

14. Electrical junction boxes shall be installed near the provided area, such as an accessible attic space, where a future in-line vent pipe fan and system failure alarms may be installed.

15. In combination basement/crawl space or slab-on-grade/crawl space buildings a three-inch minimum solid vent pipe shall be provided between the areas and inter-connected into the independent vent stack to permit use of a single in-line vent pipe fan if activation of the system is desired.

16. In order to reduce stack effect, air passages that penetrate the conditioned envelope of the building, such as attic access openings, or other openings installed in top-floor ceilings, shall be closed, gasketed or otherwise sealed with materials approved for such applications.

Amended by R.1994 d.609, effective December 19, 1994 (operative April 1, 1995).
See: 26 N.J.R. 2704(a), 26 N.J.R. 5007(b).

APPENDIX 10-A

New Jersey Municipalities in Tier 1

<u>County</u>		<u>Municipality</u>
Burlington	Chesterfield Mansfield	Washington
Camden	Magnolia Runnemede	Somerdale
Cumberland	Bridgeton	Greenwich
Gloucester	Deptford East Greenwich Greenwich Harrison	Swedesboro Wenonah Woolwich
Hunterdon	All municipalities except Kingswood and Union	
Mercer	Ewing Hopewell Borough Hopewell Township Lawrence	Pennington Princeton Borough Princeton Township
Middlesex	Highland Park North Brunswick	Piscataway
Monmouth	Allentown Colts Neck Freehold Borough Freehold Township Holmdel Little Silver	Marlboro Roosevelt Shrewsbury Borough Shrewsbury Township Upper Freehold
Morris	Chester Borough Chester Township Dover Harding Jefferson Long Hill Mendham Borough Mendham Township Mine Hill Morris	Morris Plains Morristown Mount Olive Randolph Riverdale Roxbury Victory Gardens Washington Wharton

<u>County</u>		<u>Municipality</u>
Passaic	Pompton Lakes	West Milford
Salem	Pilesgrove	Woodstown
Somerset	Bernardsville Bernards Branchburg Far Hills Hillsborough Franklin Millstone	Montgomery Peapack & Gladstone Rocky Hill Somerville Warren Watchung
Sussex	All municipalities	
Warren	All municipalities	

Public Notice.
See: 23 N.J.R. 3745(a).
Revised Tier I list issued.
Administrative change.
See: 26 N.J.R. 3707(b).
Administrative change.
See: 27 N.J.R. 3600(a).
Administrative change.
See: 28 N.J.R. 4783(a).
Administrative change.
See: 37 N.J.R. 885(b).

SUBCHAPTER 11. PLAYGROUND SAFETY SUBCODE

5:23-11.1 Subcode adopted

(a) Pursuant to authority of P.L. 1999, c.50 (N.J.S.A. 52:27D-123.9 et seq.), the Commissioner hereby adopts the playground safety guidelines of the United States Consumer Product Safety Commission, known as the 2010 edition of the "Handbook for Public Playground Safety" (Pub. No. 325). These guidelines are hereby adopted by reference as the Playground Safety Subcode for New Jersey.

1. Copies of these guidelines may be obtained from the United States Consumer Product Safety Commission, Office of Information and Public Affairs, Washington, DC 20207, www.cpsc.gov/CPSCPUB/PUBS/325.pdf.

2. The "Handbook for Public Playground Safety" may be known and cited as the "Playground Safety Subcode."

(b) Only those guidelines that govern design, installation, inspection and maintenance of playgrounds and playground equipment shall be deemed to be mandatory. Guidelines concerning supervision and training of personnel shall be deemed to be advisory only.

Amended by R.2011 d.135, effective May 16, 2011.
See: 43 N.J.R. 244(a), 43 N.J.R. 1255(a).
In the introductory paragraph of (a), substituted "2010" for "1997"; and in (a)1, inserted ", www.cpsc.gov/CPSCPUB/PUBS/325.pdf".

5:23-11.2 Definition

For purposes of this subchapter, "playground" shall mean an improved area designed, equipped, and set aside for play of six or more children, which is not intended for use as an athletic playing field or athletic court, and shall include any

play equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation, and related structures.

5:23-11.3 Enforcement of subcode

(a) No permit shall be required for any element of playground construction that is not otherwise subject to the permit requirements of the State Uniform Construction Code.

(b) Compliance with the requirements of this subcode shall be the responsibility of the manager of the facility, of the owner of the facility and of the agency responsible for the administration of the facility.

(c) The facility manager and/or facility owner or agency responsible for administration of the facility shall certify in writing that any work performed complies with, and the facility is maintained in accordance with, all applicable provisions of this subcode and shall retain this certification on file.

(d) Complaints regarding lack of compliance with this subcode shall be in writing and shall be directed to the facility manager and the facility owner or agency responsible for administration of the facility. The facility manager or owner or administering agency shall respond in writing within 30 days to any written complaint received detailing the position taken with respect to the complaint. If the facility manager or owner or administering agency fails to respond in a manner satisfactory to the party registering the complaint, then the party shall have recourse to the appeals process as set forth at N.J.A.C. 5:23-2.38.

5:23-11.4 Compliance schedule

(a) All governmental and for-profit private entities operating playgrounds shall upgrade their playgrounds by replacement or improvement as necessary to comply with this subcode by October 18, 2004 for surfacing and by October 18, 2007 for all other elements, or, in the case of governmental entities, at such earlier date as State funds are made available for such purpose.

(b) All nonprofit entities operating playgrounds shall upgrade their playgrounds by replacement or improvement as necessary to comply with this subcode by October 18, 2004 for surfacing and by October 18, 2014 for all other elements.

(c) All newly constructed playgrounds built, and all new and replacement equipment installed, by a governmental, nonprofit or private for-profit entity more than six months after October 18, 1999 shall conform to the requirements of this subcode.

(d) All construction or alteration of playgrounds, playground equipment and surfacing that are subject to the Playground Safety Subcode shall comply with the applicable provisions of the Barrier-Free Subcode (N.J.A.C. 5:23-7).

1. In accordance with N.J.A.C. 5:23-7.18(d) and ICC/ANSI A117.1, Sections 302 and 303, surfaces of all routes and spaces required to be accessible shall be stable, firm and slip-resistant. Sand and gravel shall therefore not be

used as surfacing materials when new equipment is being installed, or a new safety surface is being put in place, and the barrier-free subcode is therefore applicable.

Administrative correction.
See: 36 N.J.R. 170(a).

SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE

5:23-12.1 Title; scope; intent

(a) This subchapter of the rules adopted pursuant to the authority of the Uniform Construction Code Act, entitled "Elevator Safety Subcode," shall be known and cited throughout this chapter as subchapter 12 or N.J.A.C. 5:23-12, and when referred to in this subchapter may be cited as "this subchapter."

(b) Unless otherwise specifically provided, all references to paragraphs, sections, or to provisions not specifically identified, shall be construed to refer to such paragraph or section or provision of this subchapter.

(c) This subchapter shall control all matters relating to administration of tests and inspections of elevator devices as defined in (e) below.

(d) It is the purpose of this subchapter to enhance the public safety, health and welfare by ensuring that elevator devices as defined in this subchapter are periodically inspected and maintained in accordance with nationally recognized, referenced standards.

(e) For purposes of this subchapter, "elevator" or "elevator device" means a hoisting and lowering device equipped with a car or platform which moves in guides for the transportation of individuals or freight in a substantially vertical direction through successive floors or levels of a building or structure; or, a power driven, inclined, continuous stairway used for raising or lowering passengers; or, a type of passenger carrying device on which passengers stand or walk, and in which the passenger carrying surface remains parallel to its direction of motion and is uninterrupted. This includes, without limitation, elevators, escalators, moving walks, dumbwaiters, wheelchair lifts, manlifts, stairway chairlifts and any device within the scope of ASME A17.1 (Safety Code for Elevators and Escalators), ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts), or ASME A90.1 (Safety Standard for Belt Manlifts).

1. This definition shall not apply to any conveying devices, process equipment, and mine elevators. Conveying devices include personnel hoists, material hoists, conveyors, and any other device outside of the scope of ASME A17.1, A18.1 or A90.1.

Amended by R.2008 d.369, effective December 15, 2008.
See: 40 N.J.R. 4651(a), 40 N.J.R. 6958(a).

In the introductory paragraph of (e), inserted "ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts)"; and in (e)1,