

iv. Where a project is a reconstruction project, then the entire work area shall comply with the basic requirements of this subcode. Where a reconstruction project in a building involves more than one work area, then each work area shall comply with the requirements of this subcode. Additionally, reconstruction projects shall comply with the supplemental requirements of this subcode where they exceed the size requirements specified by this subcode in the sections governing supplemental requirements.

v. Where the use of a building or portion thereof is changed, then the building or portion thereof shall be made to conform to the requirements of this subcode for a change of use. Where work is required by N.J.A.C. 5:23-6.31 for a change of use to be approved, then that work shall comply with the requirements of this subcode for changes of use. Where a project undertaken in connection with a change of use involves repairs, renovations or alterations which are not required by this subcode for the change of use, then the work in each such category shall comply with the requirements of this subcode for that category.

vi. Where the work project involves an addition to a building, then the addition shall comply with the requirements of the other subcodes of the Uniform Construction Code for new buildings. Any repair, renovation or alteration undertaken in an existing building in connection with an addition shall comply with the requirements of this subcode for such category of work.

(c) Compliance: The only requirements of the other subcodes of the UCC which apply are specifically set forth in this subchapter. Compliance with the requirements of the other subcodes of the Uniform Construction Code is not required for work in existing buildings. However, building components already in compliance with the requirements of the other subcodes of the Uniform Construction Code shall be replaced with components that comply. Where no year or edition is given for a standard referenced in this subchapter, the year or edition shall be the one referenced in the other subcode(s) of the UCC.

1. Buildings in compliance with the current edition of the applicable subcode shall not be required to comply with any more restrictive requirement of this subcode.

2. The repairs, renovations, alterations, reconstruction, and changes of use and/or additions, of any building or structure currently existing shall conform to the requirements of this subchapter. Where compliance with the provisions of this subchapter would result in practical difficulty, the owner may apply for a variation in accordance with N.J.A.C. 5:23-2.10.

3. Any variation previously issued in writing pursuant to the UCC shall remain in force and effect unless the work to be performed during the course of the rehabilitation project causes one of the conditions of the variation

to be violated or would otherwise create a hazardous condition.

4. As an alternative to compliance with the building and fire protection requirements of this subchapter, a permit applicant shall be allowed to evaluate the building in accordance with Section 3409.6 of the International Building Code, 2000 edition, incorporated herein by reference, and to bring the building into compliance with the standards contained therein.

(d) Permits: The requirements of this subchapter shall apply to all rehabilitation work without regard to whether a permit is required for such work. It should not be assumed that a permit is required simply because a requirement is established by this subchapter. Determinations as to whether a permit is required shall be made in accordance with the administrative provisions of the UCC contained at N.J.A.C. 5:23-2.

(e) Enforcement Responsibilities: Responsibility for the enforcement of the provisions of this subchapter shall be as indicated in parentheses at the end of each section, subsection, paragraph or subparagraph, as appropriate (for example, in a subsection of several paragraphs, the enforcement responsibility shall be in parentheses after the subsection's last paragraph). For provisions of other subcodes of the Uniform Construction Code referenced herein, enforcement responsibility shall be as indicated in N.J.A.C. 5:23-3.4.

1. Assignment of enforcement responsibility for a requirement does not imply that work undertaken that would not otherwise require a permit under the provisions of N.J.A.C. 5:23-2 of the Uniform Construction Code would now require a permit. Assignment of enforcement responsibility means that when there is a permit required or a complaint lodged, the designated subcode official is responsible. The parenthetical notes shall have the following meanings:

i. "Building" means that responsibility is assigned to the building subcode official.

ii. "Fire" means that responsibility is assigned to the fire protection subcode official.

iii. "Electrical" means that responsibility is assigned to the electrical subcode official.

iv. "Plumbing" means that responsibility is assigned to the plumbing subcode official.

v. "Elevator" means that responsibility is assigned to the elevator subcode official.

2. Responsibility for the enforcement of mechanical requirements in buildings of Group R-3 or R-5 may be assigned as delineated in N.J.A.C. 5:23-3.4 at the discretion of the construction official.

3. Enforcement of the provisions of the barrier free subcode shall be as provided in N.J.A.C. 5:23-7 of the Uniform Construction Code.

(f) Pre-Existing Buildings: Buildings or structures legally in existence at the time of the adoption or subsequent amendment of this subchapter may continue in use and nothing herein shall be interpreted as requiring the repair, renovation, alteration or reconstruction of such building, except as provided at N.J.A.C. 5:23-2.32, Unsafe Structures.

(g) Relationship of this subcode to other codes, rules, and ordinances, shall be as follows:

1. It is the intent of this subcode to provide a uniform, Statewide, harmonious system of rehabilitation regulations applicable to all existing buildings and structures in the State. No code, ordinance, rule, regulation of any municipality, county, board, department, commission or agency thereof, shall establish any requirement for any matter covered by this subcode.

i. Exterior light fixtures that replace existing light fixtures shall comply with a municipal ordinance adopted to control light pollution.

2. It is the intent of this subcode to establish requirements for reconstruction projects which are at least as stringent as the requirements applicable to that area under the Uniform Fire Code, N.J.A.C. 5:70, the Regulations for Maintenance of Hotels and Multiple Dwellings (N.J.A.C. 5:10) and the New Jersey State Housing Code (N.J.A.C. 5:28). This subcode shall not be interpreted as establishing requirements less stringent than these codes.

3. Certificates of occupancy issued for projects in compliance with the requirements of this subcode are specific to the work undertaken and shall not obviate the need for the building to be brought into compliance with the requirements of N.J.A.C. 5:70-4.

i. Notwithstanding the above, a variation issued in writing pursuant to the UCC in connection with a rehabilitation project shall remain in force and effect provided that all of the conditions of the variation continue to be met and shall be accepted for purposes of establishing compliance with N.J.A.C. 5:70-4 for the portion of the building to which the variation applies.

4. This subcode is not intended to establish minimum standards of habitability for housing. No provision of any State or municipal housing code or the equivalent which establishes minimum standards for natural light, natural ventilation, minimum habitable floor area per occupant, or requirements for heat shall be deemed to be affected or superseded by this subchapter.

5. Where work is proposed to an existing commercial farm building or where the use of a building is changed to a commercial farm building, the building shall be permitted to comply with the requirements of N.J.A.C. 5:23-3.2(d). For items not specifically covered by N.J.A.C. 5:23-3.2(d), the project shall comply with the requirements of this subchapter applicable to Group S-2.

6. The repair, renovation, alteration, reconstruction or change of use of health care facilities shall be in accordance with this code and with the "Guidelines for Construction and Equipment of Hospital and Medical Facilities," 1992-93 edition or current edition (American Institute of Architects Committee on Architecture for Health). In the event of any conflict, the more restrictive code provision shall govern.

(h) Correction of Violations of Other Codes: Alterations or renovations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance, adopted pursuant to law, shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to this subchapter unless the code requiring such alterations so provides.

(i) Variations: Building owners wishing to use an alternative to compliance with specific provisions of this subcode shall submit request(s) for variations in writing in accordance with N.J.A.C. 5:23-2.10. For variation requests involving fire safety, the construction official shall consult with the fire official. If the fire official is also licensed as a fire subcode official under the Uniform Construction Code, then the approval of the fire official shall be required on such variation requests.

(j) Asbestos hazard abatement projects and lead hazard abatement projects shall not be categorized as reconstruction projects in and of themselves despite the fact that occupancy of the work area is not permitted. However, all related construction work undertaken in connection with such projects and all replacement materials used shall comply with the applicable provisions of this subcode.

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

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

Inserted (b)2i.

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

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

In (g)2 and 3, updated N.J.A.C. references.

Amended by R.2003 d.218, effective May 19, 2003.

See: 35 N.J.R. 29(a), 35 N.J.R. 2209(a).

In (c)4, substituted "Section 3409.6 of the International Building Code, 2000 edition" for "Section 3408.6 of the BOCA National Building Code, 1996 edition"; in (e)2, substituted "R-5" for "R-4".

Amended by R.2004 d.145, effective April 5, 2004.

See: 35 N.J.R. 5190(a), 36 N.J.R. 1758(a).

Deleted references to use preceding references to group throughout and added (g)1i.

5:23-6.3 Definitions

The words and terms used in this subcode shall have the following meanings unless the context clearly indicates otherwise. Any term not defined herein which is defined in any of the other subcodes of the Uniform Construction Code shall have the meaning as defined in that subcode. Where a term is defined in this subcode and is also defined in another subcode, then the term shall have the meaning as defined herein wherever it is used in this subcode.

“Addition” means an increase in the footprint area of a building or an increase in the average height of the highest roof surface or the number of stories of a building.

“Alteration” means the rearrangement of any space by the construction of walls or partitions or by a change in ceiling height, the addition or elimination of any door or window, the extension or rearrangement of any system, the installation of any additional equipment or fixtures and any work which reduces the loadbearing capacity of or which imposes additional loads on a primary structural component.

“Change of use” means a change from one use to another use in a building or tenancy or portion thereof.

“Dormitory” means a building, or portion thereof, containing rooms which are provided as residences or for overnight sleeping for individuals or groups, and includes those residences utilized by fraternities or sororities which are recognized by or owned by a school or institution of higher education, but does not include those residences or multiple dwellings utilized by students which are not recognized by or owned by a school or institution of higher education. “Dormitory” is not to include a building used primarily to house faculty or a multiple dwelling in which occupancy of each dwelling unit is limited to persons who are members of a single family group.

“Equipment” or “fixture” means plumbing, heating, electrical, ventilating, air conditioning, refrigerating and fire protection equipment, elevators devices, boilers, pressure vessels and other mechanical facilities or installations, which are related to building services and shall not include manufacturing, production or process equipment, but which shall include any connections from building services to process equipment.

“Group” means the group classification of the building subcode.

“Load bearing element” means any column, beam, joist, girder, wall, floor or roof sheathing which supports any load in addition to its own weight.

“New building element” means any one of the elements listed in N.J.A.C. 5:23-6.9 that did not exist previously.

“Primary function space” means a room or space housing a major activity for which the building or tenancy is intended including, but not limited to, office area, auditorium, assembly space, dining room, bar or lounge, warehouse, factory, dwelling, care, confinement, retail, and educational spaces, but not including kitchens, bathrooms, storage rooms or other spaces supporting a primary function space; a building or tenancy may contain more than one primary function space.

“Primary structural component” means any component of the primary load bearing structure of a building including

footings, piles, foundations, columns, girders, beams, joists, wind or seismic bracing but not including, for the purposes of this subcode, sheathing or subflooring.

“Reconstruction” means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied. Reconstruction may include repair, renovation, alteration or any combination thereof. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure.

“Renovation” means the removal and replacement or covering of existing interior or exterior finish, trim, doors, windows, or other materials with new materials that serve the same purpose and do not change the configuration of space. Renovation shall include the replacement of equipment or fixtures.

“Repair” means the restoration to a good or sound condition of materials, systems and/or components that are worn, deteriorated or broken using materials or components identical to or closely similar to the existing.

“System” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building including any equipment, fixtures, connections, conduits, wires, pipes, ducts, as well as any associated sensors, controls, distribution or safety elements.

“Technically infeasible” means, in connection with accessibility requirements, a change that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a loadbearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

“Tenancy” means an entire building or that portion of a building or story which is or is intended to be under the control of a single owner or tenant.

“UFC fire barrier” means a continuous membrane, either vertical or horizontal, such as a wall of floor assembly, that is designed and constructed with a specified fire resistance rating and located to limit the spread of fire and restrict the movement of smoke. Such barriers may have protected

openings when a specific fire resistive rating is indicated by this subcode.

“Use” means that portion of a building or tenancy which is devoted to a single group or special use or occupancy as defined in the building subcode or as established by the provisions of any other subcode for the purpose of specifying special requirements applicable to that portion of a building or tenancy.

“Work area” means any entire use, primary function space, or tenancy comprising all or part of a reconstruction project as delineated on the approved permit application and/or plans.

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

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

Amended “Addition”.

Amended by R.2004 d.145, effective April 5, 2004.

See: 35 N.J.R. 5190(a), 36 N.J.R. 1758(a).

Added “Dormitory”, “Group” and “UFC fire barrier”; in “Use”, deleted “use” preceding “group”; deleted “Use Group”.

5:23-6.4 Repairs

(a) Repairs, as defined in N.J.A.C. 5:23-6.3, shall comply with the requirements of this section. There is no limit to the amount of repair work which may be undertaken.

1. The following work shall be considered renovation, alteration, or reconstruction, as appropriate, and not repair work:

- i. The cutting away of any wall, partition, or portion thereof;
- ii. The permanent, partial or complete removal of any primary structural component;
- iii. The removal or rearrangement of any part of a required means of egress; and
- iv. Addition to, alteration or relocation of:
 - (1) Any fire protection system piping;
 - (2) Water supply, sewer, drainage, gas, oil, waste, vent, or similar piping;
 - (3) Electrical wiring, other than wiring for a low voltage communication system in a one or two family dwelling;
 - (4) Mechanical system components such as ductwork; or
 - (5) Elevator devices.

(b) All work shall be done in a workmanlike manner.

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

i. For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors.

ii. For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.

iii. For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.

2. Existing fire alarm, automatic sprinkler, standpipe, smoke control and emergency power systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

3. No work shall be undertaken that diminishes accessibility below that which is required by the Barrier Free Subcode of the Uniform Construction Code, N.J.A.C. 5:23-7. (Building)

(d) The following products and practices shall not be used:

1. Wood paneling being used as an interior finish not in conformance with Table 2 of N.J.A.C. 5:23-6.11 of this subcode; (Building)

2. Carpet used for floor covering that fails to meet the DOC FF-1 “Pill Test” (Consumer Product Safety Commission 16 C.F.R. 1630);

3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90.7, 110.2, 110.3, and article 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/ NRTL), etc.; and (Electrical)

4. Plumbing materials and supplies:

- i. All purpose solvent cement;
- ii. Clear PB (polybutylene) piping;
- iii. Flexible traps and tailpieces;

iv. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S (Brown & Sharpe) 17 gauge (.045 inch); and

(h) All new building elements, as listed in N.J.A.C. 5:23-6.9, shall comply with the requirements of that section.

(i) The basic requirements of this subchapter for the applicable group shall be met within the work area(s). Attendant work outside the work area(s) shall not make the building less conforming with the basic requirements than it was when the reconstruction was undertaken.

1. Where the building currently exceeds the basic requirements, the extent to which it exceeds shall not be reduced unless the building also exceeds the requirements of the corresponding subcode of the UCC. In this case, the extent of compliance with the basic requirements may be reduced, but not below the requirements of the corresponding subcode of the UCC. Existing fire alarm, automatic sprinkler and standpipe systems shall not be removed without replacement and shall be maintained in operating condition.

(j) The supplemental requirements of this subchapter for the applicable group shall be met wherever the extent of the work is such that the trigger accompanying each requirement is met or exceeded.

(k) In a building required by the barrier free subcode to be accessible, where the space reconstructed is a primary function space, an accessible path of travel to the space shall be provided up to the point at which the cost of providing accessibility is disproportionate to the cost of the overall project; a cost is disproportionate if it exceeds 20 percent of the cost of the work. (Building)

1. The accessible path of travel shall include, but not be limited to, an accessible parking space, an accessible exterior route, an accessible building entrance, an accessible interior route to the reconstructed area, accessible restrooms, accessible drinking fountains, and accessible telephones serving the reconstructed primary function space. Priority shall be given to providing an accessible entrance or accessible restrooms where possible.

2. In determining disproportionate cost, the following materials may be deducted from the overall cost of the project:

- i. Windows, hardware, operating controls, electrical outlets and signage;
- ii. Mechanical systems, electrical systems, installations or alterations of fire protection systems or abatement of hazardous materials; or
- iii. The repair or installation of roofing, siding, or other exterior wall facade.

3. Where the work consists solely of the reconstruction of materials or systems listed in (k)2 above, the path of travel requirements shall not apply.

4. Where the work is for the primary purpose of increasing the accessibility of the building or tenancy, the

requirement to further improve the path of travel shall not apply.

5. Where it is technically infeasible to comply with the technical standards of ICC/ANSI A117.1-1998, the work must comply to the maximum extent feasible.

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

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

In (c), rewrote 2 and added 4; in (d), added 5; in (e), amended the N.J.A.C. reference in 5, rewrote 8iii, and substituted "Section 250-140" for "Section 250-60" in 8v.

Amended by R.2002 d.5, effective January 7, 2002.

See: 33 N.J.R. 3392(a), 34 N.J.R. 267(a).

In (d), added new 6; in (e), added new 11.

Amended by R.2003 d.137, effective April 7, 2003.

See: 34 N.J.R. 4277(a), 35 N.J.R. 1558(c).

Deleted (e)11; added a new (f); recodified former (f) through (j) as (g) through (k).

Amended by R.2003 d.218, effective May 19, 2003.

See: 35 N.J.R. 29(a), 35 N.J.R. 2209(a).

Rewrote the section.

Administrative correction.

See: 35 N.J.R. 4861(a).

Amended by R.2004 d.145, effective April 5, 2004.

See: 35 N.J.R. 5190(a), 36 N.J.R. 1758(a).

Deleted references to use preceding references to group throughout and substituted references to automatic sprinkler for references to fire suppression throughout; in (g)2ii, amended the N.J.A.C. reference.

5:23-6.8 Materials and methods

(a) The following requirements shall be met for materials and installation methods for all items that are part of the applicant's proposed project for all categories of work other than repair as defined in N.J.A.C. 5:23-6.3.

1. Where sections listed below reference other sections not listed below, those sections shall apply within that limited context.

(b) Building and Fire Protection Materials and Methods: The following sections of the building subcode (N.J.A.C. 5:23-3.14) shall constitute the building and fire protection materials and methods requirement for this subchapter:

1. The following sections of Chapter 5 entitled "General Building Height and Areas":

i. Section 505 shall apply to newly constructed "Mezzanines";

2. The following sections of Chapter 7 entitled "Fire-Resistance-Rated Construction":

i. Subsections 703.2, 703.3, 703.4;

ii. Subsection 704.2.1, 704.2.2, 704.2.3, 704.4, 704.13, 704.14;

iii. Subsections 705.3, 705.8, 705.9, 705.10, 705.11;

iv. Section 706.6, 706.7, 706.8, 706.9;

v. Section 707.7, 707.8, 707.9, 707.10, 707.13.2;

vi. Subsections 708.2, 708.6, 708.7, 708.8, 708.9;

vii. Subsections 709.2, 709.5, 709.6, 709.7, 709.8;

- viii. Subsections 710.2, 710.5, 710.6, 710.7;
 - ix. Section 711;
 - x. Section 712;
 - xi. Subsections 714.2.5, 714.2.6, 714.2.7, 714.2.8, 714.2.9, 714.3.1, 714.3.2, 714.3.3, 714.3.4, 714.3.5, 714.3.6, 714.3.8, 714.3.9;
 - xii. Subsections 715.2, 715.3, 715.4, 715.7;
 - xiii. Subsections 716.2.1, 716.3.1;
 - xiv. Subsections 717.2, 717.4, 717.5;
 - xv. Section 718;
 - xvi. Section 719; and
 - xvii. Section 720;
3. All of Chapter 8 entitled "Interior Finishes" except 802;
 4. All of Chapter 9 entitled "Fire Protection Systems" except 901, 902, 903.2, 904.2, 905.3, 906.1, 908.1, 908.2, 910.2, 911;
 - i. In buildings of Groups R and I-1, smoke detectors that are located closer than five feet to a kitchen or bathroom area shall be of photoelectric type only;
 5. The following sections of Chapter 10 entitled "Means of Egress":
 - i. Subsection 1003.2.10.2, 1003.2.10.4, 1003.2.10.5;
 - ii. Subsections 1003.2.12.1, 1003.12.2;
 - iii. Subsections 1003.3.1.3.1, 1003.3.1.3.2, 1003.3.1.3.3, 1003.3.1.3.4, 1003.3.1.3.5, 1003.3.1.8; and
 - iv. Subsections 1003.3.3.11.1, 1003.3.3.11.2, 1003.3.3.11.3, 1003.3.3.11.4, 1003.3.3.11.5, 1003.3.3.11.6;
 6. The following sections of Chapter 12 entitled "Interior Environment":
 - i. Section 1202.4.2 shall apply to new sources of contaminants; and
 - ii. Section 1209;
 7. All of Chapter 14 entitled "Exterior Walls" except 1401, 1402, 1403.2;
 8. All of Chapter 15 entitled "Roof Assemblies and Rooftop Structures" except 1501.1, 1502.0, 1503.4, 1503.5;
 9. All of Chapter 16 entitled "Structural Design," except 1601, 1604, 1608, 1609, 1610, 1611, 1612, 1613, shall apply to new or replaced structural members. The referenced sections of Chapter 16 shall not be used to analyze any existing structural members, except as otherwise provided by this subcode;
 10. All of Chapter 18 entitled "Soil and Foundations" except section 1801, 1802, 1803, 1804, 1805, 1806;

- i. Additionally, the following section of 1806 shall be included as part of Material and Methods: 1806.2.1, 1806.2.2, 1806.3.1, 1806.3.2, 1806.3.3, 1806.4.1, 1806.4.2, 1806.4.3;
11. All of Chapter 19 entitled "Concrete" except 1901, 1092;
 12. All of Chapter 20 entitled "Aluminum";
 13. All of Chapter 21 entitled "Masonry";
 14. All of Chapter 22 entitled "Steel";
 15. All of Chapter 23 entitled "Wood";
 16. All of Chapter 24 entitled "Glass and Glazing";
 17. All of Chapter 25 entitled "Gypsum Board and Plaster";
 18. All of Chapter 26 entitled "Plastic"; and
 19. For the applicability of Chapter 30 entitled "Elevators and Conveying Systems," refer to (g) below, Elevator Devices.

(c) Plumbing Materials and Methods: The following sections of the plumbing subcode (N.J.A.C. 5:23-3.15) shall constitute the plumbing material and method requirements for this subchapter:

1. All of Chapter 2 entitled "General Regulations" except 2.19 and 2.24:
 - i. Section 2.19 for mandatory connections to the public water supply and sewer shall apply when existing septic or water supply facilities are no longer suitable for use as determined by the local health inspector, and public facilities are available within the meaning of 2.19.
2. All of Chapter 3 entitled "Materials."
3. All of Chapter 4 entitled "Joints and Connections."
4. All of chapter 5, entitled "Traps, cleanouts and backwater valves."
5. Chapter 6, entitled "Interceptors" except sections 6.1.1, 6.1.7, 6.3.1 and 6.4.1:
 - i. Section 6.1.1, 6.3.1, 6.4.1 for when interceptors are required shall not apply. However, when new fixtures, or devices are installed that will produce wastes that need to be separated, an interceptor shall be required.
6. Chapter 7, entitled "Plumbing Fixtures, Fixture Fittings and Plumbing Appliances" except section 7.21 and table 7.21.1.
7. Chapter 8 entitled "Hangers and Supports."
8. Chapter 9 entitled "Indirect Wastes Piping and Special Waste."

9. Chapter 10 entitled "Water Supply and Distribution" except for sections 10.3, 10.6.5, 10.8.1, and 10.14:

i. Water shall be supplied so that fixtures within a building are provided with an adequate supply of water so that they are functional.

ii. Section 10.6.5 shall apply to all newly-installed or completely replaced water services.

iii. Section 10.8.1 shall apply, where there is not sufficient pressure for proper functioning of fixtures, a water pressure booster system shall be required.

iv. Section 10.14 for sizing water distribution systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required. All new piping associated with the installation of additional fixtures shall comply with the sizing requirements of Chapter 10.

10. All of Chapter 11, entitled "Sanitary Drainage Systems" except 11.2.2, 11.2.3, 11.5, and 11.6:

i. Section 11.2.3 for sizing building sewers shall apply when the proposed work will impose additional loads on the sewer. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.

ii. Section 11.5 for sizing drainage systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required. All new piping associated with the installation of additional fixtures shall comply with the sizing requirements of 11.5.

iii. Section 11.6 for sizing offsets in drainage systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.

11. All of Chapter 12, entitled "Vents and Venting" except 12.3.1, 12.3.2 and 12.16:

i. Section 12.3.1 for locations where vent stacks are required shall apply where new stacks are being installed;

ii. Section 12.3.2 "Relief Vents for Stacks having Ten or More Branch Intervals" shall apply only when new stacks of ten or more branch intervals are being installed; and

iii. Section 12.16 for size and length of vents shall apply when new vents are being installed.

12. All of Chapter 13 entitled "Storm Water Drainage" except 13.1.1, 13.1.2, 13.1.6, 13.1.7, 13.1.10.1, 13.4.3, 13.6.1, 13.6.2:

i. Section 13.1.1 for where storm water drains are required shall apply only when new roofs, paved areas, yards, courts and courtyards are created.

ii. Section 13.1.2 "Storm Water Drainage to Sewer Prohibited" shall not be applied to existing connections to the sewer. This section shall only prohibit the connection of new storm water drains to a sanitary sewer that is prohibited from accepting such discharge.

iii. Section 13.1.6 "Areaway Drains" shall apply only to newly created, open, below grade areaways where storm water can accumulate.

iv. Section 13.1.7 "Window Well Drains" shall apply only to newly created window wells.

v. Section 13.1.10.1 for sizing roof drains, as amended in N.J.A.C. 5:23-3.15, shall apply only where additional roof area is to be drained or where other circumstances increase the load on existing roof drains.

vi. Section 13.4.3 "Combining Storm with Sanitary Drainage" shall not be applied to existing connections to the sewer. This section shall only require that newly installed sanitary and storm sewers be separate.

vii. Section 13.6.1 for sizing of "Vertical Conductors and Leaders" shall only apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.

viii. Section 13.6.2 "Size of Horizontal Storm Drain Piping" shall only apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the system, no increase in size shall be required.

13. All of Chapter 14 entitled "Special Requirements For Health Care Facilities."

14. All of Chapter 15 entitled "Tests and Maintenance."

15. Section 16.1.7 of Chapter 16 entitled "Regulations Governing Individual Sewage Disposal Systems for Homes and Other Establishments Where Public Sewage Systems Are Not Available."

16. All of Chapter 18 entitled, "Mobile Homes & Travel Trailer Park Plumbing Standards."

(d) Electrical Materials and Methods. The following sections of the electrical subcode (N.J.A.C. 5:23-3.16) shall constitute the electrical materials and methods requirements for this subchapter:

1. Section 90.7, entitled "Examination of Equipment for Safety" of the Introduction, Article 90;

2. All of Chapter 1 entitled "General" except Sections 110.8 Wiring Methods, 110.26 Spaces About Electrical Equipment (600 Volts, Nominal, or less), 110.32 Work Space About Equipment (over 600 Volts, Nominal) and 110.33 Entrance and Access to Work Space;

3. All of Chapter 2 entitled "Wiring and Protection" except Sections 210.52 Dwelling Unit Receptacle Outlets, 210.60 Guest Rooms, 210.62 Show Windows, 210.63 Heating, Air Conditioning, and Refrigeration Equipment Outlet, 210.70 Lighting Outlets Required and 210.11 Branch Circuits Required;

4. All of Chapter 3 entitled "Wiring Methods";

5. All of Chapter 4, entitled "Equipment for General Use" except Section 404.8 Accessibility and Grouping (switches) and Section 408.8 Clearances (switchboards and panelboards);

6. All of Chapter 5, entitled "Special Occupancies";

7. All of Chapter 6, entitled "Special Equipment";

8. All of Chapter 7, entitled "Special Conditions;" and

9. All of Chapter 8 entitled "Communications Systems."

10. Existing working clearances, clear space, access and entrance dimensions to working spaces, illumination, headroom clearances, and location of overcurrent protection devices shall be allowed to remain without modification.

(e) Mechanical Materials and Methods: The following sections of the mechanical subcode (N.J.A.C. 5:23-3.20) shall constitute the mechanical materials and methods requirements for this subchapter:

1. All of Chapter 3, entitled "General Regulations" except 301.2, 301.7, 301.8, 301.13, 301.16, 303.5, 303.6, 303.7, 306, 307.2.3, 309 and 312;

2. All of Chapter 4, entitled "Ventilation" except 402 and 403;

3. All of Chapter 5, entitled "Exhaust Systems" except 502, 509, 510, and 513;

i. Section 509 shall apply to newly installed or replaced commercial food heat-processing appliances and Type I hoods;

ii. Section 510 shall apply to newly introduced sources of hazardous exhaust;

4. All of Chapter 6, entitled "Duct Systems" except 602 and 604;

i. Section 602 shall apply to newly-constructed plenums. Modifications to existing plenums, such as installation of new building, electrical or plumbing materials inside the plenum, increasing air flow rate within the plenum, etc. shall not require the plenum to comply with the construction requirements for new plenums. However, newly-installed materials within the plenum shall be consistent with material requirements of 602;

5. All of Chapter 7, entitled "Combustion Air";

6. All of Chapter 8, entitled "Chimneys and Vents";

7. All of Chapter 9, entitled "Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment";

8. All of Chapter 10, entitled "Boiler, Water Heaters and Pressure Vessels";

9. All of Chapter 11, entitled "Refrigeration";

10. All of Chapter 12, entitled "Hydronic Piping" except 1204;

11. All of Chapter 13, entitled "Fuel Oil Piping and Storage" except 1305.1;

i. Section 1305.1 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums; and

12. All of Chapter 14, entitled "Solar Systems."

(f) Fuel Gas Materials and Methods. The following sections of the fuel gas subcode (N.J.A.C. 5:23-3.22) shall constitute the fuel gas materials and methods requirements for this subchapter:

1. All of Chapter 3, entitled "General Regulations" except 301.2, 301.6, 301.11, 301.12, 303.7, and 306;

2. All of Chapter 4, entitled "Gas Piping Installations" except 401.8 and 402.3;

i. Sections 401.8 and 402.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums;

3. All of Chapter 5, entitled "Chimneys and Vents"; and

4. All of Chapter 6, entitled "Specific Appliances."

(g) Barrier Free Materials and Methods: The requirements of ICC/ANSI A117.1-1998 shall constitute the barrier free materials and methods requirements for this subchapter and shall apply to work projects in all buildings other than buildings of Group R-2, R-3, R-4 or R-5 containing fewer than four dwelling units or buildings of Group U.

1. Exception: Where full compliance is technically infeasible, compliance shall be achieved to the maximum extent feasible.

2. For toilet or bathing facilities, at least one of each type of fixture shall be accessible. Where six or more toilet stalls are provided, in addition to a wheelchair accessible stall, at least one ambulatory accessible stall shall be provided.

i. Exception: Nonpublic toilet rooms for individual use may be adaptable.

3. Limited exceptions to the accessibility requirements for theatres and auditoriums are permitted as follows:

i. Where fixed seating is provided and it is technically infeasible to provide integrated accessible seating, accessible seating may be clustered.

ii. When a facility contains more than one performing area and it is technically infeasible to make all performing areas accessible, the provision of one accessible performing area shall be accepted as meeting the requirement for providing access to performing areas.

4. In buildings of Group M, where fitting room partitions are installed or moved, five percent of the fitting rooms, but not less than one, shall comply.

(h) Residential Materials and Methods. The following sections of the residential subcode (N.J.A.C. 5:23-3.21) shall constitute the residential materials and methods requirements for this subchapter:

1. The following sections of Chapter 3, entitled "Building Planning":

- i. Section 307.2;
- ii. Section 308;
- iii. Section 318;
- iv. Section 320;
- v. Section 323;
- vi. Section 324; and
- vii. Section 324;

2. The following sections of Chapter 4 entitled "Foundations":

- i. Section 402; and
- ii. Section 407;

3. The following sections of Chapter 5 entitled "Floors":

- i. Sections 502.1, 502.8, 502.11, 502.12.1;
- ii. Sections 503.2.1, 503.2.3, 503.3.1, 503.3.3;
- iii. Sections 504.1, 504.3; and
- iv. Sections 505.2.1, 505.2.2, 505.2.3, 505.2.4, 505.3.5, 505.3.6;

4. The following sections of Chapter 6 entitled "Wall Construction":

- i. Sections 602.1, 602.2, 602.6, 602.8.1;
- ii. Sections 603.2.1, 603.2.2, 603.2.3, 603.2.4, 603.3.4, 603.3.5;
- iii. Sections 604.1, 604.3;
- iv. Section 605;
- v. Section 606.1, 606.14;
- vi. Section 607.1;
- vii. Section 608.1;
- viii. Section 609.1;
- ix. Sections 610.1, 610.2, 610.3;
- x. Section 611.1;
- xi. Section 612.1; and
- xii. Section 613.1;

5. All of Chapter 7 entitled "Wall Covering";

6. The following sections of Chapter 8, entitled "Roof-Ceiling Construction":

- i. Section 802.1, 802.7, 802.10;
- ii. Section 803.2.1;
- iii. Sections 804.2.1, 804.2.2, 804.2.3, 802.2.4, 804.3.5, 804.3.6; and
- iv. Section 805.1;

7. The following sections of Chapter 9 entitled "Roof Assemblies":

- i. Section 902.1;
- ii. Section 903.1;
- iii. Section 904;
- iv. Section 905;
- v. Section 906; and
- vi. Section 907; and

8. All of Chapter 10 entitled "Chimneys and Fireplaces."

(i) Elevator Devices Materials and Methods: The following sections of the elevator subcode (N.J.A.C. 5:23-12) shall constitute the elevator device materials and methods requirements for this subchapter:

1. All of ASME A17.1 Part XII except Section 1206 as referenced by the adopted building subcode.

2. The following sections of Chapter 30 of the building subcode: Section 3002.1.2—"Hoistway Enclosures, Hardware" and Section 3005.3—"Conveying Systems, Conveyors."

3. The requirements of ASME A17.1 Rule 102.2(c)4, as referenced by the adopted building subcode, when an automatic sprinkler system is provided in an elevator hoistway, machine room and/or machinery space.

(j) Manufactured Home Materials and Methods: The following sections of the manufactured home subcode (N.J.A.C. 5:23-3.19) shall constitute the manufactured home materials and methods requirements for this subcode:

1. All of Part 3280 of Title 24 of the Code of Federal Regulations except 3280.1, 3280.5, 3280.6, 3280.7, and 3280.8.

Amended by R.1999 d.424, effective December 6, 1999.
See: 31 N.J.R. 2428(a), 31 N.J.R. 4001(c).

In (b), inserted a reference to fire protection materials the introductory paragraph, inserted 4i and 4ii, inserted a new 5iii, and recodified former 5iii and 5iv as 5iv and 5v; and in (c), changed chapter 5 reference in 4, substituted a reference to section 7.21 for a reference to 7.24 in 6, substituted a reference to section 11.2.3 for a reference to 11.2.2 in 10i, changed chapter 14 reference in 13, and changed section 16.1.7 reference in 15.

Administrative correction.

See: 32 N.J.R. 688(a).

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

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

In (b), rewrote 15 and 21; in (d), rewrote 2 through 4; and added (h).

Amended by R.2002 d.5, effective January 7, 2002.

See: 33 N.J.R. 3392(a), 34 N.J.R. 267(a).

In (b), added new 5vi.

Amended by R.2003 d.218, effective May 19, 2003.

See: 35 N.J.R. 29(a), 35 N.J.R. 2209(a).

Rewrote the section.

Amended by R.2004 d.145, effective April 5, 2004.

See: 35 N.J.R. 5190(a), 36 N.J.R. 1758(a).

Deleted references to use preceding references to group throughout; in (b), substituted "906.1" for "906" in the introductory paragraph of 4 and inserted "1003.3.1.3.1" in 5iii; in (i), substituted a reference to automatic sprinkler for a reference to fire suppression in 3.

5:23-6.9 New building elements

(a) When the rehabilitation of an existing building creates or includes any building element of a type listed in this section, then the new element shall comply with the requirements for such an element established by this section.

1. The installation of a floor system which did not previously exist, shall be constructed utilizing the live load requirements as specified in Section 1607 of the building subcode.

2. When the number of stories in a building is increased without increasing the height of the building, the building shall comply with the story requirements of Table 503 of the building subcode.

3. Newly created floor openings shall comply with the requirements of Section 707 of the building subcode.

4. Newly created atriums shall comply with the requirements of Section 404 of the building subcode.

5. Newly created door openings shall comply with Section 1003.3.1.1 of the building subcode. Additionally, newly created door openings in walls which are fire-resistance rated shall comply with Section 714 of the building subcode.

6. Newly created openings in fire resistance rated assemblies shall be protected in accordance with Section 711 of the building subcode.

7. Newly created exit discharge passageways used as exit elements shall comply with the requirements of Section 1005.3.3 of the building subcode. However, the fire resistance rating of the discharge passageway shall not be required to exceed the fire resistance rating of the exit element that discharges into the passageway.

8. Newly created exit stairways shall comply with Section 1005.3 of the building subcode.

9. Newly installed fire escapes shall be constructed in accordance with FTO-3 of the Uniform Construction Code. (Building)

10. Newly installed elevator devices (not replacing an existing device) and other newly installed (not replacement) equipment within the scope of Chapter 30 shall conform to the requirements of Chapter 30 of the building subcode.

i. Exception: Newly installed devices shall not be required to comply with part XXIV of ASME A17.1 adopted by reference in the building subcode.

11. Newly created corridors shall comply with Sections 1004.3.2.1, 1004.3.2.3, 1004.3.2.4, and 1004.3.2.5 of the building subcode.

12. Newly constructed mezzanines shall comply with Section 505 of the building subcode.

13. Newly created covered mall buildings shall comply with Section 404 of the building subcode.

14. Newly created motion picture projection rooms, screening rooms and sound stages shall comply with Section 409 of the building subcode.

15. Newly created stages and platforms shall comply with Section 410 of the building subcode.

16. Newly created spaces which are utilized for the application of flammable finishes shall comply with Section 416 of the building subcode.

(l) Mechanical Requirements: All spaces intended for occupancy shall be provided with either natural or mechanical ventilation.

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.

2. Mechanically-ventilated spaces shall comply with the following:

i. Newly-installed HVAC systems shall comply with the requirements of the International Mechanical Code, 2000 edition.

ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in the International Mechanical Code, 2000 edition, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount.

3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

(m) Interior finishes shall comply with N.J.A.C. 5:23-6.11(c). (Plan review—Building, Fire, Inspection—Building)

(n) Specific Occupancy Areas: Specific occupancy areas within the work area, as listed in N.J.A.C. 5:23-6.30(h), shall comply with the requirements established in that section for separation and/or protection. (Building)

(o) Fireblocking and Draftstopping: When the work being performed exposes the framing of any wall, floor, ceiling or roof, the exposed framing shall comply with Section 716 of the building subcode.

Amended by R.1999 d.424, effective December 6, 1999.
See: 31 N.J.R. 2428(a), 31 N.J.R. 4001(c).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (f)2, rewrote the 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 (e), added second sentence; and added (o).
Amended by R.2003 d.218, effective May 19, 2003.

See: 35 N.J.R. 29(a), 35 N.J.R. 2209(a).

In (l)2i and in the first sentence of (l)2ii, substituted "the International Mechanical Code, 2000 edition" for "ASHRAE 62-89"; in (o), substituted "Section 716" for "Section 721.0".

Amended by R.2004 d.145, effective April 5, 2004.

See: 35 N.J.R. 5190(a), 36 N.J.R. 1758(a).

Substituted references to automatic sprinkler for references to suppression throughout; in (i)3, inserted "UFC" following "30-minute".

5:23-6.24A Supplemental requirements—Group M

(a) Automatic Sprinkler System: Automatic Fire Sprinkler System: In buildings with a Group M fire area greater than 12,000 square feet or a Group M fire area more than three stories in height, when the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire sprinkler system shall be provided throughout the entire building. (Fire)

(b) Manual Alarm System: For buildings greater than three stories in height with occupant loads over 25, when the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building.

1. Exception: Manual alarm systems shall not be required in buildings equipped throughout with an automatic sprinkler system. (Fire)

(c) Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided throughout the building as follows:

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.

2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.

3. A minimum 30-minute UFC fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required for openings connecting only two floor levels, such as between the street floor and mezzanine or second floor, or for buildings with an automatic sprinkler system throughout. (Plan review—Building, Fire, Inspection—Building)

(d) Requirements for high-rise buildings: Any building or structure having one or more floors used for human occupancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system,

the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shut-down is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in N.J.A.C. 5:70-3;

ii. At least one elevator shall be equipped with Phase II Emergency In-Car Operation, as required by ASME A17.1-1987, Rule 211.3c;

(1) In buildings with multiple elevators, at least one elevator to each floor served by an elevator shall be equipped with Phase II Emergency In-Car Operation; and

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

i. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gpm at 65 psi to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi to the topmost floor in all other buildings. (Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet these requirements (gpm/psi) for possible future extension of the standpipe.)

ii. Hose and hose cabinets shall not be required. (Fire)

4. Automatic Sprinkler System: When the work area is an entire floor, an automatic sprinkler system shall be installed on that floor. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

(e) Elevator Devices: When the work area exceeds 50 percent of the gross enclosed floor area of the building, all elevator devices serving any part of the work area shall comply with the requirements of N.J.A.C. 5:23-6.30(g). (Elevator)

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

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

In (d)2i, updated N.J.A.C. reference.

Amended by R.2004 d.145, effective April 5, 2004.

See: 35 N.J.R. 5190(a), 36 N.J.R. 1758(a).

Substituted references to automatic sprinkler for references to fire suppression throughout; rewrote (a); in (c)3, inserted "UFC" following "30-minute".

5:23-6.25 Basic requirements—Group R-1

(a) Smoke detectors: Battery-powered, single station smoke detectors or smoke detectors complying with the building subcode shall be required in individual guest rooms. (Fire)

(b) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 and with exit travel distance greater than 75 feet.

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

i. When more than one exit is required and there is not sufficient space for an exterior stair within the lot line, a new fire escape shall be accepted as providing one of the required means of egress. Newly-installed fire escapes shall comply with FTO-3.

ii. Window access to fire escapes shall be permitted from individual guestrooms.

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.

3. Multilevel guest units do not require an exit from each level within the unit provided that these conditions are met: The building is Type 1 or Type 2 construction, with travel distance within the dwelling unit not exceeding 75 feet or the building is not more than three stories and all third floor space is part of a dwelling unit located in part on the second floor and no habitable room has a travel distance of greater than 50 feet from the door of the room to the entrance of the dwelling unit.