

1. Pursuant to authority of P.L. 1975, c. 217, as modified by P.L. 1996, c.53, the Commissioner hereby adopts the model code of the National Fire Protection Association, known as "The National Electrical Code 2002" as the electrical subcode for New Jersey.

i. Copies of this code may be obtained from the sponsors at NFPA, One Batterymarch Park, Quincy, Massachusetts 02269.

2. The National Electrical Code 2002 may be known and cited as "the electrical subcode."

i. Codes and standards referenced in the Fine Print Notes (FPNs) of the electrical subcode (NEC 2002) shall be considered adopted by reference to the extent prescribed by each related section. These codes and standards also are printed in DCA Bulletin #03-1, which contains a list of adopted codes and standards that are applicable to the enforcement of the electrical subcode.

3. The Commissioner hereby adopts the National Electrical Safety Code (ANSI C2-1997) for the installation of area lighting facilities by an electric utility on private property on metal poles with an underground electric feed.

i. Copies of the National Electrical Safety Code may be obtained from the Institute of Electrical and Electronic Engineers, Inc., PO Box 1331, 445 Hoes Lane, Piscataway, New Jersey 08855-1331.

(b) The following chapters or articles of the electrical subcode are amended as follows:

1. Article 80, entitled, "Administration and Enforcement," is deleted in its entirety.

2. Article 90 of the electrical subcode, entitled "Introduction," is amended as follows:

i. Section 90.4, entitled "Enforcement," is amended to delete in the first paragraph the phrase, "authority having jurisdiction for enforcement of the code" and substitute in lieu thereof, the term "electrical subcode official." And add a new last sentence in the first paragraph: "Approval shall be in accordance with N.J.A.C. 5:23-2.9." Delete in the second paragraph the phrase "authority having jurisdiction" and substitute in lieu thereof the term "electrical subcode official" and add after "effective safety" the phrase "as provided in N.J.A.C. 5:23-2.9." Delete in the third paragraph the phrase "authority having jurisdiction" and substitute in lieu thereof the term "electrical subcode official" and delete the phrase "by the jurisdiction" after the word "adopted."

ii. Section 90.5, entitled "Mandatory Rules, Permissive Rules, and Explanatory Material," is amended to add "except as outlined under N.J.A.C. 5:23-3.16(a)2i" after the word "Code" in line 6 under paragraph (C).

3. Chapter 1 of the electrical subcode, Article 100, entitled "Definitions," is amended as follows:

i. The definition of the term "approved" is amended to delete the phrase "the authority having jurisdiction" and substitute in lieu thereof, the phrase "electrical subcode official. Approval shall be in accordance with N.J.A.C. 5:23-3.7, 3.8 and 3.8A."

ii. The definition of "Authority having jurisdiction" is replaced with "Unless otherwise specifically noted, the authority having jurisdiction for the Electrical Subcode shall be the Electrical Subcode Official."

iii. The definition of the term "building" is deleted and in lieu thereof, substitute the definition of the term "building" found in N.J.A.C. 5:23-1.4".

4. Chapter 2 of the electrical subcode, entitled "Wiring and Protection," is amended as follows:

i. Section 210.12(B) of Article 210, entitled "Branch Circuits," is amended to insert the following sentence at the end of the section, "This requirement shall be considered optional."

5. Chapter 3 of the electrical subcode, entitled "Wiring Methods and Materials," is amended as follows:

i. Section 300.4(A)(1) is amended to delete the words from "so that the edge . . ." on line four through ". . . cannot be maintained" on line six and in lieu thereof substitute "as required by the building subcode. Where the distance from the edge of the hole to the nearest edge of the wood member is less than 32 mm (1¼ inches)."

ii. Section 334.12(A)(1) is deleted in its entirety.

6. Chapter 5 of the electrical subcode, entitled "Special Occupancies," is amended as follows:

i. Sections 514.11(B) and 514.11(C) are amended to delete the phrase "authority having jurisdiction" and substitute in lieu thereof the phrase "fire protection subcode official."

ii. Part II of Article 550, entitled "Mobile Homes, Manufactured Homes, and Mobile Home Parks" comprising sections 550.11 through 550.25 is deleted. Section 550.10 shall be retained.

(1) Exception—Part II is retained in its entirety in the case of mobile/manufactured homes undergoing repair, renovation, or alteration.

(A) Section 550.25 is amended to add the following sentence at the end of the section: "This requirement shall be considered optional."

iii. In Article 551, entitled "Recreation Vehicles and Recreation Vehicle Parks," delete from the title the words "Recreational Vehicles and."

(1) Section 551.1 is amended to delete the phrase "within or on recreational vehicles" on line 2.

(2) Parts II, III, IV, V and VI, comprising sections 551.10 through 551.60, are deleted in their entirety, with the exception of Figure 551.46(C), which shall be retained.

iv. The following amendments are made to Article 552, entitled "Park Trailers":

(1) Parts II and III comprising sections 552.10 through 552.20 are deleted in their entirety.

(2) Part IV comprising sections 552.40 through 552.59 is deleted with the exception of sections 552.43, 552.44 and 552.47 which shall be retained.

(3) Part V is deleted in its entirety.

(c) A newly installed automatic lawn sprinkler system, where such systems are not prohibited by local ordinance, shall be equipped with an automatic rain sensor device or switch that will override the irrigation cycle of the automatic lawn sprinkler system when rainfall of more than one-half inch has occurred.

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.1984 d.314, effective August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

Section 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.1990 d.253, effective May 21, 1990.

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

Amendments to (b)4i(2), ii(2).

Administrative Correction to (b)4i(2).

See: 22 N.J.R. 2503(b).

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.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.1998 d.362, effective July 20, 1998.

See: 30 N.J.R. 1122(a), 30 N.J.R. 2644(b).

In (a), inserted a new 3.

Amended by R.2000 d.48, effective February 7, 2000.

See: 31 N.J.R. 2317(a), 32 N.J.R. 445(a).

In (a), substituted references to 1999 for references to 1996 throughout, substituted a reference to One Batterymarch Park for a reference to Batterymarch Park in 1i, and inserted 2i; and in (b), inserted 1ii, inserted a new 3, recodified former 3 and 4 as 4 and 5, substituted a reference to line four for a reference to line three and substituted a reference to line six for a reference to line five in the new 4i, and substituted a reference to section 500-5(a)(4) for a reference to section 500-3(a)4 in the new 5i.

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.240, effective June 16, 2003.

See: 34 N.J.R. 3045(a), 35 N.J.R. 2637(c).

Added (c).

Case Notes

Former N.J.A.C. 5:23-3.6 designated "National Electrical code of 1975" as controlling code; statute of limitations. *Brown v. Jersey Central Power and Light Co.*, 163 N.J.Super. 179 394 A.2d 397 (App. Div.1978) certification denied 79 N.J. 489 401 A.2d 244.

5:23-3.17 Fire protection subcode

(a) Rules concerning the subcode adopted are as follows:

1. Pursuant to the authority of P.L. 1975, c.217 as modified by P.L. 1996, c.53, the Commissioner hereby adopts the following portions of the building, electrical, mechanical and fuel gas subcodes, to the extent delineated in N.J.A.C. 5:23-3.4, as the fire protection subcode for New Jersey.

i. International Building Code/2000 of the International Code Council, Inc. (N.J.A.C. 5:23-3.14):

(1) Chapter 3—Use and Occupancy Classification;

(2) Chapter 4—Special Detailed Requirements Based on Use and Occupancy;

(3) Chapter 7—Fire Resistance-Rated Construction;

(4) Chapter 8—Interior Finishes;

(5) Chapter 9—Fire Protection Systems and N.J.A.C. 5:23-3.5(d) entitled "Posted Hydraulic System Data Plate";

(A) Section 907.2.6 shall be amended as follows:

Add the following text to the end of this section: "Alarms activated by smoke detectors required by this section shall be activated by either two cross-zoned smoke detectors with a single protected area or a single smoke detector monitored by an alarm verification zone or an approved equivalent method."

(B) Section 907.2.8 shall be amended as follows:

Add the following text to the end of this section: "Alarms activated by smoke detectors required by this section shall be activated by either two cross-zoned smoke detectors with a single protected area or a single smoke detector monitored by an alarm verification zone or an approved equivalent method."

(6) Chapter 10—Means of Egress;

(7) Sections 2111 through 2113 of Chapter 21—Masonry;

(8) Sections 2603 through 2607 of Chapter 26—Plastic;

(9) Section 3104 of Chapter 31—Special Construction;

(10) Section 3309, 3311 and 3312 of Chapter 33—Safeguards During Construction;

ii. National Electrical Code/2002 of the National Fire Protection Association (N.J.A.C. 5:23-3.16).

(1) Section 300.21 of Chapter 3—Wiring Methods and Materials;

(2) Article 450, Part III—Transformer Vaults of Chapter 4—Equipment for General Use;

(3) Chapter 5—Special Occupancies;

(4) Article 695—Fire Pumps of Chapter 6—Special Equipment;

(5) Article 760—Fire Alarm Systems of Chapter 7—Special Conditions;

iii. International Mechanical Code/2000 of the International Code Council (N.J.A.C. 5:23-3.20):

(1) Chapter 3—General Regulations;

(2) Chapter 5—Exhaust Systems;

(3) Chapter 6—Duct Systems;

(4) Chapter 7—Combustion Air;

(5) Chapter 8—Chimneys and Vents;

(6) Chapter 9—Specific Appliances, Fireplaces and Solid Fuel Burning Equipment;

(7) Chapter 13—Fuel Oil Piping and Storage;

iv. International Fuel Gas Code/2000 of the International Code Council (N.J.A.C. 5:23-3.22):

(1) Chapter 3—General Regulations;

(2) Chapter 5—Chimneys and Vans;

(3) Chapter 6—Specific Appliances.

2. The model code portions listed above may be known as “the fire protection subcode.”

(b) Rules concerning modifications to subcodes are as follows:

1. The modifications made to the appropriate portion of the adopted model code in N.J.A.C. 5:23-3.14 (Building Subcode), N.J.A.C. 5:23-3.16 (Electrical Subcode), N.J.A.C. 5:23-3.20 (Mechanical Subcode) and N.J.A.C. 5:23-3.22 (Fuel Gas Subcode) will apply also to those portions as regards this adoption.

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.1984 d.314, effective August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

Section substantially amended.

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.1990 d.253, effective May 21, 1990.

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

Reference to 1989 Supplement added; (a)1i(7) amended.

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.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 (a).

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

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

In (a)1i(5), added a second sentence.

Amended by R.2000 d.492, effective December 18, 2000.

See: 32 N.J.R. 3219(a), 32 N.J.R. 4437(b).

In (a)1ii, changed “1996” to “1999”.

Amended by R.2001 d.196, effective June 18, 2001.

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

In (a)1, inserted reference to the fuel gas subcode in the introductory paragraph, rewrote iii and inserted iv; in (b)1, inserted reference to the Fuel Gas Subcode.

Amended by R.2003 d.351, effective September 2, 2003.

See: 35 N.J.R. 1177(a), 35 N.J.R. 4051(a).

In (a), substituted “are” for “area” in the introductory paragraph and rewrote (i) and (ii) in 1.

Case Notes

Zoning ordinance’s definition of family violated Constitution. *Cherry Hill Tp. v. Oxford House, Inc.*, 263 N.J.Super. 25, 621 A.2d 952 (A.D.1993).

5:23-3.18 Energy Subcode

(a) Rules concerning the subcode adopted are as follows:

1. Pursuant to authority of P.L. 1975, c.217, as modified by P.L. 1996, c.53, the Commissioner hereby adopts the model code of the Council of American Building Officials, Inc., known as the Model Energy Code/1995, as the energy subcode for New Jersey.

i. Copies of the CABO Model Energy Code/1995 may be obtained from BOCA International, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. The model code listed above may be known and cited as the “energy subcode.”

(b) The following chapters and sections of the energy subcode are amended as follows:

1. The following amendments are made to Chapter 1 of the energy subcode titled “Administration and Enforcement”:

i. Section 101.1 “Title” is deleted.

ii. Section 101.3 “Compliance” is amended to add the following sentence after the first bullet item: “Residential buildings provided with high efficiency equipment (90 percent AFUE for furnace 85 percent AFUE for boilers and 8.0 HSPF for air source heat pumps) shall be exempt from the requirement to insulate basement walls. Code requirements for other envelope components must meet the component performance approach requirements of Chapter 5.”

- iii. Subsection 101.4.3 "Application to existing buildings" is deleted.
- iv. Subsections 102.1.2 and 102.1.3 are deleted.
- v. Section 102.2 "Maintenance information" is deleted.
- vi. Section 104 "Plans and specifications" is deleted.
- vii. Section 105 "Inspection" is deleted.
- viii. Section 106 "Validity" is deleted.

2. The following amendments are made to Chapter 2 of the energy subcode titled "definitions":

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

- ii. The term "building project" is deleted.

3. The following amendments are made to Chapter 3 of the energy subcode, titled "Design Conditions":

- i. Section 302.1 is amended to read as follows: "Design conditions shall be based on the values from the 97½ percent column for winter and the 2½ percent column for summer from climate tables in Standard RS-1 listed in Chapter 8 for the nearest listed location."

- ii. Table 302.1 is deleted.

4. The following amendments are made to Chapter 5 of the energy subcode titled "Residential Building Design by Component Performance Approach":

- i. Table 502.2.1a is amended as follows:

Table 502.2.1a
Heating and Cooling Criteria

Heating degree days/county	Element	Mode	Type A1 Buildings Uo	Type A2 Buildings Uo
4,500 Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem	Walls	Heating or Cooling	.150	.215
	Roof/Ceiling	Heating or Cooling	.033	.033
	Floors over unheated space	Heating or Cooling	.05	.05
	Unheated/heated slab on grade	Heating	R value-4/R-6	R value-4/R-6
	Basement Wall see notes 2, 3, 4	Heating or Cooling	.1	.1
	Crawl Space Wall see notes 2, 3	Heating or Cooling	.075	.075
	Walls	Heating or Cooling	.141	.215
5,000 Burlington, Essex, Hudson, Mercer, Middlesex, Monmouth, Ocean, Union	Roof/Ceiling	Heating or Cooling	.031	.031
	Floors over unheated space	Heating or Cooling	.050	.0500
	Unheated/heated slabs on grade	Heating	R value-4.3/6.4	R value-4.3/6.4
	Basement Wall see notes 2, 3, 4	Heating or Cooling	.1	.1
	Crawl Space Wall see notes 2, 3	Heating or Cooling	.060	.060
	Walls	Heating or Cooling	.134	.215
	Roof/Ceiling	Heating or Cooling	.028	.028
5,500 Bergen, Hunterdon, Morris, Passaic, Somerset Sussex, Warren	Floors over unheated space	Heating or Cooling	.050	.050
	Unheated/heated slabs on grade	Heating	R-4.7/6.7	R-4.7/6.7
	Basement Wall see notes 2, 3, 4	Heating or Cooling	.0975	.0975
	Crawl Space Wall see notes 2, 3	Heating or Cooling	.060	.060
	Walls	Heating or Cooling	.134	.215
	Roof/Ceiling	Heating or Cooling	.028	.028
	Floors over unheated space	Heating or Cooling	.050	.050

- 1. Values were determined using the graphs (Figures 1, 2, 3, 4, 5 and 6) contained in Chapter 8.
- 2. Basement and crawl space wall U-values shall be based on the wall components and surface air film. Adjacent soil shall not be considered in the determination of the U-value.
- 3. Typical foundation wall techniques can be found in standard RS-20 found in Chapter 8.
- 4. The need for basement wall insulation shall be waived when the residential building is provided with high efficiency mechanical equipment (furnaces 90 percent AFUE or greater, boilers 85 percent AFUE or greater).