

5. A commercial farm building may be used as a place of public assembly for not more than 15 days in a calendar year. For the purposes of enforcing this requirement, a public assembly shall be a gathering of 50 or more people. A permit shall be obtained from the local fire official pursuant to the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., and the fee for issuing the permit shall not exceed \$75.00 per event.

i. A commercial farm building that is used as a place of public assembly for not more than 15 days in a calendar year and that is provided with electricity shall comply with section 1003.2.11 of the building subcode.

ii. The temporary or permanent use of a commercial farm building as a "special amusement building," as defined in the building subcode, shall be a change in the character of use of the existing building. The building or portion thereof shall be required to comply with the building subcode and fire protection subcode requirements of N.J.A.C. 5:23-6.31(a)5vii.

6. Buildings containing any of the following uses are not included in the definition of a commercial farm building:

i. Residential structures;

ii. High hazard facilities, such as grain elevators or grain storage silos used to store products which are neither used nor produced on the farm itself;

iii. Processing facilities that include specialized machinery to perform functions other than the washing, cleaning, hydrocooling, vacuum cooling, grading, sizing and packing of agricultural or horticultural products, unless the exempted functions are only the first step in a sequence of processing to be performed on the farm;

iv. Mercantile structures, such as farm retail markets or nursery greenhouse retail sales areas;

v. Offices with either 11 or more occupants, or floor area of greater than 1,200 square feet; and

vi. Buildings that contain any use not included in the definition of commercial farm building, except incidental offices as provided in (d)9vii below.

7. A commercial farm building may include a use that does not meet the definition of a "commercial farm building," provided that the space that does not meet the commercial farm building definition is separate from the remainder of the building with the required fire separation assemblies and meets all applicable requirements of the building subcode.

8. Construction type, height and allowable area requirements for commercial farm buildings and structures shall be as specified in the building subcode and shall not exceed the area or height limitations of Table 503 for the type of construction used, except as follows:

i. The height and area of a one story commercial farm building of any type of construction shall not be limited if the building meets the exterior wall fire resistance rating as specified in section 507.2 of the building subcode and has a fire separation distance of 50 feet. In that case, a sprinkler system shall not be required.

ii. The height and area of a two story commercial farm building of any type of construction shall not be limited if the building meets the exterior wall fire resistance rating as specified in section 507.2 of the building subcode, is provided with an approved automatic fire suppression system throughout, conforming to the Uniform Construction Code and has a fire separation distance of 50 feet.

iii. Two or more commercial farm buildings excepted under (d)8i and ii above may be constructed on the same lot, or on an owner's contiguous lots without meeting the fire separation distance of 50 feet. However, the fire separation distance specified in Table 602 of the building subcode must be maintained between a commercial farm building and any building not eligible for the commercial farm building exemption.

9. Commercial farm buildings exempted under (d)8i above shall meet the following requirements in lieu of those requirements specified in the subsections of Chapter 10, Means of Egress, of the building subcode:

i. In lieu of the requirements of Section 1004.2.4, the maximum distance of travel from any point in the building to an exit shall not exceed 150 feet;

ii. In lieu of the requirements of Sections 1005.2.1 and 1005.2.2, one exit is required for each 15,000 square feet of floor area and fraction thereof;

iii. In lieu of the requirements of Section 1003.2.10, exit signs must be posted. Exit signs are not required to be illuminated;

iv. The provisions of Section 1003.2.11 shall apply in commercial farm buildings where the owner has determined to provide electricity. Where electricity is provided, any electric light provided in the commercial farm building shall be deemed to meet the means of egress lighting requirements and a back up power source shall not be required unless the commercial farm building will be used as a place of public assembly in accordance with (d)5 above.

v. In lieu of the requirements of Section 1003.2, occupancy is limited to 30 people;

vi. Lightning protection of the type required for the structure by NFPA 780, fire extinguishers and "no smoking" signs shall be provided;

vii. Offices with 10 or fewer occupants and a floor area not in excess of 1,200 square feet shall be consid-

ered incidental to the structure, if direct exit to the exterior is provided.

10. Site plans signed and sealed by a registered architect or a licensed engineer, pursuant to N.J.A.C. 5:23-2.15(e)lviii, shall not be required, provided that a sketch plan of the site is submitted to the construction official.

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.1986 d.448, effective November 3, 1986.

See: 18 N.J.R. 757(a), 18 N.J.R. 2194(a).

Deleted (b)1 and 4; recodified (b)2 and 3 to (b)1 and 2.

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

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

(b)1: model subcode revisions.

Amended by R.1988 d.144, effective April 4, 1988.

See: 19 N.J.R. 1778(a), 20 N.J.R. 783(a).

Changed (b)2 to (c) and (d).

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.603, effective November 20, 1995 (operative March 20, 1996).

See: 27 N.J.R. 2655(a), 27 N.J.R. 4699(a).

Amended by R.1997 d.269, effective July 7, 1997.

See: 29 N.J.R. 968(a), 29 N.J.R. 2817(a).

Inserted (d)5i; in (d)6vi, amended N.J.A.C. reference; in (d)8, inserted reference to construction type and inserted “, except as follows:”; deleted (d)8i; recodified former (d)8i(1) through (3) as (d)8i through iii; inserted new (d)9iv; recodified former (d)9iv through vi as (d)9v through vii; and recodified former (e) as (d)10.

Amended by R.1997 d.417, effective October 6, 1997.

See: 29 N.J.R. 3387(a), 29 N.J.R. 4285(a).

Substantially amended (b)1.

Amended by R.1999 d.424, effective December 6, 1999.

See: 31 N.J.R. 2428(a), 31 N.J.R. 4001(c).

In (a)1, substituted a reference to rehabilitation for a reference to alteration, and changed guideline reference.

Administrative correction.

See: 33 N.J.R. 3735(a).

Amended by R.2003 d.157, effective April 21, 2003.

See: 34 N.J.R. 4247(a), 35 N.J.R. 1663(b).

In (d)5, added ii.

Administrative correction.

See: 35 N.J.R. 5062(a).

Amended by R.2003 d.425, effective November 3, 2003.

See: 35 N.J.R. 2424(a), 35 N.J.R. 5062(b).

Rewrote (d).

Amended by R.2004 d.131, effective April 5, 2004.

See: 35 N.J.R. 5336(a), 36 N.J.R. 1755(a).

In(d)3, inserted the first sentence.

5:23-3.3 Enforcement

(a) In accordance with the delineation of responsibility for enforcement specified herein, subject to specific reservations by the Department to itself, the appropriate official(s) shall enforce the subcode and shall act on any question relative to the mode or manner of construction, and the materials to be used in the erection, addition to, repair, renovation, alteration, reconstruction, removal, demolition, installation of service equipment, and the location, use and occupancy of all buildings and structures, except as may be otherwise specifically provided for in the regulations, including, but not limited to:

1. Applications, certificates and permits: Such official(s) shall review applications for permits for the erection, repair (other than ordinary maintenance), renovation, alteration and reconstruction of buildings and structures; indicate approval or denial to the construction official; and inspect the premises for which such permits have been issued and enforce compliance with the provisions of the regulations.

2. Notices and orders: Such official(s) shall issue all necessary notices or orders to remove illegal or unsafe conditions; to require the necessary safeguards during construction; and to insure compliance with all requirements for the safety, health and general welfare of the public.

3. Inspections: Such official(s) shall make all the required inspections, and all reports of such inspections shall be in writing and certified by them or they may engage such expert opinion as he may deem necessary to report upon unusual technical issues that may arise, subject to the approval of the construction official and appointing authority.

4. Enforcing agency records: Such official(s) shall assist in the keeping of official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued as may be required by the construction official.

Amended by R.1998 d.28, effective January 5, 1998.

See: 29 N.J.R. 3603(a), 30 N.J.R. 129(a).

Amended by R.1999 d.424, effective December 6, 1999.

See: 31 N.J.R. 2428(a), 31 N.J.R. 4001(c).

In (a), deleted a reference to other State agencies in the introductory paragraph, and substituted a reference to ordinary maintenance for a reference to ordinary repairs in 1.

5:23-3.4 Responsibilities

(a) Individual acting as a building subcode official or building inspector shall have responsibility for enforcing the adopted subcodes as listed below.

1. Plan review for the sections listed below shall be the responsibility of the building subcode official:

BUILDING SUBCODE

INTERNATIONAL BUILDING CODE

Chapter 3^F

Chapter 4 as follows:

401.0-402.11^F

402.14-403.5^F

403.7-403.8^F

403.11^F

403.12

404-404.6^F

404.8-405.6^F

405.8^F

405.11^F

406.1

406.1.1-406.1.2^F

406.1.3-406.2.6

Chapter 21 as follows:

2101.0-2110.0

2111.0-2113.0^F

Chapter 22-25

Chapter 26 as follows:

2601.0-2602.0

2603.0^F

2604.0

2605.0-2607.0^F

2608.0-2611.0

Chapter 28

Chapter 30 as follows:

3001.0-3001.2^{EL}

3001.3^{F, EL}

406.2.7-406.2.8^F
 406.2.9
 406.3-406.6.4^F
 406.6.5-406.6.6.3^{F, E}
 407.0-412.1.4^F
 412.1.6-412.2.3
 412.2.4^F
 412.2.5
 412.2.6^F
 412.3-412.3.1
 412.3.2-412.4.6^F
 412.5
 413.0-414.5.3^F
 414.5.5-415.9.2.7^F
 415.9.2.8.2-416.4^F
 417.0-417.4
 418.0^F
 Chapter 5-6
 Chapter 7-8^F
 Chapter 10^F
 Chapter 12
 Chapter 14-20

3001.4^{EL}
 3002.0-3002.2^{F, EL}
 3002.4-3002.7^{F, EL}
 3003.0-3003.1.4^{E, EL}
 3003.2-3004.4^{F, EL}
 3004.5^{EL}
 3005.0-3005.2^{F, EL}
 3005.3-3005.4^F
 3006.0-3006.4^{F, EL}
 3006.5^{E, EL}
 3006.6^{EL}
 Chapter 31 as follows:
 3101.0-3103.4
 3104.0-3104.11^F
 3105.0-3109.4
 Chapter 32
 Chapter 33 as follows:
 3301.0-3308.0
 3309.0^F
 3310.0
 3311.0-3312.0^F

Chapter 6^F
 Chapter 8^F
 Chapter 9^F
 (All except 908.5, 908.6
 and 908.7)
 Chapter 13 as follows:
 1301.2^{F, P}
 1301.3^F
 1301.4^{F, P}
 1306^F
 Chapter 14^P

INTERNATIONAL RESIDENTIAL CODE

Chapter 3 as follows:
 R301
 R302^F
 R303-R309
 R310-R316^F
 R318-R321^F
 R322-R327
 Chapter 4-9
 Chapter 10^F
 Chapter 13 as follows:
 M1301 M1304^F
 M1308-
 Chapter 14^F
 (All except M1411.3 and
 M1412.2)
 Chapter 15-16^F
 Chapter 18-19^F
 Chapter 22 as follows:
 M2201.1^{FP}
 M2201.2-2201.3^F
 M2201.5^F

Chapter 23^P
 Chapter 24 as follows:
 G2404.4-G2404.9
 G2405
 G2409^F
 G2424.1-G2424.2^F
 G2424.3
 G2424.4-G2424.6^F
 G2424.7^F
 G2424.8-G2424.10^F
 G2424.11^F
 G2424.12-G2424.15^F
 G2425-G2445^F
 G2447.1^F
 G2447.4^F
 G2448.1-G2448.3^F
 G2449-G2451^F

ELECTRICAL SUBCODE

Section 250.52(A)(3) Concrete-Encased Elec-
 trode—as applicable

MECHANICAL SUBCODE

Chapter 3 as follows:
 301^F
 302
 308^F
 310^F
 311^F
 Chapter 4
 Chapter 5 as follows:
 501
 502^F through 511^F
 512
 513^F

ENERGY SUBCODE

CABO Model Energy Code

Chapter 1 as applicable Chapter 6 as follows:
 Chapters 3-4 602
 Chapter 5 as follows: 603
 502
 503

ASHRAE Standard 90.1

Chapter 4 as applicable Chapter 6 as applicable
 Chapter 5 (Except 6.2.4.5 and 6.3.2.2)
 Chapter 11 as applicable

FUEL GAS SUBCODE

Chapter 3 as follows:
 301.8
 301.10
 301.11
 301.12
 301.13^F
 301.14
 301.15
 302
 308^F
 Chapter 5^F
 Chapter 6^F
 (All except 623, 625,
 626.2, 626.3, 626.8,
 626.9, 627.4 & 630)

E = Joint with Electrical Subcode Official
 EL = Joint with Elevator Subcode official for devices covered
 by N.J.A.C. 5:23-12 except those installed in Group R-3, R-4,
 or R-5 or in structures of Group R-2 where the elevator
 devices are wholly within dwelling units and not accessible to
 the general public.
 F = Joint with Fire Subcode Official.
 P = Joint with Plumbing Subcode Official.

2. Field inspection for the sections listed below shall
 be performed by an inspector possessing a building tech-
 nical license.

BUILDING SUBCODE

INTERNATIONAL BUILDING CODE

Chapter 3 Chapter 5-8
 Chapter 4 as follows: Chapter 10
 401.0-402.7 Chapter 12
 402.10-402.11 Chapter 14-20
 402.14 Chapter 21

403.1
 403.4
 403.12-404.2
 404.5
 404.8-404.9
 405.2
 405.4
 406.0-406.3.8
 406.3.11-406.6.5
 407.0-407.4.2
 408.0-410.5.4
 411.0-411.2
 411.7-412.1.3
 412.1.6-412.2.5
 412.3.5-412.4.4
 412.6-413.2
 414.6.1
 415.0-415.7.1.6
 415.7.3.3-415.9.2.1
 415.9.2.2-415.9.2.7
 415.9.2.8.2-415.9.4.5
 415.9.5-415.9.6.2.2
 415.9.6.3-415.9.7.2.1
 416.0-418.6

Chapter 22-26
 Chapter 28
 Chapter 30 as follows:
 3002.0-3002.1.2
 3002.4
 3004.0-3004.4
 3005.2.1-3006.4
 3006.6
 Chapter 31-32
 Chapter 33 as follows:
 3301.0-3308.0
 3310.0

801.3
 Chapter 9
 (All except: 908.5, 908.6
 and 908.7)
 Chapter 13 as follows:
 1301.2
 1301.3
 1301.4^P
 1306

ENERGY SUBCODE

CABO Model Energy Code
 Chapter 1 as applicable Chapter 6 as follows:
 Chapters 3-4 602
 Chapter 5 as follows: 603
 502
 503

ASHRAE Standard 90.1
 Chapter 4 as applicable Chapter 6 as applicable
 Chapter 5 (Except 6.2.4.5 and 6.3.2.2)
 Chapter 11 as applicable

FUEL GAS SUBCODE

Chapter 3 as follows:
 301.8
 301.10 through 301.15
 302
 Chapter 5 as follows:
 501.3
 501.7
 501.11
 501.15.3
 503.5.3
 Chapter 6 as follows:
 602
 608 through 613
 614 (All except 614.4 and 614.5)
 616 through 618
 619 (except 619.4)
 620 through 622
 624
 626.1
 626.4 through 626.7
 627 (All except 627.4)
 628
 629
 632

INTERNATIONAL RESIDENTIAL SUBCODE

| | |
|---|--|
| Chapter 3 as follows: R301-R316 R318-R327 Chapter 4-10 Chapter 13 as follows: M1301-M1304 M1308 Chapter 14 (All except M1411.3, M1412.2, and M1412.4) Chapter 15 as follows: M1501 M1503 Chapter 16 Chapter 18 as follows: M1805.1 Chapter 19 Chapter 22 as follows: M2201.1-M2201.3 M2201.5 | Chapter 24 as follows: G2404.4-G2404.9 G2405 G2424.3 G2424.3 G2424.7 G2424.11 G2426.5.2 G2431 G2431 G2435-G2437 G2438.1-G2438.3 G2438.6-G2438.7 G2439-G2441 G2442 (All except G2442.4) G2443-G2445 G2447.1 G2447.4 G2448.1-G2448.3 G2449-G2451 |
|---|--|

ELECTRICAL SUBCODE

Section 250.52(A)(3) Concrete-Encased Electrode—as applicable

MECHANICAL SUBCODE

Chapter 3 as follows:
 301
 302
 Chapter 4
 Chapter 5 as follows:
 501
 502
 504
 510 through 512
 Chapter 6
 Chapter 8 as follows:

P = Joint with Plumbing Subcode Official.

(b) An individual acting as a plumbing subcode official or plumbing inspector shall have the responsibility for enforcing the adopted subcodes as listed below.

1. Plan review for the sections listed below shall be the responsibility of the plumbing subcode official:

BUILDING SUBCODE

INTERNATIONAL RESIDENTIAL CODE

| | |
|--|--|
| Chapter 14 as follows: M1411.3-M1412.2 Chapter 20-21 | Chapter 23 ^B Chapter 24 as follows: G2411-G2423 |
|--|--|

Chapter 22 as follows:
 M2201.1^{BF}
 M2201.4
 M2202-M2204

G2446
 G2447.2-G2447.3
 G2448.4

PLUMBING SUBCODE

ALL

MECHANICAL SUBCODE

Chapter 3 as follows:
 305
 307

Chapter 9 as follows:
 908.5
 908.6
 908.7^F

Chapter 10
 Chapter 11
 Chapter 12

Chapter 13 as follows:
 1301.2^{B, F}
 1301.4^{B, F}
 1302 through 1305
 1307
 1308

Chapter 14^B

ENERGY SUBCODE

CABO Model Energy Code

Chapter 1 as applicable
 Chapter 5 as follows:
 504

Chapter 6 as follows:
 604

ASHRAE Standard 90.1

Chapter 4 as applicable
 Chapter 6 as follows:
 6.2.4.5 and 6.3.2.2

Chapter 7
 Chapter 11 as applicable

FUEL GAS SUBCODE

Chapter 3 as follows:
 301.6
 307

Chapter 4

Chapter 6 as follows:
 623
 625
 626.2
 626.3
 626.8
 626.9
 627.4
 630

B = Joint with Building Subcode Official
 F = Joint with Fire Subcode Official

2. Field inspection for the sections listed below shall be performed by an inspector possessing a plumbing technical license.

BUILDING SUBCODE

INTERNATIONAL RESIDENTIAL CODE

Chapter 14 as follows:
 M1411.3-M1412.2
 M1412.4
 Chapter 20-21
 Chapter 22 as follows:
 M2201.1
 M2201.4
 M2202-M2204

Chapter 23
 Chapter 24 as follows:
 G2411-G2423
 G2446
 G2447.2-G2447.3
 G2448.4

PLUMBING SUBCODE

ALL

MECHANICAL SUBCODE

Chapter 3 as follows:
 305
 307

Chapter 9 as follows:
 908.5 through 908.7
 Chapter 10
 Chapter 11
 Chapter 12

Chapter 13 as follows:
 1301.4^B
 1302 through 1305
 1307
 1308

Chapter 14

ENERGY SUBCODE

CABO Model Energy Code

Chapter 1 as applicable
 Chapter 5 as follows:
 504

Chapter 6 as follows:
 604

ASHRAE Standard 90.1

Chapter 4 as applicable
 Chapter 6 as follows:
 6.2.4.5 and 6.3.2.2

Chapter 7
 Chapter 11 as applicable

FUEL GAS SUBCODE

Chapter 3 as follows:
 301.6
 307

Chapter 4

Chapter 6 as follows:
 623
 625
 626.2
 626.3
 626.8
 626.9
 627.4
 630

B = Joint with Building Subcode Official

(c) An individual acting as an electrical subcode official or electrical inspector shall have responsibility for enforcing the adopted subcodes as listed below.

1. Plan review for the sections listed below shall be the responsibility of the electrical subcode official:

BUILDING SUBCODE

INTERNATIONAL BUILDING CODE

Chapter 4 as follows:

402.12-402.13^F
 403.6^F
 403.10^F
 404.7^F
 405.7^F
 405.9^F-405.10^F
 406.5-406.6.6. 3^{B, F}
 412.1.5^F
 414.5.4^F
 415.9.2.8-415.9.2.8.1^F

Chapter 30 as follows:

3003.0-3003.1.4^{B, EL}
 3006.5^{B, EL}

ELECTRICAL SUBCODE

Article 90 Introduction

Chapter 1

Chapter 2

200-1 to 250-50(b)
 250-50(c)^B
 250-50(d) to 280-25

Chapter 3 as follows:

300-1 to 300-20
 300-1^F
 300-22 to 384

Chapter 4 as follows:

400 to 450 part B
 450 part C^F
 455 to 480

Chapter 5^F

Chapter 6 as follows:

600 to 610
 620^{EL}
 625 to 690
 695^F

Chapter 7 as follows:

700 to 727
 760^F

770 to 780

Chapter 8

Chapter 9

ENERGY SUBCODE

CABO Model Energy Code

Chapter 1 as applicable

Chapter 5 as follows:

505

Chapter 6 as follows:

605

ASHRAE Standard 90.1

Chapter 4 as applicable

Chapter 8 as applicable

Chapter 9

Chapter 10

Chapter 11 as applicable

B = Joint with Building Subcode Official

F = Joint with Fire Subcode Official

E = Joint with Electrical Subcode Official

EL = Joint with Elevator Subcode Official for N.J.A.C. 5:23-12 devices not installed in Group R-3, R-4, R-5 or in structures of Group R-2 in which the elevator devices are wholly within dwelling units and are not accessible to the general public.

2. Field inspection for the sections listed below shall be performed by an inspector possessing an electrical technical license.

ELECTRICAL SUBCODE

Article 90—Introduction

Chapter 1

Chapter 2 (All except for section 250.52(A)(3) Concrete-Encased Electrode)

Chapter 3-5

Chapter 6 as follows:

600-610

620 (Note: The following sections are enforced by the electrical inspector when devices covered by N.J.A.C. 5:23-12 are installed in any building excluding installations in Group R-3, R-4, or R-5 or in structures of Group R-2 where the elevator devices are located wholly within dwelling units and are not accessible to the general public.)

620-13 (on the line side of the machine room/machinery space disconnect(s))

620-22 (on the line side of the machine room/machinery space disconnect(s))

620-23

620-24

620-38 (for elect, equipment and materials only)

620-51 (except for (b), (c) and (d))

620-61(c) and 620-61(d) (on the line side of the machine room/machinery space disconnect(s))

620-85 (except for cartop receptacles)

620-91(b)

625-695

Chapter 7-9

N.J.A.C. 5:23-3.16(c) Automatic rain season device

ENERGY SUBCODE

CABO Model Energy Code

Chapter 1 as applicable

Chapter 5 as follows:

505

Chapter 6 as follows:

605

ASHRAE Standard 90.1

Chapter 4 as applicable

Chapter 8 as applicable

Chapter 9

Chapter 10

Chapter 11 as applicable

(d) An individual acting as a fire protection subcode official or fire protection inspector shall have responsibility for enforcing the adopted subcodes as listed below.

1. Plan review for the sections listed below shall be the responsibility of the fire protection subcode official:

BUILDING SUBCODE

INTERNATIONAL BUILDING CODE

Chapter 3^B

Chapter 4 as follows:

401-402.11^B

402.12-402.13^E

402.14-403.5^B

Chapter 7-8^B

Chapter 9

Chapter 10^B

Chapter 21 as follows:

2111.0-2113.0^B

403.6^E
 403.7-403.8^B
 403.10^E
 403.11^B
 404-404.6^B
 404.7^E
 404.8-405.6^B
 405.7^E
 405.8^B
 405.9-405.10^E
 405.11^B
 406.1.1-406.1.2^B
 406.2.7-406.2.8^B
 406.3-406.6.4^B
 406.5-406.6.6.3^{B, E}
 407.0-412.1.4^B
 412.1.5^E
 412.2.4^B
 412.2.6^B
 412.3.2-412.4.6^B
 413-414.5.3^B
 414.5.4^E
 414.5.5-415.9.2.7^B
 415.9.2.8-415.9.2.8.1^E
 415.9.2.8.2-416.4^B
 418.0^B

INTERNATIONAL RESIDENTIAL SUBCODE

Chapter 3 as follows:
 R302^B
 R310-R316^B
 R317
 R318-R321^B
 Chapter 10^B
 Chapter 13 as follows:
 M1301-M1304^B
 M1305-M1307
 Chapter 14^B
 (All except M1411.3 and
 M1412.2)
 Chapter 15-16^B
 Chapter 17
 Chapter 18-19^B
 Chapter 22
 M2201.1^{B, P}
 M2201.2-2201.3^B
 M2201.5^B

MECHANICAL SUBCODE

Chapter 3 as follows:
 301^B
 303
 304
 306
 308^B
 310^B
 311^B
 Chapter 5 as follows:
 502^B through 511^B
 513^B
 Chapter 6^B
 Chapter 7
 Chapter 8^B
 (All except 801.3)
 Chapter 9^B

Chapter 26 as follows:
 2603.0^B
 2605.0-2607.0^B
 Chapter 30 as follows:
 3001.3^{B, EL}
 3002.0-3002.2^{B, EL}
 3002.4-3002.7^{B, EL}
 3003.2-3004.4^{B, EL}
 3005.0-3005.2^{B, EL}
 3005.3-3005.4^B
 3006.0-3006.4^{B, EL}
 Chapter 31 as follows:
 3104.0-3104.11^B
 Chapter 33 as follows:
 3309.0^B
 3311.0-3312.0^B

Chapter 24 as follows:
 G2404.2-2404.3
 G2406-G2408
 G2409^B
 G2424.1-G2424.2^B
 G2424.4-G2424.6^B
 G2424.7^B
 G2424.8-G2424.10^B
 G2424.11^B
 G2424.12-G2424.15^B
 G2425-G2445^B
 G2447.1^B
 G2447.4^B
 G2448.1-G2448.3^B
 G2449-G2451^B

(All except 908.5 and 908.6)
 908.7^P
 Chapter 13 as follows:
 1301.2^{B, P}
 1301.3^B
 1301.4^{B, P}
 1306^B

N.J.A.C. 5:23-3.20(c) Carbon monoxide alarms

ELECTRICAL SUBCODE

Chapter 3 as follows: 300-21^E
 Chapter 4 as follows: 450 part C^E
 Chapter 5^E
 Chapter 6 as follows: 695^E
 Chapter 7 as follows: 760^E

FUEL GAS SUBCODE

Chapter 3 as follows:
 301.1.1
 301.2 through 301.4
 301.4.1
 301.5
 301.7
 301.13^B
 303 through 306
 308^B

Chapter 5^B
 Chapter 6^B
 (All except 623, 625, 626.2,
 626.3, 626.8, 626.9, 627.4
 and 630)

B = Joint with Building Subcode Official
 P = Joint with Plumbing Subcode Official
 E = Joint with Electrical Subcode Official
 EL = Join with Elevator Subcode Official for N.J.A.C. 5:23-12
 devices not installed in Group R-3, R-4, or R-5 or in struc-
 tures of Group R-2 structures in which the elevator devices are
 wholly within dwelling units and not accessible to the general
 public.

2. Field inspection for the sections listed below shall
 be performed by an inspector possessing a fire protection
 technical license.

BUILDING SUBCODE

INTERNATIONAL BUILDING CODE

Chapter 4 as follows:
 402.8-402.9
 402.12-402.13
 402.15
 403.2-403.3
 403.5-403.8
 403.10-403.11
 404.3-404.4
 404.6-404.7
 405.1
 405.3
 405.5-405.11
 406.3.9-406.3.10
 406.6.6-406.6.6.3
 414.0-414.6
 414.7
 415.7.2-415.7.3.2
 415.9.2.1.1-415.9.2.1.2
 415.9.2.8-415.9.2.8.1
 415.9.4.6.1-415.9.4.6.2
 415.9.4.6.4-415.9.4.6.5
 415.9.6.2.3
 415.9.7.1.3-415.9.7.1.4
 415.9.7.2.2-415.9.11.4
 Chapter 9
 Chapter 33 as follows:
 3309.0
 3311.0

407.5-407.6
410.6-410.7
411.3-411.6
412.1.4-412.1.5
412.2.6
412.3.4
412.4.5

INTERNATIONAL RESIDENTIAL CODE

| | |
|---------------------------------------|--|
| Chapter 3 as follows: R317 | Chapter 24 as follows: G2404.2-2404.3 |
| Chapter 13 as follows: M1305-M1307 | G2406-G2408 |
| Chapter 15 as follows: M1502 | G2409 |
| M1504-M1505 | G2424.1-G2424.2 |
| Chapter 17 | G2424.4-G2424.6 |
| Chapter 18 | G2424.8-G2424.10 |
| (All except M1805.1) | G2424.12-G2424.15 |
| | G2425 |
| | G2426 (All except |
| | G2426.5.2) |
| | G2427-G2429 |
| | G2432-G2434 |
| | G2438.4-G2438.5 |
| | G2442.4 |

MECHANICAL SUBCODE

| | |
|---|--|
| Chapter 3 as follows: 303 304 306 308 310 311 | Chapter 7 Chapter 8 as follows: (All except 801.3) |
| Chapter 5 as follows: 503 505 through 509 513 | |
| Chapter 7 | |
| Chapter 8 (All except 801.3) | |

N.J.A.C. 5:23-3.20(c) Carbon monoxide alarms

FUEL GAS SUBCODE

| | |
|---|---|
| Chapter 3 as follows: 301.1.1 301.2 301.3 301.4 301.5 301.7 303 through 306 308 | Chapter 6 as follows 603 through 607 614.4 614.5 615 619.4 |
| Chapter 5 (All except 501.3, 501.7, 501.11, 501.15.3, 503.5.3) | |

(e) An individual acting as an elevator subcode official or elevator inspector shall have responsibility for enforcing the adopted subcodes as listed below.

1. Plan review for the sections listed below shall be the responsibility of the elevator subcode official:

BUILDING SUBCODE

INTERNATIONAL BUILDING CODE

| | |
|---|--|
| Chapter 4 as follows†: 403.9 | 3002.3 3002.4-3004.4 ^{B, F} |
| Chapter 30 as follows†: 3001.0-3001.2 ^B 3001.3 ^{B, F} 3001.4 ^B 3002.0-3002.2 ^{B, F} | 3004.5 ^B 3005-3005.2 ^{B, F} 3006.0-3006.4 ^{B, F} 3006.5 ^{B, E} 3006.6 ^B |

ELECTRICAL SUBCODE

Chapter 6 as follows†:
620^E

ELEVATOR SUBCODE

All (except as otherwise provided for in N.J.A.C. 5:23-12)

B = Joint with Building Subcode Official

E = Joint with Electrical Subcode Official

F = Joint with Fire Protection Subcode Official

† These sections are enforced by the elevator subcode official when elevator devices covered by N.J.A.C. 5:23-12 are installed in any structure excluding installations in Group R-3, R-4, or R-5 or in structures of Group R-2 where the elevator devices are located wholly within dwelling units and are not accessible to the general public.

2. Field inspection for the sections listed below shall be performed by an inspector possessing an elevator technical license:

BUILDING SUBCODE
INTERNATIONAL BUILDING CODE

| |
|---|
| Chapter 4 as follows†: 403.9 |
| Chapter 30 as follows†: 3001.0-3001.4 3002.2-3002.3 3002.5-3003.2 3004.5-3005.2 3006.5 |

ELECTRICAL SUBCODE

Article 620 as follows†:

Part A and B excluding Sections 620-13 and 620-22 on the line side of the machine room/machinery space disconnect(s)

Part C (except Sections 620-23 and 620-24)

Part D (except Section 620-38)

Part E

Part F excluding Sections 620-51 and 620-51(a)

Part G excluding Sections 620-61(c) and 620-61(d) on the line side of the machine room/machinery space disconnect(s)

Part H

Part J (except Section 620-85 with the provision that the car top receptacles remains the responsibility of the elevator inspector)

Part K except section 620-91(b)

ELEVATOR SUBCODE

All (except as otherwise provided for in N.J.A.C. 5:23-12)

† These sections are enforced by the elevator inspector when elevator devices covered by N.J.A.C. 5:23-12 are installed in any structure excluding installations in Group R-3, R-4, or R-5 or in structures of Group R-2 where the elevator devices are located wholly within dwelling units and are not accessible to the general public.

(f) Where responsibility for enforcement of a section is joint between two officials and there are conflicting opinions regarding enforcement, the construction official shall rule as to which interpretation or application shall be followed.

(g) Responsibility for enforcement of the Barrier Free Subcode and Radon Hazard Subcode shall be in accordance with N.J.A.C. 5:23-7.14 and 10.3, respectively.

(h) Any mechanical inspector employed by the Department or by a municipality, and so assigned by the construction official, shall have the responsibility for enforcement of the provisions of the code, except electrical, relating to the installation of mechanical equipment, such as refrigeration, air conditioning or ventilating apparatus, gas piping or heating systems, in Group R-3, R-4, or R-5 structures.

1. When assigned by the construction official, a plumbing subcode official shall have the responsibility for the enforcement of the provisions of the code, except electrical, for the replacement of heating or cooling equipment or water heaters in Group R-3, R-4, or R-5 structures. A plumbing subcode official need not be a mechanical inspector to perform these inspections.

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.1986 d.380, effective September 22, 1986.

See: 18 N.J.R. 1235(a), 18 N.J.R. 1931(a), 18 N.J.R. 2063(a).

Substantially amended.

Amended by R.1987 d.14, effective January 5, 1987.

See: 18 N.J.R. 2083(a), 19 N.J.R. 63(a).

(f)4 added; old (f)4-6 renumbered (f)5-7.

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

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

(a)1 through 4: model subcode revisions.

Amended by R.1990 d.226, effective May 7, 1990.

See: 21 N.J.R. 3696(a), 22 N.J.R. 1356(a).

Provisions for enforcement of radon subcode added at (g).

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.1991 d.325, effective July 1, 1991.

See: 23 N.J.R. 805(a), 23 N.J.R. 2046(a).

Other elevator devices covered; enforcement responsibilities clarified.

Amended by R.1992 d.147, effective April 6, 1992.

See: 24 N.J.R. 170(a), 24 N.J.R. 1397(a).

Elevators wholly within R-2 residences exempt.

Amended by R.1992 d.183, effective April 20, 1992.

See: 24 N.J.R. 167(a), 24 N.J.R. 1475(b).

Enforcement of indoor air quality subcode assigned to building subcode official.

Amended by R.1993 d.187, effective May 3, 1993.

See: 25 N.J.R. 624(a), 25 N.J.R. 1875(a).

Added subsection (j); deleted "Allocation of enforcement" from heading.

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.143, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 4872(a), 27 N.J.R. 1179(b).

Amended by R.1997 d.409, effective October 6, 1997.

See: 29 N.J.R. 2736(a), 29 N.J.R. 4281(a).

In (g), deleted reference to exception to exclusive authority provided in N.J.A.C. 5:23-3.11(h).

Amended by R.1997 d.418, effective October 6, 1997.

See: 29 N.J.R. 3402(a), 29 N.J.R. 4286(a).

In (f), inserted reference to (j); and added (j)1.

Amended by R.1998 d.28, effective January 5, 1998.

See: 29 N.J.R. 3603(a), 30 N.J.R. 129(a).

Inserted (k) stating responsibility for the enforcement of the rehabilitation subcode.

Repeal and New Rule, R.1998 d.332, effective July 6, 1998.

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

Section was "Responsibility".

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

In (d)1 and (d)2, under "MECHANICAL SUBCODE", added references to N.J.A.C. 5:23-3.20(c).

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

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

In (b)2, changed Chapter 21 and Chapter 31 through 33 references in the Building Subcode, and inserted Chapter 12 reference in the Mechanical Subcode; and in (d)2, deleted a former Chapter 21 reference in the Building Subcode, and changed Chapter 12 reference in the Mechanical Subcode.

Amended by R.2001 d.141, effective May 7, 2001.

See: 32 N.J.R. 3917(a), 33 N.J.R. 746(a), 33 N.J.R. 1399(d).

In (b)1 and (b)2, deleted "as follows: (All except M-801.2)" following "Chapter 8" in the Mechanical Code; in (d)1, deleted "Chapter 8 as follows: M-801.2" in the Mechanical Code; in (d)2, deleted "3007.3" following "413.5.2", inserted "3305.0" following "414.5", and deleted "408.3.1", "3305.0" and "414.5" at the end of the Building Subcode, and deleted "Chapter 8 as follows: M-801.2" in the Mechanical Subcode.

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, (a)2, (b)1, (b)2, (d)1 and (d)2, rewrote Mechanical Subcode and inserted Fuel Gas Subcode.

Amended by R.2001 d.244, effective July 16, 2001 (operative January 16, 2002).

See: 33 N.J.R. 1241(a), 33 N.J.R. 2471(a).

In "ENERGY SUBCODE" categories of (a) through (c), listed specific sections of Chapters 5 and 6, relating to building subcode official responsibility.

Administrative correction.

See: 33 N.J.R. 3308(a).

Amended by R.2002 d.6, effective January 7, 2002.

See: 33 N.J.R. 2570(a), 33 N.J.R. 3883(a), 34 N.J.R. 268(a).

In (a), inserted "ELECTRICAL SUBCODE" in categories 1 and 2, and updated references to officials in "ENERGY SUBCODE" category 1; in (c)1 and 2, updated "ELECTRICAL SUBCODE" chapter references.

Amended by R.2003 d.240, effective June 16, 2003.

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

In (c)2, added "N.J.A.C. 5:23-3.16(c) Automatic rain sensor device".

Amended by R.2003 d.418, effective November 3, 2003.

See: 35 N.J.R. 21(a), 35 N.J.R. 5064(a).

Rewrote the section.

Amended by R.2004 d.131, effective April 5, 2004.

See: 35 N.J.R. 5336(a), 36 N.J.R. 1755(a).

In (a), (b), and (c), inserted "CABO Model Energy Code" following "ENERGY SUBCODE" and added ASHRAE Standard 90.1 tables throughout.

5:23-3.5 Posting structures

(a) Posted use and occupancy: Every building and structure and part thereof designed for business, factory and industrial, high hazard, mercantile, or storage use, (use

groups B, F, H, M and S) as defined in article 2 of the building subcode shall be posted on all floors by the owner with a suitably designed placard in a form designated by the building subcode official, which shall be securely fastened to the structure in a readily visible place, stating the use group and the live load and occupancy load.

(b) Posted occupancy load: Every building and structure and part thereof designed for use as a place of public assembly or as an institutional building for harboring people for penal, correctional, educational, medical or other care or treatment (use groups A, E and I) shall be posted with an approved placard designating the maximum occupancy load.

(c) Replacement of posted signs: All posting signs shall be furnished by the owner and shall be of permanent design; they shall not be removed, or defaced and, if lost, removed or defaced, shall be immediately replaced.

(d) Posted hydraulic system data plate: In lieu of the nameplate of the referenced NFPA standard(s), fire sprinkler system contractors are required to identify hydraulically designed fire sprinkler systems by affixing a permanently marked weatherproof metal or rigid plastic sign at the alarm valve. The nameplate shall contain information relative to the design parameters of the system as indicated on Form No. F380. The plate shall be secured at the alarm valve with corrosion resistant wire, chain, or other approved means.

(e) Identifying emblems for structures with truss construction: Identifying emblems shall be permanently affixed to the front of structures with truss construction as required by N.J.A.C. 5:70-2.20.

1. The emblem shall be of a bright and reflective color, or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be 12 inches horizontally by six inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem:

- i. "F" to signify a floor with truss construction;
- ii. "R" to signify a roof with truss construction; or
- iii. "F/R" to signify both a floor and roof with truss construction.

2. The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.

3. Detached one and two-family residential structures with truss construction that are not part of a planned real estate development shall be exempt from the requirements of (e) above, unless required by municipal ordinance.

4. Individual structures and dwelling units with truss construction that are part of a planned real estate development shall not be required to have an identifying emblem if there is an emblem affixed at each entrance to the development.

(f) Swimming pools, spas and hot tubs: A valid electrical certificate of compliance and a bonding and grounding certificate shall be posted by the owner in a conspicuous place in or around the pool pump house or equipment control room.

Amended by R.1989 d.555, effective November 6, 1989.
See: 21 N.J.R. 2783(a), 21 N.J.R. 3460(a).

Added reference to E Use Group (educational facilities) at (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.2000 d.47, effective February 7, 2000.
See: 31 N.J.R. 2314(a), 32 N.J.R. 443(a).

Added (f).
Amended by R.2000 d.166, effective April 17, 2000.
See: 31 N.J.R. 4151(a), 32 N.J.R. 1376(a).

Rewrote (d) and (e).

5:23-3.6 Standards; accepted practice

(a) This chapter, together with the subcodes, national standards and appendices it adopts by reference, shall be the primary guide to accepted engineering practice in respect to any material, equipment, system or method of construction therein specified.

(b) When this chapter and the subcodes, national standards and appendices it adopts by reference are silent, a manufacturer's recommendations for the installation of any material or assembly may be considered to be accepted engineering practice; provided, however, that a manufacturer's recommendations shall not be read to overrule this chapter or any subcode, national standard or appendix which it adopts by reference.

New Rule, R.1988 d.283, effective June 20, 1988.
See: 20 N.J.R. 699(a), 20 N.J.R. 1343(c).

Old text repealed and new text substituted.
Amended by R.1998 d.28, effective January 5, 1998.
See: 29 N.J.R. 3603(a), 30 N.J.R. 129(a).

Case Notes

Contractor not liable for injuries caused by failure of subcontractor to provide and install material in conformance with State building code. *Miltz v. Borroughs—Shelving*, a Div. of Lear Siegler, Inc., 203 N.J.Super. 451, 497 A.2d 516 (App.Div.1985).

5:23-3.7 Municipal approvals of alternative materials, equipment, or methods of construction

(a) Approvals: Alternative materials, equipment, or methods of construction shall be approved by the appropriate subcode official provided the proposed design is satisfactory and that the materials, equipment, or methods of construction are suitable for the intended use and are at least the equivalent in quality, strength, effectiveness, fire resistance, durability and safety of those conforming with the requirements of the regulations.