" preceding "608.6", substituted "hand shower" for "shower unit"; and inserted "and" preceding "608.7"; and in (a)3vi, substituted "1003.11.7.1" for "1002.11.15.1", "1003.11.7.4" for "1002.11.5.3", "1003.11.7.5" for "1002.11.3.3" and "1003.12.4" for "1002.12.4".

Repealed by R.2016 d.031, effective April 4, 2016.

See: [47 N.J.R. 2323\(a\)](#), [48 N.J.R. 581\(a\)](#).

Section was "Enforcement".

Annotations

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## [N.J.A.C. 5:23-7.16](#)

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### **§ 5:23-7.16 Recreation**

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(a) All facilities, equipment, and sites or portions thereof, intended for outdoor active or passive recreation shall meet all applicable requirements of this subchapter in addition to the provisions of [N.J.A.C. 5:23-7.17](#) through [7.32](#). All support facilities and site access points required to be on an accessible route of travel shall be made accessible in accordance with the applicable provisions of this subchapter.

1. Indoor recreational facilities shall be on an accessible route of travel and shall comply with all applicable requirements of this subchapter.

(b) Compliance with the provisions of this subchapter that relate to the accessibility of recreational equipment or recreation sites shall be the responsibility of the manager of that recreational facility, of the owner of that facility, whether publicly or privately held, and of the agency responsible for the administration of that facility.

1. The facility manager and/or the facility owner or agency responsible for administration of the facility shall certify, in writing, that any work performed complies with all applicable provisions of this subchapter and shall retain this certification on file.

2. The enforcement of the accessibility features of recreational equipment notwithstanding, the construction of recreational equipment may require a construction permit if so determined by the building subcode official.

3. The enforcement of the requirements for swimming pools, including the accessibility features, shall be the responsibility of the building subcode official.

4. Complaints regarding lack of enforcement of these provisions shall be directed to the facility manager and the facility owner or agency responsible for administration of the facility. The facility manager shall respond within 30 days to any written complaint received detailing the position taken with respect to this complaint. If the facility manager fails to respond in a manner satisfactory to the party registering the complaint, then that party shall have recourse to the appeals process as set forth at [N.J.A.C. 5:23-2.38](#) and [3.11](#).

5. Any alteration, renovation and/or addition to any existing recreational facility, the cost of which meets or exceeds the limit set forth in [N.J.S.A. 40A:11-3](#), shall be performed in compliance with all applicable provisions of this subchapter. This limit shall apply to both privately- and publicly-owned recreational facilities. If it is feasible to achieve a greater degree of compliance with this subchapter with respect to the entire recreation area, then the facility manager may make alterations, renovations or additions in compliance with the applicable provisions of this subchapter to other facilities or equipment in lieu of the facility or equipment originally being altered, renovated and/or added.

i. Notwithstanding the above provisions, no alteration, renovation or addition shall be made which reduces or diminishes the degree to which any facility meets the criteria of this subchapter.

### **History**

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**HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Amended by R.1996, d.274, effective June 17, 1996 (operative October 1, 1996).

See: [28 N.J.R. 1443\(a\)](#), [28 N.J.R. 3121\(a\)](#).

Amended (b), added (b)2 and 3 and recodified former (b)2 and 3 as (b)4 and 5.

Recodified from [N.J.A.C. 5:23-7.2](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (a), changed N.J.A.C. reference in the introductory paragraph. Former N.J.A.C. 5:32-7.15, Recreation: trails, recodified to [N.J.A.C. 5:23-7.28](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (b)3, deleted the N.J.A.C. reference.

Recodified from [N.J.A.C. 5:23-7.15](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In the introductory paragraph of (a), updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.16](#), Recreation: definitions, recodified to [N.J.A.C. 5:23-7.17](#).

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## [N.J.A.C. 5:23-7.17](#)

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### **§ 5:23-7.17 Recreation: definitions**

---

"Multi-functional play equipment" means play equipment designed to provide multiple play activities such as, but not limited to, swinging, jumping, sliding, and climbing.

"Park" or "recreation area" means an area set aside and designated for recreation, including either active participation, as in sports, or passive recreation, as in the observation of nature.

"Recreation equipment" means equipment and prescribed surrounding safety areas, including, but not limited to, fixed equipment, fixed manipulative play equipment (such as playground equipment), picnic tables, benches, fire places and grills, ski lifts, and aerial tramways.

"Recreation facility" means a facility, body of water, dock, court, field, location, or portion thereof, intended for active or passive recreation that is required by this subchapter to be accessible regardless of whether the facility is indoor or outdoor.

"Single function play equipment" means play equipment designed to provide a single play activity, such as, but not limited to, swinging, jumping, climbing, or sliding.

"Site access points" means entrances, waiting areas, drop-off zones, parking areas, and public transportation stops serving the recreational area or facility, except those used solely for maintenance purposes.

"Support facility" means a facility ancillary to a recreation facility including, but not limited to, toilet facilities, food services, information services, first aid stations, drinking fountains, telephones, spectator seating and shelters. Facilities primarily housing mechanical equipment or those exclusively used for storage are not included in this definition.

"Transfer platform" means a platform with a minimum dimension of 18 inches by 24 inches mounted 15 inches to 17 inches above grade as an integral part of the multi-functional play equipment to provide access.

"Transfer point" means a clear space 36 inches by 60 inches adjacent to a transfer platform.

"Undeveloped areas" means areas used for activities such as camping, hunting, fishing, the observation of nature or open space conservation and which contain no recreation equipment or recreation facilities.

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

## N.J.A.C. 5:23-7.17

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.3](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.16, Recreation: camping sites, recodified to [N.J.A.C. 5:23-7.29](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote "Recreational facility".

Recodified from [N.J.A.C. 5:23-7.16](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.17](#), Recreation: exceptions, recodified to [N.J.A.C. 5:23-7.18](#).

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## [N.J.A.C. 5:23-7.18](#)

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### **§ 5:23-7.18 Recreation: exceptions**

---

These recreation requirements do not apply to undeveloped areas as defined in [N.J.A.C. 5:23-7.17](#).

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.4](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Changed N.J.A.C. reference. Former N.J.A.C. 5:32-7.17, Recreation: equipment, recodified to [N.J.A.C. 5:23-7.30](#).

Recodified from [N.J.A.C. 5:23-7.17](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Updated the N.J.A.C. reference.

Former [N.J.A.C. 5:23-7.18](#), Recreation: route of travel, recodified to [N.J.A.C. 5:23-7.19](#).

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## [N.J.A.C. 5:23-7.19](#)

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### **§ 5:23-7.19 Recreation: route of travel**

---

(a) There shall be an accessible route of travel connecting the following elements: at least one site access point and all support facilities, accessible recreation facilities, and accessible recreation equipment at each park or recreation area. For purposes of applying this requirement, parks may be divided into smaller areas and an accessible route provided from one site access point at each area to all support facilities, accessible recreation facilities, and accessible recreation equipment in that area.

(b) An accessible route of travel shall meet the following criteria:

1. An accessible route of travel that connects an accessible site access point and support facilities, accessible recreation facilities, and accessible recreation equipment shall meet all of the criteria for an accessible route in the technical standard adopted within Chapter 11 of the building subcode ([N.J.A.C. 5:23-3.14](#)), except that the following are also acceptable surfacing materials: flat surfaced pavers on concrete, flat surfaced pavers on sand, and wood decking. Crushed stone laid over a compacted subgrade and bound with sufficient cement to provide a non-shifting, firm surface shall also be acceptable.
2. A challenge level I accessible route may connect additional site access points, if provided, and support facilities, recreation equipment, and recreation facilities. A challenge level I accessible route shall meet the criteria for an accessible route in the technical standard adopted within Chapter 11 of the building subcode ([N.J.A.C. 5:23-3.14](#)), except as follows:
  - i. In addition to the materials listed in (b)1 above, the following materials are acceptable as surfacing: soil cement, graded wood chips, grass, and compacted earth.
  - ii. An accessible route with a running slope of 1:16 or steeper shall be considered a ramp. Cross slopes shall not exceed 1:30.
  - iii. Landings for ramps shall be provided at the top, bottom, at all changes in direction, and after each 48 feet of projection.
  - iv. Materials specified in (b)1 above are acceptable ramp surfacing materials.
  - v. When the running slope is between 1:20 and 1:16, a level rest area at least five feet by five feet shall be provided every 200 feet.

(c) The accessible route to multi-functional play equipment shall lead onto the equipment itself, as specified at [N.J.A.C. 5:23-7.31\(c\)1](#).

(d) When a resilient safety area is specified by the manufacturer of the play equipment, an accessible route through the resilient safety area shall be provided. It shall meet the following conditions:

1. Commercially manufactured or processed materials must be certified by the manufacturer as permitting independent wheelchair passage;

## N.J.A.C. 5:23-7.19

2. Natural materials must be of the type and depth to meet the specifications in the Consumer Products Safety Commission Handbook on Playground Safety (Consumer Products Safety Commission, Washington, D.C. 20207) or must be one of the following:

- i. Wood chips of relatively uniform size from hard wood without bark, leaves, twigs, or brush, or
- ii. Double shredded bark and mulch of relatively uniform size without leaves, twigs, or brush; and

3. The accessible route and the resilient safety area shall be of the same material.

(e) The accessible route to single function play equipment shall lead to the safety area surrounding the equipment.

## History

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### HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.5](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (c), changed N.J.A.C. reference. Former N.J.A.C. 5:32-7.18, Recreation: equestrian facilities, recodified to [N.J.A.C. 5:23-7.31](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (b), rewrote 1 and the introductory paragraph of 2; in (d), rewrote the introductory paragraph.

Recodified from [N.J.A.C. 5:23-7.18](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (c), updated the N.J.A.C. reference.

Former [N.J.A.C. 5:23-7.19](#), Recreation: pools, recodified to [N.J.A.C. 5:23-7.20](#).

Amended by R.2022 d.047, effective April 4, 2022.

See: [53 N.J.R. 1659\(a\)](#), [54 N.J.R. 545\(b\)](#).

In (b)1 and the introductory paragraph of (b)2, substituted "within Chapter 11 of the building subcode ([N.J.A.C. 5:23-3.14](#))" for "as part of this subchapter".

Annotations

## Notes

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## [N.J.A.C. 5:23-7.20](#)

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### **§ 5:23-7.20 (Reserved)**

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### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1988 d.503, effective November 7, 1988.

See: 20 N.J.R. 1764(b), 20 N.J.R. 2754(a).

Added (a)2i and (a)3ii: also amended Figure 7.104b.

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.6](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Administrative Correction.

See: [38 N.J.R. 3024\(a\)](#), [38 N.J.R. 3776\(c\)](#).

Recodified from [N.J.A.C. 5:23-7.19](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.20](#), Recreation: swimming and skating areas, recodified to [N.J.A.C. 5:23-7.21](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Recreation: pools".

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## [N.J.A.C. 5:23-7.21](#)

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### **§ 5:23-7.21 Recreation: swimming and skating areas**

---

(a) At each designated swimming and/or skating area at natural or man-made bodies of water, there shall be an accessible route or an accessible trail meeting the criteria of [N.J.A.C. 5:23-7.29](#) that connects at least one point to the water's edge to other elements at the site as required by [N.J.A.C. 5:23-7.19\(a\)](#).

1. At designated swimming and/or skating areas, the provision of access as described in (a) above at one location per site shall be deemed as satisfying the requirements of this section.
2. This provision shall not apply in those ocean front areas where wave action renders the provision of an accessible route or an accessible trail impractical from an engineering standpoint.

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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.1996 d.132, effective March 18, 1996.

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.7](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (a), changed N.J.A.C. references in the introductory paragraph.

Recodified from [N.J.A.C. 5:23-7.20](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (a), updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.21](#), Recreation: boating areas, recodified to [N.J.A.C. 5:23-7.22](#).

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## [N.J.A.C. 5:23-7.22](#)

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### **§ 5:23-7.22 Recreation: boating areas**

---

- (a) Each boating area with docking facilities shall have one accessible docking space.
- (b) Each accessible mooring space shall adjoin an accessible route of travel and shall have a minimum clear space of five feet by five feet to allow transfer to the boat. Additionally, each accessible mooring space shall be a maximum of 36 inches above the mean water level in non-tidal areas.

### **History**

---

#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Recodified from [N.J.A.C. 5:23-7.8](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (a), substituted "docking" for "mooring".

Recodified from [N.J.A.C. 5:23-7.21](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.22](#), Recreation: fishing areas, recodified to [N.J.A.C. 5:23-7.23](#).

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## [N.J.A.C. 5:23-7.23](#)

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### **§ 5:23-7.23 Recreation: fishing areas**

---

If docks are provided in a fishing area, the criteria of [N.J.A.C. 5:23-7.22](#) shall apply.

### **History**

---

#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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).

Recodified from [N.J.A.C. 5:23-7.9](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Changed N.J.A.C. reference.

Recodified from [N.J.A.C. 5:23-7.22](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Updated the N.J.A.C. reference.

Former [N.J.A.C. 5:23-7.23](#), Recreation: court games, recodified to [N.J.A.C. 5:23-7.24](#).

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## [N.J.A.C. 5:23-7.24](#)

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### **§ 5:23-7.24 Recreation: court games**

---

- (a) The surface of at least one court must adjoin an accessible route of travel.
- (b) Entrances to the courts required to be accessible shall meet the criteria for accessible doors in the technical standard adopted as part of this subchapter.
- (c) On sites with more than one type of court, at least one of each type of court in each distinct area on a site shall adjoin an accessible route of travel.
  - 1. Where there is a main or center court, this court shall be included as one of those on an accessible route of travel.
- (d) All permanent spectator viewing areas seating 50 or more persons shall be on an accessible route of travel.
- (e) Court surfaces shall meet the criteria for an accessible route in the technical standard adopted as part of this subchapter, except in those instances where the recognized rules of the particular game dictate another surface.

### **History**

---

#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

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\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.10](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Recodified from [N.J.A.C. 5:23-7.23](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.24](#), Recreation: ice rinks and roller rinks, recodified to [N.J.A.C. 5:23-7.25](#).



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## [N.J.A.C. 5:23-7.25](#)

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### **§ 5:23-7.25 Recreation: ice rinks and roller rinks**

---

The surface of at least one of each type of rink provided in each distinct area on a site shall adjoin an accessible route of travel.

### **History**

---

#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Recodified from [N.J.A.C. 5:23-7.11](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.24](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.25](#), Recreation: playing fields, recodified to [N.J.A.C. 5:23-7.26](#).

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## [N.J.A.C. 5:23-7.26](#)

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### **§ 5:23-7.26 Recreation: playing fields**

---

There shall be an accessible route of travel to at least one of each type of playing field provided in each distinct area on a site. For an overlay field, an accessible route of travel to the primary field shall fulfill the requirements of this section. For a complex of playing fields in a single area, an accessible route of travel to the area shall fulfill the requirements of this section. Additionally, all permanent spectator viewing areas seating 50 or more persons shall be on an accessible route of travel.

### **History**

---

#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

Recodified from [N.J.A.C. 5:23-7.12](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.25](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.26](#), Recreation: golf facilities, recodified to [N.J.A.C. 5:23-7.27](#).

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### **Notes**

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## [N.J.A.C. 5:23-7.27](#)

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### **§ 5:23-7.27 Recreation: golf facilities**

---

- (a) For golf facilities, there shall be an accessible route of travel to the area where the transfer to golf carts is made.
- (b) If provided, bridges shall either be designed for use by golf carts or shall meet the criteria for a ramp in the technical standard adopted as part of this subchapter.
- (c) Where curbs are provided at points where courses cross a thoroughfare, a ramp or a curb ramp that meets the criteria for ramps in the technical standard adopted as part of this subchapter shall be provided.
- (d) Miniature golf facilities shall be accessible as follows:
  1. The entire playing surface shall be accessible at starting points, end points, and at all points in-between where possible. In those areas where the ball cannot physically come to rest because of steep slopes, access is not required.
  2. The entry and exit points shall be a minimum of 32 inches wide, with no railings, obstacles, or elevation change.
  3. Each hole shall have a platform with a turn around radius of five feet.
  4. When obstacles are provided, there shall be a 32 inch minimum clear width on one side of the obstacle.

### **History**

---

#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.13](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

N.J.A.C. 5:23-7.27

Rewrote (b) and (c).

Recodified from [N.J.A.C. 5:23-7.26](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.27](#), Recreation: ski lifts, aerial tramways, and conveyors, recodified to [N.J.A.C. 5:23-7.28](#).

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## [N.J.A.C. 5:23-7.28](#)

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### **§ 5:23-7.28 Recreation: ski lifts, aerial tramways, and conveyors**

---

- (a) In areas where ski lifts or other comparable mechanisms for skiing are provided, there shall be an accessible route of travel connecting site access point(s) and support facilities required to be accessible with the area where the transfer to skis is made.
- (b) In areas where aerial tramways, conveyors, or other comparable mechanisms for sightseeing are provided, an accessible route of travel shall be provided to connect site access point(s) and support facilities required to be accessible with the moving seat, car or platform of the aerial tramways, conveyors, or comparable mechanisms.
1. A five feet by five feet clear, level areas that meets the criteria for an accessible route in the technical standard adopted as part of this subchapter shall be provided immediately adjacent to the upper, lower, and any intermediate terminals of such mechanisms to facilitate transfer from a wheelchair to the car, seat or platform.
    - i. Where seats are provided, they shall be at a height of 16 inches to 18 inches above the clear, level area.
- (c) There shall be a control immediately available to the operator of the ski lift, aerial tramway or conveyor to stop and restart the mechanism to allow the transfer of a disabled person on and off.
- (d) The requirements of this section shall not apply to moving sidewalks or other horizontal conveyors guided by a track or tracks.

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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).

Recodified from [N.J.A.C. 5:23-7.14](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote (b).

N.J.A.C. 5:23-7.28

Recodified from [N.J.A.C. 5:23-7.27](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.28](#), Recreation: trails, recodified to [N.J.A.C. 5:23-7.29](#).

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## [N.J.A.C. 5:23-7.29](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE***

## **§ 5:23-7.29 Recreation: trails**

---

- (a) Trails through undeveloped areas are exempted from the requirements of this subchapter.
- (b) All other trails shall meet the requirements for slope and for the provision of rest areas of either (b)1 or 2 below and the surfacing requirements in (b)3 or 4 below.
1. A running slope shall not exceed 1:8 at any place and cross slopes shall not exceed 1:30. Level rest areas at least five feet by five feet shall be provided every 300 feet when the running slope is between 1:16 and 1:12. This shall be a challenge level 2 accessible trail. Level rest areas at least five feet by five feet shall be provided every 200 feet when the running slope is between 1:12 and 1:8. This shall be a challenge level 3 accessible trail.
    - i. If the topography of the site is such that average grade exceeds that in (b)1 above, an exception to the slope limitations may be allowed.
  2. Trails may also be constructed in accordance with the requirements of [N.J.A.C. 5:23-7.19\(b\)1](#) (accessible route) or [N.J.A.C. 5:23-7.19\(b\)2](#) (challenge level 1 accessible route).
  3. In addition to the materials listed at [N.J.A.C. 5:23-7.19\(b\)1](#) and 2, the following materials are acceptable as surfacing for trails: untreated, soils, compacted gravel, and ungraded wood chips.
  4. Each trail shall be marked in accordance with the technical criteria for permanent signs in the technical standard adopted as part of this subchapter.
    - i. Each sign shall contain the following information:
      - (1) The international symbol of access for an accessible route or the challenge level of the accessible route or accessible trail; and
      - (2) The length of the accessible route or accessible trail.

## **History**

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### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).



## N.J.A.C. 5:23-7.29

Recodified from [N.J.A.C. 5:23-7.15](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (b), changed N.J.A.C. references in 2 and 3.

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (b)4, substituted "for permanent signs in the technical standard adopted as part of this subchapter" for "of CABO/ANSI A117.1, Section 4.28.1 through 4.28.5 and Section 4.28.6.1".

Recodified from [N.J.A.C. 5:23-7.28](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (b)2 and (b)3, updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.29](#), Recreation: camping sites, recodified to [N.J.A.C. 5:23-7.30](#).

Annotations

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## [N.J.A.C. 5:23-7.30](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE**

### **§ 5:23-7.30 Recreation: camping sites**

---

(a) In camping areas in other than undeveloped areas, at least five percent (rounded off to the next higher whole number) of camp sites shall meet the following criteria:

1. There shall be an accessible route of travel connecting these accessible camp sites with site access point(s) and support facilities required to be accessible;
2. Sites and signs leading to such sites shall be marked with the International Symbol of Accessibility, which complies with the technical standard adopted as part of this subchapter;
3. Where tent platforms are provided, each of those required to be accessible shall be equipped with a ramp meeting the criteria of the technical standard adopted as part of this subchapter; and
4. The accessible camp sites shall be distributed throughout the camping area to the degree feasible as determined by the topography of the area.

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.16](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (a)2, substituted "which complies with the technical standard adopted as part of this subchapter" for "displayed as specified in CABO/ANSI A117.1, Section 4.28"; in (a)3, substituted "the technical standard adopted as part of this subchapter; and" for "CABO/ANSI A117.1, Section 4.8".

Recodified from [N.J.A.C. 5:23-7.29](#) by R.2007 d.144, effective May 7, 2007.

N.J.A.C. 5:23-7.30

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.30](#), Recreation: equipment, recodified to [N.J.A.C. 5:23-7.31](#).

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## [N.J.A.C. 5:23-7.31](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE***

#### **§ 5:23-7.31 Recreation: equipment**

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- (a) Five percent of all picnic tables, benches, fireplaces, and grills provided, rounded to the next higher whole number, but not less than one, shall be on an accessible route of travel.
1. Such equipment shall be distributed throughout the picnic area to the degree feasible as determined by the topography of the area.
- (b) Within each play area on a site:
1. At least 25 percent of the single function play equipment shall be of a type identified by its manufacturer as accessible to and usable by both disabled and non-disabled persons; and
  2. At least 25 percent of the play activities of all multi-functional play equipment within each play area on a site shall be of a type identified by its manufacturer as accessible to and usable by both disabled and non-disabled persons.
    - i. Access onto the multi-functional play equipment may include, but is not limited to, the following:
      - (1) A ramp that complies with the technical standard adopted within Chapter 11 of the building subcode ([N.J.A.C. 5:23-3.14](#)) and that provides a landing at the top and at the bottom that has a minimum width of five feet by five feet;
      - (2) Transfer point(s) adjacent to transfer platform(s); and
      - (3) An accessible route that complies with [N.J.A.C. 5:23-7.19](#), which, because of the topography of the land, leads directly onto the equipment.
    - ii. Accessibility features, such as ramps and transfer platforms, shall not be considered play functions. Passive activities shall not be considered play functions.
- (c) In addition to (b) above, completely inclusive playgrounds shall have elevated play equipment/elements in which at least 50 percent is accessible.
1. Play elements include single-function play equipment, multi-function equipment, changes in topographical elevations that function as elevated play elements, and elements that otherwise meet the standards required by the Americans with Disabilities Act of 1990, [42 U.S.C. §§ 12101](#). et seq.
- (d) Playground equipment required to be accessible in (b) and (c) above shall be on an accessible route as delineated at [N.J.A.C. 5:23-7.19](#).
- (e) As existing play equipment is replaced in any play area, at least 50 percent of the replacement equipment shall be of a type identified by the manufacturer as usable by both disabled and non-disabled persons until the percentage as specified in (b) and (c) above is met.

#### **History**

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#### **HISTORY:**

## N.J.A.C. 5:23-7.31

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.17](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (c) and (d), changed N.J.A.C. references throughout.

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (c), substituted "its" for "the" preceding "manufacturer" in the introductory paragraph and rewrote 1i.

Recodified from [N.J.A.C. 5:23-7.30](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (c)1iii, substituted "that" for "which", and in (c)1iii and (d), updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.31](#), Recreation: equestrian facilities, recodified to [N.J.A.C. 5:23-7.32](#).

Amended by R.2022 d.047, effective April 4, 2022.

See: [53 N.J.R. 1659\(a\)](#), [54 N.J.R. 545\(b\)](#).

Rewrote the section.

Annotations

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## [N.J.A.C. 5:23-7.32](#)

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***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 7. BARRIER FREE SUBCODE***

### **§ 5:23-7.32 Recreation: equestrian facilities**

---

(a) At each equestrian facility, at the area used for mounting, a mounting platform shall be provided for people with disabilities.

1. To mount a pony, the top of the platform shall be 32 inches above the surface upon which the pony stands.
2. To mount a horse, the top of the platform shall be 41 inches above the surface upon which the horse stands.
3. The mounting platform shall have a minimum dimension of five feet long and three feet wide.
4. Any ramp that provides access to the mounting platform shall meet the criteria for ramps in the technical standard adopted as part of this subchapter, except that a maximum slope of 1:9 shall be allowed.

### **History**

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#### **HISTORY:**

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1988 d.503, effective November 7, 1988.

See: 20 N.J.R. 1764(b), 20 N.J.R. 2754(a).

Platform height changed from 42 inches to 32 inches.

Administrative Correction.

See: 22 N.J.R. 1355(b).

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.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.18](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

N.J.A.C. 5:23-7.32

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Recodified from [N.J.A.C. 5:23-7.31](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

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## [N.J.A.C. 5:23-12.1](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE***

#### **§ 5:23-12.1 Title; scope; intent; definitions**

---

- (a) This subchapter of the rules adopted pursuant to the authority of the Uniform Construction Code Act, entitled "Elevator Safety Subcode," shall be known and cited throughout this chapter as subchapter 12 or N.J.A.C. 5:23-12, and when referred to in this subchapter may be cited as "this subchapter."
- (b) Unless otherwise specifically provided, all references to paragraphs, sections, or to provisions not specifically identified, shall be construed to refer to such paragraph or section or provision of this subchapter.
- (c) This subchapter shall control all matters relating to administration of tests and inspections of elevator devices as defined in (e) below.
- (d) It is the purpose of this subchapter to enhance the public safety, health, and welfare by ensuring that elevator devices as defined in this subchapter are inspected, tested, and maintained in accordance with nationally recognized, referenced standards and in accordance with the established inspection cycle for the building.
- (e) For purposes of this subchapter, "elevator" or "elevator device" means a hoisting and lowering device equipped with a car or platform which moves in guides for the transportation of individuals or freight in a substantially vertical direction through successive floors or levels of a building or structure; or, a power driven, inclined, continuous stairway used for raising or lowering passengers; or, a type of passenger carrying device on which passengers stand or walk, and in which the passenger carrying surface remains parallel to its direction of motion and is uninterrupted. This includes, without limitation, elevators, escalators, moving walks, dumbwaiters, wheelchair lifts, manlifts, stairway chairlifts, and any device within the scope of ASME A17.1 (Safety Code for Elevators and Escalators), ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts), or ASME A90.1 (Safety Standard for Belt Manlifts).
1. This definition shall not apply to any conveying devices and process equipment. Conveying devices include special purpose personnel elevators, mine elevators, marine elevators, wind turbine tower elevators, outside emergency elevators, material hoists, conveyors, and any other device outside of the scope of ASME A17.1, A18.1, or A90.1.
- (f) The following terms, when used in this subchapter, shall have the following meanings:
1. "Routine inspections" shall mean the examination of elevator devices at six-month intervals where visual inspections are performed to check for compliance with the applicable requirements. The scope and performance of such inspections shall be as required by this subchapter.
  2. "Periodic inspections and tests" shall mean the periodic inspections and tests of elevator devices at yearly intervals where inspections are performed by an elevator inspector and tests are witnessed by an elevator inspector to check for compliance with the applicable requirements. The category of such tests and scope of these inspections and tests shall be as required by this subchapter.
  3. "Cyclical inspections" or "cyclical testing" shall mean the inspections or tests performed on each elevator device on a schedule established by the enforcing agency in accordance with this subchapter, including, but not limited to, routine inspections and periodic inspections and tests.



## History

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### HISTORY:

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In the introductory paragraph of (e), inserted ", ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts),"; and in (e)1, substituted "conveying devices," for "conveyor devices that are", inserted ", and mine elevators" and inserted the last sentence.

Amended by R.2016 d.116, effective September 19, 2016.

See: [48 N.J.R. 531\(a\)](#), [48 N.J.R. 1908\(a\)](#).

In the introductory paragraph of (e), inserted a comma following "chairlifts"; and rewrote (e)1.

Amended by R.2017 d.132, effective July 3, 2017.

See: [48 N.J.R. 1346\(a\)](#), [49 N.J.R. 1848\(a\)](#).

Section was "Title; scope; intent". Rewrote (d); and added (f).

Annotations

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## [N.J.A.C. 5:23-12.2](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE***

#### **§ 5:23-12.2 Referenced standards**

---

(a) Periodic and acceptance tests and inspections, if applicable, shall be required on all new, altered, and existing elevators, dumbwaiters, moving walks, wheelchair lifts, manlifts, and stairway chairlifts. The required cyclical inspections and tests shall be performed in accordance with the most recent edition of ASME A17.1, ASME A18.1, or ASME A90.1 referenced in the building subcode. Requirements for periodic tests and inspections shall not apply to elevator devices in structures of Group R-3, R-4, or R-5, or to any elevator device located wholly within dwelling unit in a structure of Group R-2 if the device is not accessible to the general public.

1. Periodic, routine, and acceptance tests and inspections, as applicable, shall be required on all new, altered, and existing escalators.

(b) All operating and electrical parts and accessory equipment for elevator devices shall be maintained in safe operating condition. The elevator devices shall be maintained to conform to the applicable safety standard in effect at the time of the installation and/or alteration. The maintenance of elevator devices shall conform to the most recent edition of ASME A18.1 or ASME A90.1, or ASME A17.1 referenced in the building subcode. Additionally, maintenance of ASME A17.1 elevator devices shall be in accordance with (c) below. Checklists of maintenance performed according to the applicable six-month inspection section of ASME A17.1 shall be maintained by the building owner and the owner shall make such records available to the authority having jurisdiction.

(c) Maintenance of elevator devices installed under ASME A17.1 shall conform with the following:

1. Maintenance of elevator devices installed under ASME A17.1 shall comply with Sections 8.6.1 through 8.6.12 except for: 8.6.1.2.1, 8.6.1.3, 8.6.1.4, 8.6.1.6.3(a), 8.6.1.6.5, 8.6.5.8, 8.6.7.3, 8.6.7.4, 8.6.7.8, 8.6.7.9, 8.6.8.2, 8.6.8.3, 8.6.11.3, 8.6.11.4, 8.6.11.6, 8.6.11.7, 8.6.11.8, 8.6.12.1.2, 8.6.12.2.2, 8.6.12.2.4, 8.6.12.2.5, 8.6.12.2.6, and 8.6.12.3.4.
2. Additionally, escalators installed under ASME A17.1-2000 and later editions shall comply with sections 8.6.8.2(d) and 8.6.8.3.
3. Where unique or product-specific procedures or methods are required to inspect or test equipment, such procedures or methods shall be made available to the owners and kept where they are readily available to the authority having jurisdiction, authorized and elevator personnel.

(d) If, upon inspection of any elevator device subject to the requirements of this subchapter, the equipment is found to be in a dangerous condition, or if there is an immediate hazard to persons riding on or using any such device, or if the design, or the method of operation in combination with the design, of the device is determined to be inherently dangerous by the elevator subcode official, the elevator subcode official shall so advise the construction official so that a notice of unsafe structure may be issued pursuant to [N.J.A.C. 5:23-2.32](#).

(e) Inspection and testing procedures for equipment within the scope (section 1) of the ASME A17.1 Safety Code for Elevators and Escalators shall be performed in accordance with the latest edition of ASME A17.2.

(f) Any education, experience or training requirements included or cited in reference standards shall not be binding in this State.

## History

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### HISTORY:

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.564, effective November 6, 1995 (operative March 1, 1996).

See: [27 N.J.R. 2829\(a\)](#), [27 N.J.R. 4281\(a\)](#).

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (a), added R-5 to the list of groups.

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In (a) and (b), inserted ", ASME A18.1, or ASME A90.1"; and in (b), substituted "elevator devices" for "elevators, dumbwaiters and escalators".

Amended by R.2009 d.255, effective August 17, 2009.

See: [41 N.J.R. 1919\(a\)](#), [41 N.J.R. 3065\(a\)](#).

Rewrote (b).

Amended by R.2010 d.195, effective September 7, 2010.

See: [41 N.J.R. 3140\(a\)](#), [42 N.J.R. 2043\(a\)](#).

In (b), deleted "or devices" following "equipment" and inserted the last sentence; and added new (c) to replace reserved (c).

Amended by R.2017 d.132, effective July 3, 2017.

See: [48 N.J.R. 1346\(a\)](#), [49 N.J.R. 1848\(a\)](#).

Rewrote (a) and (b).

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the introductory paragraph of (a), substituted the first occurrence of "ASME" for "AME", and "Requirements for periodic tests and inspections" for "This subsection".

Annotations

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## [N.J.A.C. 5:23-12.3](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE**

### **§ 5:23-12.3 Inspection and test schedule**

---

(a) Periodic and acceptance inspections and test of elevators shall be conducted as follows:

1. Periodic inspections shall be made at intervals of not more than six months for all escalators. Inspection intervals for ASME A17.1 elevator devices other than escalators shall not exceed those set forth in Appendix N-1 of ASME A17.1 referenced in the most recent edition of the building subcode, provided that cyclical inspections shall not be required more frequently than once a year. Stairway chairlifts and wheelchair lifts shall be inspected at intervals not exceeding one year.
2. Periodic tests shall be witnessed at intervals not exceeding those set forth in Appendix N-1 of the most recent edition of ASME A17.1 referenced in the building subcode, provided that cyclical tests shall not be required more frequently than once a year. Cyclical testing of manlifts, stairway chairlifts, and wheelchair lifts shall be at intervals not exceeding one year.
3. Periodic inspections, including any applicable acceptance inspections, shall be made by the elevator subcode official or elevator inspector. Periodic tests, including any applicable acceptance tests, shall be witnessed by the elevator subcode official or elevator inspector.
4. Each building containing devices covered by this subchapter shall have an inspection cycle established by the enforcing agency. This cycle shall be consistent with the routine and periodic inspection and test intervals required in this section. Once this cycle is established, all such devices in the building shall be subject to inspections and tests, except as exempted by this section or by [N.J.A.C. 5:23-12.9](#).
  - i. When a need to modify an existing inspection cycle exists, upon request of a construction official, where such needs are outlined, and approved by the Department, the existing inspection cycle can be changed. Such change shall not increase the intervals between cyclical inspections/tests required by this section, and any additional inspection that may be required as a result of the adjustment shall not be subject to a fee.
  - ii. Elevator devices that have been temporarily taken out of operation for alteration work to be performed shall be exempt from required cyclical routine and periodic inspections and tests, as long as the elevator device is not accessible to the public or placed back in operation. Those devices that are still in operation, even though they are still included in the alteration permit, shall be subject to the required cyclical routine and periodic inspections and tests within the cycle of inspections in the building.
  - iii. Elevator devices that have been removed from service as per ASME A17.1, A18.1, or A90.1 as applicable, are exempt from the required cyclical routine and periodic inspections and tests until the device is placed back in service as per the applicable safety code, which is referenced in the building subcode. Taking a device in or out of service by Code shall be considered minor work within the meaning of [N.J.A.C. 5:23-2.17A](#).
  - iv. Elevator devices that are used for construction purposes as per ASME A17.1 referenced in the building subcode are subject to inspections and tests required by ASME A17.1 for elevators used

for construction. Such devices shall not be accessible to the public. During the operation of the device for construction purposes the owner shall assure that the device is used only for construction purposes by providing a designated operator, authorizing of key operation or by other methods acceptable to the elevator subcode official.

5. Elevator devices in structures of Group R-3, R-4, or R-5, except those elevator devices accessible to the public, shall be exempt from periodic inspection and test requirements. Elevator devices wholly within the dwelling units in structures of Group R-2 and not accessible to the general public shall also be exempt. In addition, signed statements and supporting inspection and acceptance test reports, filed by an approved qualified agent or agency for elevator devices in such structures, other than elevator devices accessible to the public, may be accepted by the construction official, in accordance with [N.J.A.C. 5:23-2.19](#) and [2.20](#), in lieu of inspections performed by and acceptance tests witnessed by the enforcing agency for work requiring a permit. If the construction official designates the elevator subcode official to perform the inspection and to witness the acceptance test for work under a permit in such structures, those inspections and tests shall ensure compliance with the requirements of the code(s) under which the permit was issued.

## History

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### HISTORY:

Amended by R.1995 d.476, effective September 5, 1995 (operative January 1, 1996).

See: 27 N.J.R. 1846(a), [27 N.J.R. 3325\(b\)](#).

Added (a)4 and 5.

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (a)5, substituted "structures of Group R-3, R-4, or R-5" for "structures classified as Use Group R-3 and R-4", inserted "the" preceding "acceptance test for work" and substituted "ensure" for "assure" preceding "compliance".

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In (a)1, inserted "Appendix N-1 of", substituted a comma for "and" following "escalators" and inserted a comma following "dumbwaiters"; in (a)2, inserted "Appendix N-1 of" and inserted the last sentence; in (a)4ii, inserted ", A18.1 or A90.1 as applicable" and substituted "the applicable safety code" for "ASME A17.1".

Amended by R.2012 d.134, effective July 16, 2012.

See: [44 N.J.R. 613\(a\)](#), [44 N.J.R. 1970\(a\)](#).

Added new (a)4i; and recodified former (a)4i through (a)4iii as (a)4ii through (a)4iv.

Amended by R.2017 d.132, effective July 3, 2017.

See: [48 N.J.R. 1346\(a\)](#), [49 N.J.R. 1848\(a\)](#).

Rewrote (a).

Annotations

## Notes

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## [N.J.A.C. 5:23-12.4](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE***

#### **§ 5:23-12.4 Registration of elevator devices**

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(a) On or before July 1, 1992, and thereafter as required by (e) below, the owner of every existing structure containing one or more elevator devices, other than a structure of Group R-3, R-4, or R-5, or other than an elevator device wholly within a dwelling unit in a structure of Group R-2 that is not accessible to the general public, shall register each elevator device with the Department on a form provided by the Commissioner.

(b) The owner of every new structure containing one or more elevator devices or with a newly installed elevator in an existing building shall register each elevator device with the Department, on a form provided by the Commissioner, prior to the issuance of a certificate of occupancy or certificate of approval as the case may be.

1. Exception: Elevators within a building of Group R-3, R-4, or R-5 shall not be required to be registered.

(c) Each filed registration form shall contain the following information for each elevator device:

1. The identification or code number for each individual device;
2. The name, and the address of the New Jersey office or New Jersey residence, of the device's owner or the owner's representative; the owner or the owner's representative must reside or have an office in the State of New Jersey to accept service of process;
3. The mailing address and phone number of the person listed in (c)2 above;
  4. The street address of the building or structure, including lot and block number, where the device is located;
5. The type of device;
6. The vertical travel of the device in number of feet and stories, or horizontal feet of travel of the walk or other device;
7. The rating load of the device in pounds;
8. The occupancy load in number of persons;
9. The speed of the elevator in feet per minute;
10. The manufacturer of the device;
11. The date of installation, if known, and date of last inspection performed; and
12. Special devices, such as, but not limited to, oil buffers, counterweights, governors and safeties, and auxiliary power generators.

(d) Each construction official shall provide the Department with the following information concerning each device within the municipality:

1. The name and mailing address of the owner or owner's representative of each device; and
2. The street address, including lot and block number, where the device is located.



(e) If the ownership of a structure containing one or more elevator devices, other than a structure of Group R-3, R-4, or R-5, or a device in a structure of Group R-2 exempted under (a) above, is transferred, whether by sale, gift, assignment, interstate succession, testate devolution, reorganization, receivership, foreclosure or execution process, the new owner shall file a notice of change of ownership, with the appropriate re-registration fee, with the Department within 60 days of the date of transfer. A device in a structure of Group R-2 exempted by (a) above, which, because of alterations in design or changes in ownership or management, is no longer wholly within one residential unit, or which otherwise becomes accessible to the general public, shall be registered within 60 days of its change in status.

(f) No permit shall be issued for work to be performed on an existing device if that device is not registered as required by this section.

(g) Each construction official shall review the list of the registered buildings/devices provided by the Department, and shall notify the Department of any changes that need to be made.

(h) It shall be the responsibility of the owner to notify the Department of any change in the identity, mailing address, office or residence address or phone number of the owner or representative. Any change shall be reported to the Department in writing within 30 days of the change.

## History

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### HISTORY:

Amended by R.1992 d.147, effective April 6, 1992.

See: 24 N.J.R. 170(a), 24 N.J.R. 1397(a).

Elevators wholly within R-2 residences exempt.

Amended by R.1995 d.476, effective September 5, 1995 (operative January 1, 1996).

See: 27 N.J.R. 1846(a), [27 N.J.R. 3325\(b\)](#).

Added (f) and (g).

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

Inserted references to Group R-5 throughout.

Amended by R.2004 d.270, effective July 19, 2004.

See: [36 N.J.R. 1635\(a\)](#), [36 N.J.R. 3397\(c\)](#).

In (c), rewrote 2; added (h).

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In the introductory paragraph of (b), substituted "or with a newly installed elevator in an existing building" for ", other than a structure of Group R-3, R-4, or R-5," and inserted "or certificate of approval as the case may be"; and added (b)1.

Annotations

## Notes

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## [N.J.A.C. 5:23-12.5](#)

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**NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE**

### **§ 5:23-12.5 Registration fee**

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The initial registration fee for each elevator device in any structure that is not of Group R-3, R-4, or R-5, or that is not an exempted structure of Group R-2, shall be \$ 76.00. A reregistration fee of \$ 76.00 shall be required for each structure containing one or more elevator devices, upon change of ownership.

### **History**

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#### **HISTORY:**

Amended by R.1992 d.147, effective April 6, 1992.

See: [24 N.J.R. 170\(a\)](#), [24 N.J.R. 1397\(a\)](#).

Elevators wholly within R-2 residences exempt.

Amended by R.1992 d.392, effective October 5, 1992.

See: [24 N.J.R. 2657\(a\)](#), [24 N.J.R. 3521\(b\)](#).

Fees increased by \$ 4.00.

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

Added R-5 to the list of groups.

Amended by R.2009 d.77, effective March 2, 2009.

See: [40 N.J.R. 5895\(a\)](#), [41 N.J.R. 1009\(b\)](#).

Substituted "\$ 68.00" for "\$ 54.00" twice.

Amended by R.2014 d.149, effective October 6, 2014.

See: [46 N.J.R. 898\(a\)](#), [46 N.J.R. 2024\(a\)](#).

Updated the fee amounts.

Annotations

### **Notes**

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## [N.J.A.C. 5:23-12.6](#)

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### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE**

#### **§ 5:23-12.6 Test and inspection fees**

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**(a)** The Departmental fees for witnessing acceptance tests and performing inspections on new and altered elevator devices shall be as follows:

1. The basic fees for elevator devices in structures not of Group R-3, R-4, or R-5, or in an exempted structure of Group R-2, shall be as follows:

i.	Traction and winding drum elevators:	
	(1) One to 10 floors	\$ 340.00;
	(2) Over 10 floors	\$ 567.00;
ii.	Hydraulic elevators	\$ 302.00;
iii.	Roped hydraulic elevators	\$ 340.00;
iv.	Escalators, moving walks	\$ 302.00;
v.	Dumbwaiters	\$ 76.00;
vi.	Stairway chairlifts, inclined and vertical wheelchair lifts, and manlifts	\$ 76.00.

2. Additional charges for devices equipped with the following features shall be as follows:

i.	Oil buffers (charge per oil buffer)	\$ 60.00;
ii.	Counterweight governor and safeties	\$ 151.00;
iii.	Auxiliary power generator	\$ 114.00.

3. The Departmental fee for elevator devices in structures of Group R-3, R-4, or R-5, or otherwise exempt devices in structures of Group R-2, shall be \$ 227.00 except fees for dumbwaiters, stairway chairlifts, and inclined and vertical wheelchair lifts shall be \$ 76.00. These fees shall be waived when signed statements and supportive inspection and acceptance test reports are filed by an approved qualified agent or agency in accordance with [N.J.A.C. 5:23-2.19](#) and [2.20](#).

4. The fee for performing inspection of minor work shall be \$ 76.00.

**(b)** The Departmental fee for required routine and periodic inspections and tests for elevator devices in structures not of Group R-3, R-4, or R-5, or otherwise exempt devices in structures of Group R-2, shall be as follows:

1. The fee for the six-month routine inspection of escalators shall be \$ 211.00.

2. The fee for the one-year periodic inspection and witnessing of tests of elevator devices shall be as follows:

i.	Traction and winding drum elevators:	
	(1) One to 10 floors	\$ 302.00;
	(2) Over 10 floors	\$ 362.00;
ii.	Hydraulic elevators	\$ 227.00;
iii.	Roped hydraulic elevators	\$ 302.00;
iv.	Moving walks	\$ 484.00;

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v.	Dumbwaiters	\$ 120.00;
vi.	Manlifts, stairway chairlifts, inclined and vertical wheelchair lifts	\$ 183.00;
vii.	Escalators	\$ 484.00.

**3.** Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

i.	Oil buffers (charge per oil buffer)	\$ 60.00;
ii.	Counterweight governor and safeties	\$ 120.00;
iii.	Auxiliary power generator	\$ 76.00.

**4.** The fee for the three-year or five-year inspection of elevator devices shall be as follows:

i.	Traction and winding drum elevators:	
	(1) One to 10 floors (five-year inspection)	\$ 513.00;
	(2) Over 10 floors (five-year inspection)	\$ 646.00;
ii.	Hydraulic and roped hydraulic elevators:	
	(1) Three-year inspection	\$ 387.00;
	(2) Five-year inspection	\$ 227.00.

**(c)** When the Department is the enforcing agency, the fees set forth in (b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five-year period:

**1.** Basic annual fee as follows:

i.	Traction and winding drum elevators:	
	(1) One to 10 floors	\$ 339.00;
	(2) Over 10 floors	\$ 409.00;
ii.	Hydraulic elevators	\$ 258.00;
iii.	Roped hydraulic elevators	\$ 232.00;
iv.	Moving walks	\$ 484.00;
v.	Dumbwaiters	\$ 120.00;
vi.	Stairway chairlifts, inclined and vertical wheelchair lifts, manlifts	\$ 182.00;
vii.	Escalators	\$ 695.00.

**2.** Additional charges for devices equipped with the following features as follows:

i.	Oil buffers (charge per oil buffer)	\$ 60.00;
ii.	Counterweight governor and safeties	\$ 120.00;
iii.	Auxiliary power generator	\$ 76.00.

**(d)** The fee for any reinspection of an elevator device shall be set at \$ 203.00 and shall be billed separately from the above fees upon the issuance of a Notice of Violation necessitating a reinspection.

## History

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### HISTORY:

Amended by R.1992 d.147, effective April 6, 1992.

See: 24 N.J.R. 170(a), 24 N.J.R. 1397(a).

Elevators wholly within R-2 residences exempt.

Amended by R.1992 d.392, effective October 5, 1992.

See: 24 N.J.R. 2657(a), 24 N.J.R. 3521(b).

Fees increased.

Administrative Correction.

See: 27 N.J.R. 321(a).

Amended by R.1995 d.564, effective November 6, 1995 (operative March 1, 1996).

See: [27 N.J.R. 2829\(a\)](#), [27 N.J.R. 4281\(b\)](#).

Amended by R.1996 d.323, effective July 15, 1996 (operative January 1, 1997).

See: [28 N.J.R. 2112\(a\)](#), [28 N.J.R. 3549\(a\)](#).

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

Inserted references to R-5 throughout.

Amended by R.2009 d.77, effective March 2, 2009.

See: [40 N.J.R. 5895\(a\)](#), [41 N.J.R. 1009\(b\)](#).

Updated the fees throughout; in the introductory paragraph of (a), deleted a comma following "new"; in the introductory paragraph of (b)1, substituted "six-month" for "six month"; in the introductory paragraph of (b)2, substituted "one-year" for "one year" and "six-month" for "six month"; in the introductory paragraph of (b)4, substituted "three-year" for "three year" and "five-year" for "five year"; and in (b)4i(1), (b)4i(2), and the introductory paragraph of (c), substituted "five-year" for "five year".

Amended by R.2014 d.149, effective October 6, 2014.

See: [46 N.J.R. 898\(a\)](#), [46 N.J.R. 2024\(a\)](#)

Updated the fee amounts throughout; in (b)4i(2), substituted "five-year" for "five year"; in (b)4ii(1), substituted "Three-year" for "Three year"; and in (b)4ii(2), substituted "Five-year" for "Five year".

Amended by R.2016 d.031, effective April 4, 2016.

See: [47 N.J.R. 2323\(a\)](#), [48 N.J.R. 581\(a\)](#).

In (a)3, inserted "except fees for dumbwaiters, stairway chairlifts, and inclined and vertical wheelchair lifts shall be \$ 76.00", and substituted "These fees" for "This fee".

Amended by R.2017 d.132, effective July 3, 2017.

See: [48 N.J.R. 1346\(a\)](#), [49 N.J.R. 1848\(a\)](#).

Rewrote (b) and (c); and added (d).

Annotations

## Notes

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## [N.J.A.C. 5:23-12.7](#)

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### **§ 5:23-12.7 Licensing**

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- (a) All elevator subcode officials and inspectors shall be licensed according to [N.J.A.C. 5:23-5.5](#).
- (b) Any person aggrieved by any decision of the Department under these rules shall be entitled to a hearing pursuant to [N.J.A.C. 5:23-5.2](#).
- (c) A licensed elevator subcode official or inspector shall be responsible for completing any continuing educational requirements imposed by the Department pursuant to this chapter prior to license renewal pursuant to N.J.A.C. 5:23-5.

Annotations

### **Notes**

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## [N.J.A.C. 5:23-12.8](#)

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### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE**

#### **§ 5:23-12.8 Alterations, minor work, ordinary elevator maintenance**

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(a) For the purposes of this subchapter, alteration of an elevator device means any change to equipment other than minor work as provided in (b) below and ordinary maintenance, as defined at [N.J.A.C. 5:23-2.7\(c\)](#)6. Alteration of an elevator device shall comply with the applicable requirements of Section 8.7 and Appendix L of the most recent edition of ASME A17.1, referenced in the building subcode, or with the applicable requirements of the most recent edition of ASME A18.1, or ASME A90.1 referenced in the building subcode.

1. For purposes of the elevator subcode, "alteration" shall mean stand-alone projects undertaken on elevator devices and, with the exception of [N.J.A.C. 5:23-6.6\(e\)](#)22, shall not be used to trigger any additional requirements of [N.J.A.C. 5:23-6.6](#). If work on an elevator device or devices is part of a larger scope of work, then the appropriate category of work, as determined under the Rehabilitation Subcode, and the accompanying requirements shall apply.

(b) For the purposes of this subchapter, minor work on an elevator device shall mean work as outlined below and meeting the applicable sections and Appendix L of ASME A17.1, adopted by reference in the building subcode:

1. Alteration to hoistway enclosures--Sections 8.7.2.1.1 and 8.7.3.1 only as it pertains to Section 8.7.2.1.1;
2. Alteration to construction at top of hoistways--Section 8.7.2.1.3. Exception: Section 5.2.1.4.4 for Limited-Use/Limited-Application elevators (LULA);
3. Alteration at the bottom of hoistways--Section 8.7.2.1.4. Exception: Section 5.2.1.4.2 for Limited-Use/Limited-Application elevators (LULA);
4. Alteration to hoistways that affect control of smoke and hot gases--Section 8.7.2.1.5;
5. Construction and alteration of machine room and machinery spaces--Sections 8.7.2.7 and 8.7.3.7;
6. Installation and alteration of electrical equipment, wiring, pipes and ducts in hoistway and machine rooms--Sections 8.7.2.8 and 8.7.3.8;
7. Replacement of a controller, without any change in the type of operation or control--[N.J.A.C. 5:23-6.8\(i\)](#)4;
8. Alteration to pits--Sections 8.7.2.2 and 8.7.3.2;
9. Alteration to bottom and top of car and counterweight clearances and runbys--Sections 8.7.2.4 and 8.7.3.4. Exception: Sections 5.2.1.4.2 and 5.2.1.4.4 for Limited-Use/Limited-Application elevators (LULA);
10. Alteration to horizontal car and counterweight clearances--Sections 8.7.2.5 and 8.7.3.5;
11. Additions, alterations or replacements of hoistway entrances--Sections 8.7.2.10 and 8.7.3.10;

12. Installation or alteration of hoistway door locking devices, access switches, parking devices and unlocking devices--Sections 8.7.2.11 and 8.7.3.11;
13. Alteration or addition of power operation of hoistway doors--Sections 8.7.2.12 and 8.7.3.12;
14. Alteration of spring buffers and bumpers--Sections 8.7.2.23 and 8.7.3.27;
15. Alteration of counterweights--Sections 8.7.2.22 and 8.7.3.26, with the exception of the addition of counterweights to previously uncounterweighted elevators;
16. Alteration of car frames and platforms--Sections 8.7.2.15.1 and 8.7.3.14;
17. Alteration of car enclosures, car doors, gates, and illumination of cars--Sections 8.7.2.14, with the exception of the installation of new cars, and 8.7.3.13;
18. Alteration to car emergency signaling devices--Sections 8.7.2.28 and 8.7.3.31.8(a);
19. Use of freight elevators to carry passengers, hydraulic elevators only--Section 8.7.2.16.3;
20. Relocation of power unit--Section 8.7.3.23.6;
21. Replacement or alteration of tanks -- Section 8.7.3.29;
22. Addition or alteration of top-of-car operating devices--Sections 8.7.2.27.1 and 8.7.3.31.1;
23. Addition or alteration or car-leveling or truck-zoning--Section 8.7.2.27.2 and 8.7.3.31.2;
24. Alteration of anti-creep leveling devices--Section 8.7.3.31.3;
25. Change of power supply, hydraulic elevators only--Section 8.7.3.31.4;
26. Addition of rope equalizers -- Sections 8.7.2.21.2 and 8.7.3.25.2;
27. Addition of auxiliary rope-fastening devices--Section 8.7.2.21.3;
28. Alteration of manual operating devices which are provided to manually operate elevators in case of power failure or an alteration to auxiliary power lowering operation--Section 8.7.3.31.9;
29. Alteration of handrails on escalators and moving walks--Sections 8.7.6.1.6 and 8.7.6.2.6;
30. Alteration or addition of lighting and access to interiors and related electrical work--Sections 8.7.6.1.14 and 8.7.6.2.14;
31. Alteration of entrances or egresses on escalators--Section 8.7.6.1.15;
32. Protection of Floor Openings--Sections 8.7.6.1.3 and 8.7.6.2.3; and
33. Protection of Trusses and Machinery Spaces Against Fire--Sections 8.7.6.1.4 and 8.7.6.2.4.

## History

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### HISTORY:

Amended by R.1995 d.564, effective November 6, 1995 (operative March 1, 1996).

See: [27 N.J.R. 2829\(a\)](#), [27 N.J.R. 4281\(b\)](#).

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

Section was "Alterations, replacements, damages, increases in size, changes in use group, minor work, ordinary repairs". Rewrote the section.

Amended by R.2017 d.077, effective May 1, 2017.

## N.J.A.C. 5:23-12.8

See: [48 N.J.R. 1854\(a\)](#), [49 N.J.R. 1020\(a\)](#).

Added (a)1.

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 (a), updated the N.J.A.C. reference.

Amended by R.2021 d.015, effective February 16, 2021.

See: [52 N.J.R. 561\(a\)](#), [53 N.J.R. 245\(a\)](#).

In the introductory paragraph of (a), substituted "defined at" for "defined in"; and in (a)1, inserted ", with the exception of [N.J.A.C. 5:23-6.6\(e\)22](#)",.

Annotations

## Notes

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## [N.J.A.C. 5:23-12.9](#)

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### **§ 5:23-12.9 Certificate of compliance requirements**

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- (a) A device shall be granted a certificate of compliance by the construction official for the time period specified based upon [N.J.A.C. 5:23-12.3](#). No device shall be operated unless a valid certificate of compliance has been issued except for the initial period after work under a permit has been completed as per (f) below. Any violation shall be corrected before a new certificate of compliance may be issued.
- (b) A temporary certificate of compliance may be issued by the construction official for a device in order to keep the device in operation on which work, as a result of violations, is being diligently performed, if the elevator subcode official finds that no hazard to the public is thereby created. A temporary certificate of compliance may be issued for no longer than the inspection cycle.
- (c) The elevator subcode official shall provide written notice to the construction official whenever a temporary certificate of compliance or certificate of compliance is granted by the construction official.
- (d) No certificate of compliance shall be issued for any elevator device in use on or before July 1, 1992 that is subject to these rules and is not registered with the Department in accordance with [N.J.A.C. 5:23-12.4](#), except elevator devices in structures classified as Group R-3, R-4, or R-5 shall be exempt from registration. Elevator devices wholly within dwelling units in structures of Group R-2 and not accessible to the general public shall also be exempt.
- (e) No certificate of compliance or temporary certificate of compliance shall be issued for any elevator device, as required by this section, which has been approved to operate during the initial period, after a permit, in accordance with (f) below if the device has not been registered pursuant to this subchapter by its first cyclical inspection, even if a certificate of occupancy, temporary certificate of occupancy, or certificate of approval has been issued.
- (f) Except as otherwise provided in (e) above, a new device or an existing device which has had work done under a permit shall be issued a certificate of compliance upon the first cyclical inspection based on the following:
1. A device has been approved following the inspection and witnessing of an acceptance test, as required by [N.J.A.C. 5:23-12.2](#), by the application of an Inspection Sticker Approval for Elevator and a recommendation by the elevator subcode official on an Elevator Subcode Technical Section form for a certificate of occupancy or approval, as the case may be.
    - i. The date of the approval shall begin the cycle of inspections and tests for new devices in a new building and for new devices in an existing building which did not have elevator devices previously.
    - ii. The date of the approval of an existing device in an existing building shall not change the device's existing cycle of inspections and tests. The cycle shall remain consistent with the inspection cycle in the building, except the device shall not be subject to the five year test before it is due as long as the acceptance test performed under the permit was a full five year test.
  2. A device has been approved following the inspection process, as required for minor work by [N.J.A.C. 5:23-2.17A\(d\)2](#) and 12.2, by the application of an Inspection Sticker of Approval for Elevator

and a recommendation by the elevator subcode official on an Elevator Subcode Technical Section form for a certificate of approval.

- i. The device may operate under the approval given under the permit until the next cyclical inspection, as determined by the inspection cycle of the building, and then shall be subject to the applicable routine or periodic inspection the same as all other elevator devices in the building.

## History

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### HISTORY:

New Rule, R.1995 d.476, effective September 5, 1995 (operative January 1, 1996).

See: 27 N.J.R. 1846(a), [27 N.J.R. 3325\(b\)](#).

Amended by R.1995 d.564, effective November 6, 1995 (operative March 1, 1996).

See: [27 N.J.R. 2829\(a\)](#), [27 N.J.R. 4281\(b\)](#).

Amended by R.1996 d.512, effective November 4, 1996.

See: [28 N.J.R. 3697\(a\)](#), [28 N.J.R. 4782\(a\)](#).

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (d), added R-5 to the list of groups in the first sentence and rewrote the second sentence.

Amended by R.2017 d.132, effective July 3, 2017.

See: [48 N.J.R. 1346\(a\)](#), [49 N.J.R. 1848\(a\)](#).

In (b), substituted "the inspection cycle" for "180 days, even if the device is inspected on an annual basis"; in (e), substituted "cyclical" for "routine", and inserted a comma following the second occurrence of "occupancy"; and in (f)2i, substituted "the applicable" for "a".

Annotations

## Notes

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### [Chapter Notes](#)

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## [N.J.A.C. 5:23-12.10](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 54 No. 16, August 15, 2022

### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE***

#### **§ 5:23-12.10 Inspections in seasonal facilities**

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**(a)** For purposes of this subchapter, a "seasonal facility" is defined as a building that is open, and available for use by members of the public, employees or maintenance personnel or any occupants, for a period of not more than 184 consecutive days and is then closed and not available for such use for at least 181 consecutive days.

**(b)** Elevator devices in seasonal facilities shall be subject only to the applicable periodic inspections and tests (one, three and five year). Such inspections and tests shall be performed prior to the building being used by employees, maintenance personnel, members of the public or occupants. A certificate of compliance or temporary certificate of compliance shall be granted only for the time period during which the device is allowed to operate in the seasonal facility.

1. The fees for performing such inspections and witnessing tests shall be in accordance with such provisions of [N.J.A.C. 5:23-12.6](#) as may be applicable.

**(c)** An owner of a building with one or more elevator devices may obtain classification of the building as a "seasonal facility" from the local enforcing agency. A request for such classification shall contain the information in (d) below and shall be signed by the owner.

**(d)** An application for classification of a building as a seasonal facility shall include the following information:

1. The owner's name and address, the building address, the registration number, the device identification number(s), and the date of the last inspection;

2. That the total number of consecutive calendar days per year when the building is in use by the public, employees, maintenance personnel or occupants does not exceed 184 days and that the building is then closed for such use for at least 181 consecutive calendar days;

3. That the elevator devices in the building are not accessible to members of the public, employees, maintenance personnel or building occupants during the time in which the building is closed; and

4. That the disconnects located in elevator device machine rooms and machinery spaces are, during the time in which the building is closed, in the "off" position and locked; and that the access to the keys is secured.

**(e)** The seasonal facility classification shall become invalid when the conditions of the classification are no longer met. The owner shall immediately notify the enforcing agency of any change in the conditions upon which the approval of classification as a seasonal facility was based.

1. Classification of a building as a seasonal facility shall not be renewed if the classification became invalid as a result of a violation of any conditions of the approval of the classification.

**(f)** During the period of time in which any device in seasonal facility is in operation, it shall be subject to all applicable code requirements in the same manner as any other device subject to this subchapter.

## History

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### HISTORY:

New Rule, R.1996 d.323, effective July 15, 1996 (operative January 1, 1997).

See: [28 New Jersey Register 2112\(a\)](#), [28 New Jersey Register 3549\(a\)](#).

Annotations

## Notes

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## [N.J.A.C. 5:23-12.11](#)

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### ***NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE***

#### **§ 5:23-12.11 Notice concerning accidents**

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- (a) Following an accident involving an elevator device, the owner of the building shall immediately notify the construction official, who shall immediately notify the elevator subcode official and the Department, when the accident meets at least one of the following conditions:
1. An accident involving an elevator device resulting in death or personal injury requiring medical treatment by a physician other than first aid.
    - i. For purposes of this section, "first aid" means the one time treatment or observation of scratches, cuts not requiring stitches, burns, splinters or contusions, or a diagnostic procedure, including examination and x-rays, which does not indicate any need for further medical treatment. First aid may be performed by licensed medical personnel or by other persons; or
  2. An accident involving an elevator device in which the device is damaged as either a result or cause of the accident and which affects the future safe operation of the elevator device.
- (b) It shall be unlawful to use an elevator device involved in an accident under (a)1 or 2 above until after an examination by the elevator subcode official has been made and approval of the equipment for continued use has been granted.
- (c) It shall be the duty of the construction official to ensure that a prompt examination is conducted into any contributing code violation and/or mechanical malfunction affecting the safety of operation and that a full and complete report is forwarded to the Department pursuant to (f) below. In order to make such determinations, the construction official may request assistance from the Department.
- (d) It shall be unlawful to remove from the premises any part of the damaged construction or operating mechanism of elevators, or other equipment subject to the provisions of this chapter, until permission to do so has been granted by the construction official.
- (e) Except as otherwise required by (a) above, the construction official shall notify the Elevator Safety Unit about any accident within five working days after the accident is reported to the enforcing agency, except that accidents involving devices under the Department's jurisdiction shall be reported as soon as possible, but not later than the end of the next business day after an accident is reported to the construction official.
- (f) Within five working days after an accident involving a device not under the Department's jurisdiction is reported to the enforcing agency, a copy of the Accident/Incident Report form and all attachments, as indicated in the form, shall be forwarded to the Elevator Safety Unit by the construction official.
- (g) When a special inspection is performed by a person other than the Elevator Safety Unit subcode official, a copy of the Inspection Report shall be forwarded to the Elevator Safety Unit within five working days after the date of the special inspection.

#### **History**

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#### **HISTORY:**

N.J.A.C. 5:23-12.11

New Rule, R.1997 d.64, effective February 18, 1997 (operative May 19, 1997).

See: [28 N.J.R. 4695\(a\)](#), [29 N.J.R. 550\(a\)](#).

Amended by R.2007 d.231, effective August 6, 2007.

See: [39 N.J.R. 722\(a\)](#), [39 N.J.R. 3295\(a\)](#).

Rewrote (a); added (b) through (d); and recodified (a)1 through (a)3 as (e) through (g).

Administrative correction.

See: [40 N.J.R. 3991\(b\)](#).

Annotations

## Notes

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## [N.J.A.C. 5:23-12.12](#)

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### **NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE**

#### **§ 5:23-12.12 Special safety equipment**

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(a) On all existing elevators, a space between the elevator hoistway door and the car door or gate shall comply with the requirements of Rule 204.4e of ASME A17.1-1990. Where the space exceeds the maximum distance, a space guard shall be installed to minimize the gap. Sight guards shall be installed along with the space guards on horizontally sliding type hoistway doors.

1. Freight elevators that are equipped with horizontally swinging doors, are not accessible to the general public, and are located in the factories, warehouses, garages, or similar buildings shall not be required to comply.
2. Installation of space and sight guards shall comply with all applicable requirements of ASME A17.3-1993 and shall be considered minor work within the meaning of [N.J.A.C. 5:23-2.17A](#).

(b) In buildings containing more than one elevator device, each such device shall be identified according to ASME A17.1, referenced in the building subcode.

1. In addition, each elevator shall be identified by such a number in every elevator lobby. The identification number shall be a minimum of 1 1/2 inches high and of a color that contrasts with the background. The number shall be permanent and shall be on or adjacent to every elevator hoistway entrance frame. By August 4, 2003, all existing elevators shall comply with this requirement. On all elevators installed on or after June 15, 2009, the identification number shall be a minimum of two inches high.

- i. Exception: The identification number on newly installed destination-oriented elevators shall be in accordance with ICC/ANSI A117.1-2003, Section 407.2.3.2.

(c) On each existing escalator, a skirt obstruction device conforming to ASME A17.1-93-95, Rule 805.1.h. and a step level device conforming to ASME A17.1-93-95, Rule 805.1.s. shall be installed by August 4, 2003.

(d) On each existing elevator, a floating (movable) platform that permits the operation of the elevator when the car door or gate is not in the closed position shall be prohibited. Use of a floating (movable) platform that exists as of February 4, 2002 on any elevator shall be discontinued by August 4, 2003.

(e) A sign stating "DO NOT USE A STANDING ESCALATOR AS A BUILDING STAIR" shall be permanently placed where it is readily visible to the general public at the top and bottom landings of an escalator. This requirement shall apply to new escalator installations and to existing escalators. Each of such signs on existing escalators shall comply with the applicable requirements of ASME A17.1-93-95, Rule 805.2.b. Signs on newly installed escalators shall comply with the Additional Signs requirements of ASME A17.1 referenced in the building subcode. All existing escalators shall be required to comply with this subsection by August 18, 2004.

(f) A Yale 3502 key shall be used on all elevators that are required by the UCC to be equipped with a standardized fire service key.

## History

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### HISTORY:

New Rule, R.1997 d.305, effective July 21, 1997.

See: [29 N.J.R. 2205\(a\)](#), [29 N.J.R. 3249\(a\)](#).

Amended by R.2002 d.43, effective February 4, 2002.

See: [33 N.J.R. 3714\(a\)](#), [34 N.J.R. 732\(b\)](#).

Rewrote the section.

Administrative correction.

See: [35 N.J.R. 219\(c\)](#).

Amended by R.2003 d.72, effective February 18, 2003.

See: [34 N.J.R. 3672\(a\)](#), [35 N.J.R. 1055\(a\)](#).

Added (e).

Amended by R.2003 d.187, effective May 5, 2003.

See: [34 N.J.R. 4248\(a\)](#), [35 N.J.R. 1939\(c\)](#).

In (b), deleted "BOCA Rule 3003.3 and" preceding "ASME A17.1".

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Added (b)1i.

Amended by R.2008 d.369, effective December 15, 2008.

See: [40 N.J.R. 4651\(a\)](#), [40 N.J.R. 6958\(a\)](#).

In the introductory paragraph of (a), substituted "Rule 204.4e" for "Rule 204.4c" and substituted "hoistway doors" for "hoistways"; and in (b)1, inserted the last sentence.

Amended by R.2010 d.195, effective September 7, 2010.

See: [41 N.J.R. 3140\(a\)](#), [42 N.J.R. 2043\(a\)](#).

Rewrote (e).

Amended by R.2012 d.134, effective July 16, 2012.

See: [44 N.J.R. 613\(a\)](#), [44 N.J.R. 1970\(a\)](#).

Added (f).

Annotations

## Notes

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