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SUMMARY OF RULE CHANGES IN MAY 1, 2017 TRANSMITTAL

N.J.A.C. 5:23-6.1 through 6.9, 6.12, 6.13, 6.13A, 6.14, 6.15, 6.16, 6.17, 6.18, 6.18A, 6.19, 6.20, 6.20A, 6.21, 6.22, 6.22A, 6.23, 6.24, 6.25, 6.26, 6.27, 6.28, 6.28A, 6.29 through 6.33, and 12.8.

The amendments update previous model code references/standards to the latest model code. Amendments other than these are as follows:

1. At N.J.A.C. 5:23-6.1(b)2, 6.1(c)2, and 6.1(d)2, 6.4(f), 6.5(f), and 6.6(f), amendments have been made to clarify the technical requirements for smoke alarms.
2. At N.J.A.C. 5:23-6.1(b)3, 6.1(c)3, and 6.1(d)3, paragraphs are added to clarify the technical requirements for carbon monoxide alarms that appear later in the Repair, Renovation, and Alteration sections of the subcode (N.J.A.C. 5:23-6.4, 6.5, and 6.6, respectively). Note: further amendments in carbon monoxide detection regulations are being adopted on June 5, 2017.
3. At N.J.A.C. 5:23-6.2(c)5, a new paragraph is added to make code users aware that the current group designation that most closely resembles the approved use should be used as the basis for applying the requirements of this subchapter.
4. At N.J.A.C. 5:23-6.4(e)2i, iii, and v, 6.5(e)6i, iii, and v, 6.6(e)9i, iii, and v, and 6.7(e)9i, iii, and v, the specific receptacle requirements and grounding of appliance exemptions are deleted as they are already covered in the electrical materials and methods at N.J.A.C. 5:23-6.8(d).
5. At N.J.A.C. 5:23-6.7(e)3, the term "altered" is changed to "reconstructed," as this is a part of the Reconstruction section.
6. At N.J.A.C. 5:23-6.7(e)13, the fire-blocking requirements are moved to the charging section, Reconstruction, as these requirements apply to all buildings in the same way throughout the basic requirements, N.J.A.C. 5:23-6.12 through 6.28. The fireblocking and draftstopping requirements in each section of the basic requirements are deleted as a part of this relocation.

7. At N.J.A.C. 5:23-6.6(e)24 and 6.7(e)21, emergency illumination and exit sign requirements are added when an additional exit or exit access is installed in that portion of the building.

8. At N.J.A.C. 5:23-6.6(l), 6.7(l), 6.22(a)1, 6.25(b)3, and 5:23-6.32(i), the sections correct the building classification type references from Roman numerals to Arabic numerals, as used at N.J.A.C. 5:23-4.3A.

9. At N.J.A.C. 5:23-6.8(b)9, additional requirements for structural integrity are exempted.

10. At N.J.A.C. 5:23-6.8(b)20, technical requirements applicable to awnings and canopies, marquees, signs, and automatic vehicular gates are added. In addition, for installation of complete replacement of a pool structure, the amendments include technical standards for the installation of the pool structure and associated equipment and barriers.

11. At N.J.A.C. 5:23-6.8(e)1 and (h)10, amendments impose a requirement for heating and cooling load calculations for replacement equipment only in cases where there is an increase or decrease in input ratings (Section 312 of the International Mechanical Code and Section M1401.3 of the International Residential Code). In addition, at N.J.A.C. 5:23-6.8(h)10, Section M1401.5 is exempted, as it references Section R322.1.6, which was deleted at N.J.A.C. 5:23-6.8(h)1. Requirements for flood-resistant construction are tied to substantial improvements (see N.J.A.C. 5:23-6.3A).

12. At N.J.A.C. 5:23-6.8(g)2, amendments identify the requirements as the “barrier free materials and methods,” rather than using the word “accessible.” The exemption that followed was deleted because the barrier free materials and methods contain the non-public bathroom exception within Chapter 6 of the referenced standard, the ICC/ANSI A117.1-2009.

13. At N.J.A.C. 5:23-6.8(h)3v, technical requirements applicable to newly installed or completely replaced decks are added.

14. At N.J.A.C. 5:23-6.9(a)6, amendments incorporate all sections related to newly-created openings in a rated assembly, such as penetrations, fire-resistant joint systems, opening protectives, and duct and air transfer openings.

15. At N.J.A.C. 5:23-6.9(a)18ii, the special occupancy requirements of Section 424 of the building subcode, when children’s play structures are newly installed/constructed within any occupancy, are added.

16. At N.J.A.C. 5:23-6.9(a)19, the sound transmission criteria, when newly-created separations are made between dwelling units, are added.

17. At N.J.A.C. 5:23-6.9(a)20 and 23, these paragraphs have been combined as they contain the same requirements for aisles and aisle accessways. The requirements for aisles or aisle accessways for all building types can be found at paragraph (a)22.
18. At N.J.A.C. 5:23-6.9(a)20, a new paragraph is added to address newly-created roof decks.
19. At N.J.A.C. 5:23-6.9(a)23, a new subsection is added to address new awnings and canopies, marquees, and signs.
20. At N.J.A.C. 5:23-6.9(a)24, a subparagraph is added to exempt Section 110.26(A)(3) (Height of Working Space) due to the height constraints in existing buildings.
21. At N.J.A.C. 5:23-6.9(a)34, a new paragraph is added to address newly-installed sensible heating systems and radiant floor heating systems for insulation.
22. The “exit” section in all Basic Requirements, except Group H and Groups R-3/R-5 is corrected by deleting “and” and replacing it with “or” in order to match the existing requirements of the Uniform Fire Code, N.J.A.C. 5:70-4. In addition, the fire-stopping and draft-stopping references are deleted as this is now included in Reconstruction, N.J.A.C. 5:23-6.7 (see change 6 above).
23. At N.J.A.C. 5:23-6.25(b)1iii, iv, 6.31(p)2ii(1)(A) and (B), vi, and xi(1)(B), and 6.31(p)1i(3) and (4), amendments are made to match the requirements found in the Uniform Fire Code at N.J.A.C. 5:70-4.11 and 4.13, applicable to bed and breakfast occupancies.
24. At N.J.A.C. 5:23-6.29(b) and (c), amendments add “or attached to” after “below.” This modification provides a warning to occupants of the presence of a fire condition when a nonresidential use is added on the same level as a dwelling unit. The existing rules require notification (alarms) of the residential spaces only when they are located above nonresidential spaces.
25. At N.J.A.C. 5:23-6.31(a)4, amendments match the existing language of N.J.A.C. 5:23-6.6(c) and 6.7(c) regarding the removal of fire protection equipment that is no longer required.
26. At N.J.A.C. 5:23-6.31(b)2, a requirement that the proposed use be brought into compliance with the basic requirements where the existing building is subject to, and not in compliance with, the applicable requirements of N.J.A.C. 5:70-4 is added.
27. At N.J.A.C. 5:23-6.31(c)8, consistent with the basic requirement at N.J.A.C. 5:23-6.18(a)1i, the amendment includes the requirement for buildings to be used as child care centers to have more than one exit.

28. At N.J.A.C. 5:23-6.31(h)10, the manual fire alarm and automatic smoke detection requirements when a building is converted to a Group R-4 use are added.

29. At N.J.A.C. 5:23-6.31(j), a reference to the carbon monoxide alarm requirements from the one-and two-family dwelling subcode is added, and the old mechanical subcode reference is replaced with a reference to Section 915 of the building subcode. In addition, paragraph (j)2 is deleted as the cross-reference to the building and one- and two-family dwelling subcodes include these referenced standards (UL 2034 and NFPS 720). Note: further amendments in carbon monoxide detection regulations are being adopted on June 5, 2017

30. At N.J.A.C. 5:23-6.31(o), the applicability of the requirements for accessibility to nonresidential and to residential buildings, respectively, are clarified.

31. At N.J.A.C. 5:23-6.32(f), the reference to “single-family” is deleted and replaced with a reference to any Group R-3 or R-5 dwelling unit being extended, triggering the alarm requirements within the dwelling unit based on the percentage of the addition to the dwelling unit.

32. At N.J.A.C. 5:23-12.8(a), a new paragraph is added to distinguish “alteration,” as that term is used in the elevator subcode (N.J.A.C. 5:23-12), from “alteration,” as that term is used in the rehabilitation subcode (N.J.A.C. 5:23-6).

Formal Technical Opinions (FTOs)

- **FTO-3, Fire Escapes** – Replaces pages 7-10 with pages 7-11 to correct a pagination issue from a previous supplement.

Insert page at Subchapter 7 as a reminder that the requirements for accessibility are now found in the building subcode.

As a reminder, the Construction Code Communicator (CCC) is a newsletter produced periodically by the Division of Codes and Standards and published online. Code Officials with access to the document library will receive email alerts when the CCC has been posted online. Others may periodically check the Department’s website at <http://www.nj.gov/dca/divisions/codes/publications/ccc.html>.

NOTE: This summary lists only those changes to the regulations initiated by the Department of Community Affairs. There may be other replacement pages included in this transmittal as a result of formatting changes (changes to the arrangement of text on the page) made by the publisher, administrative corrections made by the Office of Administrative Law, or recently decided court cases which are listed in the notes following each section.

Notice of Adoption-**New Jersey Register**-May 1, 2017