

**COMMUNITY AFFAIRS**

**DIVISION OF CODES AND STANDARDS**

**Uniform Construction Code**

**Adopted Amendment: N.J.A.C. 5:23-3.4**

Proposed: July 5, 2022, at 54 N.J.R. 1230(a).

Adopted: December 22, 2022, by Lt. Governor Sheila Y. Oliver, Commissioner, Department of Community Affairs.

Filed: February 1, 2023, as R.2023 d.029, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

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

Effective Date: March 6, 2023.

Expiration Date: February 9, 2029.

**Summary of Public Comments and Agency Responses:**

A comment was received from Richard Soltis Jr.

1. COMMENT: The commenter states that the Department of Community Affairs (Department) is changing the code for no particular reason and explains that the rulemaking makes it more difficult for the public to navigate the code procedures. The commenter believes that the changes to the code are superfluous and are not necessary, other than to align with changes in the adopted code.

RESPONSE: The Department respectfully disagrees and the proposed changes to the code are necessary for the proper understanding and adherence to applicable procedures and information.

**Summary of Agency-Initiated Changes:**

The Department seeks to correct errors in numerical references within the table concerning Chapter 11 responsibilities. These changes are minor and are made to ensure the correct reference and exception are applied.

**Federal Standards Statement**

No Federal standards analysis is required for the adopted amendments because the amendments are not being adopted under the authority of, or in order to implement, comply with, or participate in, any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

**Full text** of the adoption follows (additions to the proposal indicated in boldface with asterisks **\*thus\***; deletions from proposal indicated in brackets with asterisks **\*[thus]\***):

SUBCHAPTER 3. SUBCODES

5:23-3.4 Responsibilities

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

1. Building Subcode:

Chapter	Section/Title	Responsibility	
		Plan Review	Inspection
...			
	602.2.3- <del>[602.2.4]</del> <b>*602.4*</b>	Building/Plumbing	Plumbing
	<del>[602.2.4.1]</del> <b>*602.4.1*</b>	Building/Plumbing	Building

	*[602.2.4.2]* *602.4.2*	Building/Plumbing	Plumbing
...			

2. – 9. (No change from proposal.)

(b) – (d) (No change from proposal.)