

not apply to persons working as subcontractors for any such home improvement retailer.

9. Contractors who are not subject to State licensing, registration or certification shall be subject to any applicable licensing, registration or certification requirement established by municipal ordinance. Any municipal license, registration or certification number issued to any such contractor shall be included in any application for a construction permit for work to be done by such contractor.

10. In the event of any change of contractor or person in charge of work under (b)1 through 9 above, such change shall be filed as an amendment to the application.

(c) A separate application and permit shall be required for each building.

(d) Application for a permit shall be made by the owner, or his agent, a licensed engineer, architect or plumbing, electrical or other contractor employed in connection with the proposed work. If the application is by a person other than the owner in fee, it shall be accompanied by an affidavit of the owner or the authorized person making the application, that the proposed work is authorized by the owner in fee, and that the applicant is authorized to make such application. All issued permits shall remain the property of the owner even if the application was made by a contractor or authorized agent.

(e) Construction permits for individual tenant spaces in multi-tenant buildings shall be issued pursuant to N.J.A.C. 5:23-2.23A.

(f) Plans, plan review, plan release:

1. Plans and specifications: The application for the permit shall be accompanied by no fewer than two copies of specifications and of plans drawn to scale, with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. Plans submitted shall be required to show only such detail and include only such information as shall be necessary to demonstrate compliance with the requirements of the code and these regulations or to facilitate inspections for conformity. When quality of materials is essential for conformity to the regulations, specific information shall be given to establish such quality; and this code shall not be cited, or the term "legal" or its equivalent be used, as a substitute for specific information.

i. Site diagram: There shall also be filed a site plan showing to scale the size and location of all the new construction and all existing structures on the site, distances from lot lines and the established street grades; accessible route(s) for buildings required by N.J.A.C. 5:23-7.1 to be accessible; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing

structures and construction that are to remain on the site or plot.

(1) Where any of the conditions in (f)1i(1)(A) through (C) below are met, a plan shall be submitted to the Construction Official detailing the manner in which the adjoining property will be protected. The Construction Official is authorized to utilize special technical services as per N.J.A.C. 5:23-2.19. No permit shall be issued until such plan has been filed.

(A) The foundation for the new building is immediately adjacent to an existing foundation, such that the existing foundation may be impacted by the construction work being performed;

(B) The footing for the new building is higher or lower than the footing for an existing building and the distance between the edges of the footings is equal to or less than the distance between the bottoms of the footings; or

(C) The new building roof is higher than the building roof on the adjoining property and the building roof of the adjoining property is a flat, hip or gable roofs with a slope of less than 70 degrees and the roof of the adjoining property is located 20 or fewer feet from the face of the new building.

ii. Building plans and specifications shall contain the following information:

(1) Foundation, floor, roof and structural plans;

(A) For buildings with roof or other truss systems, a truss layout and permanent truss bracing plan shall be submitted. This plan shall show all the permanent lateral and other bracing locations for individual truss members as well as the connections between the truss system and other components of the structural system necessary for the permanent lateral bracing of the entire structural system.

(2) Door, window and finish schedules; and

(3) Sections, details, connections and material designations.

iii. Electrical plans and specifications shall contain: Floor and ceiling plans; lighting, receptacles, motors and equipment; service entry location, line diagram and wire, conduit and breaker sizes.

iv. Plumbing plans and specifications shall contain: Floor plan; fixtures, pipe sizes and other equipment and materials; isometric with pipe sizes, fixture schedule and sewage disposal.

v. Mechanical plans and specifications shall contain: Floor or ceiling plans; equipment, distribution location, size and flow; location of dampers and safeguards; and all materials.

vi. Energy calculations: Calculations showing compliance with the energy subcode shall be submitted for all new buildings and additions to existing buildings. As provided in (f)1vii below, these calculations shall be signed and sealed by the design professional, with the exception of calculations for class III structures which may be submitted by the mechanical contractor.

(1) For detached one-and two-family residential buildings and other residential buildings three stories or less in height, compliance may be demonstrated by the submission of Energy Star compliance documentation, the submission of printouts from software recognized by the Department, such as RES Check, or conforming with the prescriptive packages described in Bulletin 07-2. RES Check software is available from the Department of Community Affairs, Division of Codes and Standards at [www.nj.gov/dca/codes](http://www.nj.gov/dca/codes) or from the U.S. Department of Energy at [www.energycodes.gov](http://www.energycodes.gov).

(A) To document compliance using REScheck, users shall exceed the IECC/2003 by two percent or more. Please see Bulletin 07-2 for further guidance.

(2) For all other buildings, compliance may be shown with the COM Check compliance software or equivalent, submission of the compliance forms found in the COM Check user's manual or the ASHRAE 90.1 user's manual for the edition of ASHRAE adopted under the energy subcode. The COM Check user's manual and software are available from the U.S. Department of Energy at [www.energycodes.gov](http://www.energycodes.gov). The ASHRAE 90.1 user's manual is available from the American Society of Heating and Refrigerating and Air-conditioning Engineers Inc. at [www.ashrae.org](http://www.ashrae.org).

(A) To document compliance using COMcheck, users shall meet or exceed the ASHRAE/2004. Please see Bulletin 07-2 for further guidance.

vii. Engineering details and specifications: The construction official and appropriate subcode official may require adequate details of structural, mechanical, plumbing and electrical work, including computations, stress diagrams and other essential technical data to be filed. All engineering plans and computations shall bear the seal and signature of the licensed engineer or registered architect responsible for the design. Plans for buildings shall indicate how required structural and fire-resistance rating will be maintained for penetrations made for electrical, mechanical, plumbing and communication conduits, pipes and systems.

(1) Plumbing plans for class III structures may be prepared by persons licensed pursuant to "The Master Plumber Licensing Act", N.J.S.A. 45:14C-1 et seq. Electrical plans for class III structures may be pre-

pared by persons licensed pursuant to "The Electrical Contractors Licensing Act", N.J.S.A. 45:5A-1 et seq.;

(2) Whenever the licensing board pursuant to either of the above Acts shall provide for a seal evidencing that the holder is licensed, such shall be acceptable to the enforcing agency in lieu of affidavit;

(3) Mechanical plans for class III structures may be prepared by mechanical contractors.

viii. Work area: For reconstruction work in an existing structure, the work area shall be clearly delineated on the plans.

ix. Architect's or engineer's seal: The seal and signature of the registered architect or licensed engineer who prepared the plans shall be affixed to each sheet of each copy of the plans submitted and on the first or title sheet of the specifications and any additional supportive information submitted. The construction official shall waive the requirement for sealed plans in the case of a single family home owner who had prepared his or her own plans for the construction, addition, reconstruction, alteration, renovation or repair of a detached structure used or intended to be used exclusively as his or her private residence providing that the owner shall submit an affidavit attesting to the fact that he or she has personally prepared the plans and provided further that said plans are in the opinion of the construction official, and appropriate subcode official, legible and complete for purposes of ensuring compliance with the regulations.

x. The construction official upon the advice of the appropriate subcode official may waive the requirement for plans when the work is of a minor nature.

xi. Those portions of the plans that are required to be submitted and which are not included at the time of application shall be listed by the design professional as part of the application.

(1) All documents prepared by people other than the design professional shall be reviewed by the design professional and submitted with a letter indicating that they have been reviewed and found to be in conformance with the regulations for the design of the building.

xii. Building, electrical, plumbing and mechanical work required to be shown may be shown on a single set of plans or a single drawing so long as the drawings are clear and legible.

2. Prototype plan filing: Where a design is used repeatedly at different locations in a municipality or throughout the State, the plans and specifications may be submitted for "prototype" release and filed as follows:

i. Two complete sets of the plans and specifications for each prototype shall be submitted with a request for prototype plan release. The plans and specifications shall

Administrative correction.

See: 39 N.J.R. 3914(a).

Administrative correction.

See: 39 N.J.R. 4571(a).

Amended by R.2008 d.39, effective March 3, 2008.

See: 39 N.J.R. 2175(a), 40 N.J.R. 1084(a).

Added (f)1i(1).

#### Case Notes

Zoning permit may be required pursuant to Municipal Land Use Law but not Uniform Construction Code Act. *Acqua Development Corp. v. Township of Holmdel*, 287 N.J.Super. 578, 671 A.2d 636 (L.1995).

Compliance with former N.J.A.C. 5:23-2.5 requirements for permit to non-contractor owner to perform repairs. *Winn v. Margate City*, 204 N.J.Super. 114, 497 A.2d 928 (Law Div.1985).

Requirement of architect's or engineer's seal on plans does not broaden scope of engineering practice into architecture; engineer's plan limitations. *State Board of Architects v. North*, 197 N.J.Super. 349, 484 A.2d 1297 (Ch.Div.1984).

Prior-approval rule discussion; zoning matters involved in construction must be resolved before issuance of permits. *Bell v. Twp. of Bass River*, 196 N.J.Super. 304, 482 A.2d 208 (Law Div.1984).

Construction permit application and fee requirements under former N.J.A.C. 5:23-2.5; municipal requirement for payment of property taxes before issuance of permit invalid as preempted by legislation. *Home Builders League of South Jersey, Inc. v. Evesham Twp.*, 174 N.J.Super. 252, 416 A.2d 81 (Law Div.1980).

Construction permit applicant must provide assurances that prior approvals obtained. *Riggins v. Pinelands Commission*, 8 N.J.A.R. 441 (1985).

#### 5:23-2.16 Construction permits—procedure

(a) Action on application: The construction official or the appropriate subcode official in the case of construction involving only one trade or subcode, shall examine or cause to be examined all applications for permits and amendments thereto, and approve or deny in whole or in part the application, within 20 business days. If the application is denied in whole or in part, the enforcing agency shall set forth the reasons therefore in writing. If an enforcing agency fails to grant, in whole or in part, or deny an application within 20 business days, such failure shall be deemed a denial of the

constructed in conformance with ANSI/NSPI-3 as listed in Chapter 35.

3110.4 Above-ground and on-ground residential swimming pools. Above-ground and on-ground residential swimming pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Chapter 35.

3110.5 Residential in-ground swimming pools. Residential in-ground swimming pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Chapter 35.

3110.6 Portable spas. Portable spas shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Chapter 35.

23. Chapter 32, Encroachments into the Public Rights of Way, shall be amended as follows:

i. In Section 3202.1.2, Vaults and other enclosed spaces, "authority or legislative body having jurisdiction" shall be deleted and "Uniform Construction Code (N.J.A.C. 5:23)" shall be inserted.

ii. In Section 3202.3.4, Pedestrian walkways, "authority having jurisdiction" shall be deleted and "the construction official" shall be inserted.

iii. In Section 3202.4, Temporary encroachments, "local authority having jurisdiction" shall be deleted and "municipality" shall be inserted.

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

i. Sections 3303.1, Construction documents; 3303.2, Pedestrian protection; 3303.4, Vacant lot; 3303.5, Water accumulation; and 3303.6, Utility connections, shall be deleted in their entirety.

ii. In Section 3306.2, Walkways, "Chapter 11" shall be deleted and "the barrier free subcode, N.J.A.C. 5:23-7" shall be inserted.

iii. Section 3307.1, Protection required, shall be deleted in its entirety and the following shall be inserted: "Protection of adjoining properties shall be in accordance with N.J.A.C. 5:23-2.34."

iv. In the last sentence of Section 3309.1, Where required, "On construction sites," shall be inserted before "All." In addition, in the last sentence, "Section 906" shall be deleted and "the International Fire Code" shall be inserted.

25. Chapter 34, Existing Structures, shall be deleted in its entirety.

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

i. New subheading "NSPI" shall be inserted as follows: "NSPI – National Spa and Pool Institute, 2111

Eisenhower Avenue, Alexandria, VA 22314. In addition, the following NSPI Standards shall be inserted: "ANSI/NSPI-1-03, Public Swimming Pools, ANSI/NSPI-2-99, Public Spas, ANSI/NSPI-3-99, Standard for Permanently Installed Residential Spas, ANSI/NSPI-4-99, Standard for Above-Ground/On-Ground Residential Swimming Pools, ANSI/NSPI-5-03, Standard for Residential In-ground Swimming Pools, and ANSI/NSPI-6-99, Standard for Portable Spas."

ii. Under the subheading "ACI 318-05," "Section 1708.3" shall be deleted.

iii. Under the subheading "ACI 530-05," "Section 1708.1.1," "Section 1708.1.2," and "Section 1708.1.3" shall be deleted.

iv. Under the subheading "AISC 341-05," "Section 1708.4" shall be deleted.

v. Under the subheading "ASCE/SEI 5-05," "Section 1708.1.1," "Section 1708.1.2" and "Section 1708.1.3" shall be deleted.

vi. Under the subheading "ASTM A615/A A615M-04a," "Section 1708.3" shall be deleted.

vii. Under the subheading "ASTM A898/A 898M-91(2001)," "Section 1708.3" shall be deleted.

viii. Under the subheading "AWS D1.1-04," "Section 1708.4" shall be deleted.

ix. Under the subheading "TMS 402-05," "Section 1708.1.1," "Section 1708.1.2" and "Section 1708.1.3" shall be deleted.

27. The Appendices shall be amended as follows:

i. Appendix A, Employee Qualifications; Appendix B, Board of Appeals; Appendix C, Group U-Agricultural Buildings; Appendix D, Fire Districts; Appendix E, Supplementary Accessibility Requirements; Appendix F, Rodent Proofing; and Appendix G, Flood Resistant Construction, shall be deleted in their entirety.

ii. In Appendix H, at the beginning of the Appendix, the sentence, "The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance," shall be deleted in its entirety.

(1) In Appendix H, Section H101.2, Signs exempt from permits, shall be deleted in its entirety.

(2) In Appendix H, Section H105.2, Permits, drawings and specifications, "as provided in Chapter 1" shall be deleted and "as provided in N.J.A.C. 5:23-2.14" shall be inserted.

(3) In Appendix H, Section H106.1, Illumination, "ICC Electrical Code" shall be deleted and "electrical subcode" shall be inserted.

(4) In Appendix H, Section H106.2, Electrical service, "ICC Electrical Code" shall be deleted and "electrical subcode" shall be inserted.

iii. Appendix I, Patio Covers, and Appendix J, Grading, Appendix K, ICC Electrical Code, shall be deleted in their entirety.

Amended by R.1981 d.132, effective May 7, 1981.  
See: 13 N.J.R. 121(a), 13 N.J.R. 258(d).  
Amended by R.1983 d.12, eff. February 7, 1983, operative February 22, 1983.  
See: 14 N.J.R. 132(a), 15 N.J.R. 141(c).  
Added (a)2 and (c).  
Amended by R.1984 d.314, eff. August 6, 1984.  
See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).  
This section was substantially amended.  
Amended by R.1985 d.154, effective April 1, 1985 (operative July 1, 1985).  
See: 17 N.J.R. 239(a), 17 N.J.R. 810(a).  
(a)2 added; subsection (c) added.  
Correction: N.J.A.C. 5:23-3.14(c)5 was incorrect in adoption.  
See: 17 N.J.R. 1409(a).  
Amended by R.1985 d.324, effective July 1, 1985.  
See: 17 N.J.R. 861(c), 17 N.J.R. 1646(a).  
(b)3i: amended text.  
Amended by R.1986 d.380, effective September 22, 1986.  
See: 18 N.J.R. 1235(a), 18 N.J.R. 1931(a).  
Substantially amended.  
Amended by R.1987 d.374, effective September 21, 1987.  
See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).  
Model subcode revisions.  
Amended by R.1988 d.270, effective June 20, 1988.  
See: 20 N.J.R. 575(a), 20 N.J.R. 1344(a).  
Added (a)3 and (c).  
Amended by R.1990 d.253, effective May 21, 1990.  
See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).  
Text added at (c)2ii, 4, 5 and 7.  
Amended by R.1990 d.325, effective July 2, 1990.  
See: 21 N.J.R. 1654(a), 22 N.J.R. 2001(a).  
Text added at (b)5xii(1) to conform to Fire Code.  
Amended by R.1990 d.507, effective October 15, 1990.  
See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).  
Text conformed to BOCA National Code/1990.  
Amended by R.1990 d.558, effective November 19, 1990.  
See: 22 N.J.R. 1969(b), 22 N.J.R. 3483(a).  
Conditional exemption for hoopouses or polyhouses added.  
Amended by R.1991 d.325, effective July 1, 1991.  
See: 23 N.J.R. 805(a), 23 N.J.R. 2046(a).  
Article 26 amended at (b)14.  
Amended by R.1991 d.429, effective August 19, 1991.  
See: 23 N.J.R. 1487(a), 23 N.J.R. 2501(a).  
In (a), added 3. Added (c).  
Amended by R.1992 d.244, effective June 15, 1992.  
See: 24 N.J.R. 1147(a), 24 N.J.R. 2243(a).  
Text added at (b)10v through viii.  
Amended by R.1993 d.662, effective December 20, 1993.  
See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).  
Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).  
See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).  
Amended by R.1995 d.477, effective September 5, 1995.  
See: 27 N.J.R. 1717(a), 27 N.J.R. 3328(a).  
Added (b)2v.  
Amended by R.1998 d.332, effective July 6, 1998.  
See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).  
Rewrote the section.  
Amended by R.2000 d.492, effective December 18, 2000.  
See: 32 N.J.R. 3219(a), 32 N.J.R. 4437(b).  
Rewrote (b)25.  
Amended by R.2001 d.127, effective April 16, 2001.  
See: 33 N.J.R. 392(a), 33 N.J.R. 1195(a).

In (a)9, added new ix and recodified former ix through xiii as new x through xiv.  
Amended by R.2001 d.368, effective October 15, 2001.  
See: 33 N.J.R. 1990(a), 33 N.J.R. 3673(b).  
In (b)9, inserted a new ix and recodified former ix through xiv as x through xv.  
Amended by R.2001 d.369, effective October 15, 2001.  
See: 33 N.J.R. 2365(a), 33 N.J.R. 3674(a).  
In (b), substituted "seven" for "7 1/3 (2335 mm)" in 2vi, rewrote 10, added a new 17, and recodified former 17 through 26 as 18 through 27.  
Amended by R.2002 d.215, effective July 1, 2002.  
See: 34 N.J.R. 1078(a), 34 N.J.R. 2312(a).  
In (b)22, inserted new ii and recodified existing ii through xvii as iii through xviii.  
Administrative correction.  
See: 34 N.J.R. 3771(b).  
Amended by R.2003 d.187, effective May 5, 2003.  
See: 34 N.J.R. 4248(a), 35 N.J.R. 1939(c).  
Rewrote the section.  
Administrative correction.  
See: 35 N.J.R. 2864(b).  
Amended by R.2003 d.351, effective September 2, 2003.  
See: 35 N.J.R. 1177(a), 35 N.J.R. 4051(a).  
In (b)9, added xi; recodified existing xi to xiii as xii to xiv.  
Amended by R.2003 d.420, effective November 3, 2003.  
See: 34 N.J.R. 4248(a), 35 N.J.R. 5073(a).  
Rewrote (b).  
Administrative correction.  
See: 36 N.J.R. 3525(c).  
Amended by R.2004 d.423, effective November 15, 2004.  
See: 36 N.J.R. 3004(a), 36 N.J.R. 5090(a).  
In (b)5, added ii.  
Amended by R.2005 d.4, effective January 3, 2005.  
See: 36 N.J.R. 4049(a), 37 N.J.R. 47(a).  
In (b)19, added new iv and recodified former iv and v as v and vi.  
Administrative correction.  
See: 37 N.J.R. 502(b), 674(a).  
Amended by R.2005 d.403, effective November 21, 2005.  
See: 37 N.J.R. 2753(a), 37 N.J.R. 4399(b).  
Added (b)14xi and recodified former (b)14xi-xiii as (b)14xii-xiv; added (b)18 and recodified former (b)18-25 as (b)19-26.  
Amended by R.2005 d.446, effective December 19, 2005.  
See: 37 N.J.R. 2747(a), 37 N.J.R. 4907(a).  
In (b)3viii(3), substituted "one- and two-family" for "single-family"; in (b)3viii(5), "Group R-5 also includes: ..."  
Amended by R.2006 d.28, effective January 17, 2006.  
See: 37 N.J.R. 2750(a), 38 N.J.R. 485(b).  
Rewrote (b)9, 20 and 21.  
Amended by R.2006 d.157, effective May 1, 2006.  
See: 37 N.J.R. 3108(a), 38 N.J.R. 1824(a).  
Rewrote (b)21ii.  
Administrative Correction.  
See: 38 N.J.R. 3024(a).  
Amended by R.2006 d.381, effective November 6, 2006.  
See: 38 N.J.R. 35(a), 38 N.J.R. 4691(a).  
In (b)15ii, added the last sentence; added new (b)15iv; and recodified former (b)15iv through (b)15xv as (b)15v through (b)15xvi.  
Amended by R.2007 d.51, effective February 5, 2007.  
See: 38 N.J.R. 375(a), 39 N.J.R. 371(a).  
Added new (b)2viii; recodified former (b)2viii through (b)2x as (b)2ix through (b)2xi; added new (b)3iii; recodified former (b)3iii through (b)3viii as (b)3iv through (b)3ix; added new (b)9i; recodified former (b)9i through (b)9xi as (b)9ii through (b)9xii; added new (b)9xiii; recodified former (b)9xii through (b)9xv as (b)9xiv through (b)9xvii; added new (b)10xxii and (b)10xxiii; and recodified former (b)10xxii as (b)10xxiv.  
Amended by R.2007 d.65, effective February 20, 2007.  
See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).  
Rewrote the section.  
Administrative correction.  
See: 39 N.J.R. 1249(a).  
Amended by R.2007, d.384, effective December 17, 2007.  
See: 39 N.J.R. 2684(a), 39 N.J.R. 5211(a).

Added new (b)3i and (b)3ii; and recodified former (b)3i through (b)3vii as (b)3iii through (b)3ix.  
Amended by R.2008 d.39, effective March 3, 2008.  
See: 39 N.J.R. 2175(a), 40 N.J.R. 1084(a).  
Added new (b)24iii; and recodified former (b)24iii as (b)24iv.

**Case Notes**

Set back provisions of borough zoning ordinance controlled conflicting state building code provisions. Pfeuffer v. Sculco, 242 N.J.Super. 181, 576 A.2d 309 (A.D.1990).

iv. Section R301.2.2, Seismic provisions, shall be deleted in its entirety and the following shall be inserted: "Detached one- and two-family dwellings and attached single-family townhouses are exempt from the seismic requirements of this code." In addition, the exception shall be deleted in its entirety.

v. Section R303.6, Stairway illumination, and Section R303.6.1, Light activation, shall be deleted in their entirety.

vi. Section R303.8, Required heating, shall be deleted in its entirety.

vii. In Section R307.1, Space required, "Figure R307.1" shall be deleted and "Figure 7.3.2 of the plumbing subcode, entitled "Minimum Fixture Clearances" shall be inserted. In addition, Figure R307.1 shall be deleted in its entirety.

viii. Section R309.2, Separation required, shall be deleted and the following shall be inserted: "Private garages located beneath rooms shall have walls, partitions, floors and ceilings separating the garage from the adjacent interior spaces constructed with not less than a one-hour fire resistance rating (see N.J.U.C.C. FTO-13). Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of ½-inch gypsum board or equivalent applied to the garage side."

ix. In Section R310.1, Emergency escape and rescue required, "Basements and" shall be deleted. The sentence shall start with "Every." In addition, in the third sentence, "but shall not be required in adjoining areas of the basement" shall be deleted. Finally, the exception shall be deleted in its entirety.

x. In Section R311.4.3, Landings at doors, in Exception 2 and Exception 3, "7 ¾ inches (196 mm)" shall be deleted and "8 1/4 inches (210 mm)" shall be inserted.

xi. In Section R311.5.3.1, Riser height, in the first sentence, "7 ¾ inches (196 mm)" shall be deleted and "8 ¼ inches (210 mm)" shall be inserted.

xii. In Section 311.5.3.2, Tread depth, in the first sentence, "10 inches (254 mm)" shall be deleted and "9 inches ( 229 mm)" shall be inserted. In addition, in the fourth sentence, "10 inches (254 mm)" shall be deleted and "9 inches ( 229 mm)" shall be inserted.

xiii. In Section R311.5.6.1, Height, "34 inches (864 mm)" shall be deleted and "30 inches (762 mm)" shall be inserted.

xiv. In Section 311.5.6.3, Handrail grip size, Item 1 shall be deleted in its entirety and Section R315.2 of the 2000 edition of the International Residential Code shall be inserted as follows:

"Type 1. The handgrip portion of Type 1 handrails shall have a circular cross section of 1¼ inches (32 mm) minimum to 2 5/8 inches (67 mm) maximum. Other handrail shapes that provide an equivalent grasping surface are permissible. Edges shall have a minimum radius of 1/8 inch (3.2 mm)."

xv. Section R311.5.7, Illumination, shall be deleted in its entirety.

xvi. Section R313.2.1, Alterations, repairs and additions, shall be deleted in its entirety.

xvii. In Section R313.3, Power source, "Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power or in buildings that undergo alterations, repairs, or additions regulated by Section R313.1.1" shall be deleted.

xviii. Section R311.6.1, Maximum slope, shall be deleted in its entirety.

xix. In Section R311.6.3.1, Height, "34 inches (864 mm)" shall be deleted and "30 inches (762 mm)" shall be inserted.

xx. In Section R317.1, Dwelling unit separation, in Exception 1, "13R, or 13D" shall be inserted after "NFPA 13."

xxi. In Section R317.2, Townhouses, in the second sentence of the exception, "Chapters 33 through 42" shall be deleted and " the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

xxii. In Section R318.1, Moisture control, in Exception 3, "in climate zones 1 through 4 in Table N1101.2" shall be deleted and "HDD 4500-4999 and HDD 5000-5499 in accordance with the energy subcode (N.J.A.C. 5:23-3.18) shall be inserted.

xxiii. Section R321.1, Site address, shall be deleted in its entirety.

xxiv. Section R322, Accessibility, shall be deleted in its entirety.

xxv. Section R323, Elevators and platform lifts, shall be deleted in its entirety.

xxvi. In Section R324.1, General, "as established by Table R301.2(1)" shall be deleted. Additionally, in the exception "as established by Table R301.2(1)" shall be deleted.

xxvii. In Section R324.1.5, Protection of mechanical and electrical systems, the second sentence shall be deleted in its entirety.

xxviii. In Section R324.1.6, Protection of water supply and sanitary sewage systems, in the first and second sentences, "and replacement" shall be deleted.

xxix. In Section R324.1.8, Manufactured housing, in the first sentence, “or replacement” and “and the anchor and tie-down requirements of Section AE604 and AE605 of Appendix E shall apply” shall be deleted.

xxx. Section R324.3.6, Construction Documents, shall be deleted in its entirety.

xxxi. New Section R325 entitled, “Carbon Monoxide Alarms,” shall be inserted as follows:

“R325 Carbon monoxide alarms. Single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in any dwelling unit if the dwelling unit contains a fuel-burning appliance or has an attached garage. An “open parking structure,” as defined in the building subcode, shall not be deemed to be an attached garage.

Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery operated, hard-wired or of the plug-in type.”

4. Chapter 4, Foundations shall be amended as follows:

i. In Table R401.4.1, Presumptive Load Bearing Values of Foundation Materials, “12,000; 4,000; 3,000; 2,000; and 1,500” shall be deleted and “12,000; 6,000; 5,000; 3,000; and 2,000” shall be inserted.

ii. In Section 403.1.4.1, Frost protection, the exception shall be deleted and the following shall be inserted in its place:

Exception: Free standing buildings meeting all of the following conditions shall not be required to be protected:

1. Buildings and other structures that represent a low hazard to human life in the event of failure, including but not limited to, agricultural buildings, temporary buildings and minor storage facilities.

2. Area of 600 square feet (56 m<sup>2</sup>) or less for light framed construction, or 400 square feet (37 m<sup>2</sup>) or less for other than light-framed construction; and

3. Eave height of 10 feet (3048 mm) or less.

iii. In Section R404.1, Concrete and masonry foundation walls, the second sentence shall be deleted.

iv. In Section R404.4, Insulating concrete form foundation walls, the second sentence shall be deleted.

v. Sections R405, Foundation Drainage with the exception of Table R405.1, and R406, Foundation Waterproofing and Dampproofing, shall be deleted and the text of Section 1807, Dampproofing and Waterproofing from the International Building Code (IBC)/2006 shall be inserted as follows:

“R406.1 Where required. Walls or portions thereof that retain earth and enclose interior spaces and floors below grade shall be waterproofed and dampproofed in accordance with this section, with the exception of those spaces containing groups other than residential and institutional where such omission is not detrimental to the building or occupancy.

R406.1.1 Story above grade. Where a basement is considered a story above grade and the finished ground level adjacent to the basement wall is below the basement floor elevation for 25 percent or more of the perimeter, the floor and walls shall be dampproofed in accordance with Section R406.2 and a foundation drain shall be installed in accordance with Section R406.4.1. The foundation drain shall be installed around the portion of the perimeter where the basement floor is below ground level. The provisions of Sections R406.3 and R406.4.1 shall not apply in this case.

R406.1.2 Underfloor space. The finished ground level of an underfloor space such as a crawl space shall not be located below the bottom of the footings. Where there is evidence that the ground water table rises to within six inches (152 mm) of the ground level at the outside building perimeter or where there is evidence that the surface water does not readily drain from the building site, the ground level of the underfloor space shall be as high as the outside finished ground level, unless an approved drainage system is provided. The provisions of Sections R406.2, R406.3 and R406.4 shall not apply in this case.

R406.1.2.1 Floor hazard areas. For buildings and structures in flood hazard areas as established in Section R327, the finished ground level of an underfloor space such as a crawl space shall be equal to or higher than the outside finished ground level.

Exception: Under-floor spaces that meet the requirements of FEMA/FIA-TB-11.

R406.1.3 Groundwater control. Where the groundwater table is lowered and maintained at an elevation not less than 6 inches (152 mm) below the bottom of the lowest floor, the floor and walls shall be dampproofed in accordance with Section R406.2. The design of the system to lower the groundwater table shall be based on accepted principles of engineering that shall consider, but not necessarily be limited to, permeability of the soil, rate at which water enters the drainage system, rated capacity of pumps, head against which pumps are to pump; and the rated capacity of the disposal area of the system.

R406.2 Dampproofing required. Where hydrostatic pressure will not occur, floors and walls for other than wood foundation systems shall be dampproofed in accordance with this section. Wood foundation systems shall be constructed in accordance with AFPA TR7.

R406.2.1 Floors. Dampproofing materials for floors shall be installed between the floor and the base course

i. Section M1202, Existing mechanical systems, shall be deleted in its entirety.

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

i. In Section M1305.1.3.1, Electrical requirements, "Chapter 38" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

ii. In Section M1305.1.4.3, Electrical requirements, "Chapter 38" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

iii. Section M1307.4, Hydrogen generating and refueling operations, shall be deleted in its entirety and the following shall be inserted:

M1307.4 Hydrogen generating and refueling operations. The installation of hydrogen fuel cell systems shall be installed in accordance with the applicable requirements of the International Fire Code, the International Building Code, the International Mechanical Code and the International Fuel Gas Code.

iv. In Section 1307.5, Electrical appliances, "Chapters 33 through 42" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted at the end of the sentence.

v. Add new Section M1307.6 as follows:

M1307.6 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 M1401.3, Sizing, "When provided," shall be inserted at the beginning of the sentence.

ii. In Section M1405.1, General, "Chapters 33 through 42" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

iii. In Section M1406.1, General, "Chapters 33 through 42" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

iv. In Section M1406.2, Clearances, "Chapters 33 through 42" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

v. In Section M1407.1, General, "Chapters 33 through 42" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

vi. In Section M1411.3, Condensate disposal, in the first sentence, "in accordance with the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted after "disposal."

vii. Section M1411.3.2, Drain pipe materials and sizes, shall be deleted in its entirety.

viii. In Section M1413.2, Protection of potable water, "Section P2902" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

14. Chapter 18, Chimney and Vents, shall be amended as follows:

i. In Section M1801.3.2, Flue passageways, in the first sentence, "free of obstructions and combustible deposits" shall be deleted and "inspected in accordance with the chimney certification program as provided for in N.J.A.C. 5:23-2.20(d)" shall be inserted.

15. Chapter 20, Boilers/Water Heaters, shall be amended as follows:

i. In Section M2004.1, General, "Chapter 28" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

ii. In Section M2005.3, Electric water heaters, "Chapters 33 through 42" shall be deleted and "the electrical subcode (N.J.A.C. 5:23-3.16)" shall be inserted.

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

i. In Section M2101.2, System drain down, "Chapters 25 through 32" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

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

17. Chapter 22, Special Piping and Storage Systems shall be amended as follows:

i. In Section M2201.2, Above-ground tanks, in the first sentence, "above ground or" shall be deleted. Additionally, in the first sentence, "residential" shall be inserted before "building."

18. Chapter 23, Solar Systems, shall be amended as follows:

i. In Section M2301.5, Backflow protection, "Section P2902" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

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

i. In Section G2402.3, Terms defined in other codes, "ICC Electrical Code, International Building

Code, International Fire Code, and International Plumbing Code” shall be deleted and “electrical, building, fire protection, and plumbing subcodes” shall be inserted.

ii. Section G2403, entitled “General Definitions” shall be amended as follows:

(1) The definition of “approved” shall be deleted.

(2) The definition of “code” shall be deleted.

(3) The definition of “code official” shall be deleted and the following shall be inserted: “For the purpose of this subcode, the term ‘code official’ shall mean the appropriate subcode official as required by N.J.A.C. 5:23-3.4.”

iii. In Section G2404.3, Listed and labeled, in the first sentence, “Section R104.11” shall be deleted and “N.J.A.C. 5:23-3.7” shall be inserted. In addition, the last sentence shall be deleted.

iv. Section G2404.5, Repair, shall be deleted in its entirety.

v. In Section G2408.1, General, the second paragraph shall be deleted in its entirety.

vi. In Section G2410.2, Connections, “Chapters 33 through 42” shall be deleted and “the Electrical subcode (N.J.A.C. 5:23-3.16)” shall be inserted.

vii. Section G2412.2, Liquefied petroleum gas storage, shall be amended as follows: Notwithstanding the provisions contained in NFPA 58, the installation of LP-Gas containers on roofs of buildings shall be strictly prohibited.

viii. Section G2412.3, Modifications to existing system, shall be deleted in its entirety.

ix. Section G2414.3, Other materials, shall be deleted in its entirety.

x. In Section G2425.15.2, Flue passageways, in the first sentence, “free of obstructions and combustible deposits” shall be deleted and “inspected in accordance with the chimney certification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

xi. In Section G2427.5.5, Inspection of chimneys, “examined to ascertain that it is clear and free of obstructions” shall be deleted and “inspected in accordance with the chimney certification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

xii. In Section G2448.1.1, Installation requirements, “this code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

xiii. In Section G2448.2, Water heaters utilized for space heating, “this code” shall be deleted and “the plumbing subcode (N.J.A.C. 5:23-3.15)” shall be inserted.

20. Chapters 25 through 32 shall be deleted in their entirety. Plumbing requirements under the scope of this subcode shall be regulated by the plumbing subcode.

21. Chapters 33 through 42 shall be deleted in their entirety. Electrical requirements under the scope of this subcode shall be regulated by the electrical subcode.

22. Chapter 43, Referenced standards, shall be amended as follows:

i. Under the subheading, NFPA, “NFPA 13D-02, Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes; and NFPA 13R-02, Installation of Sprinkler Systems in Residential Occupancies Up To and Including Four Stories in Height” shall be inserted.

23. The Appendices shall be amended as follows:

i. Appendix A, Sizing and Capacities of Gas Piping; Appendix B, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents; and Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems are informative and are not part of the one- and two-family dwelling subcode.

ii. Appendix D, Recommended Procedure for Safety Inspection of an Existing Appliance Installation; Appendix E, Manufactured Housing Used as Dwellings; and Appendix F, Radon Control Methods, are deleted in their entirety.

iii. In Appendix G, Section AG105.1, Application, “subject to this code” shall be inserted at the end of the first sentence.

iv. Appendix G, Swimming pools, Spas and hot tubs, shall be adopted as part of this subcode and Section AG105.2, Outdoor swimming pool, Provision 9 shall be deleted in its entirety. In the same section, under Provision 10, Item 10.1 shall be deleted. In addition, Item 10.2 shall be renumbered as 10.1 and the last sentence shall be deleted. In addition, Section AG106, Entrapment protection for swimming pool and spa suction outlets, shall be deleted.

v. Appendix H, Patio Covers, and Appendix K, Sound Transmission, shall be adopted as part of this subcode.

vi. Appendix I, Private Sewage Disposal; Appendix J, Existing Buildings and Structures; Appendix L, Permit Fees; Appendix M, Home Day Care – R-3 Occupancy; Appendix N, Venting Methods; Appendix O, Gray Water Recycling Systems; Appendix P, Sprinkling; and Appendix Q, ICC International Residential Code Electrical Provisions/National Electrical Code Cross-Reference shall be deleted in their entirety.

New Rule, R.1985 d.324, effective July 1, 1985.

See: 17 N.J.R. 861(c), 17 N.J.R. 1646(a).

Amended by R.1987 d.374, effective September 21, 1987.

See: 19 N.J.R. 1024(a), 19 N.J.R. 1720(b).

Model subcode revisions.

Amended by R.1988 d.388, effective August 1, 1988.

See: 20 N.J.R. 1130(a), 20 N.J.R. 2073(b).

Added (c).

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

References to 1989 Supplement added; (b)Iii(5), 2, 4, 8 and 9 amended; (b)5, 6 and 7 added; (c) deleted; Table R-201.2 added.

Amended by R.1991 d.571, effective November 18, 1991.

See: 23 N.J.R. 2619(a), 23 N.J.R. 3444(b).

Added new (c).

Amended by R.1992 d.208, effective May 18, 1992.

See: 24 N.J.R. 680(a), 24 N.J.R. 1879(a).

Code provisions applicable to flood hazard zones clarified.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1998 d.332, effective July 6, 1998.

See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).

Rewrote the section.

Amended by R.2000 d.166, effective April 17, 2000.

See: 31 N.J.R. 4151(a), 32 N.J.R. 1376(a).

In (c)4, substituted "more pressure than would be exerted by backfill" for "lateral pressure from soils" following "subject to" in ii, and substituted "drainage" for "designated disposal" preceding "system" and added "according to the Unified Soil Classification System, Group I Soils" at the end of iii; and inserted (c)9iv.

Amended by R.2001 d.369, effective October 15, 2001.

See: 33 N.J.R. 2365(a), 33 N.J.R. 3674(a).

In (b), inserted "that are" following "type 5B construction", "no more" preceding "than 4,800 square feet", and substituted "seven feet" for "7 1/3 feet (2,235 mm)."

Amended by R.2003 d.187, effective May 5, 2003.

See: 34 N.J.R. 4248(a), 35 N.J.R. 1939(c).

Rewrote the section.

Amended by R.2003 d.420, effective November 3, 2003.

See: 34 N.J.R. 4248(a), 35 N.J.R. 5073(a).

Rewrote (c).

Amended by R.2005 d.403, effective November 21, 2005.

See: 37 N.J.R. 2753(a), 37 N.J.R. 4399(b).

Rewrote (c).

Amended by R.2006 d.28, effective January 17, 2006.

See: 37 N.J.R. 2750(a), 38 N.J.R. 485(b).

Rewrote (c)15.

Administrative correction.

See: 38 N.J.R. 926(a).

Amended by R.2006 d.75, effective February 21, 2006.

See: 37 N.J.R. 3110(a), 38 N.J.R. 1183(a).

Added (c)10; recodified former (c)10-15 as (c)11-16.

Administrative correction.

See: 38 N.J.R. 1827(b).

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

Rewrote (a) and (c).

Amended by R.2007, d.384, effective December 17, 2007.

See: 39 N.J.R. 2684(a), 39 N.J.R. 5211(a).

Added new (c)17; and recodified existing (c)17 through (c)22 as (c)18 through (c)23.

### 5:23-3.22 Fuel gas subcode

(a) Rules concerning the 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/2006. This code is hereby adopted by reference as the fuel gas subcode for the State of New Jersey subject to the modifications in (b) below.

i. Copies of this code may be obtained from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. The International Fuel Gas Code/2006 may be known and cited as the "fuel gas subcode."

2. Any references to the International Plumbing Code, ICC Electrical Code, International Energy Conservation Code or the International Existing Building Code listed in Chapter 8 shall be considered a reference to the appropriate adopted plumbing, electrical, or energy subcode in N.J.A.C. 5:23-3 or rehabilitation subcode in N.J.A.C. 5:23-6.

3. Anywhere the term "code" appears, shall be a reference to "subcode" as defined in N.J.A.C. 5:23-1.4 for any of the adopted national model codes as appropriate.

(b) The following chapters, sections or pages of the International Fuel Gas Code/2006 shall be amended as follows:

1. Chapter 1 of the fuel gas subcode, entitled "Administration" is deleted in its entirety.

2. Chapter 2 of the fuel gas subcode, entitled "Definitions," is amended as follows:

i. In Section 201.3 delete "ICC Electrical Code, and International Plumbing Code," and insert "electrical subcode and plumbing subcode."

ii. The definition of the term "alteration" is deleted and the definition found in N.J.A.C. 5:23-1.4 is substituted;

iii. The definition of the term "approved" is deleted;

iv. The definition of the term "code" is deleted;

v. The definition of the term "code official" is deleted, and the following language is substituted: "For the purpose of the fuel gas subcode, the term "code official" shall mean the appropriate subcode official as designated in N.J.A.C. 5:23-3.4."

vi. The definition of the term "unlisted boiler" is deleted.

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

i. Section 301.1 is amended to delete the words "in accordance with Section 101.2."

ii. In Section 301.3, Listed and labeled, "in accordance with Section 105," shall be deleted. In addition, the second sentence shall be deleted in its entirety.

iii. Section 301.9 is deleted.

iv. Section 305.1. Delete the second paragraph in its entirety.

v. Section 307.2, Fuel-burning appliances, shall be amended to insert “drywell, sump pump, floor drain, or drainage system below floor” after “fixture.”

vi. Section 307.3, Drain pipe materials and sizes, shall be deleted.

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

i. Section 401.2, Liquefied petroleum gas storage, shall be amended 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.

ii. Add new Section 401.9 as follows:

401.9 Protection from vehicle impact. Gas meters, related regulators and piping that are installed indoors or outdoors and are subject to vehicle impact shall be protected by barriers meeting the requirements of Section 312 of the International Fire Code. For the purpose of applying this provision, “subject to vehicle impact” shall mean located within three feet of any garage door opening, driveway or designated parking area and not separated by a building wall from the space where a vehicle may be operated.

(1) Exception: If verification of the installation of an excess flow valve is provided by the gas utility, vehicle impact barriers shall not be required.

iii. Section 403.3 is deleted.

5. Chapter 5 of the fuel gas code, entitled “Chimneys and vents,” shall be amended as follows:

i. In Section 501.15.2, Flue passageways, in the first sentence, “free of obstructions and combustible deposits” shall be deleted and “inspected in accordance with the chimney certification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

ii. In Section 503.5.6, Inspection of chimneys, “examined to ascertain that it is clear and free of obstructions” shall be deleted and “inspected in accordance with the chimney certification program as provided for in N.J.A.C. 5:23-2.20(d)” shall be inserted.

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. Section 627.10, Switches in electrical supply line, shall be deleted.

7. 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 “ICC EC—06, ICC Electrical Code.”

(2) Delete “IEBC—06, International Existing Building Code.”

(3) Delete “IPC—06, International Plumbing Code.”

8. Appendices A, B, and C of the fuel gas subcode are informative and are not part of the subcode itself.

9. Appendix D of the fuel gas subcode, entitled “Recommended Procedure for Safety Inspection of an Existing Appliance Installation,” is deleted in its entirety.

New Rule, R.2001 d.196, effective June 18, 2001.

See: 33 N.J.R. 6(a), 33 N.J.R. 2090(a).

Administrative correction.

See: 33 N.J.R. 3310(a).

Amended by R.2004 d.468, effective December 20, 2004.

See: 36 N.J.R. 1858(b), 36 N.J.R. 5711(a).

In (b), added a new 4i and recodified existing i through ii as ii through iii.

Amended by R.2005 d.35, effective January 18, 2005.

See: 36 N.J.R. 3329(b), 37 N.J.R. 267(a).

Rewrote the section.

Administrative correction.

See: 37 N.J.R. 885(a).

Amended by R.2007 d.65, effective February 20, 2007.

See: 38 N.J.R. 3348(a), 39 N.J.R. 633(a).

Rewrote the section.

**APPENDIX 3—A**

APPENDIX

NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

CODE CHANGE PROPOSAL

REHABILITATION SUBCODE (N.J.A.C. 5:23-6)

Proposals must be presented with language proposed for deletion in brackets [ ].

Proposals must be presented with language proposed for addition underlined:

Mail code change proposals to: Fax code change proposals to:

Code Development Unit Code Development Unit

Department of Community Affairs (609) 984-7717 or

Division of Codes and Standards (609) 633-6729

PO Box 802

Trenton, New Jersey 08625

Direct questions to the Code Development or Code Assistance Units at (609) 984-7609.

Section (citation) proposed for change: \_\_\_\_\_

Sections (companion changes) that might also need to be changed:

NAME: \_\_\_\_\_

ORGANIZATION (if any): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Proposed Code Change:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Supporting Statement (reason for code change):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

New Rule, R.2004 d.261, effective July 6, 2004.  
See: 36 N.J.R. 1267(a), 36 N.J.R. 3275(a).

struction Code, in conjunction with other rules administered by the Department, in facilities and installations for which the Department is the sole enforcing agency, as set forth in N.J.A.C. 5:23-3.11(j).

**5:23-3A.2 Subcodes established**

(a) All provisions of adopted model codes that are applicable to the construction, alteration, installation, erection or demolition of carnival-amusement rides or ski lifts shall be designated collectively as the amusement ride subcode.

(b) All provisions of adopted model codes that are applicable to the construction, alteration, installation, erection or demolition of high pressure boilers, pressure vessels or refrigeration systems shall be designated collectively as the boiler, pressure vessel and refrigeration subcode.

SUBCHAPTER 3A. STATE-JURISDICTION SUBCODES

**5:23-3A.1 Scope**

This subchapter shall govern the enforcement by the Department of Community Affairs of the State Uniform Con-