

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Uniform Construction Code

Proposed Amendments: N.J.A.C. 5:23-3.14, 3.16, 3.17, 3.18, 3.20, 3.21, and 3.22

Authorized By: Lieutenant Governor Sheila Y. Oliver, Commissioner, Department of
Community Affairs.

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

Proposal Number: PRN 2022-052.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Submit written comments by June 17, 2022, to:

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The agency proposal follows:

Summary

Under the State Uniform Construction Code Act (Act), N.J.S.A. 52:27D-119 et seq., the Commissioner of the Department of Community Affairs (Department) is charged with adopting model codes as part of the Uniform Construction Code (UCC), N.J.A.C. 5:23. The model codes for buildings, which include residential structures, energy, fire protection, mechanical, and fuel gas are published by the International Code Council (ICC); the model code for electrical

requirements, the National Electrical Code (NEC), is published by the National Fire Protection Association (NFPA). The model code for the plumbing subcode requirements will be proposed in a separate rulemaking, published elsewhere in this issue of the New Jersey Register. The New Jersey UCC consists of two basic parts: scope and administrative requirements, which are adopted through the regulatory standards and processes of the New Jersey Administrative Procedures Act (APA), N.J.S.A. 52:14B-1 et seq., and technical requirements, which are contained in the national model codes and are also proposed and adopted as part of the UCC through the APA processes. The national model codes are adopted by reference and are amended in the New Jersey Administrative Code through proposal and adoption in the New Jersey Register.

When the Act became effective, it provided for the adoption of unamended national model codes. That changed with P.L. 1996, c. 53, which amended the Act to give the Commissioner of the Department of Community Affairs “the authority to limit the adoption of later versions of the model codes to include only those standards in effect on July 1, 1995, and any later versions or amendments of model codes which would not be inconsistent with the purpose of the Act.” The intent and purpose of the Act includes controlling the costs of construction, allowing the use of new technology, and providing for uniformity of requirements and predictability of construction costs. See N.J.S.A. 52:27D-120. Following the enactment of P.L. 1996, c. 53, the Department has undertaken a review of each subsequent model code edition and has proposed and adopted the newest edition of the national model codes in keeping with the intent and purpose of the Act, pursuant to N.J.S.A. 52:27D-122.1. In addition to the review of the national model codes for consistency with the UCC Act, the Department reviews the national model codes for consistency with other State laws.

In September 2019, the Department adopted revisions to the 2018 editions of the International Building Code (IBC), International Residential Code (IRC), International Energy Conservation Code (IECC), International Mechanical Code (IMC), and International Fuel Gas Code (IFGC), as the building, one- and two-family dwelling, energy, mechanical, and fuel gas subcodes, respectively, of the UCC, the 2017 edition of the NEC as the electrical subcode, and the 2018 edition of the NSPC as the plumbing subcode.

In order to implement the most recently published technical standards, in keeping with its statutory charge at N.J.S.A. 52:27D-120, the Department proposes the 2021 editions of the IBC, IRC, IECC, IMC, and IFGC, and the 2020 edition of the NEC, to update the above-referenced subcodes of the UCC with amendments. These proposed amendments reflect the changes to the 2021 IBC, 2021 IRC, 2021 IECC, 2021 IMC, 2021 IGFC, and 2020 NEC that modify the codes to align with New Jersey conditions and laws. In accordance with N.J.S.A. 52:27D-125, the proposed rulemaking has been reviewed by the Uniform Construction Code Advisory Board (CAB) and its subcode committees and reflects the advice of the CAB.

The plumbing subcode, N.J.A.C. 5:23-3.15, is not proposed for update in this rulemaking (as noted above).

The current editions of the national model codes are online and may be accessed through the Department's "Codes and Regulations" webpage (<http://www.nj.gov/dca/divisions/codes/codereg/>). (Please note that these versions do not include or reflect the amendments proposed in this rulemaking; the amended codes will be available after the adoption of the rulemaking.)

General Statements

This rulemaking contains several types of amendments. First, throughout this rulemaking, where section numbers in the model codes have been changed with no impact on code text or requirements, where the title of a section in the model code has been changed with no impact on code text or requirements, or where code text was added to a model code section that has traditionally been deleted from the UCC and where its continued deletion does not change UCC requirements, the updates may be made without further explanation in the Summary below.

References to Chapter 1 of the ICC codes or to sections in Chapter 1 of the ICC codes and the “administration” sections of the NSPC are deleted, with some exceptions in the IECC. Chapter 1 in each of these codes contains administrative provisions. The UCC has its own administrative provisions; therefore, the administrative provisions of the model codes are neither proposed nor adopted for use in New Jersey.

In keeping with the UCC Act and the UCC administrative structure, wherever used in the national model code, the following references are replaced within the rulemaking: the term “building official” is replaced with “construction official” or “design professional,” as applicable; the term “registered design professional in charge of work” is replaced by “person in charge of work,” and each technical code official, including, but not limited to, “building code official,” “plumbing code official,” “fire code official,” is changed to “building subcode official,” “plumbing subcode official,” or “fire protection subcode official,” as applicable.

All changes are identified below and are broken down by subcode. In addition, significant changes to each model code are identified, where appropriate. These amendments are proposed to be incorporated into the UCC, unless otherwise stated.

Building Subcode (N.J.A.C. 5:23-3.14)

The following 20 items are the major amendments to the International Building Code, as adopted as the building subcode and the unamended International Building Code/2021. Each of these major changes is described, and the Department's intent regarding each proposed amendment is provided.

- **Clarification of the definition of “Windborne debris region”:** The definition of this term has been revised due to significant confusion that has arisen in trying to determine “windborne debris regions.” The intent is that, within one mile of the coast, hurricane wind speeds will be governed by the wind speed over the open water (Exposure Category D) rather than an inland (Exposure Category C) situation on which the basic wind speed is based. The Department is proposing this amendment.
- **Redundant water supply requirements for mass timber buildings.** Section 403.3.2, entitled “Water supply to required fire pumps,” has been revised to require a redundant water supply for buildings of Type IV-A and IV-B construction that are more than 120 feet in building height. These new construction types are “mass timber” and are new types of construction in the 2021 IBC. The Department is proposing this amendment.
- **Revision to the need for smoke control in atrium spaces.** Section 404.5, entitled “Smoke control,” has been amended to add an exception for atriums that connect more than two stories when there are no walking surfaces in the atrium above the two lowest stories and there are no operable windows or doors above the two lowest stories in the atrium and the walls of the atrium on the upper levels are constructed as atrium enclosures. The Department is proposing this amendment.

- **“Puzzle rooms” now considered a “special amusement area”:** “puzzle rooms” are now to be considered “special amusement areas” and include special exiting requirements for safety. The Department is proposing this amendment.
- **Podium building horizontal separation exception:** In Section 510.2, entitled “Horizontal building separation allowance,” there is a new condition for podium buildings. In these types of buildings, which utilize a three-hour fire-resistance rated horizontal assembly, it is very common for the building above the horizontal assembly to be of combustible construction, including the landings, stair stringers, and treads. The 2018 IBC required a transition be made from wood to metal, or some other non-combustible materials, within the stair enclosure at the point where the stair goes from being located in a combustible building to the Type IA non-combustible building. Fires do not typically start within the fire-resistance rated stair enclosures. This new condition will allow for combustible construction within the stair enclosure with the additional protection of a three-hour fire resistance rated stair shaft with three-hour rated door assemblies. The Department is proposing this amendment.
- **Mass timber construction:** In Section 602.4, entitled Type IV, a new construction type for “mass timber” construction has been created. The Code Council Board of Directors established an Ad Hoc Committee on Tall Wood Buildings (TWB) to explore the science of tall wood (mass timber) buildings and to take action on developing code changes for tall wood buildings. All of the changes for TWB incorporated a number of performance objectives to be met with the criteria for tall wood buildings:
 - No collapse under reasonable scenarios of complete burn-out of fuel even without automatic sprinkler protection.

- No unusually high radiation exposure from the subject building to adjoining properties to present a risk of ignition under reasonably severe fire scenarios.
- No unusual response from typical radiation exposure from adjacent properties to present a risk of ignition of the subject building under reasonably severe fire scenarios.
- No unusual fire department access issues.
- Egress systems designed to protect building occupants during the design escape time, plus a factor of safety.
- Highly reliable fire suppression systems to reduce the risk of failure during reasonably expected fire scenarios. The degree of reliability should be proportional to evacuation time (height) and the risk of collapse.

The comprehensive package of amendments to this section from the TWB Committee meet these performance objectives.

Type IV-A construction has the same fire resistance rating requirements as the existing Type I-A construction, which sets forth requirements for two-hour and three-hour structural elements. The specified fire resistance rating for Type IV-A construction is conservative in that the fire resistance rating of the structural elements was selected to be able to passively sustain the fuel loads associated with the various occupancies without the benefit of automatic sprinkler protection, and without involving the contribution of the structural members, similar to the strategy employed in the IBC for Type I construction.

Type IV-B has the same base fire resistance requirements as the existing Type I-B construction, which sets forth requirements for two-hour structural elements. Where a

building is permitted to be constructed of I-B construction and has a one-hour protection, that same building will still require two-hour structural elements for Type IV-B construction.

Type IV-C construction allows fully exposed mass timber. Important caveats are that concealed spaces, shafts, elevator hoistways, and interior exit stairway enclosures are not permitted to be exposed, but instead are required to have noncombustible protection.

The Department is proposing this amendment.

- **Atrium enclosure by means of a fire protective curtain assembly:** In Section 716.4, entitled “Fire protective curtain assembly,” the new section provides requirements for fire protective curtain assemblies. The requirements will allow the use of a 20-minute fire protective curtain assembly as an alternative to a non-rated glass wall when protected with sprinklers for the enclosure of an atrium. In addition, the proposed new section allows fire protective curtain assemblies as an opening protective, as permitted by other sections of the IBC. The Department is proposing this amendment.
- **Automatic sprinkler protection for open parking structures:** Section 903.2.10, entitled, Group S-2 parking garages, requires suppression in open parking garages where the fire area exceeds 48,000 square feet. Historically, open parking garages have been considered to have a very low fire risk. Fire tests run decades ago offered some support for this perspective. However, it is common knowledge that much of what makes up a vehicle today is combustible; bodies and interior components, that may previously have been made of steel, are now primarily plastic, rubber, fiberglass, and lightweight metals. This will facilitate vehicle-to-vehicle fire spread and production of dense combustible smoke layers. Stored energy systems in electric vehicles also increase the fuel load.

Nevertheless, the wisdom of exempting open parking garages from many code requirements that would otherwise apply has tended to go unchallenged, lacking sufficient evidence to demonstrate the existence of a problem. That has now changed. An open parking garage fire in Liverpool, United Kingdom on January 1, 2018, demonstrated the fire risk associated with the new vehicle construction. The concrete building and 1,400 cars were destroyed by a fire that reportedly started in a single vehicle's engine compartment. The thought that allowing smoke to escape from an open parking garage perimeter will entirely mitigate fire risk is certainly debunked by this incident. This new code requirement recognizes that these structures and their contents can present significant challenges to the fire service and result in catastrophic fire losses. The Department is proposing this amendment.

- **Height limitations on buildings utilizing NFPA 13R sprinkler systems:** In Section 903.3.1.2, entitled sprinkler systems, there are two major changes. First, the maximum allowable building height for a building to utilize an NFPA 13R system is reduced from 60 feet to 30 feet. Additionally, the point of measurement to determine building height for podium buildings is now the grade plane, as opposed to the separation between the podium and the Group R occupancy. The Department is proposing this amendment.
- **Fire Command Center in Group F-1 and Group S-1:** In Section 911.1, entitled General, there is a new requirement for a Fire Command Center in Group F-1 and Group S-1 occupancies over 500,000 square feet in building area. The Department is proposing this amendment.
- **Increase in illumination level of stairways:** In Section 1008.2.1, entitled Illumination level under normal power, a new requirement establishes an increased illumination level

along stairways. The Illuminating Engineering Society (IES) provided recommendations for the foot candle levels to ensure adequate illumination and safety for occupants in common areas to assist in achieving appropriate light levels with the greatest energy efficiency dependent on the occupancy. This new requirement provides the minimum recommended lighting on stairways so that the walking surface is visible. By saying “when the stairway is in use,” the requirement will allow for light switches at each floor level landing or motion sensors (it is not intended for the stairway to be illuminated to this level at all times the building is occupied). This does not apply to steps in the exit discharge (outside of the building). The Department is proposing to adopt this new requirement.

- **Increase in size of the wheelchair space:** In Section 1009.6.3, entitled “Size,” there is an increase to the size of the wheelchair space required within the area of refuge. The 2017 ICC A117.1, the Standard for Accessible and Usable Buildings and Facilities, has revised the clear floor space from 30 inches by 48 inches to 30 inches by 52 inches for new construction. This change is consistent with that amendment. The Department is proposing this amendment.
- **Accessibility requirements for electric vehicles:** This new section and subsections establish requirements for Electric Vehicle Charging Stations (EVCS). New Section 1107.2, entitled Electrical vehicle charging stations, is a general scoping statement for EVCS. There is an exception for Groups R-2, R-3, and R-4 occupancies due to the way these occupancies’ function. New Section 1107.2.1, entitled Number of accessible vehicle spaces, establishes the required number of accessible spaces. It does not mandate

EVCS. It acknowledges that where EVCS are provided, a portion must be accessible. The Department is proposing this amendment.

- **Additional requirements for Metal Composite Materials (MCM) panels:** Section 1406.10, entitled Types I, II, III, and IV construction, has been revised as a result of fire events around the world that have necessitated a reconsideration of how MCM panels fit within the construction landscape. While many, if not all, of the fires have involved product and/or wall assemblies that would not have been allowed under the IBC, it is clear that there are questions with the allowable use of standard core and fire resistive MCM panels. The Department is proposing this amendment.
- **Amended risk category of buildings and other structures (structural):** In Table 1604.5, entitled “Risk category of buildings and other structures,” there is a change to the Table that addresses assembly occupancies in “non-assembly type” buildings. There are examples of R-1 hotel buildings having multiple large ball rooms or other public assembly spaces, but “public assembly” is not the “primary occupancy,” so these buildings are classified as Risk Category II. Conversely, there are smaller stand-alone buildings where the primary occupancy is "public assembly" with an occupant load just over 300 that must be designed to the higher Risk Category III even though the total occupant load is much smaller when compared with the example above. This change adds a new criterion for buildings containing one or more assembly spaces of 300 and a cumulative occupant load of all assembly spaces of 2,500 or more. This does not include buildings that have multiple assembly spaces, each with an occupant load of less than 300, like a movie theatre, in Risk Category III, unless the total occupant load of the building was greater than 5,000 people. It would also not include a building having

multiple assembly spaces, each with an occupant load greater than 300, but the cumulative occupant load of the assembly spaces was less than 2,500, unless the primary occupancy was public assembly, or the total occupant load of the building was less than 5,000 people. Buildings having one or more assembly rooms with an occupant load of 300 or more and a cumulative occupant load of public assembly spaces of 2,500 or more are classified as Risk Category III. The Department is proposing this amendment.

- **New requirements for permanent individual truss member restraint (PITMR) and permanent individual truss member diagonal bracing (PITMDB):** New Section 2303.4.1.2, entitled “Permanent individual truss member restraint (PITMR)” and “Permanent individual truss member diagonal bracing (PITMDB)” and the corresponding new figures bring clarity on how to physically install permanent individual truss member restraint and diagonal bracing of wood truss members. The figures and associated connections are prescriptive, and the consensus is that having these provisions in the code is better than what is currently being used. While the code change will add some additional cost to those types of projects, the occupancy exposure clearly justifies the effort to make sure the trusses are properly installed. The Department is proposing this amendment.
- **New requirements for emergency elevator communication systems for the deaf, hard of hearing, and speech impaired:** The changes to Section 3001.2, entitled “Emergency elevator communication systems for the deaf, hard of hearing, and speech impaired,” clarifies the type of feature and assistance that is required and must be provided for the utilization of a text-based system (consisting of keyboard, visual indicators, and button indicators) by an entrapped deaf or hard of hearing passenger(s).

However, there are no new requirements contained in ASME A17 for these features. As such, the Department is proposing to delete this requirement from the IBC/2021, until such time as a standard is developed.

- **A new allowance for public use restroom buildings in flood hazard areas:** New Section 3114, entitled “Public use restroom buildings in flood hazard areas,” and corresponding subsections, establish requirements for public use restrooms that include public use toilet rooms, bathrooms, showers, and changing rooms and spaces that are located in flood hazard areas. An example of this would be the bathhouse at Island Beach State Park. This new section meets the intent of all National Flood Insurance Program (NFIP) requirements, except elevation requirements to minimize flood damage, therefore, the Department is proposing to delete this new allowance to ensure that public use restrooms comply with NFIP requirements.
- **New requirements for Intermodal shipping containers** New Section 3115 entitled, “Intermodal shipping containers,” and the corresponding subsections, establish requirements for intermodal shipping containers to be used as buildings and structures. This new section:
 - Creates a new definition in order to separate the container from other I-code sections that refer to, but intentionally do not define, shipping containers.
 - Creates exceptions to differentiate the intermodal shipping container from other code sections that could be interpreted as applying to intermodal shipping containers under other applications (example: temporary storage, relocatable buildings, energy storage facilities, and listed equipment).

- Includes requirements for the verification of containers' construction, condition, and structural integrity to assist the structural engineer in the evaluation for building construction.
- References to other sections concerning foundations, decay and termite control, crawl-space ventilation, roof assemblies, interior finishes, and joints/intersections.
- Includes structural provisions unique to intermodal shipping containers and that do not duplicate the existing structural requirements.
- Adds three ISO standards for reference.

The Department is proposing this amendment.

- **New requirements for water supply for fire protection during construction:** Section 3313, entitled “Water supply for fire protection,” has been completely rewritten. The 2018 IBC provided little guidance with respect to providing water supply during construction. The proposed amendments to this section establish requirements for providing minimum water supply for fire flow and for standpipe supply during construction. Construction fires have been a problem recently. These fires have predominately affected combustible construction types III, IV, and V. One of the issues with construction is that water supply infrastructure is not always in place prior to vertical construction of the building. The lack of a reliable and sufficient water supply has been a cause for many of these construction fires to cause more damage than may otherwise have occurred. The fire service cannot fight fires of any significant size without a reliable water supply. These new requirements affect the timing of providing fire flow. Rather than allowing construction to start prior to establishing a water supply, these new requirements require that the fire flow, or a portion thereof, be provided as soon as

combustible structural elements arrive at the site, and further be provided prior to vertical construction. It should be noted that only structural elements are addressed. These requirements do not require fire flow water supply for construction trailers, combustible forms, and the like, and does not require additional water supply during construction of non-combustible construction buildings merely due to presence of any combustibles, but rather to focus on combustible construction types. The Department is proposing this amendment.

A section-by-section description of all proposed amendments to the IBC/2021 follows.

These proposed amendments are listed in the order in which they appear in the building subcode of the Uniform Construction Code.

1. Proposed amendments throughout N.J.A.C. 5:23-3.14 update the edition of the IBC from the 2018 edition to the 2021 edition.
2. At N.J.A.C. 5:23-3.14(a)2, the wording of the section is proposed for amendment for internal consistency, to add a specific cross-reference to the plumbing subcode.
3. At N.J.A.C. 5:23-3.14(b)2xxxvii, the Department is proposing to delete the amendment to the IBC that deletes the definition of “start of construction.” This would mean the UCC would be utilizing this definition.
4. At N.J.A.C. 5:23-3.14(b)3i, the proposed amendments remove the reference to footnotes from the title of Table 307.1 of the IBC. This is because the footnotes are not necessary to include within the title of the table, and footnotes are often added and removed as the IBC is updated each cycle.
5. Proposed new N.J.A.C. 5:23-3.14(b)3vi, reflects the deletion of foster care facilities within Section 308.3.1.1 (N.J.A.C. 5:23-3.14(b)3iv).

6. The Department is proposing to delete N.J.A.C. 5:23-3.14(b)4iv. This is due to changes in the IBC to align with Centers for Medicaid and Medicare Services requirements, which render the amendment to the IBC unnecessary.

7. At N.J.A.C. 5:23-3.14(b)4v, amendments reflect renumbering of the 2021 IBC.

8. Proposed new N.J.A.C. 5:23-3.14(b)4vii, delete Section 419, Artificial Decorative Vegetation, from the building subcode. This is because this type of decorative vegetation is not a construction code issue. In addition, the Department is deleting existing N.J.A.C. 5:23-3.14(b)4viii to reflect renumbering in the IBC; this language has been relocated to N.J.A.C. 5:23-3.14(b)5vii, with no change in the Department's amendment to this section, which is related to plumbing fixtures.

9. At N.J.A.C. 5:23-3.14(b)4ix, proposed amendments would ensure that Group I-2, Assisted living, is included throughout Section 420, wherever necessary; this reflects the Department's amendment to the title of Section 420 to include these Groups. In addition, the proposed amendment to Section 420.5, Fire alarm systems and smoke alarms, would incorporate the inclusion of Section 907.2.9A, a New Jersey modification retained from the 2015 subcode upon the adoption of the 2018 subcode, as a cross-reference.

10. At N.J.A.C. 5:23-3.14(b)5i, the building subcode currently deletes Section 502.1 from the UCC. However, because 502.1 is the only subsection contained within Section 502, the Department is proposing to delete Section 502 for completion. In addition, the title of the section is corrected.

11. At N.J.A.C. 5:23-3.14(b)5ii(2), the Department proposes to add childcare facilities of construction Type HT into the types of construction limited to 20-feet in height above grade plane.

12. Throughout N.J.A.C. 5:23-3.14(b)5iii, where an amendment was made to Construction Types 1A, 1B, or 2A, a corresponding change is being made throughout the subsections to IVB and IVC, to match the amended number of stories.

13. At N.J.A.C. 5:23-3.14(b)5iv, the Department proposes to delete the deletion of Section 505.2.3. This deletion began with the adoption of the 2006 IBC to correspond with the deletion of exceptions to the shaft enclosure requirements. Those amendments are no longer made, and, therefore, this amendment is also no longer necessary.

14. At existing N.J.A.C. 5:23-3.14(b)5v(2), the Department proposes to add construction Type HT into the types of construction where “UL” is deleted. In addition, sub-subparagraph (b)5v(3) is proposed for amendment to delete the reference to NS, to address every item within the H-2 occupancy of the Table. A companion amendment is proposed at sub-subparagraph (b)5v(4), relative to the I-3 occupancy.

15. At N.J.A.C. 5:23-3.14(b)6i, the amendments to Table 602 are deleted; the Table was relocated to 705.5, and the amendments are now incorporated at proposed new N.J.A.C. 5:23-3.14(b)7iv.

16. At N.J.A.C. 5:23-3.14(b)7i, amendments update the section number and title to reflect changes to the 2021 IBC, with no change in the requirements.

17. At N.J.A.C. 5:23-3.14(b)7ii, the amendment to Section 703.4 is proposed for deletion; the language that was deleted no longer exists, so the amendment is unnecessary.

18. At N.J.A.C. 5:23-3.14(b)7iii, the title of Section 705.2.3 is updated.

19. At N.J.A.C. 5:23-3.14(b)7viii, the proposed amendment updates the title of Table 707.3.10 with no change in the requirements.

20. The proposed amendment at N.J.A.C. 5:23-3.14(b)7ix reflects renumbering within the IBC with no change in the requirements.

21. At N.J.A.C. 5:23-3.14(b)7x, the proposed amendment corrects a cross-reference to cite a specific section; this is consistent with the language at subparagraph (b)7i.

22. Proposed amendments at N.J.A.C. 5:23-3.14(b)8v and vii reflect renumbering within the IBC with no change in the requirements.

23. At proposed new N.J.A.C. 5:23-3.14(b)8vii, the Department is amending Section 903.2.7.2 of the 2021 IBC to retain requirements from the 2018 edition related to sprinkler requirements in mercantile occupancies that display and sell upholstered furniture or mattresses. While the 2021 IBC requires sprinklers only in the fire areas containing the furniture or mattresses, the 2018 IBC required that the whole building be sprinklered. The Department is maintaining the 2018 requirements since they better protect the entire premises in the event of a fire.

24. At N.J.A.C. 5:23-3.14(b)8vix, the proposed amendment makes a more general reference to the adopted code for ease of updates over time. This change is made in both the text of the subsection and in the notes of Table 903.2.13.

25. At existing N.J.A.C. 5:23-3.14(b)8xxxiii, xxxviii, and xlv, amendments reflect renumbering within the IBC with no change in requirement.

26. At N.J.A.C. 5:23-3.14(b)8xlv, the proposed amendments revise the title of the section for consistency with the section titles within Chapter 9 of the IBC.

27. The Department's amendment to the IBC at N.J.A.C. 5:23-3.14(b)8xlvii is proposed for deletion. The related section in the IBC, Section 907.5.1, has been rewritten in the 2021 edition, and the Department's amendment is no longer necessary.

28. The Department's amendment to the IBC at N.J.A.C. 5:23-3.14(b)8xlvi is proposed for deletion. The related section, Section 907.5.2.3.3, has been revised in the 2021 edition to make it clear that not all dwelling units within apartment buildings are required to be pre-wired for visible notification appliances; conduit and wiring are not required to be installed into each dwelling for possible future use. The revised subsection establishes what is required, and the Department's amendment is no longer necessary.

29. At proposed new N.J.A.C. 5:23-3.14(b)8xlvi, the Department is proposing to maintain the language from the 2018 IBC relative to power for emergency voice/alarm communications systems. In the 2021 code, these systems must be provided with standby power. The 2018 IBC required emergency power, which provides faster power to these devices and is more appropriate for the systems. A companion change is made to Section 2702.2.4 at N.J.A.C. 5:23-3.14(b)20i.

30. At N.J.A.C. 5:23-3.14(b)8xlvi, the Department is proposing to amend new Section 907.6.6.2, MIY Monitoring, of the IBC to accurately reflect UCC terminology. A similar amendment is made at N.J.A.C. 5:23-3.14(b)8lvi.

31. At N.J.A.C. 5:23-3.14(b)8lxix and lx, proposed amendments reflect renumbering within the IBC with no change in requirement.

32. The Department is proposing to delete N.J.A.C. 5:23-3.14(b)8lxxxiii and restate the amendments made therein for each individual related subsection of Section 915.1 of the IBC. This is done to ensure clarity in applicability of the carbon monoxide requirements. The proposed amendments span from N.J.A.C. 5:23-3.13(b)8lxxxii, lxxxiii, lxxxiv, lxxxv, and lxxxvi.

33. At N.J.A.C. 5:23-3.14(b)9i, proposed amendments reflect renumbering within the 2021 IBC with no change in requirement.

34. At N.J.A.C. 5:23-3.14(b)9iv, proposed amendments reflect the updated locations for amendments within Table 1004.5 of the IBC.

35. The Department is proposing to delete the amendments to the IBC at existing N.J.A.C. 5:23-3.14(b)9viii, ix, and x. The 2021 IBC has been revised for common path of travel and exit access and now reflects the language in these subsections, so the related amendments are no longer necessary.

36. At recodified N.J.A.C. 5:23-3.14(b)9viii, the Department is proposing to delete the last sentence of the amendment to Table 1006.3.4(2). The IBC/2021 now includes the language that the amendment addressed, so it is no longer necessary. The Table number has also changed due to renumbering within the IBC.

37. At recodified N.J.A.C. 5:23-3.14(b)9xi, the word “and” is proposed for deletion; this is for clarity and does not constitute a change in the requirement.

38. The IBC requirements related to security grilles have been moved from Section 1010.1.4.5 to 1010.3.4; as such, the Department is relocating the amendments to this section from N.J.A.C. 5:23-3.14(b)9xvii to xx, with no change in the requirement.

39. At N.J.A.C. 5:23-3.14(b)9xv, xvi, xvii, xviii, and xix, proposed amendments reflect renumbering within the IBC with no change in text. In addition, the last sentence of the amendment at recodified N.J.A.C. 5:23-3.14(b)9xix is proposed for deletion. This amendment was made for consistency with the NEC; because the IBC language now reflects the NEC, the Department’s amendment is no longer necessary.

40. At N.J.A.C. 5:23-3.14(b)9xxvii through xxxii, proposed amendments reflect renumbering within the IBC with no change in the requirements.

41. At N.J.A.C. 5:23-3.14(b)9xxxv, the Department is proposing to amend the deletion of one sentence at Section 1030.5, Bars, Grills, Covers, and Screens, of the IBC. The sentence has been deleted from the IBC, so the Department's amendment is no longer necessary.

42. At N.J.A.C. 5:23-3.14(b)10iii, the majority of the proposed amendments reflect renumbering within the 2017 edition of ICC A117.1 with no change in the requirements. Those changes that constitute more than renumbering are specifically identified, where applicable.

43. At N.J.A.C. 5:23-3.14(b)10iii, item 2, the definitions of existing building and existing facility are proposed for deletion, as they are defined within the UCC.

44. The amendment at Section 309, Operable Parts, is relocated from previous Section 1003.9 to reflect renumbering within A117.1-2017, related to Type A Units. A companion change is made to delete the old text at Chapter 10.

45. Section 406.6.2, Location of detectable warning surfaces, is proposed for deletion because the locations required by this section, which include pedestrian access routes, are outside the scope of the UCC. A companion change is made throughout Section 705 for locations outside the scope of the UCC.

46. The amendments to Section 410.2 are proposed for deletion. All of the requirements contained in this amendment are in the 2017 edition of the standard; the amendments are no longer necessary.

47. Sections 502.9 and 502.10.1, both of which address on-street parking, are proposed for deletion; on-street parking is outside the scope of the UCC.

48. The Department is proposing to delete its deletion of Exception 2 of Section 604.5.2, Rear Wall Grab Bars. In the adoption of the 2015 IBC, which referenced the 2003 edition of A117.1, Exception 2 applied to Type A and Type B dwelling units. With the adoption of the

2018 IBC, which referenced the 2009 edition of A117.1, the exception was deleted, but the amendment remained. This amendment is being deleted with the adoption of the 2021 IBC, which references the 2017 standard, to correct this oversight.

49. Throughout Section 705, areas outside the scope of the UCC are all proposed for deletion. Similarly, Section 805.2, Bus Boarding and Alighting Areas, is proposed for deletion because bus stops are outside the scope of the UCC.

50. Section 808, Enhanced Acoustics for Classrooms, is proposed for deletion. While this is an area of concern and the requirement should be utilized in the design of classrooms, it will be difficult for code officials to enforce. Therefore, the Department has shared these requirements with the Department of Education and the Schools Development Authority for possible inclusion in their guidelines.

51. Section 1001.4, Animal Containment Areas, is proposed for deletion because dog parks are outside the scope of the UCC.

52. At new N.J.A.C. 5:23-3.14(b)10iii, item 18, a number of sections are proposed for deletion from Chapter 10 because the sections are either addressed by Subchapter 7, Barrier Free Subcode, of the UCC or they are outside the scope of the UCC.

53. The Department is proposing to delete Section 1105, Type C (Visitable) Units, in its entirety. This new section within A117.1 is intended to apply to all dwelling units, which is beyond the scope of the Building and Barrier Free Subcodes.

54. At N.J.A.C. 5:23-3.14(b)10vii, language is proposed to be included in the amendments to Section 1104.4 of the building subcode to clarify when accessible routes must be provided in multi-level buildings of Use Group R-1. Additionally, Subsection 1104.4.5 is revised to update a cross-reference.

55. At N.J.A.C. 5:23-3.14(b)10x through xx, proposed amendments reflect renumbering within the IBC with no change in the requirements.

56. At N.J.A.C. 5:23-3.14(b)10xxi, the Department is proposing to delete its replacement of Section 1108.5.2.2; the amendments have been incorporated into new Sections 1110.2.2 and 1110.2.3, so the amendment is no longer necessary. Section 1108.5.2.2 is still deleted because it is outside the scope of the UCC.

57. At N.J.A.C. 5:23-3.14(b)10xxii through liii, amendments reflect renumbering within IBC with no change in the requirements. In addition, all references to ANSI are deleted, because A117.1 is an ICC standard.

58. The Department is proposing to delete N.J.A.C. 5:23-3.14(b)10liv. Its inclusion at this location is an error; the swimming pool amendment is listed twice at different sections; the section cited in this location does not exist.

59. At N.J.A.C. 5:23-3.14(b)10liv, v, vi, and lvii, proposed amendments reflect renumbering in the IBC with no change in the requirements.

60. At N.J.A.C. 5:23-3.14(b)11ii, the Department is proposing to delete Section 1207, Enhanced Classroom Acoustics, from the building subcode. This is proposed for consistency with the deletion of Section 808 of ICC A117.1-2017 (item 51 above), which is referenced in the requirements of Section 1207. As stated above, code officials would not be able to enforce acoustic requirements.

61. At N.J.A.C. 5:23-3.14(b)11iii and v, proposed amendments reflect the renumbering of Chapter 12 of the IBC with no change in the requirements.

62. Proposed new N.J.A.C. 5:23-3.14(b)11iv amends Section 1204.4 to delete the reference to Type B dwelling units, which are not addressed by the UCC.

63. At N.J.A.C. 5:23-3.14(b)14i and ii, proposed amendments reflect renumbering within the International Plumbing Code with no change in the requirements.

64. Throughout the remainder of N.J.A.C. 5:23-3.14(b)14, the Department is proposing to delete amendments related to ice barriers. The amendments replaced the phrase “where required” with daily temperature requirements. However, because the “where required” language references back to the temperature requirements at Section 1507.1.2, there is no need to repeat the temperature requirements seven times. The amendment is still made at section 1507.17.4.2, because that Section does not contain a cross-reference to the temperature requirements.

65. At N.J.A.C. 5:23-3.14(b)15, changes reflect renumbering within the IBC with no change in the requirements. In addition, the IBC amendment at N.J.A.C. 5:23-3.14(b)15ii is proposed for deletion because Note g in Table 1607.1 has been deleted in the 2021 IBC.

66. At N.J.A.C. 5:23-3.14(b)16, most proposed amendments reflect renumbering within the 2021 IBC without change in requirement. At N.J.A.C. 5:23-3.14(b)16i, x, and xviii, requirements for mass timber buildings are incorporated for special inspections. These amendments reflect the deletion of Sections 1705.5.1 and 1705.5.2. However, because the Department is proposing to adopt new Section 1705.5.3, Mass timber construction, this section is proposed to be renumbered in accordance with the above deletions. The proposed amendment at existing N.J.A.C. 5:23-3.14(b)16xx corrects an error made upon adoption of the 2018 IBC. A second exception was added to Section 1705.13.1.1, which should have remained in the UCC. The proposed amendment corrects this. Lastly, proposed new N.J.A.C. 5:23-3.14(b)16xxxii is proposed to amend Section 1707.1, Alternative Test Procedure, to delete a reference to the

administrative provisions of the IBC and instead cross-reference the administrative provisions of the UCC for internal consistency.

67. At N.J.A.C. 5:23-3.14(b)18v, the Department is proposing to amend Footnote g of Table 2304.10.2 to delete the reference to the administrative provisions of the IBC and instead reference the administrative provisions of the Uniform Construction Code.

68. At N.J.A.C. 5:23-3.14(b)22, proposed amendments would appropriately recodify a misnumbered section with no change in the requirement.

69. At N.J.A.C. 5:23-3.14(b)23iv, proposed amendments incorporate the International Swimming Pool and Spa Code and make technical changes for consistency with terminology used throughout the UCC. Within this section, the Department is proposing to delete Section 305.1.1, Construction fencing required; construction fencing is considered site work, which is not a UCC matter. Appendix A, Board of Appeals, is also proposed for deletion because N.J.A.C. 5:23A, Construction Board of Appeals, supersedes this code.

70. At N.J.A.C. 5:23-3.14(b)23vii, the Department is proposing to delete Section 3114, Public Use Restroom Buildings in Flood Hazard Areas, in its entirety, from the UCC. This section allows for restrooms at-grade in elevated buildings and is in direct conflict with NFIP and FEMA guidelines.

71. At N.J.A.C. 5:23-3.14(b)23viii and ix, the Department is proposing to amend Section 3115.8.4.2 and Section 3115.8.4.3, related to intermodal shipping containers, to delete references to administrative provisions within the IBC. The administrative provisions of the UCC apply.

72. At N.J.A.C. 5:23-3.14(b)25iv, the amendment to Section 3309.1 is proposed for deletion. The Department's amendment added the phrase "on construction sites," but is not necessary, because the language of the section states "structures under construction, alteration, or

demolition.” A new amendment to Section 3313, Water Supply for Fire Protection, is proposed to replace the term “fire code official” with “fire official,” consistent with the amendment made at N.J.A.C. 5:23-3.14(b)25v.

73. At N.J.A.C. 5:23-3.14(b)26, the amendment deletes a reference to the administrative provisions of the IBC and instead cross-references the administrative provisions of the UCC for internal consistency.

74. At N.J.A.C. 5:23-3.14(b)27, the proposed amendments correct a typo and delete Appendix O, Performance-based application. This new appendix provides optional design, review, and approval framework for the construction official. This framework is already provided throughout the UCC at N.J.A.C. 5:23-2.9, Variations and exceptions, and 3.7, Municipal approvals of alternate materials, equipment, or methods of construction.

Electrical Subcode (N.J.A.C. 5:23-3.16)

75. At N.J.A.C. 5:23-3.16(a)1, the proposed amendment includes NEC Tentative Interim Amendments (TIA) 1-9 as part of the adoption of the 2020/NEC. The Department reviewed the second printing (June 2020) of the NEC, wherein the cover page notes that these TIAs are applicable.

76. At N.J.A.C. 5:23-3.16(b)3i, the Department is proposing to delete its amendments to Section 210.8(A)(2) and (5) of Article 210. These amendments are outdated, and in the time since the Department has utilized the amendments, the technology necessary to meet the requirements of these sections is now readily available, thus rendering the amendments unnecessary.

77. At N.J.A.C. 5:23-3.16(b)5ii(3), the Department is proposing to delete its deletion of Section 425.9; this section was deleted from the 2020 NEC.

78. At recodified N.J.A.C. 5:23-3.16(b)5ii(9) and (10), amendments reflect changes to section titles within the 2020 NEC with no change in the requirements.

79. All of the proposed amendments at N.J.A.C. 5:23-3.16(b)7 reflect updates to the referenced standards and reformatting within the 2020 NEC that do not constitute a change in the requirements.

80. The Department is proposing to delete its amendment to the electrical subcode at N.J.A.C. 5:23-3.16(b)7vi. This is related to Section 680.25(A)(1), Feeders (Wiring Methods), and the text of the 2020 NEC includes an exception that states that supply conductors within fire-rated fire pump rooms do not need protection, because the room itself is a two-hour rated room. Because the room is fire-rated, the current exception is appropriate, and the Department's amendment is unnecessary.

81. At N.J.A.C. 5:23-3.16(b)8, the proposed amendment reflects renumbering within the 2020 NEC with no change in the requirement.

Fire Protection Subcode (N.J.A.C. 5:23-3.17)

82. The Fire Protection Subcode is composed of a list of cross-references to sections contained within the other subcodes that relate to fire protection. Throughout N.J.A.C. 5:23-3.17, proposed amendments incorporate sections that have involved the fire protection subcode official in the delineation of plan review and inspection responsibilities at N.J.A.C. 5:23-3.4. Thus, these changes maintain status quo by ensuring this subcode is aligned with other sections of the UCC.

Energy Subcode (N.J.A.C. 5:23-3.18)

Below is a brief description of the International Energy Conservation Code and the State and Federal framework in which the energy code operates. In all cases, the Governor's Energy

Master Plan was considered in incorporating all changes of the new editions of the codes and deleting prior modifications.

Commercial - The United States Department of Energy (DOE) has issued a determination on the ASHRAE Standard 90.1-2019 on July 18, 2021. This Standard is referenced in the IECC-C as the energy standard for commercial buildings, and the determination is available online at, https://www.energycodes.gov/sites/default/files/documents/20210407_Standard_90.1-2019_Determination_TSD.pdf. The DOE requires states to certify that the commercial building energy code regarding energy efficiency meets or exceeds ASHRAE Standard 90.1; this certification must be submitted to the DOE by the date noted in the final determination. When compared to the previous edition (2016), DOE estimates national savings in commercial buildings of approximately:

- 4.7 percent site energy savings;
- 4.3 percent source energy savings;
- 4.3 percent energy cost savings; and
- 4.2 percent carbon emissions.

The updated modifications to the energy subcode maintain the current edition of ASHRAE Standard 90.1-2019 as the design standard and follows the Federal mandate.

Residential - The updates to the Residential portion of the IECC are typical; they upgrade the thermal envelope and require an additional package for whichever compliance method is chosen. In addition, the duct tightness provisions have been revised to provide more flexibility, and the lighting standards have been revised and upgraded. The Department is proposing to adopt the updated thermal envelope requirements, the most noteworthy being the updated value for ceilings, which has been increased from R49 to R60. Though these requirements will

increase the cost of construction, the updated requirements align with the goals set forth in the Governor’s Energy Master Plan and ensure that new construction is as efficient as current technology can reasonably allow, and it is anticipated that the energy cost savings over time will offset the initial cost of construction.

A table showing the updates between the two editions is below:

TABLE R402.1.3 (N1102.1.3) - INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT										
Clima te Zone	Fenestrat ion U- Factor	Skylig ht U- Factor	Glazed Fenestrat ion on SHGC	Ceili ng R- Valu e	Wood Frame Wall R- Value	Mas s Wal l R- Val ue	Floo r R- Val ue	Basem ent Wall R- Value	Slab R- Val ue and Dep th	Craw l Spac e Wall R- Valu e
4A (2018 v 2021)	0.32	0.55	0.40	49	20 or 13+5	8/13	19	10/13	10, 2ft	10/1 3
	0.30	0.55	0.40	60	20+5c i or 13+10 ci or 0+15	8/13	19	10ci or 13	10ci , 4ft	10ci or 13

5A (2018 v 2021)	0.30	0.55	NR	49	20 or 13+5	13/1 7	30	15/19	10, 2ft	15/1 9
	0.30	0.55	0.40	60	20+5c i or 13+10 ci or 0+15	13/1 7	30	15ci or 19 or 13+5ci	10ci , 4ft	15ci or 19 or 13+5 ci

In addition to the updated thermal envelope requirements, all new residential construction will also need to utilize one additional efficiency package; the options are: enhanced envelope performance; more efficient HVAC equipment performance; reduced energy use in service-water heating; more efficient duct thermal distribution systems; or improved air sealing and efficient ventilation systems. The IECC contains the provisions relevant to whichever option is chosen.

The DOE has yet to issue a determination of the residential portion of the IECC-R, which also includes the review for Chapter 11 of the International Residential Code/2021. When compared to the previous edition (2018), the Pacific Northwest National Laboratories (PNNL) (a contractor of the DOE), estimates national savings in residential buildings of eight to 14 percent (source: <https://www.iccsafe.org/wp-content/uploads/Energy-Savings-2009-2021-IECC.pdf>).

The Energy-Efficient Codes Coalition (EECC) provide for similar percentages, with additional costs ranging from \$1,831 to \$4,251 (source: <https://energyefficientcodes.org/wp-content/uploads/2021-IECC-Cost-Effectiveness-Summary.pdf>). This analysis also suggests simple payback, value benefits, and positive cashflow to the homeowner.

A section-by-section description of the proposed amendments to IECC/2021 is below.

83. Proposed amendments throughout N.J.A.C. 5:23-3.18 update the edition of the IECC from the 2018 edition to the 2021 edition.

84. At N.J.A.C. 5:23-3.18(b)1, 2, and 3, amendments reflect renumbering and revisions to section titles throughout the IECC with no change in the requirements.

85. At N.J.A.C. 5:23-3.18(b)4i, proposed amendments delete the amendment to Section C401.1, Scope. This means that the energy subcode will now include the intended scope currently within the commercial provisions of the IECC. Further, the proposed amendments delete subsections throughout Section C401.2 of the IECC to maintain status quo throughout the State as a result of reorganization of Chapter 4 of the IECC. These changes also ensure that the adopted energy subcode is aligned appropriately with the Federally mandated ASHRAE 90.1 Standard.

86. At N.J.A.C. 5:23-3.18(b)6, proposed amendments cite the appropriate model code, the National Standard Plumbing Code, in the referenced standards table.

87. At N.J.A.C. 5:23-3.18(b)7, proposed amendments revise the Appendices section of the IECC to delete Appendix CA, Board of Appeals, because the Department's N.J.A.C. 5:23A, Construction Board of Appeals supersedes this Appendix. The proposed amendments also adopt Appendices CB, Solar-Ready Zone, and CC, Zero Energy Commercial Building Provisions, as optional for use by permit applicants in the State. A proposed amendment is made within Appendix CC; the section deleted applies to existing buildings, which are covered within the rehabilitation subcode of the UCC.

88. At N.J.A.C. 5:23-3.18(c)1, proposed amendments reflect renumbering and revisions to section titles throughout the IECC with no change in the requirements.

89. At N.J.A.C. 5:23-3.18(c)4i, the Department is proposing to delete Section R401.2, Applicability, of the IECC. This section applies to existing buildings, which are covered pursuant to the rehabilitation subcode, N.J.A.C. 5:23-6, of the UCC. The Department is also proposing to delete its amendment to the IECC, which allows for the duct leakage test to be optional. This test has been required since the 2012 IECC and is less expensive now than when the test was first required. In addition, requiring the test to be performed provides a greater level of assurance that new buildings are in compliance with the efficiency requirements, which furthers the goals set forth in the Governor's Energy Master Plan. The Department is also proposing (as new N.J.A.C. 5:23-3.18(c)4i) to delete the exception at R401.2 from the energy subcode; it applies to existing buildings, which are covered within the rehabilitation subcode (Subchapter 6).

90. The Department is proposing to delete N.J.A.C. 5:23-3.18(c)4ii, which deleted Section R403.2, Hot water boiler outdoor temperature setback. This section in the 2021/IECC now refers to resets provided by the manufacturer, rather than setbacks, and is appropriate for inclusion in the energy subcode.

91. At proposed new N.J.A.C. 5:23-3.18(c)4iv, the proposed amendment references the Federally mandated ASHRAE Standard 90.1; this change is consistent with the amendments proposed to N.J.A.C. 5:23-3.18(b)4.

92. At N.J.A.C. 5:23-3.18(c)6, proposed amendments cite the appropriate model code, the National Standard Plumbing Code, in the referenced standards table.

93. At N.J.A.C. 5:23-3.18(c)7, proposed amendments revise the Appendices section of the IECC to delete Appendix RA, Board of Appeals, because the Department's N.J.A.C. 5:23A, Construction Board of Appeals supersedes this Appendix. The proposed amendments also adopt

Appendices RB, Solar-Ready Zone, and RC, Zero Energy Commercial Building Provisions, as optional for use by permit applicants in the State. A proposed amendment is made at Appendix RC; the section deleted applies to existing buildings, which are covered within the rehabilitation subcode of the UCC.

Mechanical Subcode (N.J.A.C. 5:23-3.20)

94. Throughout N.J.A.C. 5:23-3.20, proposed amendments update the edition of the IMC from 2018 to 2021.

95. At N.J.A.C. 5:23-3.20(b)3vii, the proposed amendment deletes Section 307.2.1.1, Condensate Discharge, from the mechanical subcode. Condensate discharge, like condensate disposal, is already appropriately addressed within the plumbing subcode, N.J.A.C. 5:23-3.15.

96. At N.J.A.C. 5:23-3.20(b)9iii, the proposed amendment incorporates the provisions at P.L. 2019, c. 507, within the requirements for acceptable refrigerants.

97. At N.J.A.C. 5:23-3.20(b)12i(1), the proposed amendments update the deletion of the IPC from the referenced standards to reflect the appropriate edition.

One- and Two-Family Dwelling Subcode (N.J.A.C. 5:21-3.21)

Many of the differences between the 2018 and 2021 editions of the International Residential Code (IRC) provide much needed clarity for requirements related to fire protection. Changes also align with the IBC (where appropriate for terminology), IECC (residential portion), IMC, and IFC. Chapter 11 of the IRC contains identical energy requirements as those listed in the IECC. The following amendments are proposed:

98. Throughout N.J.A.C. 5:23-3.21, the edition of the IRC is updated from the 2018 to the 2021 edition.

99. At N.J.A.C. 5:23-3.21(c)3ii, the proposed amendment reflects renumbering within the IRC with no change in the requirements. Further proposed amendments within the amendments to Table R301.2 reflect changes to the IRC that render the Department's amendments unnecessary and, thus, are proposed for deletion.

100. The Department is proposing to delete N.J.A.C. 5:23-3.21(c)3ix. This amendment to Section R302.3, Two-family dwellings, is no longer necessary because the section references compliance with P2904, which has been amended to require compliance with NFPA 13D; this appropriately reflects the current requirements.

101. At recodified N.J.A.C. 5:23-3.21(c)3ix, the proposed amendment would include the language requiring doors to be self-latching within the deleted language from Section R302.5.1. This is a new requirement included within the text that the Department already deletes.

102. At recodified N.J.A.C. 5:23-3.21(c)3xv, the proposed amendment reflects that, since the time the deletion of the exception was first included in the UCC, two additional exceptions have been added to Section R310.1; this proposed amendment clarifies that only Exception 1 is deleted.

103. At recodified N.J.A.C. 5:23-3.21(c)3xvi, xvii, and xli, proposed amendments reflect renumbering and deletions within the IRC without a change in the requirements.

104. The Department is proposing to delete N.J.A.C. 5:23-3.21(c)3xxiv, which deletes the second sentence of Section 311.8.1. That sentence provides the requirements for maximum slopes for any ramp not serving an egress door and should be required for compliance.

105. At N.J.A.C. 5:23-3.21(c)3xlii and xliii, the proposed amendments reflect renumbering and reformatting within the IRC and International Swimming Pool and Spa Code (ISPSC) without a change in the requirements. In addition, the amendments to the ISPSC are

proposed for amendment for consistency with the use of terminology throughout the UCC.

These changes alter the format of amendments to the ISPSC to align with those made within the building subcode. In addition, the Department is proposing to delete Appendix A, Board of Appeals, because N.J.A.C. 5:23A, Construction Board of Appeals, supersedes the Appendix.

106. At proposed new N.J.A.C. 5:23-3.21(c)3xliv, the amendment would ensure consistency in cross-references by referring to the electrical subcode.

107. At proposed new N.J.A.C. 5:23-3.21(c)3xlv, the amendment would delete the reference to existing buildings from the requirements set forth at new Section R330.1, applicable to Stationary Fuel Cell Power Systems. Existing buildings in the State of New Jersey fall under the scope of the rehabilitation subcode.

108. Proposed amendments made throughout N.J.A.C. 5:23-3.21(c)10 align with those made within the residential portion of the energy subcode, N.J.A.C. 5:23-3.18(c). Those changes are summarized at items 87 through 92 above.

109. At N.J.A.C. 5:23-3.21(c)12, the proposed amendment reflects renumbering within the IRC without a change in the requirements.

110. Throughout N.J.A.C. 5:23-3.21(c)16, proposed amendments reflect the proper cross-references within the UCC.

111. At N.J.A.C. 5:23-3.21(c)19vii, the Department is proposing to revise the amendment of Section G2412.2, Liquefied petroleum gas storage, to reflect the language used in the companion section of the fuel gas subcode, Section 401.2 of the International Fuel Gas Code. This proposed amendment ensures consistency between the application of the same code section in different codes. The current wording of the section erroneously appears to replace the language of that section, rather than adding to it, as is done within the fuel gas subcode. The

language and modification have existed in the fuel gas subcode since the adoption of the 2000 edition. The amendments in this section deviated from the fuel gas subcode in the 2006/IRC; this proposed amendment realigns the sections.

112. The Department is proposing to delete N.J.A.C. 5:23-3.14(c)19xi, which deleted Section G2414.3. This section no longer exists in the IRC; thus, the Department's amendment is no longer necessary.

113. At N.J.A.C. 5:23-3.21(c)24vi, the Department is proposing an amendment to allow for the optional use of Appendix T, Solar-Ready Provisions—Detached One-and-Two-Family Dwellings. This aligns with the proposed amendment to allow for the optional use of Appendix RC of the IECC at N.J.A.C. 5:23-3.18, at the discretion of the permit applicant.

114. At proposed new N.J.A.C. 5:23-3.21(c)24vii, the Department is deleting Appendix V, Board of Appeals, from the one- and two-family dwelling subcode, because the Department's rules at N.J.A.C. 5:23A, Construction Board of Appeals, supersede the Appendix.

115. At proposed new N.J.A.C. 5:23-3.21(c)24viii, the Department is including Appendix W, 3D-Printed Construction, as part of the one- and two-family dwelling subcode. This Appendix provides requirements for the design, construction, and inspection of 3D building construction, when utilized for on-site, printed homes. An amendment is proposed (as sub-subparagraph (c)24viii(1)) to delete a reference to the administrative provisions of the IRC. The administrative provisions of the UCC apply.

Fuel Gas Subcode (N.J.A.C. 5:23-3.22)

116. Throughout N.J.A.C. 5:23-3.22, the edition of the IFGC is updated from the 2018 to the 2021 edition.

117. At N.J.A.C. 5:23-3.22(b)4iv, the proposed amendment deletes the Department's deletion of Section 403.3, Other Materials. This section was deleted from the IFGC, and the amendment is no longer needed.

118. At N.J.A.C. 5:23-3.22(b)5iii, the proposed amendment deletes the Department's deletion of the exception at Section 503.5.6.1. This exception was deleted from the 2021 IFGC, so the amendment is no longer needed.

119. At N.J.A.C. 5:23-3.22(b)6i, the proposed amendment reflects renumbering within the IFGC with no change in the requirement.

120. At proposed new N.J.A.C. 5:23-3.22(b)7i, the amendment deletes the administrative provisions of the IFGC and inserts a reference to the administrative provisions of the Uniform Construction Code. The remaining sections of the fuel gas subcode are recodified accordingly.

121. At recodified N.J.A.C. 5:23-3.22(b)8i(1), the proposed amendments update the deletion of the IPC from the referenced standards to reflect the appropriate edition.

122. At proposed new N.J.A.C. 5:23-3.22(b)11, the amendment deletes Appendix E, Board of Appeals, because N.J.A.C. 5:23A, Construction Board of Appeals, supersedes the Appendix.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirements pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The amendments are proposed to adopt the most recent editions of the national model codes, which would have a positive social impact. This rulemaking promotes the stated purposes and intent of the Act by providing for the use of the latest construction methods, techniques, and materials through a single, clear, and up-to-date set of technical standards. The proposed

adoption of the latest editions of the national model codes enhances the protection of the health and safety of building occupants by providing for the most recent advances in building methods and technologies to be incorporated into new construction in the State. As stated in the Summary above, the proposed amendments include enhancement in energy conservation through the proposed adoption of the most recent edition of the International Energy Conservation Code. Energy conservation, in and of itself, carries a societal benefit beyond the savings to individual buildings or homeowners. The most recent edition of the IECC also entails a social benefit by ensuring the State's rules are in alignment with the goals set forth in the Governor's Energy Master Plan.

Economic Impact

The Department anticipates that the proposed amendments would have a largely positive economic impact because clear and current technical standards promote cost-effective construction. Because the requirements of the standards proposed for adoption by reference apply to new construction, in the absence of any dramatic change to the model codes, the incremental cost of compliance is not significant as compared to the overall cost of construction. The majority of changes to the model codes are for clarification purposes.

Section 903.2.10, Group S-2 Parking Garages, of the IBC, is a new section that will require sprinklers in new parking garages where the fire area exceeds 48,000 square feet. While the installation of a sprinkler system will entail a cost, the increased safety in ensuring that fires will not spread through the entirety of a garage outweighs the cost of compliance.

Amendments within Chapter 11, Accessibility, of the IBC, increase the clear floor space dimensions for spaces throughout the ICC A117.1-2017 Standard. The increased dimensions account for new accessibility technology, such as bigger and electric wheelchairs. While the

updated dimensions will result in an increased cost for new construction, it is imperative that wheelchair users have equal access to buildings, and the Standard retains the previous dimensions for all existing buildings, so there will be no economic impact for rehabilitation.

New Section 2303.4.1.2 of the IBC establishes requirements for permanent individual truss member restraint and permanent individual truss member diagonal bracing. As noted in the Summary of major changes to the IBC, while the code change will add some additional costs to those types of projects, the occupancy exposure justifies the effort to ensure the trusses are properly installed.

As noted above, the changes to the energy subcode may result in increases to construction costs. The resultant savings are discussed in the Summary above and ensure that the State is moving forward in achieving the goals set forth in the New Jersey Energy Master Plan.

Federal Standards Statement

A Federal standards analysis is not required because these amendments are not being proposed 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. The sole exceptions are found in the proposed amendments at N.J.A.C. 5:23-3.18, which, as discussed in the Summary of the energy subcode above, would bring New Jersey into compliance with the DOE requirements promulgated pursuant to Title III of the Federal Energy Conservation and Production Act of 1976, as amended, and in the proposed amendments to the accessibility requirements, which are also discussed in the Summary and Economic Impact statements above.

Jobs Impact

The proposed amendments to adopt the latest editions of the national model codes are not expected to have an impact on the generation or loss of jobs.

Agriculture Industry Impact

The Department does not anticipate that the proposed amendments would impact the agriculture industry.

Regulatory Flexibility Analysis

The proposed amendments impose technical compliance requirements on builders, some of which are “small businesses” as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendments establish code requirements that provide technical standards for construction, as discussed in the Summary above. Builders would be required to comply with the requirements of the adopted subcodes of the Uniform Construction Code, as would any other entity performing construction in the State. Because the proposed amendments establish health and safety requirements, there is no basis for differential treatment of small businesses. The adoption of the most recent editions of the national model codes is not expected to introduce any new recordkeeping or reporting requirements on small businesses, nor is it expected to cause small businesses to need to employ professional services not already required for compliance with the UCC.

Housing Affordability Impact Analysis

The proposed amendments to adopt the most recent editions of the national model codes are expected to have a modest impact on housing affordability. The cost and payback of the proposed amendments to the energy subcode are discussed above; the construction of housing would experience an initial cost increase, which would be balanced by a payback in energy savings over the life of the building.

Smart Growth Development Impact Analysis

The proposed amendments update various subcodes of the Uniform Construction Code. Because the proposed amendments do not impact zoning or what may be built in a given location, it is not anticipated that the proposed amendments will have any impact upon housing production within Planning Areas 1 and 2, or within designated centers, under the State Development and Redevelopment Plan.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Department has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. SUBCODES

5:23-3.14 Building subcode

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

1. Pursuant to authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the International Code Council, [2018] **2021** International Building Code, known as the ["IBC/2018."] "**IBC/2021.**" This code is hereby adopted by reference as the building subcode for New Jersey subject to the modifications stated [in] **at** (b) below.

- i. (No change.)

ii. The [IBC/2018] **IBC/2021**, as amended, may be known and cited as the "building subcode."

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

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

1. (No change.)

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

i.–xxxvi. (No change.)

[xxxvii. The definition of "start of construction" shall be deleted.]

Recodify existing xxxviii.–xl. as **xxxvii.–xxxix**. (No change in text.)

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 source	100 REM	25 REM sealed
	100 REM sealed source	sealed source	source

j. Maximum dosage allowed in any single whole-body short-term (1 hour or less) exposure.

ii.–v. (No change.)

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

Recodify existing vi.–xiv. as **vii.-xv.** (No change in text.)

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

i.–iii. (No change.)

[iv. In Section 407.4.4.1, Exit access through care suites, the first sentence shall be deleted.]

[v.] **iv.** (No change in text.)

[vi.] **v.** In Section [411.3] **411.2**, Automatic sprinklers, the exception shall be deleted in its entirety.

[vii.] **vi.** (No change in text.)

[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.]

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

[ix.] **viii.** 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.”]

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

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

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

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

Recodify existing x.-xi. as ix.-x. (No change in text.)

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

i. Section [502.1] **502, Building** 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) (No change.)

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

(3)-(9) (No change.)

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

(1)-(2) (No change.)

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

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

Group A-3 NS, "2" shall be deleted and "1" shall be inserted and for Group A-3 S, "3" shall be deleted and "2" shall be inserted.

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

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

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

(8)-(15) (No change.)

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

(17) Under construction Type IB for Group M NS, "11" shall be deleted and "6" shall be inserted and for Group M S, "12" shall be deleted and "7" shall be

inserted. [In addition, under] **Under** construction Type IIIA for Group M NS, "4" shall be deleted and "3" shall be inserted and for Group M S, "5" shall be deleted and "4" shall be inserted. **In addition, under construction Type IVB for M S, “8” shall be deleted and “7” shall be inserted.** Finally, under construction Type VA for Group M NS, "3" shall be deleted and "2" shall be inserted and for Group M S, "4" shall be deleted and "3" shall be inserted.

(18) (No change.)

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

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

(21) Under construction Type IB for Group R-3 S, "12" shall be deleted and "5" shall be inserted. Under construction Type IIB for Group R-3 S, "5" shall be deleted and "4" shall be inserted. [In addition, under] **Under** construction Type IIIB for Group R-3 S, "5" shall be deleted and "4" shall be inserted. **In**

addition, under construction Type IVB for R-3 S, “12” shall be deleted and “5” shall be inserted. Finally, under construction Type VB for Group R-3 S and S13R, "4" shall be deleted and "3" shall be inserted.

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

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

(24)-(25) (No change.)

[iv. In Section 505.2.3, Openness, Exception 5 shall be deleted in its entirety.]

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

(1) (No change.)

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

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

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

(5) (No change.)

Recodify existing vi.–viii. as v.–**vii.** (No change in text.)

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

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

[i. In 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.] **i.** (No change in text.)

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] **703.2.3, Approved alternate protection**, is amended to delete "Section 104.11" and insert "N.J.A.C. 5:23-3.7" in its place.

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

[iii.] **ii.** In Section 705.2.3, [Combustible] Projection[s] **protection**, in the exception, "and U" shall be deleted.

[iv.] **iii.** (No change in text.)

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

v.–vii. (No change.)

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

ix. In Section [715.3] **715.3.1**, Fire test criteria, in the exception, "10 feet (3048 mm)" shall be deleted and "5 feet (1524 mm)" shall be inserted.

x. In Section 716.1.1, Alternative methods for determining fire protection ratings, [exception] **item 4**, "Section 104.11" shall be deleted and ["the administrative provisions of the Uniform Construction Code] **"N.J.A.C. 5:23-3.7"** shall be inserted.

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

i.–iv. (No change.)

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] **1008.2.1.**"

vi. (No change.)

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

[vii.] **viii.** (No change in text.)

[viii.] **ix.** In Section 903.2.11.1, Stories without openings, ", of all buildings where the floor area exceeds 1,500 square feet (139.4 m²) and" shall be deleted. Additionally, in Item #1, in the first sentence, "exterior stairway complying with Section [1009] **1011** or an outside ramp complying with Section [1010] **1012**" shall be deleted and "exterior exit stairway or ramp complying with Section 1027" shall be inserted.

[vix.] **x.** New Section 903.2.13, Automatic sprinkler system thresholds, shall be inserted as follows: "An automatic sprinkler system shall be required in accordance with Section 903.3.1.1 when the maximum area is exceeded for the following construction types of Groups B, F-2, and S-2 in accordance with Table 903.2.13, Automatic Sprinkler System Thresholds. All others not listed shall follow the applicable requirements as set forth in [the IBC/2018] **this code**."

Automatic Sprinkler System Thresholds

Group B

	IIB	IIIB	VB
<u>Story</u>	<u>Max. Area</u>	<u>Max. Area</u>	<u>Max. Area</u>

1	36,000	*	*
2	72,000	*	*
	(36,000 per floor)		
3	99,360	99,360	*
	(36,000 per floor)	(36,000 per floor)	

Group F-2

	IIB	IIIB	VB
<u>Story</u>	<u>Max. Area</u>	<u>Max. Area</u>	<u>Max. Area</u>
1	36,000	*	18,000
2	72,000	*	36,000
	(36,000 per floor)		(18,000 per floor)
3	99,360	*	*
	(36,000 per floor)		

Group S-2^a

	IIB	IIIB	VB
<u>Story</u>	<u>Max. Area</u>	<u>Max. Area</u>	<u>Max. Area</u>
1	36,000	36,000	18,000
2	72,000	72,000	36,000
	(36,000 per floor)	(36,000 per floor)	(18,000 per floor)
3	99,360	99,360	*
	(36,000 per floor)	(36,000 per floor)	

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

* Requirements as set forth in [the IBC/2018] **this code**”

Recodify existing x.–xxxiii. as **xi.–xxxiv.** (No change in text.)

[xxxiv.] **xxxv.** In Section 906.1, Where required, in the exception to Item #1, insert the following exception from the 2009 International Building Code: "[3.] **4.** In new Group A, B and E occupancies equipped throughout with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6." Additionally, in Item #6, "fire code official" shall be deleted and "fire protection subcode official" shall be inserted.

Recodify existing xxxv.–xxxviii. as **xxxvi.–xxxix.** (No change in text.)

[xxxvix.] **xl.** Add new section 907.2.1.2 as follows:

"907.2.1.2 Group A-2 Nightclubs. An automatic fire detection system shall be installed throughout all Group A-2 nightclubs with an occupant load of 100 or more. If the alarm is activated by smoke detectors, it shall be activated by either two cross-zoned smoke detectors within a single protected area or a single smoke detector monitored by an alarm verification zone or an approved equivalent method and the smoke detectors shall be of a type designed to reduce the possibility of false notifications based on the conditions present in the area protected. The automatic fire detection system shall be tied to the performance sound system and to the house lights in such a way that activation of the fire detection system mutes the performance sound system and restores the intensity of illumination to that required by Section [1008.2] **1008.2.1.**

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

Recodify existing xl.–xliv. as **xli.–xlv.** (No change in text.)

[xliv.] **xlvi.** 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.] **xlvii.** (No change in text.)

[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.]

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

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

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

[xlix.] **I. Section [907.6.6.2] 907.6.6.3, Termination of monitoring service, shall be deleted.**

Recodify existing I.–IV. as **II.–VI.** (No change in text.)

[VI.] **IVII.** 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] **code official**" shall be deleted.

Recodify existing IVII.–LIX. as **IVIII.–IX.** (No change in text.)

[IX.] **IXI.** In Section [909.20.6.3] **909.20.7.3, Acceptance and testing, "building official" shall be deleted and "fire protection subcode official" shall be inserted.**

Recodify existing lxi.–lxxxii. **as lxii.-lxxxiii.** (No change in text.)

[lxxxiii. 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."]

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

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

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

Additionally, in exception 2.1, the word "or" shall be deleted before "classrooms" and the words "or any other occupiable space(s)" shall be added following "classrooms."

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

exception 4, the word "or" shall be deleted before "classrooms" and the words "or any other occupiable space(s)" shall be added following "classrooms."

[lxxxiv.] **lxxxviii.** In Section 915.2, Locations, "by Section 915.1.1" shall be deleted. **Additionally, in the third line, "915.2.3" shall be deleted and "915.2.4" shall be inserted.**

Recodify existing lxxxv.–lxxxvi. as **lxxxix.–xc.** (No change in text.)

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] **1010.1.4**, Exception 3; Section [1010.1.7] **1010.1.6**, Exception 1.3; Section 1012.6.3, Exception 1; and Section 1012.6.4, Exception.

ii.–iii. (No change.)

iv. In Table 1004.5, MAXIMUM FLOOR AREA ALLOWANCE PER OCCUPANT, in the first column, FUNCTION OF SPACE, [25th] **43rd** row, delete "swimming pools," **44th row, delete "[and] pool,"** and **45th row, delete "Decks;"** in the second column, OCCUPANT LOAD FACTOR, [25th] **45th** row, delete "15 gross."

v.–vii. (No change.)

[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.] **viii.** In Table [1006.3.3(2)] **1006.3.4(2)**, Stories with One Exit or Access to One Exit from Other Occupancies, under the heading "Occupancy," "U" shall be deleted from the first row. [Additionally, in the heading of the fourth column, "common path of travel" shall be deleted and "exit access" shall be inserted.]

Recodify existing xi.-xii. as **ix.-x.** (No change in text.)

[xiii.] **xi.** 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."

Recodify existing xiv.-xvi. as **xii.-xiv.** (No change in text.)

[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.] **xv.** In Section [1010.1.5] **1010.1.4**, Floor elevation, in Exception 3, "7 3/4 inches (197 mm)" shall be deleted and "8 1/4 inches (210 mm)" shall be inserted. Additionally, Exception 5 shall be deleted.

[xix.] **xvi.** In Section [1010.1.7] **1010.1.6**, Thresholds, in the Exception #1, "7 3/4 inches (197 mm)" shall be deleted and "8 1/4 inches (210 mm)" shall be inserted. Additionally, Exception #2 shall be deleted.

[xx.] **xvii.** In Section [1010.1.9.1] **1010.2.2**, Hardware, "locks" shall be deleted.

[xxi.] **xviii.** Section [1010.1.9.4] **1010.2.4**, Locks and latches, shall be amended as follows: In Item [2] **3**, following "Group A," insert "other than nightclubs". In

the same item, "and in" shall be inserted before the word "Groups" and "and in places of religious worship" shall be deleted. In the same section, Item [7] **11** shall be inserted as follows: "[7.] **11.** Key operation shall be permitted from a dwelling unit provided that the key cannot be removed from the lock when the door is locked from the side from which egress is made."

[xxii.] **xix.** In Section [1010.1.10] **1010.2.9**, 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.]

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

Recodify existing xxiii.–xxviii. as **xxi.–xxvi.** (No change in text.)

[xxix.] **xxvii.** Section [1020.1.1] **1020.2.1**, Hoistway opening protection is deleted.

[xxx.] **xxxviii.** In Table [1020.1] **1020.2**, Corridor Fire Resistance Rating, under the heading "Occupancy," "U," shall be deleted from the third row.

[xxxii.] **xxix.** In Section [1029.1.1] **1030.1.1**, Bleachers, after "ICC 300", insert "Chapters 2, 3 and 4."

[xxxiii.] **xxx.** At Section [1029.2] **1030.2**, entitled "Assembly main exit", add the text "other than nightclubs," after "used for assembly purposes" at the beginning of the first and [fourth] **third** sentences.

[xxxiiii.] **xxxi.** Add new section [1029.2.1] **1030.2.1** as follows:

"[1029.2.1] **1030.2.1** Group A-2 Nightclubs. Buildings or portions thereof of Group A-2 nightclubs with an occupant load of 100 or more shall have a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load. The remaining exits shall be capable of providing two-thirds of the total required exit capacity. Buildings or portions thereof of Group A-2 nightclubs with an occupant load of more than 300 shall have a main entrance capable of serving as the main exit with an egress capacity for at least two-thirds of the total occupant load. The remaining exits shall also be capable of providing two-thirds of the total required exit capacity."

[xxxiv.] **xxxii.** Section [1030.1] **1031.2**, [General] **Where required**, shall be amended as follows: In the second paragraph, "Basements and" shall be deleted and "sleeping" shall be capitalized. In the same section, Exception 1 shall be deleted its entirety. In Exception 2, "basements or" shall be deleted. In addition, Exception 3 shall be deleted in its entirety. Finally, Exception 2 shall be renumbered as Exception 1 and Exception 4 shall be renumbered as Exception 2.

[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.–ii. (No change.)

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. In section 102.2, entitled "adopted by the administrative authority" in the first sentence shall be deleted.**

[1.] **2.** The text at section [105.2] **106.2**, entitled "Documents," shall be amended as follows:

[1.1] **2.1** In section [105.2.2.2] **106.2.4**, entitled "National Fire Alarm Code," delete "NFPA [72-2007] **72-2016**" and insert "the edition of NFPA 72 adopted by reference in this subcode;"

[1.2] **2.2** In section [105.2.3] **106.2.6**, entitled "Power Assist and Low Energy Power Operated Doors," delete "ANSI/BHMA [A156.19-2007] **A156.19-2013**" and insert "the edition of ANSI/BHMA A156.19 adopted by reference in this subcode;"

[1.3] **2.3** In section [105.2.4] **106.2.7**, entitled "Power Operated [pedestrian] **Pedestrian** Doors," delete "ANSI/BHMA A156.10-**2011**" and insert "the edition of ANSI/BHMA A156.10 adopted by reference in this subcode;"

[1.4] **2.4** In section [105.2.5] **106.2.8**, entitled "Safety Code for Elevators and escalators," delete "ASME/ANSI [A17.1-2007/CSA B44-07] **A17.1-2013/CSA B44-16**" and insert "the edition of ASME/ANSI A17.1/CSA B44 adopted by reference in this subcode;"

[1.5] **2.5** In section [105.2.6] **106.2.9**, entitled "Safety Standard for Platform Lifts and Stairway Chairlifts," delete "[ASME/ANSI A18.1-2005] **ASME/ANSI A18.1-2014**" and insert "ASME/ANSI A18.1 adopted by reference in this subcode."

[2.] **3.** In section [106.5] **107.5**, delete the definitions of "Administrative Authority", "**Existing building**", and "**Existing Facility**";

[3.] 4. (No change in text.)

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

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

[5.] 7. In [section 410.5.2, Lifts with Doors on Adjacent Sides, the Exception] **Section 410.5.2.2, Existing buildings**, shall be amended to add the following phrase after the words "in existing buildings," "where

technically infeasible to provide the door arrangement prescribed by [410.5.2]

Section 410.5.2.1."

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

9. Delete section 502.10.1, "Location" in its entirety;

Recodify existing 6.-8. as **10.-12.** (No change in text.)

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

[9.] **14.** (No change in text.)

15. Delete section 805.2 "Bus boarding and alighting areas" in its entirety;

16. Delete section 808, "Enhanced acoustics for classrooms" in its entirety;

17. Delete section 1001.4, "Animal containment areas" in its entirety;

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

[10.] **19.** Amend section [1002.3.1] **1102.3.1**, entitled "Location," as follows:

[10.1] **19.1** (No change in text.)

[11.] **20.** In section [1002.15.2] **1102.15.2**, Bed Frames, "with a minimum of six and one-half inches clear from the floor to the lowest level of the bed frame" shall be inserted at the end of the sentence.

[12.] **21.** Amend section [1003.3.1] **1103.3.1**, entitled "Location," as follows: Insert "1." before the existing exception and delete "unfinished" in two places. Additionally, insert "Exception 2. An accessible route is not required to exterior decks, patios, or balconies that have impervious or improved surfaces that are not more than four (4) inches below the finished floor level of the adjacent interior space of the dwelling unit."

[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.] **22.** Section [1003.10] **1103.10**, Laundry equipment, shall be deleted in its entirety.

[15.] **23.** Section [1003.11.2.5.2] **1103.11.2.5.2**, entitled "Shower," shall be amended as follows:

Recodify existing 15.1-15.2 as **23.1-23.2** (No change in text.)

[16.] **24.** In section [1003.12.3.1] **1103.12.3.1**, entitled "Clear Floor Space," delete Exception [(a)] **1.** in its entirety and insert in its place: "[(a)] **1.** the cabinetry can be removed or replaced as a unit,".

[17.] **25.** In section [1003.12.3.2] **1103.12.3.2**, entitled "Height," delete the exception in its entirety and insert the following in its place: "Exception: A counter that is adjustable or replaceable as a unit to provide a work surface at heights between 29 inches minimum and 36 inches maximum shall be permitted."

[18.] **26.** In section [1003.12.4.1] **1103.12.4.1**, entitled "Clear Floor Space," delete Exception [2(a)] **2.1** in its entirety and insert in its place: "[(a) **2.1** the cabinetry can be removed or replaced as a unit,".

[19.] **27.** In section [1003.12.4.2] **1103.12.4.2**, entitled "Height," delete the exception in its entirety and insert the following in its place: "Exception: A sink and counter that is adjustable or replaceable as a unit at heights between 29 inches minimum and 36 inches maximum, provided rough-in plumbing permits connections of supply and drain piping for sinks mounted at heights of 29 inches, shall be permitted."

[20.] **28.** In section [1003.12.5] **1103.12.5**, entitled "Appliances," delete the following sections: section [1003.12.5.1] **1103.12.5.1**, entitled "Operable parts"; section [1003.12.5.3] **1103.12.5.3**, entitled "Dishwasher"; section [1003.12.5.4] **1103.12.5.4**, entitled "Cooktop"; section [1003.12.5.5] **1103.12.5.5**, entitled "Oven"; and section [1003.12.5.6] **1103.12.5.6**, entitled "Refrigerator/Freezer."

[21.] **29.** Delete section [1004] **1104**, entitled "Type B Units," in its entirety.

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

iv.–vi. (No change.)

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

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

1104.4.1.1 Regardless of the square footage of the buildings or floors, buildings of two or more stories that are owned and occupied

by public entities shall provide a vertical accessible route between floors.

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

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

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

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

1104.4.2 Large buildings. Large buildings, defined as those with a total gross enclosed floor area of 10,000 square feet or more, shall provide the accessible building features required of small buildings in Section 1104.4.1. In addition, large buildings shall be required to have an

elevator(s) to provide a vertical accessible route between floors; however, in such buildings, floors that are less than 3,000 square feet or floors with only mechanical equipment shall not be required to be served by an elevator.

1104.4.2.1 Where facilities for employees, including rest rooms, lunch rooms, and lockers, and public facilities, including rest rooms and drinking fountains, are provided on a floor or mezzanine that is not required to be served by an elevator and where no vertical accessible route is provided, the facilities provided on the floor or mezzanine must also be provided on the accessible level.

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

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

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

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

1104.4.5 Limited Use Limited Access Elevators--the use of a Limited Use Limited Access Elevator shall be permitted in accordance with the provisions of [1109.7] **1110.8**.

viii.–ix. (No change.)

x. Section [1105.1.7] **1105.1.8**, Dwelling units and sleeping units, in the exception, "or Type B unit" shall be deleted and "or" shall be inserted between "Accessible unit" and "Type A unit."

xi. In Section [1106.2] **1106.3**, Groups I-1, R-1, R-2, R-3, and R-4, in item 1, "or Type B unit" shall be deleted and "or" shall be inserted between "Accessible unit" and "Type A unit." Additionally, insert the following at the end of item number 1: "Where additional parking spaces or parking lots are provided for visitors, the number of required accessible parking spaces shall comply with the Table [1106.1] **1106.2**." Lastly, item number 3 shall be deleted.

xii. In Section [1106.6] **1106.7**, Location, insert the following at the end of the section: "Where parking is provided within or beneath a building, accessible parking spaces shall also be provided within or beneath the building."

xiii. Insert Section [1106.8] **1106.10** as follows:

"[1106.8] **1106.10** Parking signage. Each accessible parking space shall be marked with an R7-8 sign from the Manual of Uniform Traffic Control Devices and shall display the international symbol of accessibility. Beneath the R7-8 sign, each accessible parking space shall also be marked with a penalty sign, as required by N.J.S.A. 39:4-198 , containing the following language:

PENALTY

\$ 250 FIRST OFFENSE

SUBSEQUENT OFFENSES

\$ 250 MINIMUM AND/OR

UP TO 90 DAYS COMMUNITY SERVICE

TOW AWAY ZONE

[1106.8.1] **1106.10.1, Mounting height.** The bottom of the lowest sign shall be mounted approximately 60 inches above the parking lot or sidewalk surface when the sign is parallel to the sidewalk and approximately 72 inches above the parking lot or sidewalk when the sign is perpendicular to the sidewalk.

[1106.8.2] **1106.10.2, Location.** The penalty sign shall be centered and mounted at the head of each parking space."

xiv. In Section [1107.2] **1108.2, Design, "and Type B units"** shall be deleted from the first sentence and "and" shall be inserted between "Accessible units" and "Type A units." Additionally, the last sentence shall be deleted.

xv. In Section [1107.3] **1108.3, Accessible spaces, "or Type B units"** shall be deleted from the first sentence and "or" shall be inserted between "Accessible units" and "Type A units." After "dining areas," the second sentence, "laundry areas, mailboxes and meeting rooms" shall be inserted. The text of Exception #1 shall be deleted and the following shall be inserted in its place: "Mailboxes shall be mounted at minimum height of 28 inches and a maximum of 54 inches where a parallel approach is provided." Finally, Exception #3 shall be deleted in its entirety.

xvi. In Section [1107.4] **1108.4**, Accessible route, "and Type B units" shall be deleted from the first sentence and "and" shall be inserted between "Accessible units" and "Type A units." Exception 6 is amended to delete "or Type B units" from the third **and fourth** line, to delete the words "and Type B units" on the [fourth and] fifth line[s], and to delete the words "and Type B units" on the sixth line. Exception 7 is deleted.

xvii. In Section [1107.5] **1108.5**, Group I, "and Type B units" shall be deleted.

xviii. In Section [1107.5.1] **1108.5.1**, Group I-1, "and Type B units"[and "and 107.5.1.2"] shall be deleted. **Additionally, "1108.5.1.3" shall be deleted and "1108.5.1.2" shall be inserted.**

xix. Section [1107.5.1.2] **1108.5.1.3**, Type B units, shall be deleted in its entirety.

xx. In Section [1107.5.2] **1108.5.2**, Group I-2 nursing homes, "and Type B units" and "and [1107.5.2.2] **1108.5.2.2**" shall be deleted.

xxi. Section [1107.5.2.2] **1108.5.2.2**, 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] **1108.5.3**, Group I-2 hospitals, "and Type B units" and "and [1107.5.3.2] **1108.5.3.2**" shall be deleted.

xxiii. Section [1107.5.3.2] **1108.5.3.2**, Type B Units, shall be deleted in its entirety.

xxiv. Section [1107.5.5] **1108.5.5**, Group I-3, shall be renumbered as Section [1107.5.6] **1108.5.6** and the following shall be inserted [in its place]:

[1107.5.5] **1108.5.5** Assisted living facilities. Assisted living facilities that are licensed by the Department of Health are Group I-2 for compliance with the building subcode, fire protection subcode, and the other subcodes of the Uniform Construction Code and shall be Group R-2 for the purposes of accessibility.

[1107.5.5.1] **1108.5.5.1** Dwelling units that are available for occupancy only for 30 or more consecutive days shall be required to comply with Section [1003] **1103** of [ICC/ANSI] **ICC** A117.1.

[1107.5.5.2] **1108.5.5.2** Where an assisted living facility includes dwelling units or rooms that are available for occupancy for fewer than 30 consecutive days, 50 percent of those dwelling units or rooms shall be accessible in compliance with Section [1002] **1102** of [ICC/ANSI] **ICC** A117.1 and shall include one full bathroom that complies with Section [1002] **1102** of [ICC/ANSI] **ICC** A117.1 and, where a kitchen is provided, it shall comply with Section [1002] **1102** of [ICC/ANSI] **ICC** A117.1.

[1107.5.5.3] **1108.5.5.3** In dwelling units in an assisted living facility that are designated Group R-2 for the purposes of accessibility, the following may be adaptable:

[1107.5.5.3.1] **1108.5.5.3.1** The threshold for an accessible transfer shower may be adaptable as long as the shower threshold can be adapted with minimal expense and effort to be accessible; and

[1107.5.5.3.2] **1108.5.5.3.2** A transfer-type shower of 36 inches by 48 inches that includes an accessible seat may be provided in individual dwelling units. The threshold of this shower shall not exceed four inches.

xxv. In Section [1107.6] **1108.6**, Group R, "and Type B units" shall be deleted from the first sentence and "and" shall be inserted between "Accessible units" and "Type A units."

xxvi. In Section [1107.6.1] **1108.6.1**, Group R-1, "and Type B units" and "and [1107.6.1.2] **1109.6.1.2**" shall be deleted.

xxvii. Section [1107.6.1.2] **1108.6.1.2**, Type B units, shall be deleted in its entirety.

xxviii. In Section [1107.6.2] **1108.6.2**, Group R-2, "and Type B units" shall be deleted and "and" shall be inserted between "Accessible units" and "Type A units."

xxix. In Section [1107.6.2.1] **1108.6.2.1**, 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] **1108.6.2.2 and 1108.7**" shall be inserted. Additionally, the exception shall be deleted.

xxx. In Section [1107.6.2.2] **1108.6.2.2**, Apartment houses, monasteries and convents, "Live/Work Units" shall be added before "Apartment" in the title, "and

Type B units" and "and [1106.6.2.2.2] **1108.6.2.2.2**" shall be deleted, and "Live/Work Units" shall be added before "Apartment" in the third line.

xxxii. Section [1107.6.2.2.1] **1108.6.2.2.1**, Type A units, shall be deleted in its entirety and the following shall be inserted:

"[1107.6.2.2.1] **1108.6.2.2.1** Type A units. In Group R-2 live/work units, apartment houses, monasteries and convents containing four or more dwelling units or sleeping units, all ground floor dwelling units in a building without elevator service and all dwelling units in an elevator serviced building shall be Type A units. For the purpose of applying this requirement, the ground floor shall mean, in a building containing dwelling units, the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.

Exception: The number of Type A units is permitted to be reduced in accordance with [1107.7] **1108.7**.

xxxiii. Section [1107.6.2.2.2] **1108.6.2.2.2**, Type B units, shall be deleted in its entirety.

xxxiiii. In Section [1107.6.2.3] **1108.6.2.3**, Group R-2 other than live/work units, apartment houses, monasteries and convents, "Type B units" shall be deleted and "Type A units" inserted in its place.

xxxv. Section [1107.6.2.3.2] **1108.6.2.3.2**, Type B units, shall be deleted in its entirety and the following shall be inserted:

"[1107.6.2.3.2] **1108.6.2.3.2** Type A units. In Group R-2 occupancies other than live/work units, apartment houses, monasteries and convents

containing four or more dwelling units or sleeping units, all ground floor dwelling units in a building without elevator service and all dwelling units in an elevator serviced building shall be Type A units. For the purpose of applying this requirement, the ground floor shall mean, in a building containing dwelling units, the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.

Exception: The number of Type A units is permitted to be reduced in accordance with [1107.7] **1108.7**.

xxxv. In Section [1107.6.3] **1108.6.3**, Group R-3, "Type B units" shall be deleted in the section and the exception and "Type A units" inserted in its place in both locations.

xxxvi. In Section [1107.6.4] **1108.6.4**, Group R-4, "Type B units" shall be deleted and "Type A units" inserted in its place.

xxxvii. Section [1107.6.4.2] **1108.6.4.2**, 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] **1108.6.5** as follows:

"[1107.6.5] **1108.6.5** COAH Units. The exemption for townhouses and multistory units notwithstanding, multistory or multifloor townhouses for which credit is sought for low or moderate income housing through the Council on Affordable Housing (COAH) shall have the following features, which shall comply with the standards for Type A dwelling units per [ICC/ANSI] **ICC A117.1**:

(1)-(5) (No change.)

xxxix. In Section [1107.7] **1108.7**, General exceptions, "and Type B units" shall be deleted. Additionally, in the last line "[1107.7.5]**1108.7.5**" shall be deleted and "[1107.7.3]**1108.7.3**" inserted in its place.

xl. Section [1107.7.1] **1108.7.1**, Structures without elevator service, [1107.7.1.1] **1108.7.1.1**, One story with Type B units required, and [1107.7.1.2] **1108.7.1.2**, Additional stories with Type B units, shall be deleted in their entirety.

xli. Section [1107.7.2] **1108.7.2**, Multistory units, shall be renumbered as Section [1107.7.1] **1108.7.1**. The first sentence of this section shall be deleted and replaced with the following: A multistory dwelling unit or sleeping unit that is not provided with elevator service is required to be accessible as follows: The primary entrance to the unit shall comply with the requirements for a Type A unit and, where provided within the unit, a living area, kitchen, and toilet and bathing facility that comply with Type A dwelling unit shall be provided on that floor. In the seventh line, "Type B dwelling unit" shall be deleted and "Type A unit" inserted in its place. Additionally, in the [seventh] **eighth** line, following the word "toilet," "and bathing" shall be inserted.

xlii. Section [1107.7.3] **1108.7.3**, Elevator service to the lowest story with units, shall be deleted in its entirety.

xliii. Section [1107.7.4] **1108.7.4**, Site impracticality, shall be renumbered as Section [1107.7.2] **1108.7.2** and "Type B units" in the third line of the section and in Items 1, 2, 3, and 4 shall be deleted and "Type A units" inserted in its place.

xliv. Section [1107.7.5, Design flood elevation] **1108.7.5, Flood hazard areas**, shall be renumbered as Section [1107.7.3] **1108.7.3** and in the [second] **first** line "and Type B units" shall be deleted. Additionally, the following exception shall be added: "Exception: When an accessible route is provided, all dwelling units served by the accessible route shall be Type A units."

xliv. Section [1109.1] **1110.1**, General, in the exception, "and Type B unit" shall be deleted and "and" shall be inserted between "Accessible unit" and "Type A unit."

xlvi. In Section [1109.2.3] **1110.2.5**, Lavatories, the last sentence shall be deleted.

xlvii. In Section [1109.7] **1110.8**, Elevators, insert the following exceptions:

"Exceptions:

1. An elevator that provides an accessible route within an individual dwelling unit shall not be required to comply with the dimensional requirements of an accessible elevator.
2. A limited use/limited application elevator that complies with ANSI/ASME A17.1 adopted by reference in the building subcode shall be allowed to provide a vertical accessible route in the following buildings or tenancies, provided that the travel distance of the device does not exceed 25 feet:
 - 2.1 In small buildings as defined in Section 1104.4.1;
 - 2.2 In individual tenancies of less than 10,000 square feet in buildings of 10,000 square feet or more;
 - 2.3 To serve floors or mezzanines of less than 3,000 square feet; or

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

xlvi. In Section [1109.8] **1110.9**, Lifts, Items #4, #6, and #10 shall be deleted.

xlix. In Section [1109.12.3, Point of sale and service counters] **1110.13.2, Sales and service counters and windows**, insert the following exceptions:

"Exceptions:

1. An auxiliary service counter with a maximum height of 36 inches in close proximity to the main service counter
2. Equivalent facilitation, such as a folding shelf attached to the main service counter or space at the side of the service counter."

l. In Section [1110.2.2] **1111.2.2**, Facilities serving Type A and Type B units in a single building, delete "and Type B" in the title and "or Type B" in the first sentence.

li. In Section [1110.2.3] **1111.2.3**, Facilities serving Type A and Type B units in [a] multiple buildings, delete "and Type B" in the title and "or Type B" in the first sentence.

lii. Sections [1110.4.8] **1111.4.8**, Amusement rides, [1110.4.8.1] **1111.4.8.1**, Load and unload areas, [1110.4.8.2] **1111.4.8.2**, Wheelchair spaces, ride seats designed for transfer and transfer devices, and [1110.4.8.3] **1111.4.8.3**, Minimum number shall be deleted in their entirety.

liii. Sections [1110.4.12] **1111.4.12**, Miniature golf facilities, [1110.4.12.1] **1111.4.12.1**, Minimum number, [1110.4.12.2] **1111.4.12.2**, Miniature golf course

configuration, and [1110.4.12.3] **1111.4.12.3**, Accessible route shall be deleted in their entirety.

[liv. In section 1110.4.13, Swimming pools, wading pools, hot tubs, and spas, Exception 3 shall be deleted in its entirety.]

[lv.] **liv.** In Section [1110.4.14] **1111.4.14**, Swimming pools, wading pools, **cold baths**, hot tubs, and spas, Exception 3 shall be deleted in its entirety.

[lvi.] **lv.** In Section [1111.1] **1112.1**, Signs, the exception to Item #1 shall be deleted. Additionally, in the last line of the exception to Item #2, "an assigned" shall be inserted following "identification of" and "spaces" shall be deleted and "space" shall be inserted.

[lvii.] **lvi.** In Section [1111.3] **1112.4**, Other signs, Item #7 shall be deleted in its entirety.

[lviii.] **lvii.** Insert new Section [1112] **1113**, Variations, as follows:

"Section [1112] **1113**. Variations

[1112.1] **1113.1** General. Where it can be demonstrated that one or more of the provisions of this subchapter are technically infeasible, variations or exceptions to those specific provisions may be granted if:

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

[1112.2] **1113.2** Prohibited. In no case shall a complete waiver of these requirements be granted.

[1112.3] **1113.3** Procedure. Procedures for granting variations and exceptions shall be in accordance with N.J.A.C. 5:23-2.9 through 2.13 ."

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

i. (No change.)

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

[ii.] **iii.** In Section [1207.2] **1208.2**, Minimum ceiling heights, "7 feet 6 inches (2286mm)" shall be deleted and "7 feet (2134 mm)" shall be inserted in its place.

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

[iii.] **v.** Sections [1209.3] **1210.3**, Privacy, **1210.3.1 Water closet compartment, and 1210.3.2, Urinal partitions** shall be deleted in [its] **their** entirety.

12.–13. (No change.)

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

i. In Section 1502.1, General, "[Sections 1106 and 1108] **Chapter 11** of the International Plumbing Code" shall be deleted and "**the** plumbing subcode, N.J.A.C. 5:23-3.15" shall be inserted.

ii. In Section 1502.2, Secondary (emergency overflow) drains or scuppers, "[Sections 1106 and 1108, as applicable] **Chapter 11** of the International Plumbing Code" shall be deleted and "the plumbing subcode, N.J.A.C. 5:23-3.15" shall be inserted.

iii.–iv. (No change.)

[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.]

[vi.] **v.** (No change in text.)

[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.] **vi.** (No change in text.)

[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.] **vii.** (No change in text.)

[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.] **viii.** (No change in text.)

[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.] **ix.** In Section [1507.18.4.2] **1507.17.4.2**, Ice barrier, "In areas where there has been a history of ice forming along the eaves causing a backup of water," shall be deleted and "In areas where the average daily temperature in January is 25 degrees F (-4 degrees C) or less," shall be inserted.

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

i. (No change.)

[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.] **ii.** In Section [1607.7.5] **1607.8.5**, Posting, "Section 106.1" shall be deleted and "the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)" shall be inserted.

[iv.] **iii.** Section [1607.11] **1607.12**, Reduction in uniform live loads, shall be amended as follows: In the first sentence, "and applied" shall be inserted after "reduced." After the first sentence, "The method chosen shall be applied throughout the building." shall be inserted.

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

[vi.] v. In Section 1611, Rain loads, Figures [1611.1] **1611.1(1) through 1611.1(5)**, "100-year, 1-hour rainfall (inches)" shall be deleted.

[vii.] vi. (No change in text.)

[viii.] vii. In Section 1612.4, Flood hazard documentation, items 1.1 and 2.1, "Section 110.3.3" and "Section [110.3.11.1] **110.3.12.1**" shall be deleted and "the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)" shall be inserted in all instances.

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

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

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

Recodify existing ii.–ix. as **iii.–x.** (No change in text.)

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

Recodify existing xi.–xii. as **xii.–xiii.** (No change in text.)

[xiii.] **xiv.** In Section 1704.4, [Contractors] **Contractor** responsibility, in the first sentence, "main - wind- or" shall be deleted. In addition, in the same sentence, "or a wind-" shall be deleted.

Recodify existing xiv.–xvii. as **xv.–xviii.** (No change in text.)

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

[xix.] **xx.** Section [1705.11] **1705.12,** Special inspection for wind resistance, shall be deleted.

[xx.] **xxi.** In Section [1705.12.1.1] **1705.13.1.1,** Seismic force-resisting systems, "B and C," shall be deleted in reference to seismic design categories. Additionally, [the exception] **Exception 1** shall be deleted.

[xxi.] **xxii.** In Section [1705.12.1.2] **1705.13.1.2,** Structural steel elements, "B and C," shall be deleted in reference to seismic design categories. In addition, exception 1 shall be deleted.

[xxii.] **xxiii.** In Section [1705.12.2] **1705.13.2,** Structural wood, in the first sentence, "C," shall be deleted in reference to seismic design categories.

[xxiii.] **xxiv.** In Section [1705.12.3] **1705.13.3,** Cold-formed light-frame construction, in the first sentence, "C," shall be deleted in reference to seismic design categories.

[xxiv.] **xxv.** In Section [1705.12.4] **1705.13.4,** Designated seismic systems, in the first sentence, "C," shall be deleted in reference to seismic design categories.

[xxv.] **xxvi.** In Section [1705.12.6] **1705.13.6**, Plumbing, Mechanical and Electrical Components, in items 1, 3, 4, 5, and 6, "C," shall be deleted in reference to seismic design categories.

[xxvi.] **xxvii.** In Section [1705.12.8] **1705.13.8**, Seismic isolation systems, in the first sentence of the first paragraph, "B" and "C," shall be deleted in reference to seismic design categories.

[xxvii.] **xxviii.** Section [1705.13.1] **1705.14.1**, Structural steel, shall be deleted.

[xxviii.] **xxix.** In Section [1705.13.2] **1705.14.2**, Nonstructural components, in the first sentence, "B and C," shall be deleted in reference to seismic design categories.

[xxix.] **xxx.** In Section [1705.13.3] **1705.14.3**, Designated seismic systems, in the first sentence, "C," shall be deleted in reference to seismic design categories.

[xxx.] **xxxi.** In Section [1705.13.4] **1705.14.4**, Seismic isolation systems, in the first sentence, "B and C," shall be deleted in reference to seismic design categories.

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

17. (No change.)

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

i.–iv. (No change.)

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

Recodify existing v.-vi. as **vi.-vii.** (No change in text.)

19. (No change.)

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

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

21. (No change.)

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

i. (No change.)

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

iii.–xiii. (No change.)

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

Recodify existing xiv.-xv. as **xv.-xvi.** (No change in text.)

[xvi. In Section 3008.6.6, Two-way communication system, in the first sentence, "or an alternate location approved by the fire department and" shall be deleted.]

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

i.-iii. (No change.)

[iv. Section 3109, Swimming Pool Enclosures and Safety Devices, shall be deleted in its entirety and the following shall be inserted:

SECTION 3109 SWIMMING POOLS, SPAS, AND HOT TUBS

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.]

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

3109.2 Amendments to the International Swimming Pool and Spa Code.

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

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

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

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

2.2 In Section 202, Definitions:

2.2.1 The definition of "alteration" shall be deleted.

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

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

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

2.2.5 The definitions of "permit" and "repair" shall be deleted.

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

3.1 In Section 302.1, Electrical, **“NFPA 70” shall be deleted and “the electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.**

Additionally, "or the International Residential Code, as applicable in accordance with Section 102.7.1" shall be deleted.

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

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

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

3.4.1 In Section 305.1, General, in the second sentence, "and swimming pools are equipped with a powered safety cover that complies with ASTM F1346" shall be deleted. Also in the second sentence, ", hot tubs or pools" shall be replaced with "or hot tubs".

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

[3.4.2] **3.4.3** Section 305.4, Structure wall as a barrier, shall be deleted.

[3.4.3] **3.4.4** In Section 305.5, Onground residential pool structure as a barrier, in item 3, "capable of being secured, locked or removed to prevent access except where the ladder or steps are" shall be deleted.

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

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

3.7 In Section 306.9.1, Hose bibbs, "International Plumbing Code or the International Residential Code, as applicable in accordance with Section

102.7.1" shall be deleted and "plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

3.8 In Sections 307.1.1, Glazing in hazardous locations, 307.2.2, Materials and structural design, 307.1.3, Roofs or canopies, [316.4, Installation,] and 316.6.1, Installation, "in accordance with Section 102.7.1" shall be deleted.

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

[3.9] **3.10** In Section 318.2, Protection of potable water supply, "International Residential Code or the International Plumbing Code or, as applicable in accordance with Section 102.7.1" shall be deleted and "plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

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

[3.10] **3.12** In Section 321.4, Residential pool and deck illumination, "NFPA 70" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted. Additionally, "or the International Residential Code, as applicable in accordance with Section 102.7.1" shall be deleted.

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

4.1 In Section 410.1, [Dressing and sanitary facilities] **Toilet facilities**, "**International Building Code or International Plumbing Code**" shall be deleted and "plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

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

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

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

5.3 Sections 609.2, Number of fixtures, 609.3, Showers, 609.4, Soap dispensers, [606.5] **609.5**, Toilet tissue holder, 609.6, Lavatory mirror, [606.7] **609.7**, Sanitary napkin receptacles, 609.8, Sanitary napkin dispensers, and 609.9, Infant Care, shall be deleted.

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

v.–vi. (No change.)

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

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

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

24. (No change.)

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

i.–iii. (No change.)

[iv. In the last sentence of Section 3309.1, Where required, "On construction sites," shall be inserted before "Structures."]

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

v. (No change.)

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

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

[i.] **ii.** (No change in text.)

27. The Appendices shall be amended as follows:

i.–ii. (No change.)

iii. Appendix I, Patio Covers, Appendix J, Grading, Appendix K, Administrative Provisions, Appendix L, Earthquake Recording Instrumentation, Appendix M,

[Tsunami-Generated] **Tsunami-Generated** Flood Hazard, [and] Appendix N, Replicable Buildings, **and Appendix O, Performance-based application**, shall be deleted in their entirety.

5:23-3.16 Electrical subcode

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

1. Pursuant to the authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the National Fire Protection Association, known as "The National Electrical Code [2017] **(NEC) 2020,**" **and Tentative Interim Amendments 1-9** as the electrical subcode for New Jersey.

i. (No change.)

2. The National Electrical Code [2017] **2020** may be known and cited as "the electrical subcode."

i. Codes and standards referenced in the Informational Notes of the electrical subcode (NEC [2017] **2020**) shall be considered adopted by reference to the extent prescribed by each related section. These codes and standards also are printed in DCA Bulletin # 19-3, which contains a list of adopted codes and standards that are applicable to the enforcement of the electrical subcode.

3. (No change.)

(b) The following chapters or articles of the electrical subcode are amended as follows:

1.-2. (No change.)

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.] i. (No change in text.)

4. (No change.)

5. Chapter 4 of the electrical subcode, entitled "Equipment for General Use" is amended as follows:

i. (No change.)

ii. Article 425, entitled "Fixed Resistance and Electrode Industrial Process Heating Equipment," is amended as follows:

(1)–(2) (No change.)

[(3) Section 425.9, entitled "Approval," is deleted.]

Recodify existing (4)–(9) as **(3)–(8)** (No change in text.)

[(10)] **(9)** Section 425.29, entitled "**Marking of Heating Elements**," is deleted.

[(11)] **(10)** Section 425.45, entitled "Concealed Fixed Industrial Heating Equipment - **Inspection**," is deleted.

Recodify existing (12)–(17) as **(11)–(16)** (No change in text.)

6. (No change.)

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" **deleted and** "**ASME A17.1-2019/CSA B44-19**" shall be inserted in its place;

ii. In Section 620.23(C), Duplex Receptacle, the Informational Note shall have ["ASME A17.1-2013/CSA B44-13" deleted and] "ASME A17.1-2016/CSA B44-16" **deleted and "ASME A17.1-2019/CSA B44-19"** shall be inserted in its place;

iii. In Section 620.24(C), Duplex Receptacle, [the] Informational Note **No. 1** shall have ["A17.1-2013/CSA B44-13" deleted and] "ASME A17.1-2016/CSA B44-16" **deleted and "ASME A17.1-2019/CSA B44-19"** shall be inserted in its place;

iv. In Section 620.51(A), Type, the Informational Note shall have ["A17.1-2013/CSA B44-13" deleted and] "ASME A17.1-2016/CSA B44-16" **deleted and "ASME A17.1-2019/CSA B44-19"** shall be inserted in its place; **and**

v. In Section 620.91, Emergency and Standby Power Systems, [the] Informational Note **No. 1** shall have ["A17.1-2013/CSA B44-13" deleted and] "ASME A17.1-2016/CSA B44-16" **deleted and "ASME A17.1-2019/CSA B44-19"** 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] **805.156**, entitled "Dwelling Unit Communications Outlet," is deleted in its entirety.

9. (No change.)

5:23-3.17 Fire protection subcode

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

1. Pursuant to the authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the following portions of the building, electrical, mechanical, fuel gas, and one- and two-family dwelling subcodes, to the extent delineated [in] at N.J.A.C. 5:23-3.4, as the fire protection subcode for New Jersey.

- i. International Building Code of the International Code Council, Inc. adopted as amended at N.J.A.C. 5:23-3.14 as the building subcode:

(1)–(2) (No change.)

(3) Chapter 5 – General Building Heights and Areas;

(4) Chapter 6 – Types of Construction;

Recodify existing (3)–(6) as **(5)–(8)** (No change in text.)

(9) Chapter 15 – Roof Assemblies and Rooftop Structures;

(10) Chapter 17 – Special Inspections and Tests;

Recodify existing (7)–(8) as **(11)–(12)** (No change in text.)

(13) Chapter 27 – Electrical;

(14) Chapter 30 – Elevators and Conveying Systems;

Recodify (9)-(10) as **(15)-(16)** (No change in text.)

ii.-iv. (No change.)

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 1601.1.1 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], **and** 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) Section[s] 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. (No change.)

5:23-3.18 Energy [Subcode] **subcode**

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

1. Pursuant to authority of P.L. 1975, c. 217, as modified by P.L. 1996, c. 53, the Commissioner hereby adopts the model code of the International Code Council, known as the International Energy Conservation [Code/2018 (IECC/2018)] **Code/2021 (IECC/2021)**, as the energy subcode for New Jersey.

i. Copies of the [IECC/2015] **IECC/2021** may be obtained from International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. (No change.)

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

1. Chapter 1, Scope and [Administration] **Application**, shall be amended as follows:

i.–ii. (No change.)

iii. Section[s] C103, Construction Documents, **Section C104, Fees, Section C105, Inspections, [and] Section C106, Notice of Approval, Section C107, Validity,**

Section [C107.3] **C108.3**, Other laws, [C108] **C109**, Stop Work Order, and [C109] **C110**, Board of Appeals, shall be deleted.

2. Chapter 2, Definitions, shall be deleted, except that a new definition of "IECC-Commercial Provisions" shall be inserted and defined as meeting “the requirements of the ASHRAE Standard 90.1 referenced by Chapter 6 of commercial provisions of this code.”

3. Chapter 3, [Climate Zones] **General Requirements**, 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.] **i. In** Section C401.2, Application, “**Section C401.2.1 or**” shall be deleted. **In addition, Section C401.2.1, International Energy Conservation Code, shall be deleted in its entirety. Lastly, new Section** [and replaced with] **C401.2.2.1, Amendments, shall be added as follows**[.]: The following amendments shall apply to ASHRAE 90.1:

1. (No change.)

[iii.] **ii.** [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, Additional

Efficiency Package Options, C407, Total Building Performance, and C408, Maintenance Information and System Commissioning, shall be deleted in their entirety.

5. (No change.)

6. Chapter 6, Referenced Standards, shall be amended as follows:

i. In the ICC table, "[IPC-18] **IPC-21**, International Plumbing Code" shall be deleted and "[NSPC-18] **NSPC-21**, National Standard Plumbing Code" shall be inserted. In addition, at the bottom of the ICC table, "***[NSPC-18] **NSPC-21** is non-ICC and is published by the [National Association of Plumbing-Heating-Cooling Contractors] **International Association of Plumbing and Mechanical Officials**" shall be inserted.

[7. Appendix CA, Solar-Ready Zone--Commercial, is deleted.]

7. Appendices

i. Appendix CA, Board of Appeals—Commercial, is deleted.

ii. Appendix CB, Solar-Ready Zone, is optional at the discretion of the permit applicant.

iii. Appendix CC, Zero Energy Commercial Building Provisions, is optional at the discretion of the permit applicant. Appendix CC shall be amended as follows:

(1) In Section CC103.1, Renewable energy, the second paragraph shall be deleted. In addition, “Section C401.2.1, Item 2 or” shall be deleted in the third paragraph.

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

1. Chapter 1, Scope and [Administration] **Application**, shall be amended as follows:

i.–ii. (No change.)

iii. [Sections] **Section R103**, Construction Documents, **Section R104**, Fees, **Section R105**, Inspections, [and] **Section R106**, **Notice of Approval**, **Section R107**, Validity, Section [R107.3] **R108.3**, Other laws, [R108] **R109**, Stop Work Order, and [R109] **R110**, Board of Appeals, shall be deleted.

2.–3. (No change.)

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.]

i. Section R401.2, Application, the exception shall be deleted in its entirety.

Recodify existing iii.-iv. as **ii.-iii.** (No change in text.)

iv. In Section R404.1.1, Exterior lighting, delete “Section C405.4 of the International Energy Conservation Code—Commercial Provision” and replace with “Section 9.4.2 of the ASHRAE Standard 90.1.”

5. (No change.)

6. Chapter 6, Referenced Standards, shall be amended as follows:

i. In the ICC table, "[IPC-18] **IPC-21**, International Plumbing Code" shall be deleted and "[NSPC-18] **NSPC-21**, National Standard Plumbing Code" shall be

inserted. In addition, at the bottom of the ICC table, "**[NSPC-18] NSPC-21 is non-ICC and is published by the [National Association of Plumbing-Heating-Cooling Contractors] **International Association of Plumbing and Mechanical Officials**" shall be inserted.

[7. Appendix RA, Solar-Ready Provisions--Detached One- and Two-Family Dwellings, Multiple Single-Family Dwellings (Townhouses), is deleted.]

7. Appendices

i. Appendix RA, Board of Appeals—Residential, is deleted.

ii. Appendix RB, Solar-Ready Provisions—Detached One- and Two-Family Dwellings and Townhouse, is optional at the discretion of the permit applicant.

iii. Appendix RC, Zero Energy Residential Building Provisions, is optional at the discretion of the permit applicant. Appendix RC shall be amended as follows:

(1) In Section RC101.1, Compliance, “Existing residential buildings shall comply with Chapter 5.” is deleted.

5:23-3.20 Mechanical subcode

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

1. Pursuant to authority of P.L. 1975, c. 217, the Commissioner hereby adopts the model code of the International Code Council, Inc., known as the International Mechanical [Code/2018] **Code/2021**. This code is hereby adopted by reference as the Mechanical Subcode for the State of New Jersey subject to the modifications [in] at (b) below.

i. (No change.)

ii. The International Mechanical [Code/2018] **Code/2021** may be known and cited as the "mechanical subcode."

2.–3. (No change.)

(b) The following chapters, sections, or pages of the International Mechanical [Code/2018] **Code/2021** shall be amended as follows:

1. Chapter 1 of the mechanical subcode, entitled "Scope and Administration," is deleted in its entirety[:].

2. (No change.)

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

i.–vi. (No change.)

vii. Section 307.2.1, Condensate disposal, is amended to add the following after the word "disposal" on line 3: "in accordance with the plumbing subcode." In addition, the second sentence shall be deleted. **In addition, Section 307.2.1.1, Condensate discharge, is deleted in its entirety.**

viii.–ix. (No change.)

4.–8. (No change.)

9. Chapter 11 of the mechanical subcode, entitled "Refrigeration," is amended as follows:

i.–ii. (No change.)

iii. Add new Section 1103.1.1, Acceptable refrigerants, as follows: "Only refrigerants listed by the US Environmental Protection Agency (EPA), pursuant to the Significant New Alternatives Program (SNAP) under section 612 of the Clean

Air Act Amendments and those listed by the NJ Department of Environmental Protection (DEP) pursuant to the Air Pollution Control Act, P.L. 1954, c. 212 (N.J.S.A. 26:2C-1 et seq.), as acceptable substitutes for the particular use shall be permitted."

iv. (No change.)

10.–11. (No change.)

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] **IPC—21**, International Plumbing Code."

13.–14. (No change.)

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] **2021** International Residential Code known as the "[IRC/2018] **IRC/2021**" as the [one-and] **one- and** two-family dwelling subcode in New Jersey subject to the modifications stated [in] **at** (c) below.

i. (No change.)

ii. The [IRC/2018] **IRC/2021** may be known and cited as the [one-and] **one- and** two-family dwelling subcode.

(b) (No change.)

(c) The following chapters or sections of the [IRC/2018] **IRC/2021** shall be modified as follows:

1.-2. (No change.)

3. Chapter 3, Building Planning, shall be amended as follows:

i. (No change.)

ii. Table [R301.2(1)] **R301.2**, Climatic and Geographic Design Criteria, shall be amended as follows:

1.-9. (No change.)

[10. Under the heading of "Winter Design Temp," insert "13 degrees F";]

Recodify existing 11.-14. as **10.-13**. (No change in text.)

[15. After the title "Manual J Design Criteria," insert "(see Table 1a from ACCA Manual J; fill in criteria from the closest municipality)";]

Recodify existing 16.-17. as **14.-15**. (No change in text.)

iii.–viii. (No change.)

[ix. In Exception 1 of R302.3, Two-family dwellings, "or NFPA 13R, or 13D" shall be inserted after "Section P2904."]

[x.] **ix**. In Section R302.5.1, Opening protection, in the last sentence, ", **Doors shall be self-latching and** equipped with a self-closing or automatic-closing device" shall be deleted.

Recodify existing xi.-xv. as **x.-xiv**. (No change in text.)

[xvi.] **xv**. In Section R310.1, Emergency escape and rescue **opening** required, "Basements, habitable attics and" shall be deleted. The sentence shall start with "Every." In addition, [the] exception **1** shall be deleted in its entirety.

[xvii.] **xvi.** In Section[s R310.2.3.2] **R310.4.3**, 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.] **xvii.** Sections [R310.2.5] **R310.5**, Replacement windows **for emergency escape and rescue openings**, [R310.5] **R310.6**, Dwelling additions, and [R310.6] **R310.7**, Alterations or repairs of existing basements, **R310.7.1, Existing emergency escape rescue openings**, shall be deleted.

[xix.] **xviii.** In Section R311.3.1, Floor elevations at the required egress doors, in the Exception, "7 3/4 inches (196 mm)" shall be deleted and "8 1/4 inches (210 mm)" shall be inserted. Also, in Section R311.3.2, Floor elevations [for] **at** other exterior doors, "7 3/4 inches (196 mm)" shall be deleted and "8 1/4 inches (210 mm)" shall be inserted."

Recodify existing xx.-xxiii. as **xix.-xxii.** (No change in text.)

[xxiv. In Section R311.8.1, Maximum slope, delete the second sentence.]

[xxv.] **xxiii.** (No change in text.)

[xxvi.] **xxiv.** Section R313.1, Townhouse automatic fire sprinkler systems shall be deleted. Section R313.1.1 shall be retained.

Recodify existing xxvii.-xxix. as **xxv.-xxvii.** (No change in text.)

[xxx.] **xxviii.** **New** Section R314.7.5 shall be inserted as follows: "R314.7.5, Monitoring. The system shall be monitored by an approved supervising station and shall be maintained in accordance with NFPA 72."

[xxxi.] **xxix.** (No change in text.)

[xxxii.] **xxx.** In Section [R319, Site address] **R319.1, Address Identification**, the fourth, fifth, and ninth sentences shall be deleted. Additionally, in the seventh sentence, “fire code official” shall be deleted and “fire protection subcode official” shall be inserted.

Recodify existing xxxiii.-xl. as **xxxi.-xxxviii.** (No change in text.)

[xli.] **xxxix.** In Section R322.3, Coastal high-hazard areas (including V Zones and Coastal A Zones, where designated), “Sections R322.3.1 through R322.3.10” shall be deleted and “and ASCE 24” shall be inserted in its place. Additionally, the subsections that follow the text of R322.3.1, Sections R322.3.1 through R322.3.10, shall be deleted.

[xlvi.] **xl.** (No change in text.)

[xlvii.] **xli.** [In Section R325, Mezzanines, the second sentence of R325.1, General, shall be deleted and Section R325.6] **Section R326, Habitable [attic] attics**, shall be deleted.

[xlviii.] **xlii.** In Section [R326.1] **R327.1, 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:"]

xliii. A new Section R327.2, Amendments to the International Swimming Pool and Spa Code, shall be inserted as follows:

R327.2. Amendments to the International Swimming Pool and Spa Code. The following amendments shall be made to the International Swimming Pool and Spa Code (ISPSC).

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

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

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

2.2 In Section 202, Definitions:

2.2.1 The definition of "alteration" shall be deleted.

2.2.2 The definition of "code official" shall be deleted and the following shall be inserted:

"Construction Official. A qualified person appointed by the municipal appointing authority or the commissioner pursuant to the act and the regulations to enforce and administer the regulations within the jurisdiction of the enforcing agency."

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

2.2.4 The definition of "owner" shall be deleted and the following shall be inserted:

"Owner. The owner or owners in fee of the property of a lesser estate therein, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, lessee or any other person, firm or

corporation, directly or indirectly in control of a building, structure or real property and shall include any subdivision thereof of the State."

2.2.5 The definitions of "permit" and "repair" shall be deleted.

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

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

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

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

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

3.4.1 In Section 305.1, General, in the second sentence, "and swimming pools are equipped with a powered safety cover that complies with ASTM F1346" shall be deleted. Also in the

second sentence, ", hot tubs or pools" shall be replaced with "or hot tubs".

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

[3.4.2] **3.4.3** Section 305.4, Structure wall as a barrier, shall be deleted.

[3.4.3] **3.4.4** In Section 305.5, Onground residential pool structure as a barrier, in item 3, "capable of being secured, locked or removed to prevent access except where the ladder or steps are" shall be deleted.

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

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

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

3.8 In Sections 307.1.1, Glazing in hazardous locations, 307.2.2, Materials and structural design, 307.1.3, Roofs or canopies, [316.4, Installation,] and 316.6.1, Installation, "in accordance with Section 102.7.1" shall be deleted.

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

[3.9] **3.10** In Section 318.2, Protection of potable water supply, "International Residential Code or the International Plumbing Code or, as applicable in accordance with Section 102.7.1" shall be deleted and "plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

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

[3.10] **3.12** In Section 321.4, Residential pool and deck illumination, "NFPA 70" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted. Additionally, "or the International Residential Code, as applicable in accordance with Section 102.7.1" shall be deleted.

3.13 In Section 324.4, Electrical, "NFPA 70" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

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

4.1 In Section 410.1, [Dressing and sanitary facilities] **Toilet facilities, "International Building Code or International Plumbing Code"** shall be deleted and "plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

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

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

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

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

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

xliv. In Section R329.2, Installation, "Chapters 34 through 43" shall be deleted, and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

xlv. In Section R330.1, General, the words "and existing" shall be deleted.

4.-7 (No change.)

8. Chapter 9, Roof Assemblies, shall be amended as follows:

i. (No change.)

ii. In Section R905.1.2, Ice barriers, in the first sentence, delete “in areas where there has been a history of ice forming along the eaves causing a back-up of water as designated in table [R301.2(1)] **R301.2**,” and “In areas where the average daily temperature in January is 25°F (-4°C) or less,” shall be inserted.

9. Chapter 10, Chimneys and Fireplaces, shall be amended as follows:

i.–ii. (No change.)

iii. In Figure R1003.18, Clearance from Combustibles, “[12] **8 IN.**” shall be deleted and “6 IN.” shall be inserted.

10. Chapter 11, Energy Efficiency, shall be amended as follows:

i.–iii. (No change.)

[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.]

iv. In Section N1101.13 (R401.2), Application, the exception shall be deleted in its entirety.

[vi.] v. In Section N1103.7 (R403.7), Equipment sizing and efficiency rating [(Mandatory)], “or replacement” shall be deleted in the second sentence.

[vii.] vi. In Section N1103.8 (R403.8), Systems serving multiple dwellings 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).”

vii. In Section N1104.1.1 (R404.1.1), Exterior lighting, delete “Section C405.4 of the International Energy Conservation Code—Commercial Provision” and replace with “Section 9.4.2 of the ASHRAE Standard 90.1”.

viii. Sections [N1107] N1109 (R501), Existing Buildings--General, [N1108] N1110 (R502), Additions, [N1109] N1111 (R503), Alterations, [N1110] N1112 (R504), Repairs, and [N1111] N1113 (R505), Change of Occupancy or Use, shall be deleted.

11. (No change.)

12. Chapter 13, General Mechanical System Requirements, shall be amended as follows:

i.–v. (No change.)

vi. Add new Section [M1307.7] M1307.8 as follows:

[M1307.7] M1307.8 Safety devices and controls. Oil burners, other than oil stoves with integral tanks, shall be provided with means for manually stopping the flow of oil to the burner. Such device or devices shall be placed in a readily accessible location a minimum of 10 feet from the burner. For electrically driven equipment, an identified switch in the burner supply circuit shall be provided at the entrance to the room or area where the appliance is located or, for equipment located in basements, the switch is required to be located at the top of stairs leading to the basement. An identifiable valve in the oil supply line, operable from a location a minimum of 10 feet from the burner, shall be used for other than electrically driven or controlled equipment.

13. Chapter 14, Heating and Cooling Equipment, shall be amended as follows:

i. [Chapter] **Section M1401.3**, [Sizing] **Equipment and appliance sizing**, “When provided” shall be inserted at the beginning of the sentence.

ii.–viii. (No change.)

14.–15. (No change.)

16. Chapter 21, Hydronic Piping, shall be amended as follows:

i. (No change.)

ii. In Sections M2101.3, Protection of potable water, **M2101.25, Protection of potable water**, and M2105.18, Protection of potable water, "Section P2902" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

iii. In Sections **M2101.16 and M2105.9, both entitled CPVC plastic pipe**, “**Section P2906.9.1.2**” shall be deleted and “**the plumbing subcode (N.J.A.C. 5:23-3.15)**” shall be inserted. In addition, in Sections **M2101.21 and M2105.14, both entitled PVC plastic pipe**, “**Section P2906.9.1.4**” shall be deleted and “**the plumbing subcode (N.J.A.C. 5:23-3.15)**” shall be inserted.

Recodify existing iii. as iv. (No change in text.)

[iv.] v. In Sections **M2101.26, Pipe penetrations, and M2105.19, Pipe penetrations**, "Section P2606.1" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

17.–18. (No change.)

19. Chapter 24, Fuel Gas, shall be amended as follows:

i.–vi. (No change.)

vii. Section G2412.2, Liquefied petroleum gas storage, shall be amended [as follows] **to add the following**: “Notwithstanding the provisions contained in NFPA

58, the installation of LP-Gas containers on roofs of buildings shall be strictly prohibited.”

viii.-x. (No change.)

[xi. Section G2414.3, Other materials, shall be deleted in its entirety.]

Recodify existing xii.-xv. as **xi.-xiv.** (No change in text.)

20. (No change.)

21. Chapter 29, Water Supply and Distribution, shall be deleted except P2904, [Multi-purpose] **Dwelling unit** fire sprinkler systems. The deleted sections shall have “Plumbing requirements under the scope of this subcode shall be regulated by the plumbing subcode, N.J.A.C. 5:23-3.15.” inserted.

i. (No change.)

22.-23. (No change.)

24. The Appendices shall be amended as follows:

i.-v. (No change.)

vi. Appendix T, Solar-Ready Provisions-- Detached One- And Two-Family Dwellings, Multiple Single-Family Dwellings (Townhouses), shall be [deleted in their entirety] **optional at the discretion of the permit applicant.**

vii. Appendix V, Board of Appeals, shall be deleted in its entirety.

viii. Appendix W, 3D-Printed Construction, shall be adopted as part of this subcode. The Appendix shall be amended as follows:

(1) In Section AW103.2, Design approval, in the last line, “Section 104.11” shall be deleted, and “the administrative provisions of the Uniform Construction Code” shall be inserted in its place.

5:23-3.22 Fuel gas subcode

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

1. Pursuant to authority of P.L. 1975, c. 217, the Commissioner hereby adopts the model code of the International Code Council, Inc., known as the International Fuel Gas [Code/2018] **Code/2021**. This code is hereby adopted by reference as the fuel gas subcode for the State of New Jersey subject to the modifications [in] **at** (b) below.

i. (No change.)

ii. The International Fuel Gas [Code/2018] **Code/2021** may be known and cited as the "fuel gas subcode."

2.–3. (No change.)

(b) The following chapters, sections or pages of the International Fuel Gas [Code/2018]

Code/2021 shall be amended as follows:

1.–3. (No change.)

4. Chapter 4 of the fuel gas subcode, entitled "Gas Piping Installation," shall be amended as follows:

i.–iii. (No change.)

[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.–ii. (No change.)

[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] **614.11**, Common exhaust systems for clothes dryers located in multistory structures, item 7, insert ", if provided," after the word "and".

ii.–iii. (No change.)

7. Chapter 7 of the fuel gas code, entitled “Gaseous Hydrogen Systems,” shall be amended as follows:

i. In Section 701.2, Permits, “Section 106” shall be deleted, and “the administrative provisions of the Uniform Construction Code” shall be inserted in its place.

[7.] **8.** Chapter 8 of the fuel gas code, entitled “Referenced Standards,” shall be amended as follows:

i. Under the heading “ICC,” amend the following titles:

(1) Delete “[IPC—18] **IPC—21**, International Plumbing Code.”

Recodify existing 8.-9. as **9.-10.** (No change in text.)

11. Appendix E of the fuel gas subcode, entitled “Board of Appeals,” is deleted in its entirety.