

CHAPTER 10

MAINTENANCE OF HOTELS AND
MULTIPLE DWELLINGS

Authority

N.J.S.A. 55:13A-6(e) and 55:13A-7 et seq.

Source and Effective Date

R.1993 d.464, effective August 26, 1993.
See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

Executive Order No. 66(1978) Expiration Date

Chapter 10, Maintenance of Hotels and Multiple Dwellings, expires on August 26, 1998.

Chapter Historical Note

All provisions of this chapter became effective prior to September 1, 1969.

1971 Revisions: Amendments to construction rules became effective April 23, 1971 as R.1971 d.60. See: 3 N.J.R. 77(a). Subchapter 19 was amended effective June 29, 1971 as R.1971 d.101. See: 1 N.J.R. 28(a), 3 N.J.R. 147(e).

1972 Revisions: Subchapter 19 was amended effective April 4, 1972 as R.1972 d.66A. See: 4 N.J.R. 95(a).

1973 Revisions: Amendments to construction rules became effective December 18, 1973 as R.1973 d.357. See: 5 N.J.R. 217(a), 6 N.J.R. 5(b).

1974 Revisions: Amendments to subchapter 19 became effective January 21, 1974 as R.1974 d.14. See: 6 N.J.R. 55(a). Amendments to construction rules became effective July 24, 1974 as R.1974 d.206. See: 6 N.J.R. 171(a), 6 N.J.R. 301(a).

1976 Revisions: Amendments concerning construction rules became effective July 1, 1976 as R.1976 d.160. See: 8 N.J.R. 9(d), 8 N.J.R. 272(a).

1977 Revisions: Amendments to subchapter 19 became effective September 1, 1977 as R.1977 d.305. See: 9 N.J.R. 257(a), 9 N.J.R. 414(a).

1978 Revisions: Rules involving construction were repealed effective August 17, 1978 as R.1978 d.289. See: 10 N.J.R. 222(a), 10 N.J.R. 378(b).

1979 Revisions: Amendments became effective July 1, 1979 as R.1979 d.259. See: 11 N.J.R. 164(a), 11 N.J.R. 366(b).

1980 Revisions: Amendment to subchapter 19 became effective November 12, 1980 as R.1980 d.500. See: 12 N.J.R. 384(a), 13 N.J.R. 7(c). Further amendments to subchapter 19 became effective December 11, 1980 as R.1980 d.536. See: 13 N.J.R. 7(f).

1981 Revisions: This chapter was substantially amended and recodified effective April 9, 1981 as R.1981 d.95. See: 12 N.J.R. 383(d), 13 N.J.R. 189(d). Further amendments became effective October 8, 1981 as R.1981 d.363. See: 13 N.J.R. 387(b), 13 N.J.R. 704(a).

1982 Revisions: Amendments became effective August 16, 1982 as R.1982 d.253. See: 14 N.J.R. 119(a), 14 N.J.R. 910(a). Further amendments became effective September 20, 1982 as R.1982 d.334. See: 14 N.J.R. 909(b), 14 N.J.R. 1089(c).

1983 Revisions: Amendments became effective September 19, 1983 as R.1983 d.389. See: 15 N.J.R. 1054(a), 15 N.J.R. 1575(c). This chapter was readopted effective December 23, 1983 as R.1983 d.629. See: 15 N.J.R. 727(a), 16 N.J.R. 128(b).

1986 Revisions: Amendments became effective March 17, 1986 as R.1986 d.61. See: 18 N.J.R. 16(a), 18 N.J.R. 555(b).

Pursuant to Executive Order No. 66(1978), Chapter 10 was readopted as R.1988 d.572, effective November 17, 1988. See: 20 N.J.R. 2126(a), 20 N.J.R. 3122(a). Subchapter 25, Fire Protection, was repealed by R.1988 d.572, effective December 19, 1988, operative June 16, 1989. See: 20 N.J.R. 2126(a), 20 N.J.R. 3122(a).

Subchapter 25, "Methods, Devices and Systems for Indirect Apportionment of Heating Costs in Multiple Dwellings," was adopted as R.1992 d.390, effective October 5, 1992. See: 24 N.J.R. 1844(a), 24 N.J.R. 3515(b).

Pursuant to Executive Order No. 66(1978), Chapter 10 was readopted as R.1993 d.464. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. ADMINISTRATION AND
ENFORCEMENT

5:10-1.1	Title
5:10-1.2	Purpose
5:10-1.3	Administration and enforcement
5:10-1.4	Scope
5:10-1.5	Interpretation
5:10-1.6	Maintenance requirements
5:10-1.7	Force and effect of regulations
5:10-1.8	Matters covered
5:10-1.9	Continuation of lawful existing use
5:10-1.10	Bureau inspections
5:10-1.11	Certificate of registration
5:10-1.12	Certificate of inspection
5:10-1.13	Unsafe building notice and order
5:10-1.14	Delegation of powers
5:10-1.15	Applications for exceptions
5:10-1.16	Separability clause
5:10-1.17 through 5:10-1.34	(Reserved)

SUBCHAPTER 2. DEFINITIONS

5:10-2.1	Tense, gender and number
5:10-2.2	Definitions

SUBCHAPTER 3. HOTEL AND MULTIPLE DWELLING
HEALTH AND SAFETY BOARD

5:10-3.1	Organizational meetings; officers
5:10-3.2	Special meetings
5:10-3.3	Rules of procedure
5:10-3.4	Transmittal and consideration of proposed regulations

SUBCHAPTER 4. DUTIES OF OWNERS AND
OCCUPANTS

5:10-4.1	Concurrent responsibilities
5:10-4.2	Discontinuation of services

SUBCHAPTER 5. DUTIES OF OCCUPANTS

5:10-5.1	Responsibility of occupants
5:10-5.2	Reporting of violations
5:10-5.3	Prohibited acts
5:10-5.4	Unsafe and unsanitary conditions
5:10-5.5	Willful damage
5:10-5.6	Heating by occupant
5:10-5.7	Occupancy violations
5:10-5.8	Storage

SUBCHAPTER 6. GENERAL MAINTENANCE

- 5:10-6.1 Elimination of hazards
- 5:10-6.2 Nuisances
- 5:10-6.3 Maintenance of dwelling units
- 5:10-6.4 Maintenance of exterior
- 5:10-6.5 Outdoor pools

SUBCHAPTER 7. STRUCTURAL MAINTENANCE

- 5:10-7.1 Bearing of loads
- 5:10-7.2 Foundations
- 5:10-7.3 Exterior surfaces
- 5:10-7.4 Leakage, drafts and infestation
- 5:10-7.5 Leaders and drainpipes
- 5:10-7.6 (Reserved)
- 5:10-7.7 Railings

SUBCHAPTER 8. MAINTENANCE OF INTERIOR

- 5:10-8.1 Basements, cellars and crawl spaces
- 5:10-8.2 Interior surfaces
- 5:10-8.3 Stairways and common areas
- 5:10-8.4 Doors

SUBCHAPTER 9. WASTE DISPOSAL

- 5:10-9.1 Receptacles
- 5:10-9.2 Materials requiring separate disposal
- 5:10-9.3 Dumbwaiters

SUBCHAPTER 10. SCREENS AND INFESTATION

- 5:10-10.1 Screens
- 5:10-10.2 Elimination of infestation

SUBCHAPTER 11. MANAGERIAL AND MAINTENANCE PERSONNEL

- 5:10-11.1 Duties of owner
- 5:10-11.2 Duties of manager and superintendent
- 5:10-11.3 Janitorial services required

SUBCHAPTER 12. ELEVATORS

- 5:10-12.1 Standard of maintenance
- 5:10-12.2 Preventive maintenance
- 5:10-12.3 Suspension of service
- 5:10-12.4 Mirrors

SUBCHAPTER 13. ELECTRICAL SERVICE AND LIGHTING

- 5:10-13.1 Electrical service
- 5:10-13.2 Exterior lighting
- 5:10-13.3 Artificial lighting
- 5:10-13.4 Electrical hazards near swimming pools
- 5:10-13.5 (Reserved)

SUBCHAPTER 14. HEATING

- 5:10-14.1 Standard of performance
- 5:10-14.2 Corrective measures
- 5:10-14.3 Standards of maintenance
- 5:10-14.4 Minimum temperature
- 5:10-14.5 Space heaters
- 5:10-14.6 (Reserved)
- 5:10-14.7 Annual inspection

SUBCHAPTER 15. WATER SUPPLY

- 5:10-15.1 Sufficiency of source and system
- 5:10-15.2 Connection of fixtures
- 5:10-15.3 Hot water
- 5:10-15.4 Flow of water

SUBCHAPTER 16. NATURAL LIGHT, VENTILATION AND REPLACEMENT GLAZING

- 5:10-16.1 Natural light
- 5:10-16.2 Natural ventilation
- 5:10-16.3 Mechanical ventilation
- 5:10-16.4 Replacement glazing

SUBCHAPTER 17. STORAGE AND CLOSET FACILITIES

- 5:10-17.1 Storage of occupants' property
- 5:10-17.2 No smoking signs
- 5:10-17.3 Limitations on storage space
- 5:10-17.4 Refrigerators and similar equipment
- 5:10-17.5 (Reserved)

SUBCHAPTER 18. MAILBOXES AND IDENTIFICATION SIGNS

- 5:10-18.1 Mailboxes and directories
- 5:10-18.2 Identification signs

SUBCHAPTER 19. BUILDING SECURITY

- 5:10-19.1 Hotels
- 5:10-19.2 Multiple dwellings

SUBCHAPTER 20. COOKING FACILITIES

- 5:10-20.1 Required facilities

SUBCHAPTER 21. SANITARY FACILITIES

- 5:10-21.1 Required facilities
- 5:10-21.2 Rooming units
- 5:10-21.3 Dormitories

SUBCHAPTER 22. OCCUPANCY STANDARDS

- 5:10-22.1 Basements and cellars
- 5:10-22.2 Unemancipated minors
- 5:10-22.3 Floor area
- 5:10-22.4 Prohibited sleeping areas
- 5:10-22.5 Required ceiling height

SUBCHAPTER 23. SPECIAL PROVISIONS FOR HOTELS AND MULTIPLE DWELLINGS WITH ROOMING UNITS

- 5:10-23.1 Registry and rate-posting
- 5:10-23.2 Linen, towels and housekeeping services

SUBCHAPTER 24. PARKING AREAS AND DRIVEWAYS

- 5:10-24.1 Design requirements
- 5:10-24.2 Maintenance requirements
- 5:10-24.3 Parking in approach drives
- 5:10-24.4 Parking for handicapped residents

SUBCHAPTER 25. METHODS, DEVICES AND SYSTEMS FOR INDIRECT APPORTIONMENT OF HEATING COSTS IN MULTIPLE DWELLINGS

- 5:10-25.1 Scope
- 5:10-25.2 Application to the Department
- 5:10-25.3 Criteria for acceptance
- 5:10-25.4 Approval of methods, devices and systems
- 5:10-25.5 Maintenance requirements

SUBCHAPTER 26. VACANT BUILDINGS

- 5:10-26.1 Prevention of access
- 5:10-26.2 Buildings ordered vacated

SUBCHAPTER 27. CHILD-PROTECTION WINDOW GUARDS

- 5:10-27.1 Child-protection window guards; when required
- 5:10-27.2 General installation requirements
- 5:10-27.3 (Reserved)
- 5:10-27.4 Specifications for window guards
- 5:10-27.5 Additional specifications for window guards for other than double hung windows
- 5:10-27.6 Prohibited acts

SUBCHAPTER 1. ADMINISTRATION AND ENFORCEMENT

5:10-1.1 Title

This chapter promulgated pursuant to N.J.S.A. 55:13A-1 et seq. of the Laws of New Jersey shall be known and may be cited as the "Regulations for Maintenance of Hotels and Multiple Dwellings", and are hereinafter referred to as "regulations".

5:10-1.2 Purpose

(a) The purpose of this chapter is to provide reasonable minimum requirements and standards, based upon current scientific and engineering knowledge, experience and techniques, and the utilization of modern machinery, equipment, materials, and form and methods of maintenance for the regulations of the maintenance of hotels and multiple dwellings in the State of New Jersey in the interest of public safety, health and welfare.

(b) The Bureau shall have discretion not to enforce any maintenance requirement herein set forth in a particular case if it determines that the violation of such requirement in such case, if allowed to continue, would not jeopardize the health, safety or welfare of occupants or intended occupants or of the public generally. In no case, however, shall the Bureau fail to enforce any standards or requirements pertaining to fire safety, building security, occupancy, health or providing of required facilities or equipment except pursuant to an exception granted in accordance with N.J.S.A. 55:13A-11.

5:10-1.3 Administration and enforcement

(a) The Bureau of Housing Inspection shall administer and enforce these regulations.

(b) Each municipality and county of this State may be authorized by the Commissioner to enforce the provisions of this chapter within the corporate limits thereof, subject to the control and supervision of the Commissioner. Any such authorization shall be in accordance with the following terms and conditions:

1. The municipality or county shall comply with all provisions of the Act and regulations and with all directives of the Bureau issued pursuant thereto.

2. The Bureau shall create a reservation for the purchase of inspection services, from the municipality or county during each period from July 1 to the following December 31 and from January 1 to the following June 30 and shall give notice to the municipality or county of the amount of such reservation for each such period. The municipality or county may make requisitions against this reservation in amounts not to exceed credits earned up to the time of requisition. Said reservation may be decreased by the Bureau, if, in its sole discretion, it determines that the municipality or county cannot reasonably be expected to do enough work satisfactory to the Bureau to earn the full amount of the reservation before the end of the State's fiscal year.

3. The municipality or county shall identify all unregistered buildings within its jurisdiction. A separate information form prescribed by the Bureau shall be completed and promptly forwarded to the Bureau for each such building.

4. The municipality or county shall be obligated to keep the local registry accurate by promptly reporting to the Bureau all transfers of ownership, demolitions, alterations, and construction of buildings within its jurisdiction and by reporting all errors that may appear.

5. The municipality or county shall inspect, in each State fiscal year, one-fifth of all the multiple dwellings and hotels and units of dwellings space therein.

6. Twenty-five percent of the inspections required to be performed pursuant to (b)5 above shall be completed prior to October 1 of each State fiscal year, 50 percent prior to January 1 of each State fiscal year and 75 percent prior to May 1 of each State fiscal year.

7. All buildings are to be inspected in accordance with the most recently promulgated regulations.

8. The municipality or county shall, in addition to whatever local procedures it chooses to adopt, make an inspection report concerning each inspected building upon forms prescribed by the Bureau.

i. All inspection and reinspection reports submitted to the Bureau shall be signed by the local program official(s) designated by the municipality or county and approved by the Bureau.

ii. Such reports shall include the name of the inspector who performed the inspection and shall be submitted to the Bureau not less frequently than once per month.

iii. In the event that an inspection of a building discloses a violation of the regulations constituting an imminent hazard to the health, safety or welfare of its occupants, the municipality or county shall, without delay, transmit its inspection report and findings to the Bureau for appropriate action.

- iv. All reports submitted to the Bureau which disclose violations shall be clearly segregated from reports which disclose no violations.
9. When specifically requested by the Bureau, the municipality or county shall conduct, within one week of the request, reinspection of those buildings where violations were discovered at the time of the original inspection.
- i. The municipality or county shall make a reinspection report concerning such building upon forms prescribed by the Bureau and forward such reports to the Bureau upon completion thereof.
 - ii. No reinspection reports will be accepted for credit unless all original reported violations have been reinspected.
 - iii. The Bureau shall be responsible for notifying the municipality or county when such reinspections are to be conducted.
 - iv. The municipality or county shall be responsible for any other functions of the enforcement procedure which can be undertaken on a local level.
 - v. Extensions of time to complete abatement shall be granted only by the Bureau.
10. The municipality or county shall provide the Department with such information as may be necessary to determine the eligibility of the municipality or county for funds that may be requisitioned by it, including, without limitation, copies of past, current and projected operation budgets and tables of organization for the agency undertaking inspection and related duties.
- i. The municipality or county shall also supply the Bureau with a list of appropriate totals of those buildings within its boundaries which are not registered or inspected by the end of each State Fiscal Year.
11. The municipality or county shall be solely responsible for compliance with local, State, and Federal law pertaining to the dislocation and relocation of individuals, families and businesses, provided, however, that the municipality or county may apply to the Department for relocation assistance as it may deem necessary.
12. The municipality or county shall perform, within its jurisdiction, inspections of those buildings that are the subject of complaints received by the Bureau.
- i. Such inspections shall be complete and performed in accordance with (b)7 above and included in the regular cycle of inspections.
 - ii. However, in the event that the building that is the subject of the complaint has been issued a valid Certificate of Inspection by the Bureau, the first inspection and reinspection shall be limited to the subject matter of the complaint.
13. All inspections performed pursuant hereto shall be performed by inspectors acceptable to the Bureau.
- i. The municipality or county shall provide to the Bureau resumes of all inspectors whom the municipality or county intends to assign to the performance of inspections pursuant hereto.
 - ii. No inspector disapproved by the Bureau shall perform any inspections pursuant hereto.
 - iii. Upon request of the Bureau, the municipality or county shall provide to the Bureau such further information concerning any inspector whom the municipality or county assigns or intends to assign to perform inspections pursuant hereto as the Bureau may require.
 - iv. In the event that the Bureau deems the quality of an inspector's work to be unsatisfactory and so advises the municipality or county, then the municipality or county shall immediately cease to assign inspections required to be performed pursuant hereto to the said inspector.
 - v. All inspectors assigned by the municipality or county to perform inspections pursuant hereto shall attend, and shall be required by the municipality or county to attend, training sessions scheduled by the Bureau when such attendance is required by the Bureau and any such inspector is not specifically excused by the Bureau.
14. The Bureau shall supply the municipality or county with a listing of all buildings within its jurisdiction registered or on file with the Bureau, and such other information regarding inspection and enforcement activities of the municipality or county and the Bureau as may reasonably be required.
15. The Bureau shall furnish to the municipality or county all forms or documents which are or may become necessary to carry out the duties assumed hereunder.
16. The Bureau, upon receipt of each inspection report disclosing a violation or violations, may initiate whatever enforcement or compliance proceedings as it deems fit and appropriate.
17. The Bureau shall credit the municipality or county in accordance with the following formula:
- i. Upon formal registration of each building not now registered, the municipality or county shall be credited with an amount of \$10.00.
 - ii. In the event of administrative hearings and/or court appearances, the Bureau shall credit the municipality or county with a maximum of \$25.00 per full day for each local witness required to appear. Without prior permission, local attendance at administrative hearings shall be limited to one person per day.

Violations unabated as of reinspection date were not deemed abated by subsequent action. Bureau of Housing Inspection v. 1000-58 Cincinnati Ave., Egg Harbor City, 92 N.J.A.R.2d (CAF) 51.

Penalty for failure to timely correct building code violations would not be reduced by prior repairs. N.J.S.A. 55:13A-19. 22 South Illinois Ave. v. Department of Community Affairs, 91 N.J.A.R.2d (CAF) 7.

Smoke detector compliance; penalty for failure to install in common areas; penalty policy unenforceable as not promulgated as a rule. Bureau of Housing Inspection v. Roger Gardens, Inc., 5 N.J.A.R. 120 (1983).

5:10-1.4 Scope

(a) This chapter shall apply to the repair, demolition, removal, maintenance, occupancy and use of new and existing hotels and multiple dwellings in the State of New Jersey.

(b) A building section containing not more than two dwelling units shall not be considered to be a portion of a multiple dwelling if it:

1. Is held under a condominium or cooperative form of ownership or by a mutual housing corporation;
2. Has no dwelling units not occupied by unit owners, if a condominium, or by shareholders, if a cooperative or mutual housing corporation;
3. Has at least two exterior walls unattached to any adjoining building section; and
4. Is attached to any adjoining building sections exclusively by fire walls having a two-hour fire resistant rating and/or by fire separation walls having a 1½ hour fire resistant rating.

Amended by R.1983 d.156, effective May 16, 1983.
See: 15 N.J.R. 375(a), 15 N.J.R. 803(a).

Added (b).
Amended by R.1983 d.388, effective September 19, 1983.
See: 15 N.J.R. 1054(b), 15 N.J.R. 1576(a).

Added "fire separation walls housing 1½ hour resistant rating" to (b)4.

Case Notes

Ordinance valid requiring certificate of substantial compliance accompany rent increase application. Orange Taxpayers Council, Inc. v. Orange, 83 N.J. 246, 416 A.2d 353 (1980).

Violation of maintenance regulation evidence of negligence in action against landlord for injuries. Trentacost v. Brussel, 82 N.J. 214, 412 A.2d 436 (1980).

5:10-1.5 Interpretation

(a) This chapter shall be liberally interpreted to secure the beneficial purposes thereof.

(b) Any conflict or inconsistency between the requirements of these regulations and applicable local and Federal laws and regulations shall be resolved in favor of the more restrictive requirements.

(c) Whenever any standard or code is referred to in this chapter the most recent edition of such standard or code

shall be deemed to be incorporated herein by reference, notwithstanding the fact that such edition may have been published subsequent to enactment of the regulation in which the reference to such standard or code is contained.

Administrative Correction to (b).
See: 22 N.J.R. 921(a).

5:10-1.6 Maintenance requirements

(a) All buildings and all parts thereof shall be maintained as required by this chapter and by the Uniform Fire Code, N.J.A.C. 5:18.

(b) All service equipment, means of egress, devices, and safeguards that are required in a building by the provisions of these regulations, or that were required by the law when the building was erected, altered, or repaired, shall be maintained in good working order.

(c) The owner shall be responsible at all times for the safe maintenance of the building and its facilities as prescribed in this chapter.

(d) A nonprofit corporation owning or controlling buildings of three stories or less in a retirement community, which are excluded from the definition of "multiple dwelling" pursuant to P.L. 1983, c.154, shall maintain all such buildings in compliance with the Uniform Fire Code, N.J.A.C. 5:18.

(e) All buildings in compliance with the Uniform Fire Code shall be deemed to be in compliance with the Act insofar as issues of fire safety are concerned.

(f) Where not otherwise indicated, all rules in this chapter that are applicable to hotels shall be applicable to retreat lodging facilities except as follows:

1. N.J.A.C. 5:10-19.1(a)1 and 2; and
2. Any regulation that is not substantially related to the protection of the health, safety or welfare of the occupants of the facility or of the public generally.

Recodified April 9, 1981 from N.J.A.C. 5:10-1.22.

Amended by R.1983 d.388, effective September 19, 1983.
See: 15 N.J.R. 1054(b), 15 N.J.R. 1576(a).

Added (d).
Amended by R.1988 d.572, effective December 19, 1988 (operative June 16, 1989).
See: 20 N.J.R. 2126(a), 20 N.J.R. 3122(a).

Added text to (a) and (d) "and by the Uniform Fire Code, N.J.A.C. 5:18"; added (e).

Amended by R.1990 d.230, effective May 7, 1990.
See: 22 N.J.R. 275(b), 22 N.J.R. 1354(a).

Application of rules extended to cover retreat lodging facilities.
Amended by R.1993 d.464, effective September 20, 1993.

See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

5:10-1.7 Force and effect of regulations

This chapter shall have the force and effect of law until revised, repealed, or amended by the Commissioner of the Department of Community Affairs and shall be enforced by the Commissioner pursuant to the provisions of N.J.S.A. 55:13A-1 et seq.

Case Notes

Regulations have full force and effect of law pursuant to statute. *Trentacost v. Brussel*, 82 N.J. 214, 412 A.2d 436 (1980).

5:10-1.8 Matters covered

(a) The provisions of this chapter shall cover all matters affecting or relating to buildings, as set forth in N.J.A.C. 5:10-1.4, and shall extend to all hotels and multiple dwellings and their appurtenant constructions, together with all surface and subsurface construction.

(b) Any matter or requirement essential for the fire or structural safety of a new or existing building or essential for the safety or health of the occupants or users thereof or the public, and which is not covered by the provisions of this chapter shall be the subject of determination by the Bureau of Housing Inspection in specific cases.

Administrative Correction to (b).
See: 22 N.J.R. 921(a).

5:10-1.9 Continuation of lawful existing use

The lawful occupancy and use of any building may be continued unless a change is specifically required by the provisions of this chapter.

5:10-1.10 Bureau inspections

(a) The Bureau of Housing Inspection or an authorized representative in the discharge of their duties shall have authority to enter upon and examine and inspect at all reasonable times any building, enclosure, or premises, or any part thereof or service equipment attached thereto or contained therein for the purpose of determining compliance with the provisions of this chapter. Officers and employees of the Bureau of Housing Inspection in the discharge of their duties, shall identify themselves by exhibiting their authority in writing signed by the Commissioner.

(b) The Bureau of Housing Inspection shall cause inspections to be made periodically of completed buildings. Each multiple dwelling and each hotel shall be inspected once in every five years.

(c) All inspection reports submitted to the Bureau shall be in writing and signed by the inspector making the inspection and a record of all inspections shall be kept by the Bureau of Housing Inspection.

(d) Inspection of private living quarters shall require the consent of the occupant of the premises, except as hereunder described:

1. In case of emergencies where facts known to Bureau of Housing Inspection personnel or statements of persons having personal knowledge thereof indicate that conditions exist on any premises subject to the jurisdiction of the Bureau which are either an immediate threat to the safety or health of persons using or in near proximity to the premises or of such a nature that the delay necessary to secure a warrant would render the inspection of no value in confirming the existence of the suspected violation, an inspection may be demanded and, if possible without the use of force, made to determine whether or not a violation of the law or regulations in fact exists.

2. Where access to any premises where inspection is desired to implement the policy of the Bureau of Housing Inspection and the Department of Community Affairs and such access has been refused, then such refusal shall be reported to the Bureau and a search warrant shall be obtained upon one or more the following grounds:

i. An inspection is required as part of the procedures authorized by law and implemented by regulations.

ii. There is evidence of or indication of a violation of the law or this chapter requiring an examination to determine whether the violation in fact exists.

iii. The inspection is part of an area wide inspection to upgrade properties in a given area.

iv. The inspection is part of a systematic inspection of buildings falling into a particular class or category composed in order to provide adequate protection to the public health, safety and welfare.