

1. Posts are to be a minimum of six inch diameter schedule 40 pipe and painted yellow;

2. Posts are to be buried a minimum of 48 inches deep and extend a minimum of 48 inches above grade and be filled with concrete;

3. Posts are to be set at four feet maximum centers;

4. Posts are to be encased in concrete of 24 inches diameter and 48 inches in depth for minimum standards; and

5. The crash protection shall be installed a minimum of 24 inches from the LP-gas container(s).

xxxvi. In Section 313.1, General, in Exception 1, "International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted. In Exception 2, ".4" shall be deleted leaving "Section 314".

xxxvii. In Section 313.2, Group R occupancies, following the word "buildings," "and shall be separated from other occupancies in accordance with the Uniform Construction Code" shall be inserted.

xxxviii. In Section 315.1, General, "and NFPA 230" shall be inserted following the words "in accordance with this section" and the following text shall be deleted, "A permit shall be obtained in accordance with Section 105.6."

xxxix. In Section 315.2.1, Ceiling clearance, "in accordance with NFPA 25 with at least" shall be inserted before the words "a minimum."

xl. New Section 315.2.5 shall be added as follows: "315.2.5 The storage of combustible or flammable materials shall be confined to approved storage areas."

xli. In Section 315.3, Outside storage, "shall be compact and orderly" shall be inserted after the words "combustible materials". "10" shall be replaced by "15". "or building" shall be inserted following the words "property line."

xl. New Section 316, Rooming and Boarding Houses and Residential Health Care Facilities, shall be inserted as follows:

"SECTION 316

ROOMING AND BOARDING HOUSES AND RESIDENTIAL HEALTH CARE FACILITIES

316.1 General: Every rooming and boarding house shall have rules prohibiting the activities listed in 316.1.1 and 316.1.2 below, which shall be accepted in writing by every resident as a condition of residency.

316.1.1 Cooking: The use of cooking and food warming and portable heat producing devices, other than microwave ovens, is prohibited in rooming units.

Exception: This prohibition shall not apply in rooming units containing complete kitchens.

316.1.2 Smoking: Smoking is prohibited in rooming units."

4. Chapter 4, Emergency Planning and Preparedness, shall be amended as follows:

i. New Section 401.3.4, Unplanned evacuation, shall be inserted as follows, "401.3.4 Unplanned evacuation. Evacuations made necessary by the unplanned activation of a fire alarm system or by any other emergency shall not be substituted for a required evacuation drill."

ii. New Section 404.1.1 shall be inserted as follows, "404.1.1 Group Overnight Stays. Fire safety and evacuation plans for Group Overnight Stays shall comply with section 408.14."

iii. In Section 404.2, Where required, the following text shall be inserted in number 8. "Therapeutic residences of" shall be inserted before "Group" and R-2, R-3 and" shall be inserted following "Group." The following text shall be inserted following 13: 14. Casinos, 15 Flammable Liquid Terminals, 16 Adult and child day care facilities, 17. Group Overnight Stays.

iv. New Section 404.5.1 shall be inserted as follows, "404.5.1 The fire safety and evacuation plans shall be distributed to the tenants and building service employees by the owner or agent. Tenants shall distribute to their employees applicable parts of the fire safety plan affecting the employees' actions in the event of a fire or other emergency.

v. In Section 405.1, General, "or when required by the fire code official" shall be deleted.

vi. In Section 405.5, Record keeping, after "evacuation drills," "and unplanned evacuations to" shall be inserted following "evacuations," "and" shall be deleted.

vii. New Section 405.5.1, Casino Fire Command Center, shall be inserted as follows: "405.5.1 Casino Fire Command Center: The Casino Fire Command Center shall maintain a comprehensive log which shall include the information required in 405.5.1.1 and 405.5.1.2 below."

viii. New Section 405.1.1 shall be inserted as follows: "405.5.1.1 The name and signature of each employee on duty in the Fire Command Center along with the date and time of arrival and departure."

ix. New Section 405.5.1.2 shall be inserted as follows: "405.5.1.2 A description of each incident occurring within the casino or hotel, including the date, time, location and action taken. An incident shall include, but not be limited to, fire, alarm activation, trouble signal, fire protection equipment malfunction, and any unrecorded communication pertaining to fire or life safety which is made to or from the Fire Command Center."

x. Table 405.2, Fire and Evacuation Drill Frequency and Participation, shall be amended as follows:

Insert "Monthly to include" under Frequency column, row 4, and insert "All occupants" under Participation column

Delete Group R-4 under Group or Occupancy column, row 7, and insert "Therapeutic Residences"

Insert "Monthly to include" in the Frequency column, row 7, before "Quarterly on each shift"

Delete "Employee" in the Participation column row 7 and insert "All occupants"

Delete "Employee" in the Participation column row 8 and insert "All occupants"

Add new rows as follows: under Group or occupancy, add "Casino" in row 9, "Flammable Liquid Terminals" in row 10 and "Group overnight Stays" in row 11.

Under Frequency, add "Twice per year" in row 9, "Twice per year" in row 10, and "At the start of each night's activities" in row 11.

Under participation, add "Employees" in row 9, "Employees" in row 10 and "All occupants" in row 11.

The table should appear as follows:

TABLE 405.2
FIRE AND EVACUATION DRILL
FREQUENCY AND PARTICIPATION

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Employees
Group B ^c	Annually	Employees
Group E	Monthly ^a	All occupants
Group I	Monthly to include Quarterly on each shift	All occupants ^e Employees ^b
Group R-1	Quarterly on each shift	Employees
Group R-2 ^d	Four annually	All occupants
Therapeutic Residences	Monthly to include Quarterly on each shift	All occupants ^b
High-rise Buildings	Annually	All occupants
Casinos	Twice per year	Employees
Flammable Liquid Terminals	Twice per year	Employees
Group Overnight Stay	At the start of each nights activities	All occupants

a. The frequency shall be allowed to be modified in accordance with Section 408.3.2.

b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.

c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

d. Applicable to Group R-2 college and university buildings in accordance with Section 408.3.

e. Applicable to Group I day care centers in accordance with Section 408.3.

xi. In Section 407.1, General, after "under," "Section 2701.5" shall be deleted and "N.J.A.C. 5:70-2.7 or LHU registration under N.J.A.C. 5:70.2.4" shall be inserted.

xii. The title of Section 408.3 shall be amended to insert "Group I day care centers" after "Group E occupancies." In addition, in the first sentence of the same section, "and Group I" shall be inserted after "Group E."

xiii. In Section 408.3.1, First emergency evacuation drill, insert "two" before "emergency evacuation drill" and insert "s" in "drill" to make it plural. In addition, in the first sentence, "for Group E and Group I" shall be inserted after "classes." Finally, a second sentence shall be inserted as follows: "The first drill for Group R-2 shall be conducted within 10 days of the start of each semester."

xiv. In Section 408.3.3, Time of day, "and one shall be held during daylight hours" shall be inserted after "sunrise."

xv. In Section 408.7.2, Staffing, "In Use conditions 3, 4 and 5 as defined in Chapter 2" shall be deleted. In the Exception, after the word "with," delete "Section 408.4 of the International Building Code" and insert "the building subcode of the Uniform Construction Code."

xvi. In Section 408.8, Group R-1 occupancies, a new section 408.8.2.1 shall be added as follows: "408.8.2.1 Bed and breakfasts. Each bed and breakfast shall have at least one dwelling unit occupied by the owner of the facility or his agent as his place of residence during any time that the facility is being used for the lodging of guests or the owner or agent of the owner shall be within 15 minutes travel distance of the facility while guests are lodging there. The owner or agent shall carry out the applicable duties described in this chapter. If the owner or agent is not on site, there shall be a clearly legible sign, conspicuously displayed in the area where guests register, containing the owner's or agent's name, address (including unit number or apartment number) and a 24-hour emergency telephone number."

xvii. In Section 408.9, Group R-2 occupancies, after "occupancies," insert "located in high rise buildings."

xviii. In Section 408.10, Group R-4 occupancies, following "408.10," delete "Group R-4 occupancies. Group R-4 occupancies" and insert "Therapeutic residences. Therapeutic residences"

xix. New Section 408.10.3.1, Admission, shall be inserted as follows: "408.10.3.1 Admission. Within 24

The point of transfer of LP-gas from one container to another shall be separated from exposures as specified in NFPA 58."

x. New Section 3806.4, Labeling, shall be inserted as follows: "3806.4 Labeling. Prior to filling any cylinder 4 to 40 pounds LP-Gas capacity, except fork lift cylinders, the operator of the fill plant or distribution plant shall affix a label to the collar of the cylinder that includes the following warning printed in English and in Spanish: 'Flammable Gas - Never Use or Store Indoors/Gas Inflammable-Nunca Se Use o Guarde Adentro.'"

xi. New Section 3807.5, Container markings, shall be inserted as follows: "3807.5 Container markings. Containers of 100 pounds or more water capacity shall be legibly marked with a warning followed by the name of the gas contained. The warning label shall read 'Flammable Gas' followed by the name of the gas, such as 'Propane' or 'Butane.'"

xii. New Section 3807.6, Storage area signs, shall be inserted as follows: "3807.6 Storage area signs. Storage areas having containers exceeding 100 pounds product water capacity shall be posted with adequate 'No smoking' and 'Flammable Gas' signs legibly marked. The 'Flammable Gas' sign shall be marked 'Flammable Gas' and the name of the gas to indicate the contents such as 'Flammable Gas-Propane' or 'Flammable Gas-Butane.'"

xiii. New Section 3807.7, Marker plates, shall be inserted as follows: "3807.7 Marker plates. All LP-Gas installations exceeding 250 gallons individual or aggregate water capacity shall be provided with a marker plate or sign indicating who should be called in the event of an emergency involving the LP-Gas installation. The marker or sign shall include the following:

1. The name of the gas supplier, plant installer, owner, or operator who will respond to the emergency; and
2. The telephone number of that person."

xiv. New Section 3807.8, Notification response, shall be inserted as follows: "3807.8 Notification Response. The LP-Gas supplier, plant installer, owner or operator indicated on the marker plate or sign required in Section 3807.7 above shall respond when notified to all LP-Gas emergencies occurring at the installation and shall maintain a 24-hour phone service."

xv. New Section 3807.9, Fire or explosion, shall be inserted as follows: "3807.9 Fire or explosion. Whenever there is a fire or explosion or accident involving serious injury or loss of life as a result of an incident involving an LP-Gas installation, the responsible party as identified per Section 3807.7 above shall promptly notify the fire official of its occurrence."

xvi. In Section 3809.6, Storage on roofs, "which are not connected for use" shall be deleted.

xvii. In Section 3809.11.2, Construction, "the International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted.

39. Chapter 39, Organic Peroxides, shall be amended as follows:

i. Section 3901.2, Permits, shall be deleted in its entirety.

ii. In Section 3904.1.2, Distance from detached storage buildings to exposures, "the International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted.

40. Chapter 40, Oxidizers, shall be amended as follows:

i. Section 4001.2, Permits, shall be deleted in its entirety.

ii. In Section 4004.1.2, Distance from detached storage buildings to exposures, "the International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted.

41. Chapter 41, Pyrophoric Materials, shall be amended as follows:

i. Section 4101.2, Permits, shall be deleted in its entirety.

ii. In Section 4104.1.4, Separation from incompatible materials, "the International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted.

iii. In Section 4106.1.1, Building construction, "the International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted.

42. Chapter 42, Pyroxylin (Cellulose Nitrate) Plastics, shall be amended as follows:

i. Section 4201.2, Permits, shall be deleted in its entirety.

43. Chapter 43, Unstable (Reactive) Materials, shall be amended as follows:

i. Section 4301.2, Permits, shall be deleted in its entirety.

ii. In Section 4304.1, Indoor storage, in the second paragraph, "the International Building Code" shall be deleted and "the building subcode of the Uniform Construction Code" shall be inserted.

44. Chapter 44, Water-Reactive Solids and Liquids, shall be amended as follows:

i. Section 4401.2, Permits, shall be deleted in its entirety.

45. Chapter 45, Referenced Standards, shall be amended as follows:

i. Under the subheading "AASHTO," the reference to "HB-17 2002 Specification for Highway Bridges, 17th Edition 2002" shall be deleted.

ii. The reference standard, "AFSI," shall be deleted in its entirety.

iii. Under the subheading "API," the reference to "Publication 2023 (2001) Guide for Safe Storage and Handling of Heated Petroleum Derived Asphalt Products and Crude Oil Residue" shall be deleted.

iv. Under the subheading "NFPA," a new "Reference in code section number" "3404.2.9.5.1" shall be added to "Standard reference number 30-03."

v. Under the subheading "NFPA," a new "Standard reference number" "51B-03 Fire Prevention During Welding, Cutting and Hot Work" shall be added between 51A-01 and 52-02. "Reference in code section number" "2603.1" shall be added.

vi. Under the subheading "NFPA," a new "Standard reference number" "68-02 Venting of Deflagrations" shall be added between 61-02 and 69-02. "Reference in code section number" Table 1304.2 shall be added.

vii. Under the subheading "NFPA," a new "Standard reference number" "27-07 Static Electricity" shall be added between 72-02 and 80-99. "Reference in code section number" "2703.9.5" shall be added.

viii. Under the subheading "NFPA," a new "Standard reference number" "92A-06 Smoke Controlled Systems" shall be added between 86-03 and 92B-05. "Reference in code section number" "Table 901.6.1" shall be added.

ix. Under the subheading "NFPA," a new "Standard reference number" "96-04 Ventilation Control and Fire Protection of Commercial Cooking Operations" shall be added.

x. Under the subheading "NFPA," a new "Standard reference number" "204-02 Smoke and Heat Vents" shall be added between 160-01 and 211-03. "Reference in code section number" "Table 901.6.1" shall be added.

xi. Under the subheading "NFPA," "Reference in code section number" "301.1.1 and 1901.1" shall be added to "Standard reference number 230-03".

xii. Under the subheading "NFPA," a new "Standard reference number" "720-05 Carbon Monoxide Warning Equipment" shall be added between 704-01 and 750-03. "Reference in code section number" "Table 906.6.1, 901.6.3" shall be added.

46. The Appendices shall be amended as follows:

i. Appendix A. Board of Appeals; Appendix B, Fire-Flow Requirements for Buildings; Appendix C, Fire Hydrant Locations and Distribution; and Appendix D, Fire Apparatus Access Roads, shall be deleted in their entirety.

Amended by R.1998 d.588, effective December 21, 1998 (operative January 2, 1999).

See: 30 N.J.R. 3127(a), 30 N.J.R. 4349(b).

In (a)3, inserted a new xi, and recodified former xi through xxxi as xii through xxxii.

Amended by R.1999 d.59, effective March 1, 1999.

See: 30 N.J.R. 3994(a), 31 N.J.R. 676(a).

Rewrote (a).

Emergency amendment, R.2000 d.402, effective September 8, 2000 (to expire November 7, 2000).

See: 32 N.J.R. 3647(a).

In (a)7., added new i, iii, viii and ix; recodified existing i as ii, existing ii through v as iv through vii and existing vi through viii as x through xii.

Adopted concurrent proposal, R.2000 d.486, effective November 6, 2000.

See: 32 N.J.R. 3647(a), 32 N.J.R. 4310(a).

Readopted provisions of R.2000 d.402 with changes, effective December 4, 2000.

Amended by R.2001 d.134, effective May 7, 2001.

See: 32 N.J.R. 4163(a), 33 N.J.R. 1402(a).

Rewrote the section.

Amended by R.2002 d.372, effective November 18, 2002.

See: 34 N.J.R. 2636(a), 34 N.J.R. 3958(a).

Rewrote the section.

Administrative correction.

See: 34 N.J.R. 4195(b).

Administrative correction.

See: 35 N.J.R. 221(a).

Amended by R.2003 d.30, effective January 21, 2003.

See: 34 N.J.R. 2639(a), 35 N.J.R. 403(a).

In (a)7, substituted "six" for "50" in vi, added a new vii and re-codified the existing vii and viii as viii and ix, added a new x through xii and recodified existing ix through xv as xiii through xix.

Repeal and New Rule, R.2008 d.236, effective August 18, 2008.

See: 39 N.J.R. 3805(a), 39 N.J.R. 4893(a), 40 N.J.R. 4760(a).

Section was "Modifications".

Administrative correction.

See: 41 N.J.R. 739(a).

Amended by R.2011 d.049, effective February 7, 2011.

See: 42 N.J.R. 2349(a), 43 N.J.R. 281(d).

In (a)4x, deleted "Delete 'Monthly' under Frequency column, row 3, and insert 'Two drills per month'".

Administrative correction.

See: 43 N.J.R. 616(b).

Amended by R.2012 d.090, effective May 7, 2012.

See: 43 N.J.R. 2698(a), 44 N.J.R. 1337(a).

Added new (a)4xvi; and recodified former (a)4xvi through (a)4xxiv as (a)4xvii through (a)4xxv.

SUBCHAPTER 4. FIRE SAFETY CODE

5:70-4.1 Code adopted; scope

(a) Pursuant to authority of the Uniform Fire Safety Act (P.L. 1983, c.383, N.J.S.A. 52:27D-192 et seq.), the Commissioner hereby adopts this subchapter as the State Fire Safety Code.

(b) All buildings for which requirements are established in this subchapter shall be in compliance with such applicable