

Amended by R.1993 d.464, effective September 20, 1993.
See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

5:10-17.2 No smoking signs

Common areas available for or utilized for storage purposes and public garages shall contain one sign at least one square foot in area, clearly legible and prominently displayed at or near the entrance to the space, prohibiting smoking in the area.

5:10-17.3 Limitations on storage space

(a) Storage in common areas shall not cover more than 80 percent of the overall floor area and not more than 60 percent of the cubic content of the storage area and shall be arranged so that there will be maintained at all times aisles at least three feet in width.

(b) Storage shall not be permitted in attic spaces in garden apartments unless such spaces are designed for such purposes.

5:10-17.4 Refrigerators and similar equipment

The owner shall first remove the doors of any refrigerators or other such equipment with exterior closing devices likely to be hazardous to children, if stored on the premises.

5:10-17.5 (Reserved)

Repealed by R.1993 d.464, effective September 20, 1993.
See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).
Section was "Closets under stairs".

SUBCHAPTER 18. MAILBOXES AND IDENTIFICATION SIGNS

5:10-18.1 Mailboxes and directories

(a) The owner shall provide and maintain mail receptacles for all occupants, conforming to all Federal postal laws and regulations.

(b) In multiple dwellings, there shall be identification by name and unit of dwelling space for each designated occupant, maintained by the person in charge of the premises or posted at or near the main entrance of the premises or in the lobby, lounge or mailroom area. Nothing herein shall be construed as requiring a directory for transient guests, provided there is a responsible person on the premises designated by the owner, known to postal authorities, who shall on behalf of the owner receive and distribute or make available for pickup mail for transient guests.

5:10-18.2 Identification signs

(a) Every unit of dwelling space in hotels and multiple dwellings shall have some permanent and legible identification

by letter, number or other symbol at or near the front entrance thereof.

(b) Floor signs designating the number of the floor shall be posted prominently and maintained permanently near to and visible from the entrance to the elevators and stairwells serving each floor.

(c) The street number of the premises shall be posted prominently at the front entrance of the premises and be visible day and night from the public right-of-way adjoining the main front entrances of the premises.

SUBCHAPTER 19. BUILDING SECURITY

5:10-19.1 Hotels

(a) The following provisions apply to hotels:

1. Entrance doors to dwelling units shall be equipped with a medium duty dead latching lockset (series 160, FF-H-106a, minimum, with a minimum 11/16 inch by 1/2 inch with 1/2 inch minimum throw latch bolt with automatic deadlocking plunger) or with a dead bolt separate from the latch set.

2. Such entrance doors shall also be equipped with either a viewing device installed on the designated main entrance door to the dwelling unit located so as to enable a person on the inside of the entrance door to view a person immediately outside, or with a chain door guard so installed as to permit partial opening of the door; provided, however, that chain door guards shall not be installed as an alternative to viewing devices in dormitories.

3. All openable windows, sliding doors, basement windows and windows opening onto exterior stairways, fire escapes, porches, terraces, balconies or other areas affording easy access to the premises shall be equipped with a locking device of some kind.

4. Grilles lockable from the inside only may be placed on the inside or outside of windows only if the windows do not serve to provide access to exits.

Amended by R.2002 d.341, effective November 4, 2002.
See: 34 N.J.R. 2371(a), 34 N.J.R. 3771(a).

In (a)2, added "; provided, however, that chain door guards shall not be installed as an alternative to viewing devices in dormitories".

5:10-19.2 Multiple dwellings

(a) The following provisions apply to multiple dwellings.

1. Every building entrance door or other exterior door permitting access to two or more units of dwelling space shall be equipped with heavy duty dead latching locksets (series 161, FF-H-106a, minimum, with a minimum 7/8 inch by 5/8 inch with 1/2 inch minimum throw latch bolt with automatic dead-locking plunger). Outside cylinders of

main entrance door locks shall be operated by the tenant's key, which shall not be keyed to also open the tenant's dwelling unit entrance door.

2. All exit and exitway doors shall be freely openable from the inside at all times.

3. All exterior entrance doors to common basement, cellar or storage areas shall be self-closing and lockable.

4. All entrance doors to dwelling units shall be equipped with a medium duty dead latching lockset (series 160, FF-H-106a, minimum, with a minimum $1\frac{1}{16}$ inch by $\frac{1}{2}$ inch with $\frac{1}{2}$ inch minimum throw latch bolt with automatic dead-locking plunger) or with a dead bolt lock separate from the latch set.

5. All entrance doors to each dwelling unit shall be equipped with a chain door guard so as to permit partial opening of the door, and a viewing device installed on the designated main entrance door to the dwelling unit, located so to enable a person on the inside of the entrance door to view a person immediately outside.

6. All openable windows, sliding doors, basement windows and windows opening onto exterior stairways, fire escapes, porches, terraces, balconies or other areas affording easy access to the premises shall be equipped with a locking device of some kind.

7. Grilles lockable from the inside only may be placed on the inside or outside of windows only if the windows do not serve to provide access to exits.

8. Every exterior entrance door leading to interior common areas which provide access to two or more interior dwelling unit entrance doors shall be a self-closing and self-locking door, shall be kept closed at all times except when in actual use and shall be equipped with a viewing device if it would not otherwise be possible to see a person seeking to enter without opening the door. In addition, the main entrance door shall be either attended at all times by a doorman or equipped with an electrically operated buzzer and latch-release system, individual exterior door bells connected to each dwelling unit, or an approved alternative security and entrance system. However, no building shall be equipped with an electrically operated latch-release system if such building is not also equipped with an intercommunication system allowing effective communication between a person in any dwelling unit and a person standing outside of the main entrance door.

9. When the main entrance to a building contains a vestibule with doors at both ends, only the inside set of doors must conform to the security requirements.

10. Buildings with fewer than six dwelling units shall not be required to have bells in every dwelling unit provided there is at least one exterior door bell connected so as to ring at least one bell in the common areas which will be audible in all dwelling units.

11. Exposed hinges on building entrance doors and entrance doors to dwelling units are either to be removed and replaced with hinges which have nonremovable hinge pins, or altered so that the door would be protected against being lifted from its hinges by pulling the hinge pin. (An acceptable alteration method to an existing door would be to remove two screws, opposite each other, from both leaves of the hinge, insert screw, steel pin or equivalent into jamb leaf, protruding $\frac{1}{2}$ inch, drill out the opposite screw hole in the door. Do this in the top and bottom hinge of the door. When closed, the hinge pins may be removed, but the door will remain firmly in place.)

Amended by R.1993 d.464, effective September 20, 1993.
See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

Case Notes

Ordinance requiring apartment complex security guards valid under municipal police power; not preempted by statute or regulation (citing former N.J.A.C. 5:10-19.6). *Sunrise Village Associates v. Roselle Park*, 181 N.J.Super. 567, 438 A.2d 944 (Law Div.1980) affirmed per curiam 181 N.J.Super. 565, 438 A.2d 944 (App.Div.1981) certification denied 89 N.J. 413, 446 A.2d 144.

Violation of door lock regulation evidence of negligence in action against landlord (citing former N.J.A.C. 5:10-19.6). *Trentacost v. Brussel*, 82 N.J. 214, 412 A.2d 436 (1980).

Citation to former N.J.A.C. 5:10-6.6; landlord liable for damages for failure to repair door lock. *Braitman v. Overlook Terrace Corp.*, 68 N.J. 368, 346 A.2d 76 (1975).

Building that is to be occupied as a multiple dwelling must conform to modern health and safety standards. Such requirements include not only code-compliant plumbing and electrical systems, but also the devices that are required in order to protect the security of building occupants. *Bureau of Housing Inspection v. Dougherty*, OAL Dkt. No. CAF 03774-07 (After Remand), 2007 N.J. AGEN LEXIS 843, Final Decision (August 24, 2007).

Owners of an historic building used as a multiple dwelling were not entitled to an exemption from the requirement of placing viewers in individual unit doors; although residents of the building were adequately protected against unauthorized persons seeking to enter the building, N.J.A.C. 5:10-19.2(a)5 is meant to protect the residents of a unit from any unauthorized person who might seek entry to the unit from *within* the building. *Bureau of Housing Inspection v. Dougherty*, OAL Dkt. No. CAF 03774-07 (After Remand), 2007 N.J. AGEN LEXIS 843, Final Decision (August 24, 2007).

Installation by a tenant of a double-keyed lock constitutes a violation of both N.J.A.C. 5:10-19.2(a)2 and N.J.A.C. 5:10-5.3(a)1, and it is the obligation of the building owner to make sure the violation is corrected; the building owner must advise a tenant who installs a double-keyed lock that the lock is a violation of the regulations that must be corrected and that failure to do so will constitute grounds for eviction. *Nostrame v. Dep't of Community Affairs, Bureau of Housing Inspection*, OAL Dkt. No. CAF 05703-02 and CAF 11012-03, 2007 N.J. AGEN LEXIS 846, Final Decision (August 4, 2007).

Condominium association was exempt from required security door locks and doorbells where owners demonstrated that compliance would cause undue financial hardship. *Twin Rivers Lake Condominium v. Department of Community Affairs*, 97 N.J.A.R.2d (CAF) 5.

Violations of Hotel and Multiple Dwelling Law obliged owners to install self-locking, self-closing doors, and exterior doorbells. *Bureau of Housing Inspection v. Bistricher*, 95 N.J.A.R.2d (CAF) 99.