

Construction Code Communicator



State of New Jersey
 Chris Christie, Governor
 Kim Guadagno, Lt. Governor

Department of Community Affairs
 Lori Grifa, Commissioner

Volume 23, Number 4

Winter 2011

The Winter Communicator: A Reminder

The final issue of the *Construction Code Communicator* each year will consist of a collection and re-printing of all the Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items that were posted on the Division's website during the calendar year.

Once the *Construction Code Communicator* has been posted, the individual Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items will be removed from the Division's website. However, it will still be possible to see a copy of any of these documents as it was originally posted on the Division's website by accessing the Division's Document Library or through the "Topics A-Z" tab on the Division's website: www.nj.gov/dca/divisions/codes/.

In short, there are no new articles in this issue.







Also, the Index for all four issues of the *Construction Code Communicator* 2011 is included in this issue as a handy reference.

Prospectively, the *Construction Code Communicator* will follow this same format: three issues, Spring, Summer, and Fall, that contain articles and a Winter issue that will provide in one place all the Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items that were posted on the Division's website in that calendar year. We hope that you continue to appreciate this aspect of the *Construction Code Communicator*.

If you have any questions about the *Construction Code Communicator*, or if you have any recommendations for articles, please feel free to contact me at (609) 984-7609 or at etempleton@dca.state.nj.us.

Source: Emily W. Templeton
 Division of Codes and Standards

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Are you ready to Ride?

In a May 2011 Alert, the Bureau of Code Services provided the following Safety tips:

The DOs of Ride Safety:

- Do observe each ride before participating – make sure you are comfortable with it
- Do look for the posted State of New Jersey certificate of operation – this document ensures rides are inspected and have passed the stringent safety regulations required by the state
- Do read and obey all written and verbal warnings and instructions
- Do observe age, height and weight, and other physical restrictions for each ride

Before the Ride Begins:

- Do fasten safety equipment such as a seatbelt, shoulder harness, lap bar or chain
- Do secure all clothing and personal possessions
- Do follow instructions of ride operators

While the Ride is in Motion:

- Do keep hands, arms, legs and feet inside the ride at all times

Before Getting off of the Ride:

- Do keep all safety equipment fastened until the operator instructs you to exit
- Do stay in the ride until it comes to a complete stop and wait for the operator to tell you to get out
- Do enter or dismount a ride only in the area instructed by the ride operator

The DON'Ts of Ride Safety

- Don't throw any object from an amusement ride or attraction
- Don't endanger or injure yourself or others around you on the ride by behaving in a reckless manner
- Don't enter any ride that you are uncomfortable with or that your child fears
- Don't horseplay around, on or near a ride at any time
- Don't enter a ride without the supervision of the ride operator
- Don't bring food or drinks on any ride, and don't smoke

Child Safety

- Parents should take several additional safety precautions for their children, especially small children, when participating in amusement rides or attractions

Parents should:

- Know your child's capabilities and limitations with regard to whether the ride is appropriate for them
- Watch the ride in operation before entering to make sure your child can ride it safely
- Remind your child of Ride Safety 'Dos' and 'Don's'
- Remind your child to stay seated, hold on to safety bars and obey the ride operator's instructions
- Designate an easily recognizable place to meet your child after the ride is over
- Supervise your child at all times

Safety is the most important component of every family outing. New Jersey's amusement parks, fairs, carnivals and attractions are some of the best in the country and are designed to entertain every member of your family. So the next time you visit your favorite amusement park, fair or carnival, just remember to be "Ready to Ride."



Non-residential Development Fee Moratorium, 8-29-11 Letter to Construction Officials

Non-residential Development Fee

continued from left

In a letter dated August 29, 2011, Director Smith wrote:

Dear Construction Official:

I am writing to inform you that the collection of nonresidential development fees has been suspended. You no longer are required to obtain proof of payment or proof of exemption prior to the issuance of a certificate of occupancy. This will be the case for any project that receives preliminary or final site plan approval before July 1, 2013 and that has a building permit before January 1, 2015.

This change came about on August 24, 2011 when Acting Governor Kim Guadagno signed into law P.L. 2011, c.122 which includes an amendment to the Statewide Non-residential Development Fee Act (P.L. 2008, c.46) that suspends the collection of non-residential development fees and provides a process by which developers may claim refunds of non-residential development fees paid.

Under this law, a developer that has paid a non-residential development fee subsequent to June 30, 2010 may claim a refund of the fee provided the fee has not been expended by the municipality on affordable housing projects and provided the provisions of Section 37 of the Statewide Non-residential Development Fee Act, as amended, do not permit the imposition of a fee on the non-residential development.

Individuals who believe they are entitled to a refund should be directed to request the refund from the State or local entity to which the payment was made. If a non-residential development fee was paid to the municipality, the request for a refund must be submitted to the municipality. If a non-residential development fee was paid to the State, the request for a refund must be submitted to the State. The request must be made in writing within 120 days of the law being signed and must include a copy of the receipt of payment.

Individuals who are seeking refunds from a municipality and who have questions about their eligibility for refunds should be directed to the local tax assessor.

Individuals seeking refunds from the State may submit the requests to:

Department of Community Affairs
Division of Codes and Standards
Post Office Box 802
Trenton, New Jersey 08625
Attn: Non-residential Development Fee Coordinator

If you have questions about this, please feel free to contact my office at (609) 292-7899.

Sincerely,

Edward M. Smith
Director
Division of Codes and Standards

Emergency Building Inspection Program: A Timely Reminder

In an August 2011 Alert the Office of Regulatory Affairs reminded licensed code officials:

There are current indications that a potentially large hurricane could make landfall in the State of New Jersey sometime on Saturday, August 27 or Sunday, August 28.

It is anticipated there might be a need for licensed Uniform Construction Code (UCC) Officials to ensure timely re-occupancy of buildings throughout the State.

Local UCC Enforcing Agencies should be reminded to utilize their officials to the greatest extent possible. Additionally, existing mutual aid agreements should be engaged if local resources are overwhelmed.

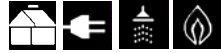
As stated at N.J.A.C. 5:23-4.25, if local and mutual aid resources are exhausted, the Division of Codes and Standards shall be contacted for additional resources.

If Division resources are necessary, please contact Louis Mraw or Carmine Giangeruso of the Division's Office of Regulatory Affairs, at 609-984-7768 or 609-610-2937.

A Flooding Hazards instructional pamphlet prepared by the Department may be found at: <http://www.nj.gov/dca/divisions/codes/alerts/pdfs/flood.pdf>.

Please use this as a resource throughout your community.

The Flood Hit! Now What?



In an article originally published in Summer 2007 but posted at the Division's website in Summer 2011 again as a reminder, the Division advised:

When flooding causes damage throughout your community, as a local Uniform Construction Code (UCC) enforcement agency, you may be called on to assist in the process of returning building occupants safely back into their homes or businesses. UCC enforcement agencies should provide property owners with the necessary support to evaluate conditions in identified damaged buildings. Depending on the extent of damage to the building, examples of tasks that your agency might be asked to complete are:

- Assessment by building inspectors of damage to foundation walls and inspection for signs of structural damage
- Evaluation by electrical inspectors of the damage to the property's electrical system, including the electrical service and whether reconnection can be made by the utility provider
- Evaluation by plumbing inspectors of the condition of the property's piping and fuel service, including recommending when it is safe to turn service back on
- Evaluation by fire-protection inspectors of the status of fire-protection systems within buildings

Completing these tasks may be overwhelming to your agency, depending on the extent of flood damage in your community. The Department of Community Affairs, Division of Codes and Standards is able to provide assistance to local enforcement agencies in helping a community complete the above tasks during a disaster. A brochure, "Flooding Hazards: What You Need to Know," is available on the Department's web site at:

<http://www.nj.gov/dca/divisions/codes/alerts/pdfs/flood.pdf>

Please feel free to reach out to me with questions or comments. I can be reached at (609) 292-7898 or cgjangeruso@dca.state.nj.us.

Source: Carmine Giangeruso
Division of Codes and Standards
Construction Official/Emergency Coordinator



Flood Permits Surcharge Fee

In a letter dated August 29, 2011, Director Smith wrote:

Dear Construction Official:

As you deal with inspections in the wake of Hurricane Irene, please be reminded that the municipality may waive fees for permits for work done as a result of this event. Pursuant to N.J.A.C. 5:23-4.19(b)5., if the municipality is waiving its fees, then the State permit surcharge fee is also waived.

Should you have any questions, please feel free to contact the Office of Regulatory Affairs at (609) 984-7672.

Sincerely,

Edward M. Smith
Director
Division of Codes and Standards



Attention New Jersey Licensed Code Officials

In an August 25, 2011 Alert the Division of Code and Standards advised:

There are current indications that a potentially large hurricane could make landfall in the State of New Jersey sometime on Saturday, August 27 or Sunday, August 28.

It is anticipated there might be a need for licensed Uniform Construction Code (UCC) Officials to ensure timely re-occupancy of buildings throughout the State.

Local UCC Enforcing Agencies should be reminded to utilize their officials to the greatest extent possible. Additionally, existing mutual aid agreements should be engaged if local resources are overwhelmed.

As stated at N.J.A.C. 5:23-4.25, if local and mutual aid resources are exhausted, the Division of Codes and Standards shall be contacted for additional resources.

Attention Licensed Officials

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If Division resources are necessary, please contact Louis Mraw or Carmine Giangeruso of the Division's Office of Regulatory Affairs, at 609-984-7768 or 609-610-2937.

A Flooding Hazards instructional pamphlet prepared by the Department may be found at:

<http://www.nj.gov/dca/divisions/codes/alerts/pdfs/flood.pdf>

Please use this as a resource throughout your community.



Annual Pool Bonding and Grounding Inspections and Backflow Preventer Testing



In a March 7, 2011 e-mail message, the Division of Codes and Standards advised:

To assist in implementing rules concerning the annual bonding and grounding inspection of swimming pools, spas and hot tubs, and also the annual testing of backflow preventers, the Division of Codes and Standards has developed *model* notices and reminders that may be used by municipal Construction Code Enforcement offices when advising property owners of expiring Certificates of Compliance and inspection and testing requirements.

Both the *model* Annual Pool/Spa/Hot Tub Inspection Notice and the *model* Annual Testing of Backflow Preventer Reminder may be found on the division's website at: www.nj.gov/dca/divisions/codes/official.

If you have any questions concerning the model notice or model reminder, or the inspection, testing and certificate requirements, please telephone the division's Code Assistance unit at (609) 984-7609.

Hurricane Irene-related Requests for Emergency Assistance Must Go Through County Emergency Management Coordinator

In a letter dated August 26, 2011, Director Smith wrote:

Dear Code Officials:

Yesterday, Governor Christie issued Executive Order 73 declaring a state of emergency in preparation for the arrival of Hurricane Irene. As part of this Executive Order, the Governor has directed that any movement of "public works, fire, police, emergency medical or other personnel or equipment into any noncontiguous disaster-stricken municipality" must be directed through the county emergency management coordinator. **In compliance with this Executive Order, any and all requests for assistance, whether made under the Emergency Building Inspection Program (NJAC 5:23-4.25) or not, must go through the county emergency management coordinator.** The county emergency management coordinators will be working under the direction of the State Director of Emergency Management. The contact information that the Department has collected under NJAC 5:23-4.25 will be used to identify available inspection resources for requests coming through the county emergency management coordinators.

As always, we stand ready to help one another respond to emergent situations. Funneling the requests through the county emergency management coordinators will enable us to get help where it is needed in the event that the damage is widespread.

Thank you for your anticipated cooperation.

Sincerely,

Edward M. Smith
Director
Division of Codes and Standards



Announcement: NJ UCC Energy Subcode Training Opportunities

In a January 2011 Alert, the Division of Codes and Standards announced:

The Department of Community Affairs has received an award from the United States Department of Energy to conduct training in the newly adopted Energy Subcode of the Uniform Construction Code for construction code officials, design professionals, and builders. More than 40 training courses will be held throughout New Jersey between March and June of this year. The training will include courses on the 2009 International Energy Conservation Code (IECC/2009) and on the American National Standards Institute/American Society of Heating, Refrigeration, and Air-conditioning Engineers/Illuminating Engineers Society North America (ASHRAE) 90.1-2007. The training courses will be offered for credit toward meeting continuing education requirements for construction code official licensing. Each course will offer duplicate credit in the building and electrical technical areas.

There will be a priority registration for licensed construction code officials beginning on January 18, 2011. Design professionals and builders may register for the training courses beginning on February 16, 2011.

The training courses are free for all registered participants. In addition, the IECC/2009 and ASHRAE 90.1-2007 will be provided in a single volume free of charge to those who participate in the training. See below for schedule of training. (Please note that a conference fee applies to anyone who registers for the April 28th and/or April 29th training courses which are being offered as part of the Building Safety Conference.)

Construction code officials, design professionals, and builders may register for the courses by contacting the Education Unit in the Division of Codes and Standards of the Department of Community Affairs at (609) 984-7820 or by e-mailing the Unit at educationunit@dca.state.nj.us. When calling or emailing to register, please be sure to provide your construction code license number (if applicable), the appropriate course code noted below, and the date(s) of the training that you would like to attend. A confirmation of registration will be provided approximately two weeks prior to the training.

Schedule of Training

IECC/2009

Course Code D146 (B565/E159)

Date

March 22, 2011
March 24, 2011
March 29, 2011
March 31, 2011
April 5, 2011

Location

Holiday Inn – Hasbrouck Heights
Holiday Inn – Clinton
Birchfield Fire Department Headquarters – Mt. Laurel
Rutgers Center for Government Services – New Brunswick
Quality Inn – Toms River

Energy Code Training *continued from page 8*

April 7, 2011	Ramada Inn – East Hanover
April 14, 2011	Northeast Spa & Pool Association – Hamilton (Mercer County)
April 28, 2011	Building Safety Conference – Taj Mahal – Atlantic City
May 4, 2011	Hampton Inn – Woodbridge
May 6, 2011	Rutgers EcoComplex – Bordentown (Columbus)
May 10, 2011	Convention Center – Wildwood
May 12, 2011	The Inn at Lambertville Station – Lambertville
May 18, 2011	Ramada Inn – Vineland
May 19 & May 20, 2011	Wilshire Grand Hotel – West Orange
June 1, June 2 & June 3, 2011	Rutgers Center for Government Services – New Brunswick
June 7 & June 8, 2011	Holiday Inn – Cherry Hill
June 14, June 15 & June 16, 2011	Atlantic Cape Community College – Atlantic City
June 21, June 22, June 23 & June 24, 2011	Quality Inn – Toms River

ASHRAE 90.1-2007
Course Code D147 (B566/E160)

Date	Location
March 23, 2011	Holiday Inn – Hasbrouck Heights
March 25, 2011	Holiday Inn – Clinton
March 30, 2011	Birchfield Fire Department Headquarters – Mt. Laurel
April 1, 2011	Rutgers Center for Government Services – New Brunswick
April 6, 2011	Quality Inn – Toms River
April 8, 2011	Ramada Inn – East Hanover
April 15, 2011	Northeast Spa & Pool Association – Hamilton (Mercer County)
April 29, 2011	Building Safety Conference – Taj Mahal – Atlantic City
May 5, 2011	Hampton Inn – Woodbridge
May 11, 2011	Convention Center – Wildwood
May 13, 2011	The Inn at Lambertville Station – Lambertville
May 17, 2011	Ramada Inn – Vineland



Edward M. Smith
 Director
 Division of Codes and Standards

**League of Municipalities’ New Jersey Municipalities Magazine
 Article: When Time is Money,
 Communicate Via E-mail**

In a March 15, 2011 e-mail message, the Division of Codes and Standards announced:

Below please find a link to an article on the use of electronic communications for code enforcement which appeared in the March issue of New Jersey Municipalities, the magazine published by the New Jersey League of Municipalities.

<http://www.njslom.org/magazine/2011-03/pg-26.html>

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