

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Uniform Construction Code

Elevation of an Existing Building

Adopted Concurrent Amendments: N.J.A.C. 5:23-2.15, 2.18, and 3.21

Adopted Concurrent New Rule: N.J.A.C. 5:23-2.37

Proposed: November 3, 2014, at 46 N.J.R. 2186(a).

Adopted: February 15, 2015, by Richard E. Constable, III, Commissioner, Department of Community Affairs.

Filed: April 15, 2015, as R. 2015 d.077, **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-124 and P.L. 2014, c. 34.

Effective Dates: April 15, 2015, Adopted Concurrent Amendments and New Rules;

May 18, 2015, Changes upon Adoption.

Expiration Date: March 25, 2022.

Summary of Public Comment and Agency Response:

Comment was received from Charles Kirk, Acting Executive Director, New Jersey State Board of Architects, writing on behalf of the Joint Committee of Architects and Engineers.

COMMENT: The Joint Committee of Architects and Engineers supports with rule with a correction to reflect the fact that architects may design and certify pilings as allowed under the licensing law.

RESPONSE: N.J.A.C. 5:23-2.18(b)1i(1) has been corrected upon adoption for consistency with current State law. These foundation systems would fall within the definition of “practice of architecture” or “architectural services” as contained in both the “Architects Law” (at N.J.S.A. 45:3-1.1) and the Building Design Services Act (at N.J.S.A. 45:4B-3), as those statutes are interpreted by the members of the Joint Committee of Architects and Engineers. The Department thanks the Committee for its review of and support for this rule.

Federal Standards Statement

No Federal standards analysis is required because these amendments and new rule 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 any State statute that incorporates or refers to any Federal law, standards, or requirements.

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

5:23-2.18 Inspections

(a) (No change.)

(b) Inspections during the progress of work: The construction official and appropriate subcode officials shall carry out periodic inspections during the progress of work to ensure that work inspected conforms to the requirements of the code.

1. Inspections of one- and two-family dwellings for which construction must cease until the inspection is made shall be limited to the following:

i. The bottom of footing trenches before placement of footings;

(1) In the case of pile foundations, a pile log and certification prepared by a licensed ***design*** professional ***[engineer]*** shall take the place of the inspection required by (b)1i above. Such certification shall include, but not be limited to, verification that the size, type, and location of the piles conforms to the released plans and that the piles are properly set to support the design loads. Such certification shall be based upon personal observations made by the ***[engineer]****design professional***** at the site;

ii. – iv. (No change.)

2. – 4. (No change.)

(c) - (h) (No change.)