

(d) Pursuant to Reorganization Plan No. 114-1996, the Department or the municipal code enforcing agency shall have authority to enforce and cite violations of N.J.A.C. 6A:26-6.2.

Amended by R.1986 d.142, effective May 5, 1986.

See: 17 N.J.R. 1169(a), 18 N.J.R. 945(a).

New (a)7; old (a)7 through 9 renumbered (a)8.-10.

Administrative Change: This section was originally part of N.J.A.C. 5:23-3.11.

See: 18 N.J.R. 1842(a).

Amended by R.1988 d.155, effective April 4, 1988.

See: 20 N.J.R. 824(d).

Added (d). This was amended by the rule adoption of the Department of Education published in the New Jersey Register at 20 N.J.R. 824(d).

Administrative Correction to (c).

See: 22 N.J.R. 2503(b).

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to P.L. 1990, c.23, qualified agencies may perform plan review of public school structures.

Amended by R.1991 d.309, effective June 17, 1991.

See: 23 N.J.R. 1084(a), 23 N.J.R. 1922(a).

Rule conformed to P.L. 1990 c. 23; text at (c) revised to specify type of project covered; BOCA cites updated; reference to N.J.A.C. 6:22 added.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

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

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

Deleted (a); recodified former (b) through (e) as (a) through (d); in (b), inserted "Prior to the release . . . of projects,"; in (b)1 and 2, inserted "public" preceding "school buildings"; in (c)7, deleted option of inspecting agency requiring subsequent correction of any errors in the plans, inserted second sentence, and in third sentence amended notice provisions.

Amended by R.1998 d.332, effective July 6, 1998.

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

In (d), substituted "alarm" for "detection", changed BOCA reference and substituted a reference to (d)5ii for a reference to (e)5ii in 5, and changed BOCA in 6.

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

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

Rewrote the section.

Amended by R.2001 d.127, effective April 16, 2001.

See: 33 N.J.R. 392(a), 33 N.J.R. 1195(a).

In (a)3, substituted "instructional spaces, the size of any such spaces" for "units" and substituted "such" for "instructional".

Administrative change.

See: 33 N.J.R. 4101(a).

5:23-3.11B Underground storage tank systems

(a) The installation, repair (other than "minor repair," as defined in N.J.A.C. 7:14B-10.5), and closure (or "demolition") of underground storage tank systems, as defined in N.J.A.C. 7:14B-10.1, shall be controlled by the State Uniform Construction Code and by N.J.A.C. 7:14B-1 through 15.

(b) A DEP permit for the installation, repair or closure of an underground storage tank system that requires a DEP approval, or any part thereof, or an emergency permit granted pursuant to N.J.A.C. 7:14B, shall be a prior approval for any permit application submitted pursuant to the State Uniform Construction Code Act and these rules. Applicants installing secondarily contained systems for which no prior DEP approval is necessary shall be required

to submit engineering drawings of the secondarily contained systems and to certify that the underground storage tank system meets all requirements of N.J.A.C. 7:14B.

(c) Construction code officials shall retain all penalty powers, as set forth in these rules, with respect to the installation, usage or closure (demolition) of underground storage tank systems and parts thereof in violation of the State Uniform Construction Code Act or these rules.

(d) The following types of underground storage tank systems requiring a construction permit are exempt from the requirements of N.J.A.C. 7:14B:

1. Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. Tanks with a capacity of 2,000 gallons or less used to store heating oil for onsite consumption in a nonresidential building;
3. Tanks used to store heating oil for onsite consumption in a residential building;
4. Septic tanks installed in compliance with rules adopted by DEP pursuant to P.L. 1954, c.199 (N.J.S.A. 58:11-23 et seq.);
5. Tanks situated in an underground area, including, but not limited to, basements, cellars, mines, drift shafts, or tunnels, if the storage tank is situated upon or above the surface of the floor;
6. Tanks situated in an underground area, including, but not limited to, basements, cellars, mines, drift shafts, or tunnels, if the storage tank is equipped with secondary containment and is uncovered so as to allow visual inspection of the exterior of the tank;
7. Wastewater treatment tanks;
8. Electrical equipment;
9. Hydraulic lift tanks; and
10. Any pipes, lines, fixtures, or other equipment connected to any tank exempted from the provisions of N.J.A.C. 7:14B as set forth in (b)1 to 9 above.

New Rule, R.1990 d.562, effective November 19, 1990.

See: 22 N.J.R. 2629(c), 22 N.J.R. 3482(d).

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

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

In (d)3, deleted maximum capacity for tanks of 2000 gallons.

Amended by R.1998 d.332, effective July 6, 1998.

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

In (d)3, deleted "with a capacity of 2000 gallons or less" following "Tanks".

5:23-3.12 Amended rules

Whenever the Commissioner shall make any modifications to the rules, notice of same shall be published in the New Jersey Register.

Amended by R.1995 d.544, effective October 16, 1995.
 See: 27 N.J.R. 2827(a), 27 N.J.R. 3933(a).
 Amended by R.2000 d.413, effective October 16, 2000.
 See: 32 N.J.R. 2278(a), 32 N.J.R. 3783(a).
 Rewrote the section.

5:23-3.13 State-sponsored code change proposals

(a) Any municipality, other political subdivision, or agency of the State seeking to submit a "State-sponsored code change proposal" shall do so not less than 90 days prior to the code change meeting of the model code adoption agency for which the amendment is proposed.

(b) Such proposal shall be on a form provided by the model code organization where one is available. If none is available, such proposal shall state the name and address of the official proposing the code change, the agency or political subdivision represented, the text of the amendment suggested and an explanation of the amendment together with any technical justification deemed necessary by the proponents.

(c) A hearing shall thereafter be held in accordance with N.J.S.A. 52:27D-124 of the Act.

(d) Copies of the submitted applications for code change proposals, transcripts of hearings on such applications and State-sponsored code change proposals as adopted, shall be available from the department at a fee of \$.50 per page.

(e) Whenever a model code change hearing is scheduled so as not to permit adequate time to meet the procedures set forth in this section and in N.J.S.A. 52:27D-124 of the Act, the Commissioner may hold a hearing and require the advice of the code advisory board within a lesser time period, as the situation dictates.

5:23-3.14 Building subcode

(a) Rules concerning the building subcode adopted are as follows:

1. Pursuant to authority of P.L. 1975, c.217, as modified by P.L. 1996, c.53, the Commissioner hereby adopts the model code of the Building Officials and Code Administrators International, Inc., known as the "BOCA National Building Code/1996." This code is hereby adopted by reference as the building subcode for New Jersey subject to the modifications stated in (b) below.

i. Copies of this code may be obtained from the sponsor at: BOCA, International, 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795.

ii. "The BOCA National Building Code/1996," may be known and cited as the "building subcode."

2. Any references to the mechanical code, plumbing code, CABO One and Two Family Dwelling Code, CABO A117.1 standard (including reference to chapter 11) or NFPA 70 (including reference to Chapter 27) listed in Chapter 35 shall be considered a reference to the appropriate adopted mechanical, plumbing, one and two family dwelling or electrical subcode referenced in N.J.A.C. 5:23-3 or to the barrier-free subcode, N.J.A.C. 5:23-7, as appropriate.

(b) The following chapters of the building subcode are modified as follows:

1. Chapter 1 of the building subcode, entitled "Administration," is deleted in its entirety.

2. The following amendments are made to Chapter 2 of the building subcode, entitled "Definitions," section 202.0, general definitions:

i. The term and definition of "Additions" is deleted;

ii. The definition of the term "Agricultural building" is amended to add a sentence as follows: "Structures qualifying under the Uniform Construction Code definition of Commercial Farm Buildings may be built according to the regulations at N.J.A.C. 5:23-3.2(d).";

iii. The definition of the term "Approved" is amended to delete the phrase "or other authority";

iv. The phrase and definition of "Approved material, equipment and methods" is deleted;

v. The term and definition of "Approved rules" is deleted;

vi. The term and definition "Attic, habitable" are added from the 1990 BOCA National Building Code as follows: "Attic, habitable: A habitable attic is an attic which has a stairway as a means of access and egress and in which the ceiling area at a height of seven feet above the attic floor is not more than one third of the area of the next floor below."

vii. The definition of the term "Building" is deleted and replaced by the definition at N.J.A.C. 5:23-1.4;

viii. The term and definition of "Building, existing" is deleted;

ix. The term and definition of "Building line" is deleted;

x. The term and definition of "Building service equipment" is deleted and replaced by the term and definition of "equipment" at N.J.A.C. 5:23-1.4;

xi. The definition of the term "Code official" is deleted and is redefined herein and throughout the subcode as the "building subcode official" as defined in N.J.A.C. 5:23-1.4 unless indicated otherwise;

xii. The term and definition of "Equipment, existing" is deleted;

xiii. The terms and definitions of "hereafter" and "heretofore" are deleted;

xiv. The term and definition of "Jurisdiction" is deleted;

xv. The term and definition of "Occupancy, change of" is deleted;

xvi. The definition of "Owner" is deleted and replaced by the definition at N.J.A.C. 5:23-1.4;

xvii. The term and definition of "Permit" is deleted;

xviii. The term and definition of "Person" is deleted;

xix. The term and definition of "Repair" is deleted;

xx. The definition of the term "Structure" is replaced by the definition at N.J.A.C. 5:23-1.4;

xxi. The term and definition "Structure, existing" is deleted;

xxii. The term and definition of "Writing" is deleted;

xxiii. The term and definition of "Zoning" is deleted.

3. The following amendments are made to Chapter 3 of the building subcode, entitled "Use or Occupancy."

i. Section 301.2 is deleted;

ii. Section 307.8 is amended to replace the term "less" in the second line of exception #3 with the term "more."

iii. Section 310.6 is amended to delete the phrase "not more than three stories in height."

iv. Section 312.0 is deleted and substitute in lieu thereof section 312.0 of the 1993 BOCA National Building Code as follows: "312.0 Utility and Miscellaneous Use Group—312.1 General: Buildings and structures of an accessory character and miscellaneous structures not classified in any specific use group shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Use Group U shall include fences over 6 feet (1829 mm) high, tanks, cooling towers, retaining walls and buildings such as private garages, carports, sheds and agricultural buildings.

v. Table 313.1.2 is modified to delete Use Group U from the table.

4. The following amendments are made to Chapter 4 of the building subcode, entitled "Special Use and Occupancy";

i. Section 415.1 is amended to replace the phrase "authority having jurisdiction" with the term "construction official";

ii. Section 416.11 is deleted;

iii. Section 420.0 is amended to replace the terms "Mobile Units," "Unit" and "Units" with the terms "Manufactured Homes," "Home" and "Homes" respectively;

iv. Sections 420.1 and 420.2 are deleted in their entirety;

v. Section 421.3 is amended to replace the term "code official" with the term "construction official";

vi. Section 421.6 is amended to end with the phrase "in accordance with the plumbing subcode";

vii. Section 421.6.1 is deleted;

viii. Section 421.6.2 is amended to end with the phrase "in accordance with the plumbing subcode";

ix. Section 421.9.3 is amended to replace the term "governing body" with the term "construction official."

x. Section 421.10.1 #9 of the 1996 BOCA National Building Code is deleted in its entirety.

5. The following amendment is made to Chapter 5 of the building subcode, entitled "General Building Limitations":

i. Table 503 is modified to delete Use Group U from the table.

6. The following amendments are made to Chapter 7 of the building subcode, entitled "Fireresistant Material and Construction":

i. Table 705.2 is modified to delete U^d in the second column and U^c in the fourth column under the heading of Use Group. Delete "Note c" and "Note d" of the table.

ii. Table 707.1 is modified to delete U under the heading of Use Group in the second row.

iii. Section 721.6.5 is deleted and substitute in lieu thereof the text of Section 720.6.5 of the 1993 BOCA National Building Code as follows: "Architectural Trim: Fireblocking shall be installed in exterior cornices and other exterior architectural elements where permitted of combustible construction in Section 1406.0, or where erected with combustible frames, at maximum intervals of 20 feet (6096 mm). If noncontinuous, such elements shall have closed ends, with at least 4 inches (102 mm) of separation between sections."

iv. Section 723.6 is deleted in its entirety.

7. The following amendments are made to Chapter 8 of the building subcode, entitled "Interior Finishes":

i. Table 803.4 is modified to delete U under the heading of Use Group in the eighth row.

ii. Sections 805.1, 805.2.1, 807.2.1 and 807.2.2 are amended to replace the term "code official" with the term "fire protection subcode official."

8. The following amendments are made to Chapter 9 of the building subcode, entitled "Fire Protection Systems":

- i. References to the term "code official" shall be replaced with the term "fire protection subcode official."
- ii. Section 901.4 is deleted in its entirety;
- iii. Section 903.1 is amended to replace the term "department" with the phrase "enforcement agency responsible for plan review," and in the note, to replace the word "Since" with the term "If";
- iv. Section 917.0 is amended to replace the phrase "administrative authority of the jurisdiction" with the term "fire protection subcode official;"
- v. Section 921.0 is deleted in its entirety.
9. The following amendments are made to Chapter 10 of the building subcode, entitled "Means of Egress":
- i. Section 1001.2 is amended to replace the phrase "Article 1 for modification of this code or by adoption of approved rules" with the regulations at "N.J.A.C. 5:23-2";
- ii. Section 1005.5 is deleted and substitute in lieu thereof Section 1005.5 of the 1993 BOCA National Building Code as follows: "1005.5 Open-sided floor areas: Guards shall be located along open-sided walking surfaces, mezzanines and landings which are located more than 30 inches (762 mm) above the floor or grade below. The guards shall be constructed in accordance with Section 1021.0. Exception: Guards are not required on the loading side of loading docks and the auditorium side of stages and raised platforms."
- iii. Section 1005.6 is deleted and substitute in lieu thereof section 1005.6 of the 1993 BOCA National Building Code as follows:
- "1005.6 Elevation Change: Where changes in elevation exist in exit access corridors, exits or exit discharge, ramps shall be used where the difference in elevation is less than 12 inches (305 mm). Exception: A maximum step height of 8 inches (203 mm) shall be permitted for buildings with occupancies in Use Groups F, H, R and S at exterior doors not required to be accessible by Chapter 11."
- iv. Section 1014.6 exception #8 is modified to replace the first sentence with the text of Section 1014.6 exception #8 of the 1993 BOCA National Building Code and retain the 1996 text for the second sentence as follows:
- "8. In occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2, the maximum riser height shall be 8¼ inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A nosing of not less than ¾ inches (19 mm) but not more than 1¼ inches (32 mm) shall be provided on stairways with a solid riser where the tread depth is less than 11 inches (279 mm)."
- v. Section 1014.6.3 is deleted and substitute in lieu thereof Section 1014.6.3 of the 1993 BOCA National Building Code as follows:
- "1014.6.3 Winders: Winders shall not be permitted in required means of egress stairways except in occupancies in Use Group R-3 and stairways serving a single dwelling unit. Such winders shall have a tread depth of not less than 9 inches (229 mm) at a point not more than 12 inches (305 mm) from the side where the tread is narrower and the minimum tread depth shall not be less than 6 inches (152 mm)."
- vi. Section 1014.9.1 is deleted and substitute in lieu thereof Section 1014.9.1 of the 1993 BOCA National Building Code as follows:
- "1014.9.1 Strength: All stairways, platforms and landings in other than occupancies in Use Group R-3 shall be adequate to support a live load of 100 pounds per square foot (488.20 kg/m²) and a concentrated load of 300 pounds (136.20 kg)."
- vii. Section 1017.1.1 is amended to add the word "nominal" at the end of the sentence at exception #2.
- viii. Section 1021.2 exception #1 is deleted and substitute in lieu thereof Section 1021.2 exception #1 of the 1993 BOCA National Building Code as follows:
- "1. In other than occupancies in Use Group E, guards shall not be less than 34 inches (864 mm) in height above the leading edge of the tread along stairs which are not more than 20 feet (6096 mm) in height or which reverse direction at an intermediate landing with 12 inches (305 mm) or less measured horizontally between successive flights."
- ix. In Section 1021.3, sentences 1 and 2 and Exceptions 1 and 2 shall be deleted and Section 824.3 of the 1990 BOCA National Building Code shall be inserted as follows:
- "Opening limitations: In buildings of Use Groups A, B, E, I-1, I-2, M and R, and in public garages and open parking structures, open guards shall have balusters or other construction such that a sphere with a diameter of 4 inches (102 mm) cannot pass through any opening.
- Exception: The triangular openings formed by the riser, tread, and bottom rail at the open side of a stairway shall be of a maximum size such that a sphere 6 inches (152 mm) in diameter cannot pass through the opening. In buildings of Use Groups I-3, F, H, and S, other than public garages and open parking structures, the construction shall not permit a sphere with a diameter of 21 inches (533 mm) to pass through any opening."
- x. Section 1021.2, exception #3 is deleted in its entirety.

xi. Section 1022.2 and the exception are deleted and substitute in lieu thereof Section 1022.2 of the 1993 BOCA National Building Code as follows:

“1022.2 Handrail details: Handrail-gripping surface shall be continuous, without interruption by newel posts, other structural elements or obstructions. A handrail and any wall or other surface adjacent to the handrail shall be free of any sharp or abrasive elements. The clear space between the handrail and the adjacent wall or surface shall not be less than 1½ inches (38 mm). Edges shall have a minimum radius of ⅛ inch (3 mm).”

xii. Section 1022.2.2 exception #1 is deleted and substitute in lieu thereof Section 1022.2.2 exception #1 of the 1993 BOCA National Building Code as follows:

“1. Handrails that form part of a guard shall have a height not less than 34 inches (864 mm) and not more than 42 inches (1067 mm).”

xiii. Section 1022.2.4 is deleted and substitute in lieu thereof the text of Section 828.2.4 of the 1987 BOCA National Building Code as follows:

“Handrail grip size: For all stair handrails located within a dwelling unit, the maximum horizontal cross-sectional dimension of the handrails shall not exceed 2 ⅝ inches (67 mm).”

xiv. Section 1024.1 is modified to delete the second sentence in the paragraph.

xv. Section 1028.2 is deleted.

10. Chapter 11 is deleted in its entirety and replaced by N.J.A.C. 5:23-7.

11. Chapter 12 of the building subcode, entitled “Interior Environment”, is modified as follows:

i. Sections 1207.2 and 1207.2.1 entitled “Stairway illumination” and “Controls,” respectively, are deleted in their entirety.

ii. Section 1210.1 is deleted and substitute in lieu thereof Sections 1210.1 and 1210.1.1 of the 1993 BOCA National Building Code as follows:

“1210.1 Roof spaces: Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilation openings that are protected against the entrance of rain and snow. The openings shall be covered with corrosion-resistant mesh not less than ¼ inch (6 mm) nor more the ½ inch (13 mm) in any direction.

1210.1.1 Ventilation Area: The minimum required net free ventilation area shall be 1/150 of the area of the space ventilated, except that the minimum required area shall be reduced to 1/500, provided that: a vapor retarder having a permeance not exceeding 1

perm is installed on the warm side of the ceiling; or at least 50 percent, and not more than 80 percent, of the required ventilating area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet (914 mm) above eave or cornice vents, with the balance of the required ventilation provided by eave or cornice vents.”

12. Chapter 13 entitled “Energy Conservation” is deleted in its entirety.

13. The following amendment is made to Chapter 14 of the building subcode, entitled “Exterior Wall Coverings”:

i. Section 1405.3.11, entitled “Foundation Insulation” is deleted in its entirety.

14. The following amendment is made to Chapter 15 of the building subcode, entitled “Roofs and Roof Structures”:

i. Section 1512.1 is amended to delete the sentence “The repair . . . for new roofing.”

15. The following amendments are made to Chapter 16 entitled “Structural Loads”:

i. Table 1609.7(6) Note e is deleted and substitute in lieu thereof the text of Table 1611.7(6) Note e of the 1993 BOCA National Building Code as follows: “Note e. Openings are permanent openings and those that are likely to be breached during wind having the basic wind speed per Section 1609.3. Doors and windows which have been designed for wind loads in accordance with Section 1609.8 are to be considered enclosures.”

ii. Section 1614.5 is amended to replace the term “Change of Occupancy” with the term “Change of Use as per N.J.A.C. 5:23-2.6”;

16. The following amendments are made to Chapter 17 of the building subcode, entitled “Structural Tests and Inspections”:

i. Section 1701.2 is amended to replace the term “approved rules” with the word “regulations”;

ii. In Section 1702.1, the definition of the term “approved agency” is amended to add the words “by the building subcode official or other authority having jurisdiction in accordance with the regulations” after the word “approved”;

iii. In Section 1702.1, the definition and the term “Inspection, special” are deleted;

iv. Section 1705.1 is amended to add the words “for Class 1 structures or when requested by the building subcode official” after the words “special inspections” on lines 1 and 2;

v. Section 1705.1.1 is deleted in its entirety and replaced with the sentence: “Permit applications shall be made in accordance with N.J.A.C. 5:23-2.15”;

vi. Section 1705.2 is amended to add the sentence: "Building elements fabricated off site shall be approved in accordance with N.J.A.C. 5:23-4.26";

vii. Section 1705.3.1 is deleted in its entirety;

viii. Section 1707.1 is amended to replace the phrase "approved rules" with the word "regulations," and to replace the phrase "Section 106.0" with the phrase "the regulations."

17. The following amendments are made to Chapter 18 entitled "Foundations and Retaining Walls."

i. Table 1812.3.2(1) and Table 1812.3.2(2) are amended as follows:

Table 1812.3.2(1)

PLAIN MASONRY AND PLAIN CONCRETE FOUNDATION WALLS^a

Wall height (feet) ^f	Depth of unbalanced backfill height (feet) ^f	Plain masonry ^c			
		GW, GP, SW, and SP soils	Minimal nominal wall thickness (inches) ^f Soil classes and lateral soil load ^a (pounds per square foot per foot of depth) ^f GM, SM, SM-SC, ML, inorganic CL	GC, SC and MH soils	
7	4 (or less)	30/8	45/8	60/8	
	5	8	10	10	
	6	10	12	10 (solid ^b)	
	7	12	10 (solid ^b)	12 (solid ^b)	
	4 (or less)	8	8	8	
8	5	8	10	12	
	6	10	12	12 (solid ^b)	
	7	12	12 (solid ^b)	Note c	
	8	10 (solid ^b)	12 (solid ^b)	Note c	
	4 (or less)	8	8	8	
9	5	10	10	12	
	6	12	12	12 (solid ^b)	
	7	12	12 (solid ^b)	Note c	
	8	12 (solid ^b)	Note c	Note c	
	9	Note c	Note c	Note c	

Plain concrete

Wall height (feet) ^f	Depth of unbalanced backfill height (feet) ^f	Plain concrete			
		GW, GP, SW, and SP soils	Minimal nominal wall thickness (inches) ^f Soil classes and lateral soil load ^a (pounds per square foot per foot of depth) ^f GM, SM, SM-SC, ML, inorganic CL	GC, SC and MH soils	
7	4 (or less)	30/7½	45/7½	60/7½	
	5	7½	7½	7½	
	6	7½	7½	8	
	7	7½	8	10	
	4 (or less)	7½	7½	7½	
8	5	7½	7½	7½	
	6	7½	7½	10	
	7	7½	10	10	
	8	10	10	12	
	4 (or less)	7½	7½	7½	

	5	7½	7½	7½
	6	7½	7½	10
9	7	7½	10	10
	8	10	12	12
	9	10	12	Note d

Note a. For design lateral soil loads and descriptions of soil classes, see Section 1611.0. Soil classes are in accordance with the Unified Soil Classification System and design lateral soil load are for moist soil conditions without hydrostatic pressure.

Note b. Solid grouted hollow units or solid masonry units.

Note c. An analysis in compliance with ACI 530/ASCE 5/TMS 402 or reinforcement in accordance with Table 1812.3.2(2) is required.

Note d. An analysis in compliance with ACI 318 is required.

Note e. Mortar shall be Type M or S and masonry shall be laid in running bond.

Note f. 1 foot = 304.8 mm; 1 inch = 25.4 mm; 1 pound per square foot = 47.9 Pa.

Table 1812.3.2(2)

REINFORCED CONCRETE AND REINFORCED MASONRY FOUNDATION WALLS^{a,b,c,d}

Wall height (feet) ^e	Depth of unbalanced backfill height (feet) ^e	Vertical reinforcement for 8-inch nominal wall (thickness) ^e Soil classes and lateral soil load ^a (pound per square foot per foot of depth) ^e GM, SM, SM-SC, ML, inorganic CL		
		GW, GP, SW, and SP soils	ML-CL soils	GC, SC and MH soils
7	4 (or less)	#4 at 48	#4 at 48	#4 at 48
	5	#4 at 48	#4 at 48	#4 at 40
	6	#4 at 48	#5 at 48	#5 at 40
	7	#4 at 40	#5 at 40	#6 at 48
	4 (or less)	#4 at 48	#4 at 48	#4 at 48
8	5	#4 at 48	#4 at 48	#4 at 40
	6	#4 at 48	#5 at 48	#5 at 40
	7	#5 at 48	#6 at 48	#6 at 40
	8	#5 at 40	#6 at 40	#7 at 40
	4 (or less)	#4 at 48	#4 at 48	#4 at 48
9	5	#4 at 48	#4 at 48	#5 at 48
	6	#4 at 48	#5 at 48	#6 at 48
	7	#5 at 48	#6 at 48	#7 at 48
	8	#5 at 40	#7 at 48	#8 at 48
	9	#6 at 40	#8 at 48	#8 at 32

Note a. For design lateral soil loads and descriptions of soil classes, see Section 1611.0. Soil classes are in accordance with the Unified Soil Classification System and design lateral soil load are for moist soil conditions without hydrostatic pressure.

Note b. Provisions to this table are based on construction requirements specified in Section 1812.3.2.1.

Note c. For alternate reinforcement, see Section 1812.3.2.2.

Note d. Mortar shall be Type M or S and masonry shall be laid in running bond.

Note e. 1 foot = 304.8 mm; 1 inch = 25.4 mm; 1 pound per square foot = 47.9 Pa.

18. The following amendment is made to Chapter 26 of the building subcode, entitled "Plastic":

i. Section 2603.5.1 is deleted in its entirety.

19. The following amendment is made to Chapter 27 of the building subcode, entitled "Electric Wiring, Equipment and Systems":

i. Chapter 27 is deleted in its entirety.

20. The following amendments are made to Chapter 28 of the building subcode, entitled "Mechanical Systems":

- i. Section 2803.0 is deleted in its entirety;
- ii. Section 2809.0 is deleted in its entirety.

21. Chapter 29 of the building subcode, entitled "Plumbing Systems" is deleted in its entirety.

22. The following amendments are made to Chapter 30 of the building subcode, entitled "Elevators and Conveying Systems":

- i. Section 3001.1 is amended to replace the phrase "Except as otherwise provided by statute, the" in the first line with "The", to add the phrase "and where applicable, of N.J.A.C. 5:23-12" after the word "Chapter" in the second line, to delete the phrase "and amusement devices" in the second sentence and to replace the term "code official" with the term "construction official" in the second sentence;

- ii. Section 3001.2 is amended to substitute the term "this code" for "these rules", to add the phrase "with the exception of Rule 1206.1h" after "ASME A17.1", and to add the following sentence at the end of the first paragraph: "However any education, experience or training requirements included or cited in reference standards shall not be binding in this State.";

- iii. Section 3002.1, "Hoisting and elevating equipment, miscellaneous," is amended to delete "inclined elevators" in the fourth line;

- iv. Section 3003.0 is deleted in its entirety except section 3003.3;

- v. Section 3004.1 is amended to delete the words "and maintenance" and substitute in lieu thereof "inspection and," and to delete the words "and periodic inspections";

- vi. Section 3004.2 is amended to add the words "and inspections" after the word "tests" in the title and after the words "All such tests" in the seventh line; to delete the words "this chapter" in the first sentence and "this code" in the second sentence and substitute in lieu thereof "these rules"; and to replace the term "code official" with the term "appropriate subcode official";

- vii. Sections 3004.3 and 3004.4 are deleted in their entirety;

- viii. Section 3004.5.2 is amended to delete the words "and amusement devices";

- ix. Section 3004.5.4 is amended to replace the term "code official" with the term "construction official";

- x. Section 3005.0 is deleted in its entirety with the exception of section 3005.4 which is amended to replace

the term "code official" with the term "construction official";

- xi. Section 3006.2 is amended to add in the fifth line after the words "rescue purposes," the phrase "and all elevators installed as part of an accessible route or approved to serve as an accessible means of egress";

- xii. Section 3009.0 is amended to delete the words "Signals and" after the word "Emergency" in the title;

- xiii. Section 3010.2.2 is amended to replace the term "code official" with the term "fire protection subcode official";

- xiv. Section 3012.2 is deleted;

- xv. Section 3012.4 is amended to replace the term "code official" with the term "construction official";

- xvi. Section 3012.5 is amended to replace the term "code official" with the term "construction official";

- xvii. Section 3013.0 is deleted in its entirety.

23. The following amendments are made to Chapter 31 of the building subcode, entitled "Special Construction":

- i. Section 3102.5 is deleted in its entirety.

- ii. Section 3104.1.1 is deleted in its entirety and replaced by the following language:

(1) Temporary structures: A construction permit is required for the erection, operation or maintenance of all temporary structures (excluding tents and tensioned membrane structures) covering an area in excess of 120 square feet, including all connecting areas or spaces with a common means of egress or entrance, or which are used or intended to be used for gatherings of 10 or more persons;

(2) Tents with appurtenances: A construction permit is required for the erection, operation or maintenance of all tents or tensioned membrane structures of any size if they contain appurtenances such as platforms or electrical equipment;

(3) Tents without appurtenances: No permit is required for the erection, operation or maintenance of any tent or tensioned membrane structure without appurtenances if the tent or structure is no more than 900 square feet in area and no more than 30 feet in any dimension (excluding canopies), whether it is one unit or composed of multiple units. Tents used exclusively for recreational camping purposes shall be exempt from the above requirements.

(4) A temporary greenhouse, also called a "hoop-house" or "polyhouse," used exclusively for the production or storage of live plants, shall be exempt from the permit requirements of the Uniform Construction Code if it meets the following criteria:

(A) There is no permanent anchoring system or foundation;

(B) There is no storage, temporary or otherwise, of solvents, fertilizers, gases, or other chemical or flammable materials;

(C) The structure is no wider than 31 feet and there is an unobstructed path of no greater length than 150 feet from any point to a door or fully accessible wall area; and

(D) The covering of the structure is of a material no greater than six mils (152.4 micrometers) in thickness, conforming to N.F.P.A. 701 standard, that yields approximately four pounds of maximum impact resistance to provide egress through the wall.

(5) The provisions of (b) 22ii(4) above notwithstanding, if a temporary greenhouse contains any device subject to the electrical subcode or any mechanical equipment subject to the mechanical subcode, then a permit shall be required for the device, system or fixture only. If the temporary greenhouse is connected to a potable water system, a permit shall be required for the backflow prevention devices only;

iii. Section 3104.6 is amended to replace the term "code official" with the term "construction official";

iv. Section 3106.5 is amended to replace the term "authorities" with "authorities having jurisdiction";

v. Section 3107.8 is amended to replace the term "Mobile units" with the term "Manufactured Homes";

vi. Section 3107.10 is amended as follows: The text from the phrase "sections 118.0" to the end is deleted and replaced with the following language: "N.J.A.C. 5:23-2.4";

vii. Section 3107.11 is amended to replace the term "Section 3403.0" with the term "N.J.A.C. 5:23-2.5";

viii. Section 3108.5 is amended to add the phrase "to comply with the requirements of the electrical subcode" after the word "grounded."

24. The following amendments are made to Chapter 32 of the building subcode, entitled "Construction in the Public Right of Way":

i. Section 3202.5 is deleted in its entirety.

ii. Section 3204.2 is deleted.

iii. Section 3205.1 is amended to replace the term "code official" on line 1 with the term "construction official".

25. The following amendments are made to Chapter 33 of the building subcode entitled "Site Work, Demolition and Construction":

i. Section 3302.1 is amended to replace the term "code official" on line 3 with the term "construction official";

ii. Section 3309.2 is amended to delete the words "and the construction and extension of soil and vent stacks and the location of window openings shall comply with the provisions of section 2908.3" and replace them with the following language:

(1) "When a new building is erected higher than an existing building, windows or other wall openings shall not be located nearer than 10 feet to an existing soil or vent stack on the lower building unless the owner of the new building makes the necessary provision to extend such soil or vent stacks to a height of not less than two feet above the topmost opening at his own expense and with the approval of the adjoining owner."

(2) "When the existing adjoining building is of greater height than the new building, the owner of the structure of greater height may, with consent of the owner of the new structure, extend all new soil, waste or vent stacks which are located within 20 feet of the common lot line to a level above the higher existing roof";

iii. Section 3310.0 is deleted in its entirety and replaced by N.J.A.C. 5:23-2.17.

iv. Section 3315.0 is amended to replace the words "Sections 1024.0 and 2702.2, item 5" with "Section 1024.0 and provide a level of illumination equivalent to at least 3 foot candles (32 lux);"

26. Chapter 34 entitled "Existing Structures" is deleted in its entirety.

27. The following amendments are made to Chapter 35 of the building subcode entitled "Referenced Standards":

i. Under the subheading "ASME", standard "A17.1-93", add "and A17.1b-95 Addendum" after "A17.1a-94 Addendum;"

ii. Under the subheading "Codes" delete the following titles:

(1) BOCA National Property Maintenance Code;

(2) ICC International Mechanical Code;

(3) ICC International Plumbing Code—with 1996 Supplement;

(4) ICC International Private Sewage Disposal Code—with 1996 Supplement;

(5) CABO Model Energy Code.

Amended by R.1981 d.132, effective May 7, 1981.

See: 13 N.J.R. 121(a), 13 N.J.R. 258(d).

Amended by R.1983 d.12, eff. February 7, 1983, operative February 22, 1983.

See: 14 N.J.R. 132(a), 15 N.J.R. 141(c).

Added (a)2 and (c).

Amended by R.1984 d.314, eff. August 6, 1984.

See: 16 N.J.R. 1139(a), 16 N.J.R. 2084(b).

This section was substantially amended.

Amended by R.1985 d.154, effective April 1, 1985 (operative July 1, 1985.)

See: 17 N.J.R. 239(a), 17 N.J.R. 810(a).

(a)2 added; subsection (c) added.

Correction: N.J.A.C. 5:23-3.14(c)5 was incorrect in adoption.

See: 17 N.J.R. 1409(a).

Amended by R.1985 d.324, effective July 1, 1985.

See: 17 N.J.R. 861(c), 17 N.J.R. 1646(a).

(b)3i: amended text.

Amended by R.1986 d.380, effective September 22, 1986.

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

Substantially amended.

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

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

Model subcode revisions.

Amended by R.1988 d.270, effective June 20, 1988.

See: 20 N.J.R. 575(a), 20 N.J.R. 1344(a).

Added (a)3 and (c).

Amended by R.1990 d.253, effective May 21, 1990.

See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).

Text added at (c)2ii, 4, 5 and 7.

Amended by R.1990 d.325, effective July 2, 1990.

See: 21 N.J.R. 1654(a), 22 N.J.R. 2001(a).

Text added at (b)5xii(1) to conform to Fire Code.

Amended by R.1990 d.507, effective October 15, 1990.

See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).

Text conformed to BOCA National Code/1990.

Amended by R.1990 d.558, effective November 19, 1990.

See: 22 N.J.R. 1969(b), 22 N.J.R. 3483(a).

Conditional exemption for hoophouses or polyhouses added.

Amended by R.1991 d.325, effective July 1, 1991.

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

Article 26 amended at (b)14.

Amended by R.1991 d.429, effective August 19, 1991.

See: 23 N.J.R. 1487(a), 23 N.J.R. 2501(a).

In (a), added 3. Added (c).

Amended by R.1992 d.244, effective June 15, 1992.

See: 24 N.J.R. 1147(a), 24 N.J.R. 2243(a).

Text added at (b)10v through viii.

Amended by R.1993 d.662, effective December 20, 1993.

See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1995 d.477, effective September 5, 1995.

See: 27 N.J.R. 1717(a), 27 N.J.R. 3328(a).

Added (b)2v.

Amended by R.1998 d.332, effective July 6, 1998.

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

Rewrote the section.

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

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

Rewrote (b)25.

Amended by R.2001 d.127, effective April 16, 2001.

See: 33 N.J.R. 392(a), 33 N.J.R. 1195(a).

In (a)9, added new ix and recodified former ix through xiii as new x through xiv.

Amended by R.2001 d.368, effective October 15, 2001.

See: 33 N.J.R. 1990(a), 33 N.J.R. 3673(b).

In (b)9, inserted a new ix and recodified former ix through xiv as x through xv.

Amended by R.2001 d.369, effective October 15, 2001.

See: 33 N.J.R. 2365(a), 33 N.J.R. 3674(a).

In (b), substituted "seven" for "7½ (2335 mm)" in 2vi, rewrote 10, added a new 17, and recodified former 17 through 26 as 18 through 27.

Case Notes

Set back provisions of borough zoning ordinance controlled conflicting state building code provisions. *Pfeuffer v. Sculco*, 242 N.J.Super. 181, 576 A.2d 309 (A.D.1990).

5:23-3.15 Plumbing subcode

(a) Rules concerning subcode adopted are as follows:

1. Pursuant to authority of P.L. 1975, c.217, as modified by P.L. 1996, c.53, the Commissioner hereby adopts the Model Code of the National Association of Plumbing Heating Cooling Contractors, known as "The National Standard Plumbing Code/2000," as the plumbing subcode for New Jersey.

i. Copies of this code may be obtained from the sponsor at: NAPHCC, P.O. Box 6808, Falls Church, VA 22046.

2. "The National Standard Plumbing Code/2000," may be known and cited as "the plumbing subcode."

(b) The following pages, chapters, sections or appendices of the plumbing subcode are amended as follows:

1. The section entitled "Administration," comprising sections ADM 1.1 through ADM 1.13, is deleted in its entirety.

2. Chapter 1 of the plumbing subcode, entitled "Definitions," is amended as follows:

i. The definition of the term "administrative authority" is deleted in its entirety, and substitute in lieu thereof the following language, "Unless otherwise defined herein, or unless the context clearly indicates otherwise, the term "administrative authority" for purposes of the plumbing subcode, shall mean the "plumbing subcode official."

ii. The definition of the term "approved" is amended to add after the word "authority" on line 2, the words "as defined in N.J.A.C. 5:23-3.7."

iii. The definition of the term "building" is deleted, and substitute in lieu thereof, the definition of the term "building" found in N.J.A.C. 5:23-1.4.

iv. The definition of the term "building classification" is amended to delete the term "administrative authority" and substitute in lieu thereof, the term "building subcode official."

v. The term and definition of "code" are deleted.

vi. The term and definition of "family" are deleted.

vii. The term and definition of "nuisance" are deleted.

viii. Add the following new definition after the definition of Swimming Pool: Swimming Pool, Public: A swimming pool located on any property other than a one or two family residential property and including,

but not limited to, swimming pools open to the use of members, residents or the public.

3. Chapter 2 of the plumbing subcode, entitled "General Regulations," is amended as follows:

i. Section 2.4.1 is amended to delete the sentence "The provisions of this paragraph may be waived by the administrative authority."

ii. Section 2.4.3 is amended to delete the phrase "or is approved by the administrative authority as having a desirable and acceptable function and is of ultimate benefit to the proper and continuing functioning of the plumbing system."

iii. Section 2.5 is deleted in its entirety.

iv. Section 2.9.3 is amended to delete the phrase "building code or as required by the proper administrative authority" and substitute in lieu thereof, the term "building subcode."

v. Section 2.12 is amended to delete subparagraph e.

vi. Section 2.16 is amended to insert the number "Forty-two" in the blank space under item (a), and to insert the number "Twenty-four" in the blank space under item (b). Under item (c), delete the words "as permitted in section 3.12.1."

vii. Section 2.19.1 is amended to delete the blank and the words "feet of any property line of the premises, or other."

viii. Section 2.19.2 is amended to delete the words "the Health Department or other agency having jurisdiction" and substitute in lieu thereof "The New Jersey Department of Environmental Protection."

ix. Section 2.25 (h) is amended to add at the end, the words "which does not otherwise adversely affect health and safety."

4. Chapter 3 of the plumbing subcode, entitled "Materials," is amended as follows:

i. Section 3.1.1 is amended in the heading to delete the word "minimum" and under items (a) and (b) to delete the words "Section 3.12.2" at the end and substitute in lieu thereof, the words "N.J.A.C. 5:23-3.7."

ii. Section 3.1.2 is amended to delete the words "at least" on line 1. Also the words "section 3.12" are deleted at the end of the first paragraph and substitute in lieu thereof, the words "N.J.A.C. 5:23-3.7."

iii. Section 3.1.3 is amended to delete the words "Section 3.12.2" on line 2 and in lieu thereof, substitute the words "N.J.A.C. 5:23-3.7."

iv. Section 3.3.8a is amended to add the following phrase: "Pressure vessels shall be designed and constructed in accordance with the requirements of American Society of Mechanical Engineers, (ASME), Rules for Construction of Pressure Vessels, Section VIII/1998. Any pressure vessel that exceeds any of the following, shall meet the requirements of ASME and shall be stamped ASME: A heat input rating of 200,000 BTU per hour; or a water temperature of 200 degrees Fahrenheit; or a nominal water capacity of 120 gallons or any other thresholds of ASME that apply."

v. Section 3.3.11 entitled "septic tank" is deleted in its entirety.

vi. Section 3.11.1 is amended to delete the phrase "approved by the Administrative authority".

vii. Section 3.11.2 is amended to delete the phrase "except as may be otherwise authorized by the administrative authority".

viii. Sections 3.12.1, 3.12.2, 3.12.3, 3.12.4, and 3.12.5 are deleted in their entirety.

5. Chapter 4 of the plumbing subcode entitled, "Joints and Connections" is amended as follows:

i. Section 4.2.17(a) is amended to delete the phrase "or be approved by the administrative authority."

ii. Section 4.3.8(b)(3) is amended to delete the words "be approved by the Administrative Authority if such products are not listed or labeled" and to add the phrase "or as permitted under N.J.A.C. 5:23-3.7."

6. Chapter 5 of the plumbing subcode entitled, "Traps, Cleanouts and Backwater Valves" is amended as follows:

i. Section 5.3.2 is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the words "administrative authority" on line 2.

ii. Section 5.3.4 is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the words "administrative authority" on line 1.

7. Chapter 6 of the plumbing subcode, entitled "Interceptors," is amended as follows:

i. Section 6.1.1 is amended to delete the phrase "in the opinion of the administrative authority" on line 1 and to add after line 3 the sentence "The determination of necessity shall be made by the plumbing subcode official in accordance with N.J.A.C. 5:23-3.3."

ii. Section 6.1.7 is deleted in its entirety.

iii. Section 6.3.2e. is amended to delete the words "administrative authority" in line 2 and substitute in lieu thereof "authority having jurisdiction."