

Construction Code Communicator



State of New Jersey
 Chris Christie, Governor
 Kim Guadagno, Lt. Governor

Department of Community Affairs
 Lori Grifa, Commissioner

Volume 23, Number 2

Summer 2011

2011 Building Safety Conference “30 Years of Working Together for a Safer New Jersey”

The 30th annual New Jersey Building Safety Conference was held this year from April 27th through April 29th at the Trump Taj Mahal in Atlantic City. Our theme this year was “30 Years of Working Together for a Safer New Jersey.” It is meaningful not only because it celebrates the 30 years that the Conference has existed, but because it highlights the real reason for the Building Safety Conference--bringing together all elements of the code enforcement community to share and exchange ideas with the goal of making our State and our individual communities safer.

The “Crackerbarrel” event on the first evening offered over 40 tables at which presenters covered topics that ranged from an update on the newly adopted energy subcode to an overview of certificate requirements. There were 12 seminars held each training day. They ranged from construction code updates and reports to an examination of the retrofit provisions of the Uniform Fire Code.

One of the major events at the Conference, as always,

See 2011 Building Safety Conference- page 2

OPRA, Common Law, and Construction Documents

It has come to the Department’s attention that there is some confusion about the Open Public Records Act (OPRA) as it pertains to construction documents. At this time, the Division of Codes and Standards together with the Government Records Council (GRC) is undertaking an initiative to provide guidance about construction documents and OPRA to code enforcement officials.

Background: Generally speaking, documents created or held by a public entity are public records and are to be made available to a member of the general public upon request. There are specific exceptions to this general statement. In its definition of “government record,” the OPRA statute (*N.J.S.A. 47:1A et seq.*) contains 24 exemptions from disclosure. One of those exemptions addresses building security, as follows: “emergency or security information or procedures which, if disclosed, would jeopardize security of the building or facility or persons therein.”

Building Plans: Because this reference is broad, but not particularly clear, the Department has sought to provide clarity in its proposed rules for OPRA. Published in the *New Jersey Register* on November 1, 2010 and made effective through Executive Order 47 (Christie 2010), the proposed rules provide that “[b]uilding plans submitted in conjunction with any permit

See OPRA - page 4

In This Issue

2011 Building Safety Conference	1	HVAC Smoke Detectors and Detection Systems Signals  ...	3
Barrier Free Subcode: Maneuvering Clearance at Doorways  	3	License Renewal for Child Day Care Centers and New Certificates of Occupancy 	9
Energy Compliance Support 	3	New Jersey Code Adoptions –Elevator Safety Subcode  ...	8
Energy Subcode Blogging 	6	OPRA, Common Law, and Construction Documents	1
Energy Subcode Certificates 	5	Residential Clothes Dryer Exhaust  	10
Forced Circulation Coil-Type/Water-Tube Boilers: Low Water Cutoff Controls v. Flow Sensing Devices 	7		



Pictured above (from left to right) Edward Smith -Codes and Standards Director, MEIA-South President, Joseph Freeman, MEIA's 2011 honoree, Anthony Nicolosi, NJATA Vice President, Dawn Neil, MEIA-North President Jean Verrier, NJATA's 2011 honoree, Monika Sackman, NJPIA President, William Olinger, NJATA Treasurer, Susan McLaughlin, NJFP&PA's 2011 honoree, Cary Costa, BOANJ's 2011 honoree, Andrew Sanfilippo, and NJFP&PA President, Stanley Sickels.

Not pictured: BOANJ's 2011 award presenter and President, Thomas Pinand, and NJPIA's 2011 honoree, Robert VanCauwenbergh.

is the opportunity to honor those whose commitment and dedication over the past year is recognized by their associations--the Inspectors and Technical Assistant of the Year. Congratulations to all for your hard work and well deserved awards!

Director Edward Smith, along with the association presidents, presented the following awards:

New Jersey Association of Technical Assistants
 Technical Assistant of the Year
Monika Sackman

Building Officials Association of New Jersey
 Building Inspector of the Year
Andrew Sanfilippo

New Jersey State Plumbing Inspectors Association
 Plumbing Inspector of the Year
Robert A. VanCauwenbergh

New Jersey Fire Prevention and Protection Association
 Fire Protection Inspector of the Year
Cary Costa

Municipal Electrical Inspectors Association of New Jersey
 Electrical Inspector of the Year
Anthony G. Nicolosi, Jr.

The Building Safety Conference provides a valuable opportunity not only to gain a better understanding of new code provisions and construction techniques, but also to allow for a chance to share ideas and experiences, fostering fellowship among our peers. The reception to honor the awardees gives us all a chance to offer congratulations to the award recipients.

The Building Safety Conference provides the chance to enhance your educational opportunities and to receive information on important and cutting edge topics. If anyone has suggestions for next year's conference, please contact us at educationunit@dca.state.nj.us.

We are looking forward to seeing everyone next year when we meet again and return to ***Bally's Park Place on May 9 - 11, 2012***. Save the date and we hope to see you there!

Source: John Delesandro
 Supervisor, Licensing and Education

Energy Compliance Support

When looking for guidance concerning Energy Subcode compliance, there are several effective options. The Uniform Construction Code bulletin relating to this topic is Bulletin 11-1 (it was previously Bulletin 07-2 and Bulletin 03-2); it can be found at http://www.nj.gov/dca/divisions/codes/publications/pdf/bulletins/b_11_1.pdf (or general website address at <http://www.nj.gov/dca/divisions/codes>).

If you are looking for more information on the topics in Bulletin 11-1, such as the 2009 International Energy Conservation Code (IECC/2009), the 2007 ANSI/ASHRAE/IESNA Standard 90.1 (ASHRAE 90.1-2007), REScheck and/or COMcheck, please keep reading...

The Department of Energy's Office of Energy Efficiency and Renewable Energy (EERE), through its Building Energy Code University program, offers resources to trainers. Although it is advertised for trainers, code officials and design professionals can benefit from these resources, too. For those who want to learn more, the following link provides great PowerPoint and PDF guides to the IECC/2009 and/or ASHRAE 90.1-2007: <http://www.energycodes.gov/becu/trainers.stm>. From this link, there is a very helpful PDF file entitled "Residential Requirements of the 2009 International Energy Conservation Code" located in the second box under the "Residential" heading (direct link: http://www.energycodes.gov/becu/documents/2009iecc_residential_BECU.pdf). There is also a useful link entitled "ANSI/ASHRAE/IESNA Standard 90.1-2007" located in the fourth box under the "Commercial" heading (direct link: http://www.energycodes.gov/becu/documents/90.1-2007_BECU.pdf).

The Building Energy Code Program of the Office of EERE also offers technical support documents for REScheck and COMcheck at http://www.energycodes.gov/help/support_docs.stm. More specifically, the REScheck software user's guide can be found at http://www.energycodes.gov/rescheck/documents/rescheck_users_guide_1008.pdf and the COMcheck software compliance guide based on ASHRAE 90.1-2007 can be found at http://www.energycodes.gov/comcheck/documents/com_software_users_guide_90.1-2004_and_90.1-2007.pdf.

Source: Rob Austin
Code Assistance Unit



Barrier Free Subcode: Maneuvering Clearance at Doorways. . . . What Does "Clear" Really Mean?

Over the past several years, the Code Assistance Unit has fielded hundreds, if not thousands, of calls about the maneuvering clearance at doorways for compliance with the International Code Council/American National Standards Institute (ICC/ANSI) A117.1.

The recurring question seems to be: "Is the required maneuvering clearance permitted to include the knee and toe clearance at a lavatory?" In response, the Code Assistance Unit has said "No, the maneuvering space must be clear of the fixture and may not include the knee and toe clearance at the lavatory."

With the publication of the 2009 edition of ICC/ANSI A117.1, which is under review by the Department but has not yet been adopted, this response is affirmed. In fact, ICC/ANSI A117.1-2009 specifically prohibits including the knee and toe clearance in the maneuvering clearance.

Remember that ICC/ANSI A117.1-2009 cannot be cited because it has not been adopted. But, the clarification in the newly published standard confirms that the Department's response is correct. The clear floor space required at a fixture must remain clear and may not intrude on the knee and toe clearance at the lavatory.

If you have questions about accessibility requirements, please contact the Code Assistance Unit at (609) 984-7609.

Source: John Terry
Manager, Code Assistance Unit

HVAC Smoke Detectors and Detection Systems Signals

The Department has been receiving calls about code officials who are requiring all duct smoke detectors installed in accordance with the 2009 International Mechanical Code (IMC/2009) for heating, ventilation, or air-conditioning (HVAC) systems to be connected to fire alarm panels. In some cases, code officials are requiring the installation of a fire alarm panel. The applicable code section is Section 606.4.1 of the IMC/2009, entitled "Supervision," which does not require duct smoke detectors that are used as

OPRA

Continued from page 1

application” are exempt from disclosure under OPRA. The reason for this exemption is simple: OPRA requires that government records be provided to any citizen without requiring an explanation for why the records are wanted. That standard operates well for most of the records that we hold, but building plans are an exception to that general rule. Building plans contain details about building construction and also about security and safety systems that should not be available to just anyone upon request. This does not mean that no one should ever be able to view or obtain copies of building plans; it means that no one should be able to view or obtain copies of building plans *without a valid reason* for doing so. OPRA does not take into consideration the requestor’s reason for requesting records; the common law right of access does consider the requestor’s need for records.

Common Law Right of Access: Fortunately, OPRA states plainly that “nothing... shall be construed as limiting the common law right of access to a government record” (*N.J.S.A.* 47:1A-8). Under the common law right of access to a public record, the individual requesting the record submits a written request stating the reason for obtaining or viewing the record. If the explanation is reasonable, access to the public record is granted. For local code enforcement officials, when there is a question as to whether the explanation is reasonable, the municipal attorney should be consulted for advice. This path, the common law right of access, is the path to follow when a requestor wants to view or obtain copies of building plans.

Bulletin 03-3, Public Access to Building Plans: Bulletin 03-3 was intended to provide guidance to code enforcement officials with regard to OPRA and building plans. It appears that there are some cases in which the Bulletin itself has generated questions. Throughout the Bulletin, the references to “plans” should be read as “building plans.” As its title suggests, the Bulletin was focused in its intent to provide guidance on the disclosure of building plans. The Division of Codes and Standards and the Government Records Council have committed to work together to revise Bulletin 03-3 to ensure that its guidance is clear and accurate in each particular circumstance.

Site Plans and Architectural Renderings: The Department holds that site plans are different from building plans and are public records that are subject to disclosure under OPRA. Bulletin 03-3, Public Access to Building Plans, states that “Members of the public should be given access to general information

See OPRA at right

OPRA

Continued from left

such as elevations, site layout, architectural renderings, etc. This is the type of information that is filed with the planning board or zoning board of adjustment and that the entire community has a right to know.”

From the questions that we have received, the Department believes that a significant portion of the requests to “see plans” in a local code enforcement office are actually requests to view the site plans for a specific project. The person asking is often a neighbor who has a concern that a project undertaken on an adjacent property could have an impact on their property. Where the request to “see plans” is really a site concern, access to the site plan can be offered under OPRA and is likely to satisfy the requestor.

In sum,

- **Building plans are protected from disclosure pursuant to OPRA; they may be requested through the common law right of access with a clearly stated reason for viewing the building plans;**
- **Site plans and architectural renderings are subject to disclosure through OPRA.**

If you have questions about OPRA, please contact the Government Records Council at (609) 292-6830. If you have questions about how the Division of Codes and Standards has responded to specific records requests, please contact Emily Templeton at etempleton@dca.state.nj.us or at (609) 984-7609. We look forward to providing you with additional information as it is available.

Sources: Edward M. Smith, Director, Division of Codes and Standards
Catherine Starghill, Esq., Executive Director, Government Records Council



HVAC

Continued from page 3

shutdown devices to be connected to fire alarm systems. When the 2009 International Building Code (IBC/2009) requires a fire alarm system, the duct detectors must be connected to the fire alarm panel. In that instance, the alarm condition needs to sound the notification devices within the building.

In the absence of a fire alarm system, Section 606.4.1 of the IMC/2009 requires only that the building have a supervisory signal, local-type alarm to alert occupants when the duct detector is activated. In this situation, the term “supervisory signal” is an alarm that sounds an audible and visible signal at an approved location. While

see HVAC - page 5

HVAC

continued from page 4

the code requires the signal to go to a constantly-attended location, that location can be anywhere within the building that is normally occupied. The most common location for this alarm is near the thermostat control. The signal is not required to leave the building. Code officials cannot require the installation of an alarm system because the alarm is not attended when the building is not occupied.

As per the IMC/2009, the smoke detector is a shutdown device to prevent smoke spread from one area of the building to another. In accordance with the exception contained in Section 606.2 of the IMC/2009, if all of the HVAC units/air distribution systems are installed in the same room or space and no smoke spread is possible beyond the enclosed walls, no smoke detectors are required. Many of the activations have come from dust accumulation, not an active smoke condition. If every shutdown device were connected to an alarm system, there would be many more nuisance alarms. When the local alarm sounds in a building and there is no smoke, a certified fire alarm contractor or a licensed electrician can be called to find out what might have caused the activation of the smoke detector.

Remember, the requirement to monitor duct smoke detectors is based in the IMC/2009, not the IBC/2009. If there is a smoke condition in a building, it is likely that building occupants will know long before the smoke detector mounted in the return air duct activates.

If you have questions about this matter, I may be reached at (609) 984-7609.

Source: Michael E. Whalen
Code Assistance Unit

Energy Subcode Certificates 

Section 401.3 of the 2009 International Energy Conservation Code (IECC/2009), entitled "Certificate," requires a permanent certificate to be posted on or in the electrical distribution panel in low-rise residential buildings. (This requirement is further defined in Uniform Construction Code (UCC) Bulletin 11-1). The IECC/2009 also states that the certificate must not cover or obstruct the visibility of the circuit directory label, service disconnect label, or other required labels.

The certificate must be completed by the builder or registered design professional and must list the applicable predominant building thermal envelope properties, along with the type and efficiencies of heating, cooling and service water heating equipment installed. In lieu of the certificate provided (see below),

See Certificates at right

Certificates

Continued from left

a certificate from REScheck or NJ Energy Star Homes is acceptable.

As you can see, this certificate is designed for posting in the home; it is in addition to compliance calculations. I note this because, if REScheck is the chosen method of documenting compliance, a "Compliance Certificate" meets N.J.A.C. 5:23-2.15(f)1vi(1) and a "Panel Certificate" meets Section 401.3 of the IECC/2009.

In April 2011, Bulletin 11-1 was updated to reflect this information. The next UCC update package should include newly-revised Pages 1, 2, 5 and 6 (two pages, front and back) of this bulletin.

If you have any questions regarding this matter, please contact me at (609) 984-7609.

Source: Rob Austin
Code Assistance Unit

NJ IECC/2009 Energy Efficiency Certificate for Low-rise Residential Dwellings*		
Address:		Permit #:
<i>Insulation Rating</i> <small>(batt, spray, blown, continuous, other)</small>		<i>R-value</i>
Ceiling/Roof		
Above Grade Wall: framed ___; mass ___		
Floor: over unconditioned space ___; slab ___		
Crawlspace Wall		
Foundation/Basement Wall		
Ductwork (unconditioned spaces)		
<i>Fenestration Rating</i>		<i>U-factor</i> <i>SHGC</i>
Window		
Skylight		
Door		
<i>Heating & Cooling Equipment</i>	<i>Type</i> <small>(Oil, Gas, Electric, other)</small>	<i>Efficiency</i> <small>(AFUE, EER/SEER, HSPF, other)</small>
Furnace		
Heatpump		
Boiler		
Cooling System		
Water Heater		
Other		
<i>Renewables (type of system)</i>		
<i>Other Energy Efficiency Equipment</i>		
<i>Builder or Design Professional Certification</i>		
Name:		Date:
Registration/License Number:		
<i>Comments</i>		
* This is a generic certificate and some items listed above may not be applicable to this specific design when initially constructed; please leave those items blank.		

Energy Subcode Blogging

Dear Energy Subcode,

As much as I would like to embrace your requirements, I am still confused about some key points. I was wondering if you could clear up the following for me: (1) the applicability of your multiple requirements, (2) walls above/below grade plane, and (3) subcategories within climate zones.

Sincerely,
Conservation Lover

Dear Conservation Lover,

As you know from reviewing Bulletin 11-1, the following low-rise residential buildings are required to meet the International Residential Code/2009 (IECC/2009): a one-family dwelling of any height; a two-family dwelling of any height; or a multiple family dwelling of three stories or less in height. This is rooted in the definitions of "Residential Building" in Chapter 2 of the IECC/2009 and also in "low-rise residential" in the ASHRAE Standard 90.1-2007 (ASHRAE 90.1-2007). This means that any building not described above is subject to ASHRAE 90.1-2007.

That being said, Question #1 must be broken up into two parts, 1(a) heating and cooling and 1(b) height of structure.

1(a) – Buildings and thermally-isolated spaces not conditioned (heated or cooled) are not required to meet the energy subcode.

For low-rise residential buildings, the IECC/2009 applies when a space within a building is conditioned using a peak design rate of energy usage equal to greater than 3.4 Btu/h • ft² or 1.0 watt/ft² of floor area. (Source: Section 101.5.2 and definition of "conditioned space.")

For all other buildings, ASHRAE 90.1-2007 applies and works somewhat differently. ASHRAE divides buildings into two major categories: conditioned and unconditioned. Again, unconditioned buildings are not required to comply with any energy conservation requirements. Under the broader heading of "conditioned" are cooled, heated and indirectly conditioned spaces. The first two are fairly obvious and the definitions in ASHRAE say how much heating or cooling makes a space heated or cooled. According to ASHRAE, a *cooled space* is an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h-ft² of floor area. A *heated space* is an enclosed space within a building that is

heated by a heating system whose output capacity relative to the floor area is greater than or equal to 15 Btu/h-ft².

Determining whether a space is indirectly conditioned (the third kind of conditioned space) is a bit trickier. It involves a calculation to determine whether the rate of heat transfer from any adjacent *conditioned* space to the *connected* (unconditioned) space is greater than the heat transfer rate from that connected space to the outdoors or to other unconditioned spaces. In other words, you have to calculate whether there is more heating or cooling coming into this space from adjacent heated or cooled spaces than what is being lost. The definition in ASHRAE gives the following formula for determining this: the product of the U-factor(s) and surface area(s) of the space adjacent to connected space(s) exceeds the combined sum of the product of the U-factor(s) and surface area(s) of the space adjoining the outdoors, unconditioned spaces, and to or from semi-heated spaces (e.g., corridors.) *Yeah, right!* There is a second part to the definition of indirectly conditioned space that does not involve doing the math. If the air from heated or cooled spaces is intentionally transferred (naturally or mechanically pushed) into the space at a rate exceeding 3 air changes per hour (ACH) (e.g., atria), it is considered an indirectly conditioned space.

ASHRAE also contains a third, hybrid category: semi-heated space. A *semi-heated space* is an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/h-ft² of floor area (as compared to greater than or equal to 15 Btu/h-ft² for a heated space.) It is not a conditioned space as defined above, but it does have some heat. A good example would be a warehouse space that has just enough heat to prevent the contents from freezing. Tables 5.5-4 and 5.5-5 in ASHRAE have a separate heading, with separate thermal envelope requirements, for semi-heated spaces. (Source: Definition of "space.")

1(b) – Once we know that the energy subcode is applicable (per "1(a)" above), we must decide which code within the energy subcode applies. One- and two-family dwellings of any height (including townhouses), attached or detached, follow the IECC/2009 for energy conservation regardless of whether the structural requirements are based on the International Building Code/2009 (IBC/2009) or International Residential Code/2009 (IRC/2009). The tricky part applies to multi-family buildings (three or more dwelling units) and the three-story limit between codes. Because multifamily dwellings (Group R-2) follow the IBC/2009, consulting the definitions in

Blogging

Continued from page 6

Chapter 2, we see that a “Story Above Grade” is defined as “any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is: 1) more than 6 feet above grade plane or 2) more than 12 feet above the finished ground level at any point.” Since there is no such thing as a ½ story per the IBC/2009, when there is a portion of a story on the fourth level that is a “story above grade,” then the building would no longer follow the IECC/2009 for energy conservation and must now use ASHRAE 90.1-2007.

CAUTION, dear Conservation Lover, I am shifting gears on you now. The above discussion about stories above grade is used to determine the height of a residential building which goes to whether the building falls under the IECC or ASHRAE. I am moving (in 2. below) to walls above or below grade—we are now talking insulation requirements.

2 – If there is a question as to whether a wall is above or below grade, first the definitions in the IECC/2009 and ASHRAE 90.1-2007, as applicable, should be consulted. For example, when there is a basement with one wall that is considered above grade, the basement is treated as above grade even if the rest of the basement walls are considered below grade, as in a typical walk-out basement. Therefore, when the insulation provisions are applied, an above-grade wall (per the IECC/2009) is defined as “a wall more than 50 percent above grade and enclosing conditioned space. This includes between-floor spandrels, peripheral edges of floors, roof and basement knee walls, dormer walls, gable end walls, walls enclosing a mansard roof and skylight shafts.” ASHRAE 90.1-2007 generally defines a *wall* as “that portion of the building envelope, including opaque area and fenestration, that is vertical or tilted at an angle of 60° from horizontal or greater. This includes above- and below grade walls, between floor spandrels, peripheral edges of floors, and foundation walls.” This definition is further clarified as “(a) *above-grade wall*: a wall that is not a below-grade wall; (b) *below-grade wall*: that portion of a wall in the building.”

3 – There are eight climate zones for the United States of America. New Jersey falls in two of these zones, 4 and 5. There are subcategories for some zones: Moist (A), Dry (B), and Marine (C). New Jersey is completely in the moist category. For low-rise residential buildings (IECC/2009), the subcategory is not all that important as Table 402.1.1 splits New Jersey into two simplified zones for the insulation and fenestration requirements by component. Similarly, in ASHRAE, the building envelope requirements of Tables 5.5-4 and 5.5-5

See Blogging at right

Blogging

Continued from left

apply to all subcategories. Please note these tables are split into non-residential, residential (multifamily, 4 stories or greater) and semi-heated. However, the subcategories do become important, for example, when analyzing the need for an economizer per Table 6.5.1 in the prescriptive path. Here you will see that Zone 4A does not require an economizer but in Zone 5A, when the cooling capacity is greater than or equal to 135,000 Btu/h, an economizer is required.

In short, it is important to remember to apply the defined terms by the definitions per each code. As you can see, in some instances, it matters!

Sincerely,
Energy Subcode

Source: Rob Austin
Code Assistance Unit

Forced Circulation Coil-Type/Water-Tube Boilers: Low Water Cutoff Controls vs. Flow Sensing Devices



The Department has received questions about whether low water cutoff controls or flow sensing devices should be installed on forced circulation coil-type/water-tube boilers. This article is intended to provide guidance on the type of control or device that should be installed on coil-type/water-tube boilers.

Both the 2009 International Mechanical Code (IMC/2009) and 2009 International Residential Code (IRC/2009) have requirements for low water cutoff controls. Section 1007 of the IMC/2009, entitled “Boiler Low-Water Cutoff,” and Section M2002.5 of the IRC/2009, entitled “Boiler low-water cutoff,” require a low water cutoff control to be installed on all steam and hot water boilers. A low water cutoff is an essential control device designed to prevent boiler operation when the water level is too low.

However, low water cutoff controls are not appropriate for coil-type/water-tube boilers because the controls cannot detect flow and cannot prevent a coil-type/water-tube boiler from overheating when loss of circulation occurs. Therefore, flow sensing devices, which detect flow and verify that the boilers and systems contain appropriate amounts of water, should be installed in lieu of low water cutoff controls.

If you have any questions, I may be reached at (609) 984-7609.

Source: Thomas C. Pitcherello
Code Assistance Unit

New Jersey Code Adoptions -Elevator Safety Subcode

The following chart gives the adoption dates and the editions of the codes and standards used in connection with the Elevator Safety Subcode.

Edition Date for Building Subcode	Effective Date for Model Codes	BOCA Article Number for Elevators, Dumbwaiters, and Conveyor Equipment	ANSI A17 Safety Standard for Elevators and Escalators	ANSI A90.1 Safety Standard for Belt Manlifts	ASME A18.1 and A18.1a Safety Standard for Platform Lifts and Stairway Chairlifts
1975	01/01/77	16	A17.1 - 1971; A17.1a - 1972; A17.1b - 1973	A90.1-1969	
1976/S	12/01/77	16	A17.1 - 1971; A17.1a - 1972; A17.1b - 1973; A17.1c - 1974; A17.1d, e, f - 1975	A90.1 - 1969; A90.1a - 1972	
1978	10/01/78	16	A17.1 - 1971; A17.1a - 1972; A17.1b - 1973; A17.1c - 1974; A17.1d, e, f - 1975	A90.1 - 1969; A90.1a - 1972	
1981	05/07/81	21	A17.1 - 1978	A90.1 - 1976	
1983/AS	02/22/83*	21	A17.1 - 1981	A90.1 - 1976	
1984	08/06/84	21	A17.1 - 1981; A17.1a - 1982	A90.1 - 1976	
1985/S	04/01/85	21	A17.1 - 1984	A90.1 - 1976	
1986/AS	09/22/86	21	A17.1 - 1984	A90.1 - 1976	
1987	04/01/87	26	A17.1 - 1984 and 1985 Supplement	A90.1 - 1985	
1988/S	06/20/88	26	A17.1 - 1984 and 1985 Supplement	A90.1 - 1985	
1989/AS	11/01/89	26	A17.1 - 1987	A90.1 - 1985	
1990	07/01/90	26	A17.1 - 1987	A90.1 - 1985	
1991/S	03/04/91	26	A17.1 - 1987		
1993	05/01/93	Chapter 30	A17.1 - 1990	A90.1 - 1985	
1996	07/06/98	Chapter 30	A17.1 - 1993 and 1994, 1995 Supplements	A90.1 - 1992	
IBC-2000 New Jersey Edition	05/05/03	Chapter 30	A17.1 - 1996 and 1997, 1998 Supplements	A90.1 - 1997	A18.1 - 1999 and A18.1a - 2001
IBC-2006 NJ Edition	02/20/07	Chapter 30	A17.1- (2004-2005), including A17.1.S-2005	A90.1-2003	A18.1-2003
IBC-2009 NJ Edition	09/07/10	Chapter 30	A17.1-2007	A90.1-2003	A18.1-2005

see Elevator Safety Subcode - page 9

Note:

The grace period is covered at N.J.A.C. 5:23-1.6(a).

- 1) Consult construction files to determine under which elevator or building code the permit was issued;
- 2) The following provides guidance on how to determine the applicable ASME A17.1 or ASME A90.1 codes (editions/supplements) when this information is not available for existing elevator devices. When performing cyclical inspections, if the permit — or installation — date precedes or is within the grace period, apply the code edition immediately preceding the adoption of the new subcode. Example: A permit was issued on May 15, 1987. If the construction file does not have the information about the edition of the standard used, then ANSI A17.1 - 1984 is enforced. If the permit was issued on November 16, 1987, ANSI A17.1 - 1984 with the 1985 supplement applies.

- S = Supplement
- AS = Accumulative Supplement
- * = Operative date

If you have questions about the Elevator Safety Subcode, you may contact the Elevator Safety Unit at (609) 984-7833.

Source: Paulina Caploon
Elevator Safety Unit



License Renewal for Child Day Care Centers and New Certificates of Occupancy

A number of questions have arisen with the withdrawal of FTO-8 and FTO-9. Some of these questions are: Must buildings that have been classified in accordance with a use group in conformance with either FTO-8 or FTO-9 be revised to the current group classification per the 2009 International Building Code (IBC/2009)? Is a new Certificate of Occupancy required for an existing child day care because the newer version of the code would classify it as a Group I-4 when one child younger than 2 ½ years of age is present? If a new Certificate of Occupancy is required, is the building required to comply with the provisions of the Rehabilitation Subcode of the Uniform Construction Code (UCC)?

No new Certificate of Occupancy is required. A new Certificate of Occupancy is not required when the building subcode is amended to adopt a newer edition of a national model code. The UCC is not a retrofit code, so a legal Certificate of Occupancy remains in effect until the building undergoes a reconstruction or a change of use. The withdrawal of FTO-8 and FTO-9 does not change this. Existing buildings that were in compliance with the FTOs, which were part of the UCC, continue to be in compliance with the UCC and there is no need for a new Certificate of Occupancy.

For licensure renewal for a child day care, a Certificate of Continued Occupancy (CCO) may be required. If the day care operator requests a CCO, then the required inspection must be performed pursuant to N.J.A.C. 5:23-2.23(e); a CCO may be issued upon compliance.

If you have any questions on this, please direct your calls to me at (609) 984-7609.

Source: Marcel Iglesias
Code Assistance Unit

Residential Clothes Dryer Exhaust

The Department has received calls on two items pertaining to the requirements for residential clothes dryer exhaust as stated in the 2009 International Residential Code (IRC/2009).

The first item has to do with the maximum length of the exhaust duct from the connection to the transition duct from the dryer to the outlet terminal. Section M1502.4.4.1 of the IRC/2009, entitled "Specified length," states that the maximum length of the exhaust duct shall be 25 feet for electric clothes dryers. Section G2439.5.5.1 of the IRC/2009, entitled "Specified length," further states that the maximum length of the exhaust duct shall be 35 feet for gas clothes dryers. Confusion has arisen because both the 2009 International Mechanical Code (IMC/2009) and 2009 International Fuel Gas Code (IFGC/2009) each state that the maximum length of exhaust ducts for clothes dryers, whether electric or gas, shall be 35 feet. This is not a mistake and is not a contradiction. For an electric clothes dryer that is regulated by the IRC/2009, the maximum length of the exhaust duct shall be 25 feet in conformance with Section M1502.4.4.1 of the IRC/2009.

However, Section M1502.4.4.2, entitled "Manufacturer's instructions," and Section G2439.5.5.2

See Dryer Exhaust at right

of the IRC/2009, entitled "Manufacturer's instructions," both state that the size and maximum length of the exhaust duct shall be determined by the manufacturer's installation instructions. If the manufacturer's installation instructions specify a maximum length for the exhaust duct that is more restrictive than the applicable code section, then the more restrictive length applies. The converse is also true. If the manufacturer's installation instructions specify a maximum length for the exhaust duct that is greater than the length specified by the applicable code section, then the manufacturer's installation instructions must be followed.

The second item has to do with the termination location for exhaust ducts. Section G2439.1 of the IRC/2009, entitled "Installation," states that clothes dryers shall be exhausted in accordance with the manufacturer's instructions. Section M1502.3 of the IRC/2009, entitled "Duct termination," states that if the manufacturer's instructions do not specify a termination location, the exhaust duct shall terminate not less than three feet in any direction from openings into buildings. Therefore, if the manufacturer's installation instructions do not specify an exhaust duct termination, Section M1502.3 of the IRC/2009 applies.

If you have any questions, I may be reached at (609) 984-7609.

Source: Thomas C. Pitcherello
Code Assistance Unit

The Construction Code Communicator is an online publication of the New Jersey Department of Community Affairs' Division of Codes and Standards. It is published four times a year.

Copies may be read or downloaded from the division's website at: www.nj.gov/dca/divisions/codes.

Please direct any comments or suggestions to the NJDCA, Division of Codes and Standards, Attention: Code Development Unit, PO Box 802, Trenton, NJ 08625-0802.

New Jersey Department of Community Affairs
Division of Codes and Standards
101 South Broad Street
P.O. Box 802
Trenton, NJ 08625-0802

BULK RATE
US POSTAGE
PAID
PERMIT NO.
XXXXX

FIRST-CLASS MAIL

Mail to: 

