

# Construction Code Communicator



State of New Jersey  
Christine Todd Whitman, Governor

Department of Community Affairs  
Jane M. Kenny, Commissioner

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## Carbon Monoxide Alarm Regulations Soon to be Adopted

In February of 1999, Governor Whitman signed into law an amendment to the Uniform Construction Code Act which requires the installation of carbon monoxide alarms (CO alarms) in buildings of Use Groups I-1, R-1, and R-2. The proposal will appear in the *New Jersey Register* on April 5th. The purpose of this article is to provide a summary of the proposed rules.

The only use groups required to be provided with CO alarms are I-1, R-1, and R-2, and certain attached R-3's. The alarms are required to be tested in accordance with UL 2034, which is entitled "Single and Multiple- Station Carbon Monoxide Alarms" and installed in accordance with NFPA 720, which is entitled "Installation of Household Carbon Monoxide Warning Equipment." Both of these documents allow the CO alarms to be either hard-wired or plug-in type.

There are several options for the installation of these devices.

1. If the dwelling unit or guestroom contains a fuel-burning appliance or has an attached garage, a CO alarm is required to be provided in the immediate vicinity of the sleeping rooms.
2. If the dwelling unit or guestroom is connected by duct work or ventilation shafts to a room containing a fuel burning appliance or to an attached garage, a CO alarm is required to be provided in the immediate vicinity of the sleeping rooms.
3. If the two conditions above do not require the installation of a CO alarm, but the building contains a fuel-burning appliance or

has an attached garage, common area CO alarms are required to be installed in the immediate vicinity of the room containing the fuel-burning appliance and in the immediate vicinity of any ventilation shaft on the floor containing the fuel-burning appliance, and within two stories above and below. As an alternative, one CO alarm may be installed in each unit.

The installation of CO alarms will be required in new construction as well as in rehabilitation projects. These requirements will also be located in the Hotel and Multiple Dwelling Regulations and the Rooming and Boarding House Regulations which means that a retrofit of the structures covered by these rules will be required.

To provide guidance, the Department of Community Affairs will be issuing a bulletin along with the adoption that will summarize the requirements of UL 2034 and NFPA 720 for those who are not familiar with them.

Source: John N. Terry  
Code Assistance Unit

## UCCARS System II Users

The State Training Fee Report does not exclude the monies collected for VOID Permits. If the State Training Fee (as reported on the State Training Fee Report) is not correct, you will need to provide a copy of the voided permit with your report and note the DCA fee not collected.

Source: Larry Wolford

### In This Issue

Anchor Straps .....	4
An Overview of Seismic Requirements in New Jersey .....	2
Asbestos Contractor/Worker Program Now Relocated To The Department of Community Affairs .....	2
Bad Habits For Control Number Users .....	5
Buildings Built In Vo-Tech Schools.....	8
Carbon Monoxide Alarm Regulations Soon to be Adopted.....	1
DCA Seeks Qualified Design Professionals .....	5
Drip Pans and Water Heaters.....	7

Index to the 1998 Construction Code Communicator (Volume 10) .....	7
New Jersey Model Code Adoptions .....	6
Pressure-Treated Wood .....	3
Refunds .....	4
Rehab Subcode Rescue Windows .....	4
Summary Sheet Reminder!! .....	8
The TCO Issue .....	6
UCCARS System II Users.....	1
UPDATE: "High-Temperature Plastic Vent Pipe" .....	5
When Is A Rehab <i>NOT</i> A Rehab?.....	6

## Asbestos Contractor/Worker Program Now Relocated To The Department of Community Affairs

As a construction official, you know that there are thousands of manufactured products containing asbestos that have been used in building applications. Uses range from sprayed and troweled-on wall or ceiling materials, fire or heat/cold/anti-corrosive insulation and sound-deadening materials, pipe wrap, dry-wall patching compounds and textured paints, cement sheeting and millboard, roofing, shingles and siding materials to vinyl or sheet flooring materials and gaskets. The disturbance of asbestos-containing materials (ACM) by renovation, demolition, or abatement activities presents a potential danger to public health, especially where buildings are occupied and disturbance involves friable ACM.

Subchapter 8 of the Uniform Construction Code, which addresses asbestos abatement in schools and public buildings, has been a familiar topic to construction officials for years. However, the Asbestos Contractor/Worker Program that has been transferred to the Department of Community Affairs (DCA), Division of Codes and Standards on May 29, 1998 (from the Department of Labor, due to the Governor's Reorganization Plan) has served important and significant functions relating to all asbestos abatement work in New Jersey since June 1985.

Asbestos abatement employer licenses and individual worker and supervisor performance permits are issued by the DCA through the Asbestos Contractor/Worker Program. As a general rule, employers who apply, enclose, encapsulate, repair, or remove ACM greater than 1% asbestos and in excess of 3 square feet or 3 linear feet must possess a New Jersey asbestos abatement license. Workers and supervisors who perform asbestos abatement work while in the employ of a licensed asbestos employer must possess individual performance permits (photo identification cards). The Asbestos Contractor/Worker Program issues nontransferable employer asbestos licenses after the company is able to demonstrate through the application process that it is competent and knowledgeable to perform asbestos work safely, minimizing health risks to the public. Workers and supervisors qualify for a permit after taking a New Jersey Department of Health/Senior Services-approved asbestos training course, and after passing a written examination.

In addition to the issuance of credentials to those companies and individuals that perform asbestos work in New Jersey, the Program also conducts investigations and inspections of asbestos abatement sites. The abatement employer and its employees must have proper certification and must be performing work satisfactorily to protect human health and the environment.

Credentials must be made readily available for inspection. Program inspectors visit all types of buildings (public, private, and commercial) in order to regulate abatement activities.

Inspections are rarely announced. The inspector not only examines credentials, but also scrutinizes how the abatement contractor is handling waste on and off site, determines if proper abatement procedures are being followed, and examines the engineering controls in place to protect building occupants and the environment. Serious violators of the Asbestos Control & Licensing Act (*N.J.S.A. 34:5A-32 et seq.*), which the Program enforces, are subject to criminal prosecution as a crime of the third degree, and are also subject to administrative penalties up to \$25,000.00 per day per offense.

In the past, construction officials have been very helpful in alerting the Program to abatement activities by uncertified firms and individuals, in alerting the Program to renovation and demolition activities that may pose a health threat to their community, and in providing documentation to aid Program investigations. The Program under DCA encourages that continued support. If you have any questions, or are interested in additional information, please contact the Asbestos Contractor/Worker Program at (609) 633-2158 or (609) 633-2159.

Source: Brian Lauter  
Asbestos Contractor/Worker Program,  
Bureau of Code Services

## An Overview of Seismic Requirements in New Jersey

New Jersey has adopted the BOCA National Building Code/1996 with technical amendments as the Building Subcode. Section 1610.0 of the Building Subcode provides details and directions for determination of earthquake loads. Before designing a building/structure in New Jersey, a design professional should be aware of the BOCA code requirements, especially the exemptions that apply to New Jersey. A few areas are highlighted below for the benefit of code officials as well as designers.

Buildings and structures are required to be designed and constructed to resist the ultimate strength loads and story drift effects of earthquake motions determined in accordance with Section 1610.0, or shall comply with Section 9 of ASCE 7. Additions to existing buildings and structures must be designed and constructed to resist the effect of earthquake motions determined in accordance with 1610.0. Existing buildings which need to comply with the Rehabilitation Subcode, as per *N.J.A.C. 5:23-6*, are not required to be designed and constructed to resist the effect of earthquake motions, except for changes of use involving mostly essential facilities. Accordingly, when a change of use re-

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sults in a building being reclassified into one of the occupancies indicated in N.J.A.C. 5:23-6.31(k)3, then the building shall comply with the requirements of Section 1610.0. These occupancies include fire, rescue, and police stations; Use Group I-2 for surgery or emergency treatment facilities; emergency preparedness centers; post-earthquake recovery vehicle garages; power generating stations and other utilities required as emergency backup facilities; primary communication facilities; structures containing highly toxic materials as defined by Section 307.0 of the Building Subcode, where the quantity of material exceeds the exempt amount as (per Section 307.8).

Among other things, seismic forces are calculated based on Seismic Hazard Exposure Group (Groups I, II, and III based on nature of occupancies/use group of the building — Table 1610.1.5) and Seismic Performance Category (A through E based on  $A_v$  values and said exposure group — Table 1610.1.7). The following installations are exempt from seismic design requirements in New Jersey:

- 1) Buildings assigned to Seismic Performance Category A, D, and E.
- 2) Detached one- and two-family dwelling units.
- 3) Agricultural buildings intended only for incidental human occupancy.
- 4) Mechanical and electrical components and systems in Seismic Performance Category B.
- 5) Architectural components, mechanical and electrical components, and systems in Seismic Performance Category B or C, and Seismic Hazard Exposure Group I buildings which have a performance criteria factor of 0.5 as listed in Tables 1610.6.3 and 1610.6.4(1).
- 6) Elevator components and systems in buildings assigned to Seismic Performance Category B.
- 7) Elevator components and systems in Seismic Performance Category C, and Seismic Hazard Exposure Group I.

Seismic Hazard Exposure Groups which are not exempt for elevator components and systems are those that have substantial public hazard due to occupancy or use, and those having essential facilities which are required for post-earthquake recovery. Furthermore, footnotes under Table 1610.6.4(1) exempt some conduits, pipes, and ducts from the requirements of seismic restraints. All others which are not exempt above need to comply with the seismic requirements as prescribed in BOCA/1996.

The BOCA National Building Code/1996 does not divide New Jersey in accordance with seismic zone. Severity of seismic design is now based on the  $A_v$  values. The  $A_v$  values in New Jersey as per the BOCA map is always less than 0.15.

As a reminder, seismic loads and wind loads are never combined in the load calculations. That is, they are not applied at the same time. One of the two loads which causes the most stress on the member is used for design.

If there are any questions, please call the Code Assistance Unit at (609) 984-7609.

Source: Marcel Iglesias  
Code Assistance Unit

## Pressure-Treated Wood

"I am building a deck, do I need the pressure-treated wood?" asked a homeowner. The answer to this question is yes. Similar questions and concerns keep on revisiting the Department of Community Affairs. This article is intended to clarify the mandatory use of treated wood as outlined under BOCA National Building Code 1996, Section 2311, and CABO One- and Two-Family Dwelling Code 1995, Section 322.

The correct term for pressure-treated wood is preservative-treated wood. It should not be confused with fire-retardant-treated wood, which is pressure impregnated with chemicals to develop fire-resistive qualities. Among other things, the process for preservative-treated wood is treating wood with chemicals under pressure to develop and retain preservative qualities that protect against the weather, decay, or insect infestation. Chemicals absorbed in the wood repel termites and destroy decay-causing fungus. The symbol AWPA with suffix P signifies the requirement for preservatives, and AWPA with suffix C signifies the depth of penetration and the amount of chemicals retained during the treatment process. Preservative-treated wood is properly identified with these symbols and labeled by the treatment/grading agency. The code mandates the use of preservative-treated wood in the following circumstances (not an all-inclusive list):

1. Where wood joists or the bottom of a wood structural floor are located less than 18 inches, or wood girders are located less than 12 inches, to the exposed ground surface.
2. Where wood framing members, including wood sheathing resting on exterior foundation walls, are less than 8 inches from exposed earth.
3. Where sleepers and sills are resting on a concrete or masonry slab in direct contact with the earth.
4. Where the ends of wood girders entering exterior masonry or concrete walls are provided with an air space of less than 1/2 inch on top, sides, and end.
5. Where the clearance between the wood siding and earth on the exterior of the building is less than 6 inches.
6. Where posts or columns support a permanent structure and they are supported by a concrete or masonry slab or footing in direct contact with the earth (some exceptions apply).
7. Where the wood is in direct contact with the ground, or embedded in concrete which is in direct contact with the earth or exposed to the weather, and it supports permanent structures that are intended for human occupancy.
8. Where the wood structural members support floors or roofs having no moisture barrier and are exposed to the weather.

In lieu of preservative-treated wood, naturally durable wood (such as heart wood) of certain species may also be used where protection of wood members is necessary because of exposure to soil or weather. Please call the Code Assistance Unit at (609) 984-7609 with any questions.

Source: Farid Ahmad  
Code Assistance Unit

## Rehab Subcode Rescue Windows

Based on the number of telephone calls that I have been receiving regarding the window requirements of the Rehabilitation Subcode, it is apparent that some of you are confused. It is important to remember that the requirements in the Rehab Subcode differ from the requirements for new buildings. When a permit applicant proposes to change the size of a window opening in a bedroom or a new window opening is created in a bedroom, the Rehabilitation Subcode requires that one of the windows be operable, have a sill height of 44 inches, a width of 20 inches, a height of 24 inches and an area of 5.7 square feet. All of the minimum dimensions specified in this requirement are to be measured from head to sill and from side to side. The dimensions specified *do not* apply to the opening; therefore, the net opening is unregulated. I hope this resolves some of the issues you folks have been having.

Source: John N. Terry  
Code Assistance Unit

## Anchor Straps

The Bureau of Regulatory Affairs has been seeing an increasing number of problems with the incorrect installation of anchor straps. It appears that officials are not paying attention to this fundamental code issue. While it would seem that there is very little controversy with the code requirements for strapping, a comparison of CABO, BOCA, and the manufacturer's design criteria indicated that there are areas of controversy.

When plans call for conformance with the CABO One- and Two-Family Dwelling Code, the first issue is whether a CABO home can be built with anchor straps installed in lieu of an anchor bolt?

CABO specifies anchor bolts and does not reference anchor straps; however, anchor straps are a viable alternative regardless of whether CABO or BOCA is being enforced. The second issue in CABO is spacing, which is 12 inches from a corner and 6 feet on center. When using CABO, no other requirements are specified. The same home being built under BOCA can have anchor straps which are spaced up to 8 feet on center. However, BOCA requires that anchorage must be within 12 inches from the ends of each section of plate and a minimum of 2 anchors per section of plate. Since most builders are not special ordering 16-foot 2 by 4s for the sill plates (most are using 8 footers), they essentially end up with the straps being located much closer than the allowable 8 feet.

The final issue of concern is how the manufacturer's design criteria affects the above-mentioned code requirements. Not all anchor straps are created equally. For example, one manufacturer has three different models, one of which is a direct replacement of an anchor bolt spaced 6 foot on center. A second model is also a direct replacement of an anchor bolt; however, this strap must be spaced 4-1/2 feet on center. Therefore, if this model is used, and spaced consistently with the code requirements stated above and not the design criteria, the anchor strap will have been installed in a manner which violates the design capabilities of the

product in question. There is an assumption by BOCA and CABO that the design limits will be consistent with the spacing requirements contained in the respective codes. If this is not the case, the product cannot be used unless one follows the manufacturer's installation requirements. Therefore, if an anchor strap has a spacing requirement of 4-1/2 feet and the code allows for a 6 or 8 foot on center spacing requirement, one must follow the manufacturer's requirement.

In conclusion, when inspecting anchor straps, make sure that the appropriate code is enforced and the anchor strap is appropriately designed for the intended installation.

Source: Louis J. Mraw  
Bureau of Regulatory Affairs

## Refunds

*N.J.A.C. 5:23-2.27* in the Uniform Construction Code explains the process whereby a permit holder can request and obtain a refund for a project where work has ceased. This section is quite clear in that plan review fees are nonrefundable and all outstanding penalties must be collected prior to a refund being processed. What is not clear is when a permit holder is not entitled to a refund. For instance, (1) can a permit holder request a refund three years after a project is abandoned? (2) What about a developer who obtains permits for 100 homes then never builds them, or commences construction on various lots then ceases construction for more than five months? (3)...more than six months? The refund regulations cannot be applied without taking into consideration *N.J.A.C. 5:23-2.16(b), Suspension of Permit*.

In accordance with *N.J.A.C. 5:23-2.16(b)*, a permit becomes invalid if the permitted work has not commenced within 12 months of issuance, or if the project is abandoned for more than six months. Therefore, if a permit becomes invalid for reasons of failure to commence work within 12 months, or if the work is abandoned or suspended for more than six months (question 3), then the permit holder is not entitled to a refund.

Now, let's answer the questions listed above utilizing both sections of the regulations. In scenario #1, the permit holder would not be entitled to a refund on permits which are three years old since the permits are invalid in accordance with *N.J.A.C. 5:23-2.16(b)*. Also, in order to qualify for a refund, there must be a valid permit.

The next two examples above require different answers. The developer who requests a refund on the 100 permits which are still active (not older than one year) is entitled to a refund, while the developer who requests refunds on permits where work has ceased for more than six months is not entitled to a refund, since the permits have become invalid in accordance with *N.J.A.C. 5:23-2.16(b)*.

In conclusion, a permit holder is only entitled to a refund on an active permit. A permit which has become invalid for failure to adhere to *N.J.A.C. 5:23-2.16(b)* no longer exists and, therefore, no refund is warranted.

Source: Louis J. Mraw  
Bureau of Regulatory Affairs

## Bad Habits For Control Number Users

UCCARS System II, version 5.16 users are greatly underreporting the work in their municipalities as a result of previously learned bad habits. Those municipalities that are issuing control numbers prior to the issuance of a permit and are then changing the control number to a permit number are advised to immediately stop using the shortcut to avoid displaying and checking the subcodes. This shortcut results in the data being given a permit type for new construction.

Many municipalities issue a control number while the permit is being reviewed and issue the permit when the applicant brings the money. This process can still be followed provided that the control person(s) completely reviews the permit application and each subcode, saving them as directed. This is the process as outlined in the manual.

Municipalities have learned or have been instructed to shorten the process by removing the subcode selections to avoid reviewing the subcode information. In earlier versions of UCCARS System II, this did not create a problem. In version 5.16, it spells disaster. The data is transmitted to the Department of Community Affairs as new construction without volume and is therefore erroneous. The permits are not written or added to the municipal totals. The monthly reports printed in the municipality will show an inflated number of permits for new construction. This is false reporting and results in both the DCA and the U.S. Census Bureau receiving vastly understated levels of permit activity. This data is used to define the state of the economy on state and federal levels.

Please direct any questions or comments regarding UCCARS to Team UCCARS at:

New Jersey Department of Community  
Division of Codes and Standards  
P.O. Box 802  
101 South Broad Street  
Trenton, NJ 08625-0802  
Phone (609) 292-7899 or Fax (609) 633-6729

Source: Larry Wolford

### UPDATE:

## “High-Temperature Plastic Vent Pipe”

An article in the *Construction Code Communicator*, Volume 9, Number 2, Summer 1997, “Plexvent, Ultravent, Cellvent Cracked-Vent?,” brought to your attention industry problems with high-temperature plastic vent (HTPV) pipe for venting mid-efficiency gas appliances with positive pressure exhausts. This type of equipment is “category three” in NFPA 54. The article mentioned that the HTPV pipes could crack or separate at the joints.

The U.S. Consumer Product Safety Commission has issued a release, dated February 24, 1998, entitled “CPSC, Manufacturers Announce Recall Program to Replace Vent Pipes on Home Heating Systems.”

“WASHINGTON, D.C. — In a landmark action, virtually the entire furnace and boiler industry together with the manu-

facturers of high-temperature plastic vent (HTPV) pipes have joined with the U.S. Consumer Product Safety Commission (CPSC) to announce a recall program. This program will replace, free of charge, an estimated 250,000 HTPV pipe systems attached to gas or propane furnaces or boilers in consumers’ homes. The HTPV pipes could crack or separate at the joints and leak carbon monoxide (CO), presenting a deadly threat to consumers.”

According to the release: “Vent pipes subject to the recall program can be identified as follows: The vent pipes are plastic; the vent pipes are colored gray or black; and the vent pipes have names ‘Plexvent,’ ‘Plexvent II,’ or ‘Ultravent’ stamped on the vent pipes or printed on stickers placed on pieces used to connect the vent pipes together. Other plastic vent pipes, such as white PVC or CPVC, are not involved in the program.”

The release continues to say that, after checking the vent pipes, consumers should call the special toll-free number, (800)758-3688, (available seven days a week), to verify whether their HTPV pipe systems are subject to this recall program.

The program came about as a result of mediation among 27 participants, manufacturers of HTPV pipes and manufacturers of natural gas or propane-fired boilers and mid-efficiency furnaces.

It is very important that all consumers have their fuel-burning appliances inspected each year to check for cracks or separations in the vents that could allow CO to leak into the home. In addition, CPSC recommends that every home should have at least one CO detector installed.

Code officials should confirm (through manufacturer’s instructions or other releases) to see what materials are approved for use in venting. The owner/reinstaller should provide documentation that the materials are approved.

The CPSC can be reached at (301)504-0580, ext.1166, if you have any questions.

Source: Thomas C. Pitcherello  
Code Assistance Unit

## DCA Seeks Qualified Design Professionals

Due to recent rule adoptions which become operative on March 1, 1999, the New Jersey Department of Community Affairs is seeking interested and qualified licensed architects and licensed professional engineers to serve as arbitrators. This mediation concerns disputes with claims filed by homeowners whose homes were inspected through the New Home Warranty Program regarding Major Structural Defects, as defined by *N.J.A.C. 5:25-1.3* and *3.7*.

The Department of Community Affairs requests that licensed design professionals submit their resume and fee schedule to the following:

NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF CODES AND STANDARDS  
ATTENTION: BARTHOLOMEW A. SOWUL, AIA  
P O BOX 805  
TRENTON, NEW JERSEY 08625-0805

Source: Bartholomew A. Sowul, AIA

### The TCO Issue

Over the years, I think the biggest complaint that design professionals and building owners have with regard to inconsistent enforcement is the issuance or in some municipalities the lack of issuance, of a Temporary Certificate of Occupancy (TCO). The Uniform Construction Code (UCC) is clear as to when a TCO is warranted. When the permit holder requests it and the structure (or portions of the structure) may be occupied safely without endangering life or public welfare, the construction official *may* issue a TCO. The problem with this code language is the word "may." Does the term "may" in this case mean the issuance of a TCO is at the whim of the construction official? I think not. If it can be determined that the structure can be safely occupied, the construction official has an obligation to issue a TCO at the permit holder's request. The intent of the UCC is to base the denial of a TCO on code issues, not on personal preference.

I know there will be arguments. Who is going to keep track of the buildings that have a TCO? How will the conditions of a TCO be enforced? What should be done if the permit applicant does not follow up to complete a project? These issues will exist whether or not a TCO is issued! How are all of the requirements of the UCC enforced? This issue is no different. There are rules in place to deal with this and every other issue in the UCC. The comment "We don't issue TCOs in this town" flies in the face of the term "Uniform" in the Uniform Construction Code.

I can be reached at (609) 984-7672 to answer any questions regarding the issuance of a TCO.

Source: Louis Mraw  
Bureau of Regulatory Affairs

### When Is A Rehab NOT A Rehab?

There have been several instances when design professionals have contacted me and attempted to convince me that the Rehabilitation Subcode should be able to be applied to a demolished building. Needless to say, they were not successful; and in an attempt to relieve some of the arguing on your end and a few telephone calls on my end, here are my thoughts on demolished buildings and the Rehabilitation Subcode.

The Rehabilitation Subcode is comprised of categories of work. When a building has been demolished and is being rebuilt, it does not fit into repair, renovation, or alternative categories. The reconstruction category is comprised of work from the other categories, so re-building on an existing foundation does not fit that category either. [The Rehabilitation Subcode is not intended to be applied to a building that is being completely removed.] The foundation system may be reused, provided there are no additional loads being imposed. However, new construction must comply with the requirements for new buildings. For a building that is partially removed, the rehabilitation must comply with the Rehabilitation Subcode. There is no specific percentage in the Rehabilitation Subcode as to when rebuilding a damaged or partially demolished construction building should be considered new. However, should it be obvious that the design professional or building owner is allowing a *de minimis* amount of the existing building in order to remain to circumvent the new building code, the local authority having jurisdiction has the right to require that the building be designed as though it were new.

Source: John N. Terry  
Code Assistance Unit

### NEW JERSEY MODEL CODE ADOPTIONS

Building Subcode (BOCA)	Electrical Subcode (NEC)	National Energy Conservation (BOCA)	Fire Subcode (BOCA/NFPA)	Mechanical Subcode (BOCA)	Plumbing Subcode (NSPC)	1 & 2 Family (CABO)	Barrier Free CABO/ANSI A117.1	Rehab Sub 6	Effective Date
1975	1975		1975		1975				01-01-77
1976/S			1976/S						12-01-77
1978	1978		1978		1978				10-01-78
1981	1981		1981		1980				05-07-81
1983/AS			1983/AS		1981/82/S				02-22-83*
1984	1984		1984	1984	1983				08-06-84
1985/S			1985/S	1985/S					04-01-85
						1983			07-01-85
					1984/85/S				02-03-86
1986/AS			1986/AS	1986/AS					09-22-86
1987	1987		1987	1987					04-01-87
					1987	1986			09-21-87
1988/S			1988/S	1988/S					06-20-88
						1987/88/A			08-15-88
		1987							09-06-88
					1988/S				02-06-89
1989/AS			1989/AS	1989/AS	1989/S				11-01-89
						1989			05-21-90
1990	1990	1990	1990	1990	1990				07-01-90
1991/S			1991/S	1991/S					03-04-91
					1991/S	1990/91/AA			05-20-91
1993	1993	1993	1993	1993	1993	1992			05-01-93
							1992		07-01-95
								1998	01-05-98
1996	1996	1993	1996	1993	1996	1995			07-06-98

S = Supplement      AS = Accumulative Supplement      \* = Operational Date      A = Amendments

## Index to the 1998 Construction Code Communicator (Volume 10)

Article	Issue	Page	Article	Issue	Page
Access to Playing Fields and Accessible Recreational Equipment	3	6	O Where, O Where Have My U Values Gone?	3	12
Access to Playing Fields	2	8	People, Places and Things	3	1
Address/Telephone Directory	1	6	"Ponding"	2	5
Americans With Disabilities Act			Pool Barriers and the Code Adoption Programs Moved to DCA	2	10
Accessibility Guidelines: Play Areas	2	9		3	9
Architects, Engineers, and Builders			Rated Assemblies	1	5
Rehabilitation Subcode Training	1	9	Recall Programs To Replace Vent Pipes On Home Heating Systems	1	4
Barrier Free Subcode is Changing Again	2	8	Regulation of Locksmiths and Burglar, Fire Alarm, and Electronic Security Businesses	1	7
Biology of Boat Pumpouts	1	7	Rehabilitation Subcode Amendments: Code Change Process	3	9
Building Safety Conference 1998	2	1	Rehabilitation Subcode: Code Change Proposal 1999	3	4
CABO in Flood Zone?	2	5	Seismic Concerns for Electrical Components and Systems in New Jersey	2	3
Code Citations Decoded	1	7	Site Lighting	1	3
Construction Data: March Highlights	2	4	Smoke Detectors and the Rehab Code	1	4
Construction Officials and Hazardous Conditions	1	10	Special Purpose Personnel Elevators: Inspection Frequencies and Replacement of Safeties	1	8
Construction permits in the Pinelands	1	2	Summary of Technical Changes to the 1996 BOCA National Building Code for New Jersey	3	5
<i>Construction Reporter</i> : 1997 Highlights	3	10	Swimming Pool Enclosures	2	10
Correction: Telephone Numbers	2	9	Testing of Gas Piping Utilizing Gauges	3	11
DEP Changes Its Procedures for Abandoning Underground Storage Tanks	1	7	UCCARS and Y2K (Year 2000)	3	6
Elevator Records Management 106	1	8	Unisex Toilets	3	9
Elevator Records Management 107	2	9	Welcome To Our New Code Advisory Board Members	2	10
Grounding at a Detached Building or Structure	2	2	What Is the Meaning Behind the Issuance of a Certificate of Occupancy?	1	1
Guestroom Separations	1	9	When Shall I Consider Snowdrifts?	3	2
Homeowner Plan Submittals	2	3	Who May Perform Lead Abatement?	1	3
Homeowners Doing Their Own Electrical Work	2	3	Wide Side	3	3
Housing Demolitions: How and What to Report	1	5	World of Difference Between UL "Listed" and UL "Recognized"	1	8
May I Do A Plan Review Without All the Prior Approvals?	3	5			
Medical Gas Piping	2	10			
Meet the Newest Code Assistant	2	9			
More Asbestos and Lead	3	12			
<i>New Jersey Register</i> Adoptions	1	10			
<i>New Jersey Register</i> Adoptions	2	11			
<i>New Jersey Register</i> Adoptions	3	2			
New Numbers	3	3			
Notice: Control Persons Associations	1	12			

### Drip Pans and Water Heaters

There have been many questions as to the requirement for drip pans under "replacement" storage-type water heaters.

In the 1996 National Standard Plumbing Code, Section 10.15.9.a, "Where required," with exceptions, "drip pans *shall* be installed under storage-type water heaters to prevent tank leakage from causing property damage."

Replacement water heaters would be regulated by the UCC Rehabilitation Subcode under *N.J.A.C. 5:23-6.5(c)* "Renovation." 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.

Since there are no requirements in the Rehabilitation Subcode for drip pans under replacement storage-type water heaters, drip pans would not be required to be installed. Only if a pan was installed under the original heater will a pan still be required.

Source: Thomas C. Pitcherello  
Code Assistance Unit

### **Buildings Built In Vo-Tech Schools**

The intent of this article is to describe the policy/procedures for construction, acceptance, assembly, and installation of buildings built in a New Jersey Vo-Tech School.

A building built in a New Jersey Vo-Tech School is permitted to be sited in any municipality as long as it meets the following requirements:

1. The code enforcement agency of the municipality in which the Vo-Tech School is located shall be responsible for review/approval of building plans in accordance with N.J.A.C. 5:23-2.15(e)3 and shall also be responsible for the required inspections of the building in accordance with N.J.A.C. 5:23-2.18. A Certificate of Approval shall be issued by the construction official certifying that the building as built conforms to the New Jersey Uniform Construction Code requirements.

2. The local code enforcement agency of the municipality where the building is to be located shall accept the Certificate of Approval by the construction official as indicated above and issue a construction permit for the assembly/installation of the building.

a) The code enforcement agency is responsible for all the site work (including but not limited to the foundation and utility connections) associated with the assembly/installation of the building.

b) The municipal fee for site construction associated with the assembly/installation of such building shall be in accordance with N.J.A.C. 5:23-4.18(c)1.i which stipulates that such fees shall be based on estimated cost of work space (all disciplines) and the fee shall be computed as a unit rate per \$1000 of estimated cost.

The Spring 1997 Construction Code Communicator article entitled "Questions About Industrialized/ Modular Buildings" should be referred to for additional related information regarding this subject.

In case of any questions, please contact me at (609) 984-7974.

Source: Paul Sachdeva  
Industrialized Buildings Unit  
Bureau of Code Services

### **Summary Sheet Reminder!!**

Several subscribers to the Uniform Construction Code have wondered why they do not receive a Summary Sheet with each transmittal.

Please note, the Department of Community Affairs provides a summary sheet only for changes it initiates. If the publisher has changed something, such as case law or administrative notes, there will not be a summary sheet.

Source: John N. Terry  
Code Assistance Unit



Center for Government Services  
33 Livingston Avenue, Suite 200  
New Brunswick, NJ 08901-1979

**FIRST-CLASS MAIL**

# Construction Code Communicator



State of New Jersey  
Christine Todd Whitman, Governor

Department of Community Affairs  
Jane M. Kenny, Commissioner

Volume 11 Number 2

Summer 1999

## Building Safety Conference of New Jersey

From the review of the opinion polls, the 18th Annual Building Safety Conference of New Jersey was a great success. This year, there was an increase in attendance of inspectors and technical assistants. Each had the opportunity to select a training event. There were 23 seminars and 43 cracker-barrel topics. A special highlight of the conference was the networking that took place throughout all the sessions and especially at the annual luncheon for the award recipients.

The awards this year went to:

William J. Lynn, Borough of Paramus, Fire Protection Inspector

Thomas McGarity (deceased), Plumbing Inspector  
The posthumous award was presented to Mrs. McGarity.

Ronald Estepp, Hillsborough Township, Building Inspector

Joseph DelGrosso, Township of East Hanover, City of Linden,  
Borough of Maywood, Township of Clark, Elevator Inspector

Lucy Siegman, Evesham Township, Technical Assistant

Lawrence Kosden, City of Atlantic City, Electrical Inspector

The awards reception was attended by over 700 inspectors, technical assistants, invited guests, instructors, and staff of the Department of Community Affairs. The awards were presented by William M. Connolly, AIA, Director of the Division of Codes and Standards, and by the association presidents.

There are six associations. They are: New Jersey State Fire Prevention and Protection Association, New Jersey State Plumbing Inspectors Association, Building Officials Association of New Jersey, Municipal Electrical Inspectors Association of New Jersey, Municipal Elevator Safety Inspection Association of New Jersey, and New Jersey Association of Technical Assistants. These associations play a very large role in making each conference a success. Representatives of these associations helped coordinate the fourth annual golf outing, which grew in numbers of participants again this year. The associations also financially support the awards luncheon given in honor of the award recipients.

General comments received by the Bureau of Code Services were that the conference was well planned and well organized, and that the educational programs met every expectation. The hotel accommodations were deemed excellent in all areas: food preparation, service, rooms, and meetings spaces. Mr. Robert P. Lawrence, Jr., Holmdel, was the lucky person selected to attend the Building Safety Conference free of charge next year.

I encourage each of you to join us next year at Bally's Park Place from May 17 - 19, 2000. Mark your calendars now.

Source: Susan McLaughlin  
Education Unit  
Bureau of Code Services

### In This Issue

Accessible Means of Egress .....	2
ALERT: Chimney Clean Sweep! .....	5
Bonding and Grounding Tests .....	4
Building Safety Conference of New Jersey .....	1
Construction Data: 1998 Highlights .....	8
Corrections to BOCA 1996 Tables 1812.3.2(1) and 1812.3.2(2) .....	10
Honeywell Fluid Power Actuator Recall .....	4
Insulated Foundations .....	2
Municipal Enforcing Agency Budget Review .....	4
New Jersey Code Adoptions—Elevator Safety Subcode .....	3

Rehabilitation Subcode .....	11
The Rehabilitation Subcode: A Way to Keep Out of Trouble!!! .....	12
Tracer Wire Plumbing .....	4
UL Listings and Commercial Garage Equipment .	5
What is the ICC One- and Two-Family Dwelling Code? .....	5

## Insulated Foundations

Insulated foundations have been used in Sweden, Norway and Finland since the mid-1950's with great success. They have also been used in Canada and Northern Europe. Insulated shallow foundations are a practical alternative construction method that save time and money since there is no need to excavate down to the frost line to place the foundation. The way insulated footings perform is that the insulation around the foundation perimeter conserves and redirects heat loss through the slab toward the soil below the foundation. The heat from the underlying ground also helps to raise the frost depth around the building. It is important to note that the frost line rises near the foundation. This is the reason that a shallow insulated foundation can be used.

Insulated footings can be used for heated buildings with slab on grade foundations as per CABO One- and Two-Family Dwelling Code/1995, Section 403.3. The CABO code limits the use of insulated foundation to a thickened slab type, as indicated in Figure 403.3a. The BOCA National Building Code/1996, Section 1806.1 allows foundations protected from frost. However, it is left up to the design professional to provide necessary data to the building official to justify its use.

CABO Section 403.3 indicates that in heated buildings, slab on grade foundations are not required to extend below the frost line when the foundation is protected from frost by insulation in accordance with Figure 403.3a and Table 403.3. Figure 403.3a gives the air-freezing index, which is defined as the cumulative degree days below 32 degrees Fahrenheit. The air-freezing index is used as a measure of the combined magnitude and duration of air temperature below freezing. The map on Figure 403.3b, prepared by the National Oceanographic and Atmospheric Administration (NOAA), depicts the highest number of freezing degree days expected to occur in 100 years. In New Jersey, as per Figure 403.3a, the air-freezing index is below 1500. The left column of Table 403.3 indicates the air-freezing index and the right column gives the required R- value for the vertical insulation and horizontal insulation along the walls and at the corners. For an air-freezing value of 1500 or less, an R-value of 4.5 is required for the vertical insulation with no insulation in the horizontal direction. Note 3 of Table 403.3 directs that, to determine the thickness of the insulating material, you obtain the R-value from the table, and then divide it by the value provided by the particular type of insulating material that you wish to use. This provides the thickness of the material that is required.

Example: Choose Type IV extruded polystyrene - 4.5R per inch. From Table 403.3, the R value required in New Jersey is 4.5; 4.5/4.5 is equal to 1 inch thick. Therefore, a 1-inch-thick Type IV extruded polystyrene insulation would be required. The vertical insulation must be 1-inch-thick extruded polystyrene insulation.

The insulating material must be for long-term exposure to moist below-ground conditions in freezing climates. Material used below grade for the purpose of insulating foundations against frost shall be labeled as complying with ASTM C578. The foundation and foundation insulation shall extend a minimum of 12 inches below grade and a maximum of 12 inches above grade. The insulation shall have a rigid, opaque, and weather resistant protective coverage to prevent the degradation of thermal performance. The protective coverage shall cover the exposed insulation and extend to a minimum of 6 inches below grade. Flashing shall be provided in accordance with Section 703.7.3. A 4-inch-thick granular base is required below the insulated foundations. The granular base and insulating material are required to form an envelope around the building foundation.

No matter where the footing is placed with regard to the frost line, the foundation has to be sized to carry all the loads, and also meet the soil and settlement criteria. The building must comply with Energy Subcode. Perimeter insulations can be included as part of the building envelope.

If you have any questions, please contact me at (609) 984-7609.

Source: Marcel Iglesias  
Code Assistance Unit

## Accessible Means of Egress

Recently, the Code Assistance Unit has had an influx of calls regarding Section 1007.0 of the 1996 BOCA National Building Code, accessible means of egress.

I am sure you have been enforcing these requirements for new buildings since the adoption in New Jersey of the 1993 BOCA National Building Code on May 1, 1996. However, here is an interesting twist. An issue has recently surfaced regarding buildings that are not provided with (and are not required to have) an elevator to provide a vertical accessible route to the second floor. Subsection 1007.1 of BOCA states that *spaces required to be accessible* must be provided with at least one accessible means of egress. The question is: Is a second floor of a building that is not provided with (and not required to have) an elevator required to have an accessible means of egress? The answer is no.

The purpose of an accessible means of egress is to provide a protected waiting space for a person with a disability in the case of an emergency. If the building is not provided with an elevator, the upper levels of the building are not required to be provided with the accessible means of egress. Individuals who occupy those floors have done so by using the stairs and they may do so in an emergency as well.

If you have any questions, I can be reached at (609) 984-7609.

Source: John N. Terry  
Code Assistance Unit

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## New Jersey Code Adoptions Elevator Safety Subcode

The following chart gives the adoption dates and the edition of the codes and standards used for the Elevator Safety Subcode.

Edition Date Building Subcode	Effective Date Model Codes	Article Number BOCA-Elevator Dumbwaiter, Conveyor Equip	ANSI A17.1 Safety Standard- Elevators and Escalators	ANSI A90.1 Safety Standard- Belt Manlifts
1975	01/01/77	16	A17.1-1971; A17.1a-1972; A17.1b-1973	A90.1-1969
1976/S	12/01/77	16	A17.1-1971; A17.1a-1972; A17.1b-1973; A17.1c-1974; A17.1d,e,f-1975	A90.1-1969 A90.1a-1972
1978	10/01/78	16	A17.1-1971; A17.1a-1972; A17.1b-1973; A17.1c-1974; A17.1d,e,f-1975	A90.1-1969; A90.1a-1972
1981	05/07/81	21	A17.1-1978	A90.1-1976
1983/AS	02/22/83*	21	A17.1-1981	A90.1-1976
1984	08/06/84	21	A17.1-1981; A17.1a-1982	A90.1-1976
1985/S	04/01/85	21	A17.1-1984	A90.1-1976
1986/AS	09/22/86	21	A17.1-1984	A90.1-1976
1987	04/01/87	26	A17.1-1984 & 1985 Supplement	A90.1-1985
1988/S	06/20/88	26	A17.1-1984 & 1985 Supplement	A90.1-1985
1989/AS	11/01/89	26	A17.1-1987	A90.1-1985
1990	07/01/90	26	A17.1-1987	A90.1-1985
1991/S	03/04/91	26	A17.1-1987	
1993	05/01/93	Chapter 30	A17.1-1990	A90.1-1985
1996	07/06/98	Chapter 30	A17.1-1993 & 1994, 1995 Supplements	A90.1-92

Note: The grace period is covered at *N.J.A.C.* 5:23-1.6(a).

- 1) Consult construction files to determine under which code the permit was taken out;
- 2) If code information is not available, apply the previous code.

For example, when performing cyclical inspections, if the permit—or installation—date precedes or is within the grace period, apply the code edition immediately preceding the adoption of the new subcode. Example: A permit was issued on May 15, 1987. If the construction file does not have the information about the edition of the standard used, then ANSI A17.1-84 is enforced. If the permit was issued on November 16, 1987, the ANSI A17.1-1984 with the 1985 supplement apply.

S = Supplement  
AS = Accumulative Supplement  
A = Amendments  
\* = Operative date

Source: Paulina Caploon  
Elevator Safety Unit

## Municipal Enforcing Agency Budget Review

The Bureau of Regulatory Affairs, through its municipal assistance unit, is currently reviewing the operations of those municipal enforcing agencies whose revenues have exceeded expenditures by more than 20 percent over the last three years. Municipalities whose three-year surplus exceeds \$100,000 are also being reviewed. These municipalities are not in conformance with N.J.A.C. 5:23-4.17(c), which calls for the fees to be calculated to cover the costs of enforcing the regulations and requires that enforcing agency revenues be utilized solely for the benefit of the enforcing agency.

If you, as a working construction official, receive notice that the Bureau has determined that your municipality falls into the above categories, you should not be thrown into a panic. The Bureau will be giving municipalities an opportunity to explain why their budgets are not in conformance with the regulations. After this input is reviewed, Bureau representatives will be meeting with the administrator and the governing body and will be conducting a staffing analysis of the enforcing agency. While the construction official will be consulted during the review, he or she should not feel "under the gun." The Department views the municipality as being primarily responsible for conforming to the regulations. The program should be regarded as an opportunity for the enforcing agency to acquire additional staff, if needed, and to adjust its fee schedule, if necessary, to bring its budget into balance. If you have any questions concerning this program, please do not hesitate to contact the Bureau of Regulatory Affairs at (609) 984-7672.

Source: Robert Hilzer  
Bureau of Regulatory Affairs

## Honeywell Fluid Power Actuator Recall

Honeywell has notified its customers of the recall of V4055, V4062, and V9055 Fluid Power Actuators (FPA) with manufacturing date codes of 9744 through 9841. These FPA may have a defect which can cause malfunction in boiler burner control. When electrical power is interrupted to the actuator, the hydraulic fluid dump valve may cause delayed closure of the gas valve. The possibility of the gas flow not being shut off upon command may cause accumulation of raw fuel, which creates the risk of an explosion. This is a potential safety concern.

To return the controls or obtain more information, please contact Honeywell at (612) 954-4089. Honeywell has already notified the Consumer Product Safety Commission about this safety issue.

This article is for general information of the code officials or builders who are involved with the repair/renovation of existing boilers or installation of new boilers in any construction project.

Source: Farid Ahmad  
Code Assistance Unit

## Bonding and Grounding Tests

It has been brought to the attention of the Department that some enforcing agencies are recommending specific testing agencies or electrical contractors to pool owners for conducting the bonding and grounding tests for the pools, spas, or hot tubs. Additionally, some electrical inspectors are not allowing licensed electrical contractors to perform such tests.

The Department has already issued Bulletin 99-1 on this subject. This Bulletin makes it clear that an electrical contractor may perform these tests and issue a certificate. Recommending a specific contractor or testing agency may be, or may appear to be, a conflict of interest. Code officials are advised not to engage in the practice of endorsing any specific testing agency or electrical contractor.

In addition, **code officials are advised not to set any specific value** for the parameters that are measured to certify the continuity and integrity of the bonding and grounding system. It is the responsibility of the testing company to ensure compliance with nationally recognized standards or accepted engineering practice when issuing the required certificate. These companies have the specialized knowledge required to ensure compliance, as explained in Bulletin 99-1.

Should you have any questions on this subject, please contact me at (609) 984-7609.

Source: Ashok Mehta  
Code Assistance Unit

## Tracer Wire Plumbing

On page 8 of the Winter 1998 *Construction Code Communicator* (Volume 10, No.4), there was an article entitled "Summary of the 1998 National Standard Plumbing Code (NSPC) Change Hearings" which listed some of the changes approved by the NSPC code change committee at its August, 1998 code change hearing.

One change was to require that a tracer wire be installed adjacent to non-metallic water service piping. This item has generated many telephone calls indicating that this was being enforced by many plumbing inspectors. **This change and the other changes that were approved by the NSPC Committee last August have not been adopted by New Jersey.**

New Jersey does not currently adopt the supplements to model codes. These items will be in the next full edition of the NSPC, which will be considered for adoption at the next code adoption cycle. PEX tubing is still permitted to be approved under N.J.A.C. 5:23-3.7, as indicated in the article.

If you have any questions, please contact me at (609) 984-7609.

Source: Thomas C. Pitcherello  
Code Assistance Unit

## UL Listings and Commercial Garage Equipment

Vehicle repair and inspection garages/stations in the State are preparing for Enhanced Emissions Testing. In all cases, this requires the installation of dynamometers. Several models require recessing the dynamometer below the floor elevation, thus making the vehicle drive on surface flush with the floor. The National Electrical Code (NEC), Article 511-3 states that from the floor to an area extending up to 18 inches is a Class 1, Division 1 hazardous location, or a Class 1, Division 2 area when ventilation is provided as specified in the code. This area includes pits and depressions in the floor.

Some garage equipment has an Underwriters Laboratories, Inc. (UL) label marked E22254. Information concerning Garage Equipment is covered in the 1988 UL white book, (General Information for Electrical Equipment Directory, page 140). Electrical equipment covered under this listing incorporates parts that tend to produce arcs or sparks, and should be located 18 inches or more above the floor when installed in garages. Under no circumstances should such parts or equipment be installed in the hazardous area.

Many inspectors simply look for the UL label for acceptance. However, the UL listing requirements of E22254 clearly state that the equipment must be installed 18 inches above the finished floor or is to be labeled, "Warning, Risk of Explosion." Nevertheless, the NEC explicitly states that in order to be placed in hazardous areas, equipment must be suitable for those locations.

A manufacturer has informed this office that over 400 dynamometers have been installed throughout New Jersey and 40 have been approved and installed in pits.

If you have inadvertently accepted the UL labels as complying with the NEC, you need to reassess the installation and take appropriate action.

Source: Bureau of Local Code Enforcement  
Northern Regional Office

### ALERT: Chimney Clean Sweep!

There are no provisions in our adopted codes that require that an existing chimney be checked, unless an appliance or equipment is being replaced.

It has come to the Department's attention that chimney cleaning services are soliciting homeowners by telephone and that some of these chimney cleaning services indicate that chimney cleaning is required by code; it is not. If a homeowner contracts for the cleaning service, some services then inform the homeowner that the chimney must be lined.

A permit is required for this work, so code officials should be on the lookout for work of this type that is being done without a permit. Emphasis should be placed on ensuring that the proper size liner be installed.

In addition, code officials should be prepared to respond to questions from municipal residents who may have been contacted by chimney cleaning services.

The purpose of this article is, first, to alert code officials to watch for work on chimneys that may be performed without a permit and, second, to be prepared to respond to questions about this work. In sum, a permit is not required for chimney cleaning. A permit is required for work (other than cleaning) on a chimney. Homeowners may seek information from the municipal code enforcement agency regarding information given by telephone solicitors. The local enforcing agency should be prepared to respond.

If you have any questions, please do not hesitate to contact me at (609) 984-7609.

Source: Tom Pitcherello  
Code Assistance Unit

## What is the ICC One- and Two-Family Dwelling Code?

The intent of this article is to clear up some of the confusion regarding the CABO One- and Two-Family Dwelling Code, the ICC One- and Two-Family Dwelling Code, and the International Residential Code.

The 1995 CABO One- and Two-Family Dwelling Code, which is adopted by New Jersey, is the last edition of this code to be published by the Council of American Building Officials (CABO). This is because the International Code Council (ICC) is now the publisher of the One- and Two-Family Dwelling Code.

Thus, the 1998 ICC One- and Two-Family Dwelling Code has replaced the CABO document. The ICC One- and Two-Family Dwelling Code is being used for the National Certification Program for Construction Code Inspectors examination; however New Jersey has not adopted it.

The third document is the International Residential Code (the IRC). *The IRC has not yet been published as a code. The drafts of this document have been out for some time. But, the first IRC publication as a code will be in 2000. It is important to remember that the IRC is different from the ICC One- and Two-Family Dwelling Code.*

I hope this has cleared up some of the confusion, but if you still need some "high volume" code assistance, give me a call at (609) 984-7609. (Those of you who have spoken with me in the past understand the "high volume" thing.)

Source: John N. Terry  
Code Assistance Unit

### 18th Annual Building Safety Conference



#### Building Safety Committee

(L-R) Richard Osworth, Susan McLaughlin, Richard Marshall, Anthony Falasco, Robert Mittermaier, Deborah Timko, Gary Lewis, Kevin Luckie



#### Technical Assistant of the Year

(L-R) Lucy Seigman; William Connolly, representing the NJ Association of Technical Assistants, Linda Aiello



#### Building Inspector of the Year

(L-R) Building Officials Association of NJ President Thomas Millar; William Connolly; Ronald Estepp

### 1999 Awards — The “Best of the Best”



**Fire Protection Inspector of the Year**  
(L-R) NJ State Fire Prevention & Protection Association  
President, John Lightbody; William Connolly; William J. Lynn



**Electrical Inspector of the Year**  
(L-R) President, Municipal Electrical Inspectors Association  
of NJ Robert Downey; William Connolly; Lawrence Kosden



**Elevator Inspector of the Year**  
(L-R) Representing the Municipal Elevator Inspectors Association,  
James Castle; William Connolly; Joseph DelGrosso



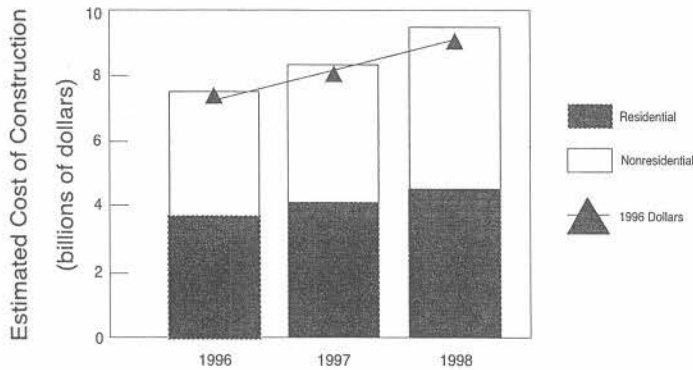
**Plumbing Inspector of the Year**  
(L-R) Mrs. Thomas B. McGarity accepted posthumously;  
William Connolly; representing the NJ State Plumbing  
Inspectors Association, Ronald Bauer

## Construction Data: 1998 Highlights

Construction indicators in 1998 exceeded last year's levels by wide margins. The estimated cost of construction bested last year's mark by more than \$1 billion for a total of \$9,396 million. In constant dollars, assuming a modest annual inflation rate of 1.6 percent, the estimated cost of all residential and nonresidential work authorized by building permits grew by 10.9 percent over last year. New housing increased by 18.9 percent compared to 1997, establishing a new high for the decade. The total number of housing units authorized in 1998 was 35,676. Office and retail space each was up by more than 2 million square feet compared to 1997.

### Estimated Cost of Construction

Authorized by Building Permits, 1996, 1997, 1998



### Construction by Region

Northern and central New Jersey each accounted for about 40 percent of the estimated cost of construction authorized by permits. Southern New Jersey made up 17.5 percent of the total, and "State Buildings" comprised the remainder.

Central New Jersey had over 46 percent of all new housing in 1998, despite strong showings by several municipalities in the northern part of the State. West New York in Hudson County led all municipalities with 1,187 authorized housing units. Edgewater in Bergen County ranked third with 865 units and, Hoboken in Hudson County ranked fifth with 685 units. Newark in Essex County and Jersey City in Hudson County ranked ninth and tenth, respectively. Two southern New Jersey localities were among the top 20 municipalities: Mount Laurel in Burlington County (642 units) and Egg Harbor Township in Atlantic County (423 units). Central New Jersey had 11 of the top 20 municipalities for new dwellings authorized in 1998.

Construction Indicators New Jersey: 1996-1998				
Indicators	1996	1997	1998	Percent Change 1997-98
Estimated cost of construction authorized by building permits (in millions)	\$7,028.4	\$8,346.5	\$9,396.8	12.6%
Estimated construction costs in 1996 dollars (in millions)	7,028.4	8,159.3	9,035.1	10.9%
Housing units authorized by building permits	27,577	30,017	35,676	18.9%
Office space authorized by building permits (square feet)	6,229,515	10,409,171	12,703,824	22.0%
Retail space authorized by building permits (square feet)	4,880,139	5,688,955	7,921,892	39.3%

Source: N.J. Department of Community Affairs

### Top Municipalities

New Jersey's cities were among the top performers in 1998. Jersey City led all municipalities with an estimated construction cost authorized by building permits of \$203.4 million. New Jersey's second largest city benefited from a housing boom in the northern New Jersey/New York metropolitan area. Jersey City had 604 authorized units in 1998. Most of these were in multifamily structures. Jersey City also led all municipalities with nearly one million square feet of new office space. A single permit issued in August for a 14-story structure with an estimated construction cost of \$25.3 million accounted for nearly 600,000 square feet of the new office space.

The estimated cost of all construction authorized by permits in Elizabeth, Union County was \$165 million, second among all municipalities. Nearly two-thirds of this total was for a large urban mall. The initial permit for the structure was issued in March and authorized construction with an estimated cost of \$106 million. The mall will have more than 800,000 square feet and will house more than 220 stores. No other municipality had more new retail space in 1998.

Newark had an estimated cost of construction of \$148.1 million, third best among all municipalities. The City was among the top 20 municipalities in terms of new housing (611 authorized units) and new office space (173,635 square feet).

Construction Indicators by New Jersey Region: 1998				
Region	Estimated Cost of Construction (millions of \$)	Authorized Housing Units	Authorized Office Space (sq. ft.)	Authorized Retail Space (sq. ft.)
North	20,930.0	183,300	203	3,376,626
Central	21,640.0	190,000	165	2,774,841
South	23,884.0	209,900	148	1,768,393
State Buildings	262.3	53	366,245	32
<b>NEW JERSEY</b>	<b>9,396.8</b>	<b>35,676</b>	<b>12,703,824</b>	<b>7,921,892</b>
Percent Distribution by New Jersey Region				
North	40.0%	30.0%	36.5%	42.6%
Central	39.7%	46.4%	44.0%	35.0%
South	17.5%	23.4%	16.6%	22.3%
State Buildings	2.8%	0.1%	2.9%	0.0%
<b>NEW JERSEY</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Source: N.J. Department of Community Affairs

In Rahway, Union County the estimated construction costs totaled \$139.4 million. A new office/research center for a large pharmaceutical firm accounted for most of this work. Construction on the 320,000-square-foot complex began in 1997, but several permit updates were issued in 1998 authorizing work with an estimated cost in excess of \$104 million.

Bridgewater Township in Somerset County has several large commercial and residential developments underway. This suburban township authorized 422 housing units in 1998, ranking 19th among municipalities. A new minor-league baseball park broke ground in July with an estimated cost of \$13.4 million. Bridgewater also issued several building permits to renovate existing schools and build a new school. The estimated construction cost for this work was nearly \$8.5 million.

West Windsor in Mercer County had several large retail and office buildings under construction. The suburban township authorized 353,102 square feet of new office space, eighth among all municipalities. Several large, retail giants also began to build warehouse-style stores. West Windsor Township had more than 450,000 square feet of new retail space in 1998, second only to Elizabeth. Construction of two new middle schools began in the spring. The two structures together have an estimated cost of nearly \$42 million and a combined area of more than 336,000 square feet.

an \$8.1 million addition to an assisted-living facility and four new construction permits for large warehouses. The anticipated area of all four warehouses exceeds 1.3 million square feet and their estimated cost of construction is nearly \$14.5 million.

South Brunswick in Middlesex County reported a new hotel and several office and large warehouse projects under construction. The suburban municipality also had 509 authorized housing units, 15th among all municipalities.

### New House Prices

The average sales price of a new house in New Jersey increased by nearly \$19,000 in 1998, according to information submitted by new home warranty companies to the Department of Community Affairs (DCA). Only certain dwellings are required to enroll in a new home warranty program. Apartments and new housing built by homeowners who act as their own general contractor are exempt.

Nearly 24,000 new homes began enrollment in a warranty program in 1998. The average sales price of these houses was \$245,638, an increase of 8.3 percent over the average price last year. Bergen County had the most expensive new houses, with an average sales price of \$411,148 in 1998. The lowest-priced housing was in Cumberland County, with an average sales price of \$128,070.

Rank	Municipality	County	Total	Residential	Nonresidential
1	Jersey City	Hudson	\$203.4	\$60.8	\$142.6
2	Elizabeth	Union	165.0	16.7	148.3
3	Newark	Essex	148.0	45.1	102.9
4	Rahway	Union	139.4	2.9	136.5
5	Bridgewater	Somerset	139.3	54.3	85.0
6	West Windsor	Mercer	127.9	22.3	105.6
7	Jackson	Ocean	98.5	77.8	20.7
8	Hoboken	Hudson	93.3	80.7	12.6
9	Edison	Middlesex	91.6	31.1	60.5
10	South Brunswick	Middlesex	90.6	47.5	43.2
Top Municipalities			1,297.1	439.2	857.9
<b>NEW JERSEY</b>			<b>\$9,396.8</b>	<b>\$4,812.8</b>	<b>\$4,583.9</b>

Source: N.J. Department of Community Affairs

Year of Enrollment	Number of New Houses	Median Sales Price	Average Sales Price
1996	20,930	\$183,300	\$217,564
1997	21,640	190,000	226,856
1998	23,884	209,900	245,638

Source: N.J. Department of Community Affairs

Source: John Lago  
Division of Codes and Standards

Vibrant housing markets were responsible for most of the work in Jackson Township, Ocean County and Hoboken. Nearly 79 percent of all the work in Jackson was for residential uses. The proportion in Hoboken was even higher, 86.5 percent. Jackson had 584 authorized housing units; Hoboken had 685 authorized dwellings, most of which were in multifamily buildings.

New offices and alterations to existing office buildings accounted for much of the activity in Edison, Middlesex County. The Township had more than 787,000 square feet of new office space in 1998, second among all municipalities. Other major projects included

## Corrections to BOCA 1996 Tables 1812.3.2(1) and 1812.3.2(2)

It has come to my attention that there are errors in Table 1812.3.2(1) and Table 1812.3.2(2) of the BOCA National Building Code/1996. Updates to the Uniform Construction Code (U.C.C.) will be forthcoming to bring it into agreement with Table 1611.1, but in the meantime the tables should be modified as follows (additions indicated in underlined thus; deletions indicated in brackets [thus]):

**Table 1812.3.2.(1)  
PLAIN MASONRY AND PLAIN CONCRETE  
FOUNDATION WALLS<sup>a</sup>**

Plain masonry <sup>a</sup>				
Wall height (feet) <sup>e</sup>	Depth of unbalanced backfill height (feet) <sup>f</sup>	Minimum nominal wall thickness (inches) <sup>f</sup>		
		Soil classes and lateral soil load <sup>g</sup> (pounds per square foot per foot of depth) <sup>g</sup>		
		GW, GP, SW, and SP soils 30 (inches on center)	GM, [GC,] SM, SM-SC, ML, <u>inorganic CL</u> and <u>ML-CL</u> soils 45 (inches on center)	<u>GC, SC and MH</u> [ <u>ML-CL</u> ] and [inorganic CL] soils 60 (inches on center)
7	4 (or less)	8	8	8
	5	8	10	10
	6	10	12	10 (solid) <sup>h</sup>
	7	12	10 (solid) <sup>h</sup>	12 (solid) <sup>h</sup>
8	4 (or less)	8	8	8
	5	8	10	12
	6	10	12	12 (solid) <sup>h</sup>
	7	12	12 (solid) <sup>h</sup>	Note c
9	4 (or less)	8	8	8
	5	8	10	12
	6	12	12	12 (solid) <sup>h</sup>
	7	12 (solid) <sup>h</sup>	12 (solid) <sup>h</sup>	Note c
9	8	12 (solid) <sup>h</sup>	Note c	Note c
	9	Note c	Note c	Note c
	Plain concrete			
	Wall height (feet) <sup>e</sup>	Depth of unbalanced backfill height (feet) <sup>f</sup>	Minimum nominal wall thickness (inches) <sup>f</sup>	
Soil classes and lateral soil load <sup>g</sup> (pounds per square foot per foot of depth) <sup>g</sup>				
GW, GP, SW, and SP soils 30 (inches on center)			GM, [GC,] SM, SM-SC, ML, <u>inorganic CL</u> and <u>ML-CL</u> soils 45 (inches on center)	<u>GC, SC, MH</u> [ <u>ML-CL</u> ] and [inorganic CL] soils 60 (inches on center)
7	4 (or less)	7.2	7.2	7.2
	5	7.2	7.2	7.2
	6	7.2	7.2	8
	7	7.2	8	10
8	4 (or less)	7.2	7.2	7.2
	5	7.2	7.2	7.2
	6	7.2	7.2	10
	7	7.2	10	10
9	4 (or less)	7.2	7.2	7.2
	5	7.2	7.2	7.2
	6	7.2	7.2	10
	7	7.2	10	10
9	8	10	10	12
	9	10	12	Note d

**Table 1812.3.2(2)  
REINFORCED CONCRETE AND REINFORCED  
MASONRY FOUNDATION WALLS<sup>a,b,c,d</sup>**

Wall height (feet) <sup>e</sup>	Depth of unbalanced backfill height (feet) <sup>f</sup>	Vertical reinforcement for 8-inch nominal wall thickness <sup>f</sup>		
		Soil classes and lateral soil load <sup>g</sup> (pound per square foot per foot of depth) <sup>g</sup>		
		GW, GP, SW, and SP soils 30 (inches on center)	GM, [GC,] SM, SM-SC, ML, <u>inorganic CL</u> and <u>ML-CL</u> soils 45 (inches on center)	<u>GC, SC, MH</u> [ <u>ML-CL</u> ] and [inorganic CL] soils 60 (inches on center)
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
8	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	#5 at 48	#6 at 48	#6 at 40
9	4 (or less)	#4 at 48	#4 at 48	#4 at 48
	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
9	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.** Provision 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.

If you have any questions, please call me at (609) 984-7609.

Source: Marcel Iglesias  
Code Assistance Unit

**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.

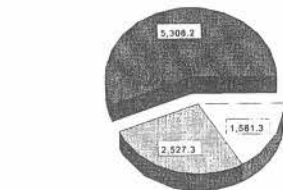
**Note f.** 1 foot = 304.8 mm; 1 inch = 25.4 mm; 1 pound per square foot = 47.9 Pa.

## Rehabilitation Subcode

In 1998, New Jersey became the first state in the nation with separate building regulations for work on existing structures. The DCA met with construction code officials, nonprofit builders, architects, engineers, realtors, historic preservationists, and other government agencies that fund low- and moderate-income housing and wrote a new Rehabilitation Subcode. The subcode has two purposes: 1) to remove regulatory barriers that posed unreasonably high costs, and 2) to maintain health and safety standards found in the existing code for new construction. The Rehabilitation Subcode was crafted with an eye toward removing regulatory obstacles that raised redevelopment costs, especially in New Jersey cities where there is a concentration of older houses and commercial property. The DCA began administering the Rehabilitation Subcode in January 1998.

Rehabilitation is a big part of New Jersey's construction industry. Statewide, the estimated cost of construction on all permits issued for additions and alterations totaled \$4,088.6 million in 1998. This was 43.5 percent of the estimated cost of all work authorized by building permits. In older cities, the proportion spent on housing rehabilitation in particular may be considerably higher. For example, of the \$14.2 million in estimated cost of all residential construction authorized by permits in Trenton, Mercer County in 1998, only \$3.9 million was for new construction, while \$10.3 million (72.5 percent) was for repairs on existing houses. New Jersey has an old housing stock and rehabilitation of existing dwellings, along with building conversions, have a vital role in efforts to expand safe, decent, and affordable shelter.

Estimated Cost of Construction: 1998  
New Construction vs. Rehabilitation (millions of dollars)



How has the Rehabilitation Subcode worked? Construction indicators suggest the it is making a difference, especially in New Jersey cities. Statewide, the estimated cost of alterations and additions to existing structures grew at a modest rate of 7.7 percent between 1997 and 1998; however, in New Jersey's larger cities, rehabilitation work grew at much faster rates, mainly as a result of repairs and renovations to commercial property. The estimated cost of all rehabilitation work in Newark grew by 59.2 percent between 1997 and 1998. Rehabilitation work in Jersey City and Trenton grew by 83.5 percent and 40.1 percent, respectively. While many variables influenced the increase in rehabilitation work in 1998, the DCA believes the Rehabilitation Subcode is a primary reason.

Estimated Cost of Rehabilitation Construction Authorized by Building Permits Selected New Jersey Cities and Statewide: 1996, 1997, 1998					
	1996 (millions of \$)	1997 (millions of \$)	1998 (millions of \$)	Percent Change	
				1996-97	1997-98
<b>Newark</b>					
housing rehab	22.2	19.3	15.2	-12.9%	-21.2%
nonresident. rehab	36.4	48.8	93.3	34.2%	90.9%
Newark rehab	58.6	68.1	108.5	16.4%	59.2%
<b>Jersey City</b>					
housing rehab	22.5	16.7	17.6	-25.7%	5.5%
nonresident. rehab	29.0	31.8	71.4	9.8%	124.4%
Jersey City rehab	51.5	48.5	89	-5.7%	83.5%
<b>Trenton</b>					
housing rehab	14.4	8.0	10.3	-44.4%	27.8%
nonresident. rehab	18.1	12.9	19.1	-28.5%	47.7%
Trenton rehab	32.5	21.0	29.4	-35.6%	40.1%
<b>New Jersey</b>					
housing rehab	1,274.3	1,395.6	1,561.3	9.5%	11.9%
nonresident. rehab	2,028.9	2,401.7	2,527.3	18.4%	5.2%
New Jersey rehab	3,303.2	3,797.3	4,088.6	15.0%	7.7%

Source: N.J. Department of Community Affairs

Estimated Cost of Rehab Construction Authorized by Permits for Additions & Alterations Top Municipalities: 1998 (millions of dollars)					
Rank	Municipality	County	Total	Residential	Nonresidential
1	Newark City	Essex	\$108.5	\$15.2	\$93.3
2	Jersey City	Hudson	89.0	17.6	71.4
3	Edison Township	Middlesex	53.1	20.6	32.5
4	Bridgewater Township	Somerset	52.7	11.0	41.8
5	Middletown Township	Monmouth	50.8	21.0	29.8
6	Freehold Township	Monmouth	49.9	5.0	44.9
7	Mahwah Township	Bergen	47.9	7.8	40.0
8	Paramus Borough	Bergen	45.0	8.7	36.3
9	Wayne Township	Passaic	44.7	13.4	31.3
10	Elizabeth City	Union	44.3	7.8	36.4
11	Parsippany-Troy Hills	Morris	39.0	6.9	32.1
12	Woodbridge Township	Middlesex	38.0	9.1	28.8
13	Cherry Hill Township	Camden	35.7	10.1	25.6
14	East Brunswick Township	Middlesex	34.7	11.9	22.8
15	Princeton Borough	Mercer	33.0	13.4	19.6
16	Hopewell Township	Mercer	31.8	10.8	21.0
17	Summit City	Union	31.7	21.0	10.8
18	Bedminster Township	Somerset	31.7	1.4	30.3
19	Hoboken City	Hudson	31.1	18.5	12.6
20	Bernards Township	Somerset	30.6	8.9	21.7
21	Camden City	Camden	30.1	4.3	25.9
22	Millburn Township	Essex	29.8	22.2	7.6
23	Trenton City	Mercer	29.4	10.3	19.1
24	Vineland City	Cumberland	29.2	4.2	25.0
25	Lawrence Township	Mercer	28.8	4.3	24.5
Top Municipalities			1,070.4	285.4	785.1
<b>NEW JERSEY</b>			<b>\$4,088.6</b>	<b>\$1,561.3</b>	<b>\$2,527.3</b>

Source: N.J. Department of Community Affairs

Source: John Lago  
Division of Codes and Standards

## **The Rehabilitation Subcode: A Way to Keep Out of Trouble!!!**

Here is a method for avoiding a common error. When performing a plan review on an existing building, on your correction list cite only the Rehab Subcode sections (the sections from N.J.A.C. 5:23-6). For example, if there is a problem with a "newly created stair," cite N.J.A.C. 5:23-6.9(a)6.

Doing this for all reviews will eliminate the possibility of citing unreferenced sections of the model codes that were not included in the Rehabilitation Subcode and that do not apply

If you have discovered any other "tricks" to enforcing the Rehab Subcode, I would love to hear your ideas. Questions or comments can be directed to the Code Assistance Unit at (609) 984-7609.

Source: John N. Terry  
Code Assistance Unit

## *Good Luck, Farid Ahmad!*

Farid Ahmad has recently transferred from the Code Assistance Unit where he was supervisor of the code assistants to the Health Facilities Plan Review team.

Farid has a depth and breadth of code knowledge that will be missed by those who remain in Code Assistance, and will be appreciated by those with whom he is now working.

Farid served as Supervisor of the Code Assistance Unit for over 10 years. During that time, the codes have changed a great deal. We will miss his ready expertise and intend to visit the fourth floor frequently to avail ourselves of his perspective.

Good luck, Farid!

Source: Code Assistance and Code Development Units



Center for Government Services  
33 Livingston Avenue, Suite 200  
New Brunswick, NJ 08901-1979

***FIRST-CLASS MAIL***

# Construction Code Communicator



State of New Jersey  
Christine Todd Whitman, Governor

Department of Community Affairs  
Jane M. Kenny, Commissioner

Volume 11 Number 3

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## UCCARS and Construction Permit Fees

The most common errors in entering data in UCCARS relate to using the wrong formula to compute the fees. The following explanations may help UCCARS users know the correct fee.

**Alteration:** For permits with a work type of Alteration (those not involving square and cubic volume), the training fee rate is \$0.80 for each \$1,000.

**Addition:** On New or Addition work type permits (Square and Cubic Feet of volume are required), the training fee rate is \$0.0016 per cubic foot of volume.

**No fees:** No training fee shall be collected for lead abatement, asbestos abatement or preengineered systems of commercial farm buildings.

**Fee Exempt projects:** Exempt projects such as schools, municipal buildings, etc. must be checked as public buildings in UCCARS System I. In UCCARS System II, the box for Exempt from State and Local Fees must be checked on the building subcode standard form.

**Estimated Cost of Work:** In accordance with N.J.A.C. 5:23-4.18 (c)1i, fees for renovations, alterations, reroofing, repairs, and site construction associated with pre-engineered systems of commercial farm buildings, premanufactured construction, and the external utility connections for premanufactured construction shall be based upon the estimated cost of the work. The fee shall be computed as a unit rate per \$1,000 of estimated cost.

**Modular Construction:** UCCARS users should be aware that Industrialized Housing (Modular Construction) fees are based

upon the site construction work, with the State Training Fee computed on the basis of the cost for alterations at \$0.0008 per \$1,000. To keep the State Training Fees correct, the permit should be entered as an alteration permit which gains a housing unit.

**Combination Permit:** Another problem for UCCARS I users is the combination permit when two different types of work are done. For example, a homeowner is adding a room onto the house and is also building a deck. The training fees for the addition are based upon the volume of the addition; the training fees for the alteration (deck) are based upon the cost. This must be treated as two permits for the purposes of State Training Fees. In UCCARS I, we use the "attached" permit. For example, the permit for the addition is input as 99-0001. The volume is computed and entered on this permit; the fees are based upon the fees for new construction or additions. The permit for the alteration is input as 99-0001/1. The cost of the alteration becomes the basis for the fees. This benefits the municipality in two ways:

1. The fees are reported properly on the State Training Fee report.

2. The deck can be given a Certificate of Approval; the addition can be given a Certificate of Occupancy. Each signifies that the work meets the code.

If you have any questions, please contact me at (609) 292-7898.

Source: Larry Wolford  
TEAM UCCARS  
Division of Codes and Standards

### In This Issue

Adaptable AND Accessible .....	5	New Jersey Register Adoptions .....	2
Correcting A State Training Fee Report .....	10	Proposed Changes to the Rehabilitation Subcode (N.J.A.C. 5:23-6) .....	7
Counter Documents .....	9	Star Fire Sprinkler Recall .....	5
DEP Land Use Regulation Contact List.....	11	The Barrier Free Subcode and Multifamily Residences .....	4
Hair Interceptors — Where Required .....	3	UCCARS and Construction Permit Fees .....	1
Important Notice to Municipalities in the 856 Area Code .....	9	UCCARS and Electrical Safety Inspections .....	4
It's Rehab Subcode Code Change Proposal Time Again.....	3	Use Group Classification and Sprinkler Exceptions for Residential Buildings .....	2
More About the "Path of Travel" .....	5	Utility Load Management Program and the Replacement of a Water Heater.....	3
Municipal Inspector's Liability .....	10	Who Do I Call at DEP? .....	10
NEC and Y2K.....	9		
NJ Department of Community Affairs Div. of Codes and Standards Rehabilitation Subcode (NJAC 5:23-6) Code Change Proposal .....	6		

## Use Group Classification and Sprinkler Exceptions for Residential Buildings

There have been errors made in applying the sprinkler exception for certain residential buildings. There are two steps to deciding whether a residential building is exempt from the suppression requirement contained in Section 904.9 of the 1996 BOCA National Building Code. The first step is to determine the proper use group classification for the building. The second is to check whether the conditions for exemption in Section 904.9 have been met.

### 1. Is it Use Group R-3 or R-2?

It is clear that a two-story residential building having two or more dwelling units per floor and having a means of egress through an enclosed corridor or stair is Use Group R-2. Take the same building and eliminate the front exterior wall making the means of egress an exterior stair open in the front and enclosed on three sides. Architects commonly classify these buildings as multiple single-family dwellings (Use Group R-3). By definition, in a multiple single-family dwelling, each dwelling unit has an independent means of egress. The means of egress includes exit access, exit, and exit discharge. If any portion of a means of egress of a unit is shared with more than one other unit, the use group is not R-3; it is R-2.

Example: Two families living on the second floor exit their units and egress via a stair to a first floor landing. Two families living on the first floor exit their units and also egress onto the first floor landing. All of the occupants have converged onto a common landing and then use a single stair to grade. The correct classification is Use Group R-2, not R-3. The commonality of the egress is the factor to be evaluated when determining the use group of a residential building.

### 2. Are the conditions for sprinkler exception met?

Section 904.9 requires that "an automatic fire suppression system shall be provided throughout all buildings with an occupancy in Use Group R-2." This language is clearly written and universally understood. The exception to Section 904.9 is the area which has confused some readers. The exception applies to "buildings which do not exceed two stories, including basements which are not considered as a story above grade, and with a maximum of 12 dwelling units per fire area. Each dwelling unit shall have at least one door opening to an exterior exit access that leads directly to the exits required to serve the dwelling unit."

To qualify for the exception, the building must meet all elements of the exception. If the building meets only one element, the exception cannot be applied. For example, a two-story Use Group R-2 building with a basement does not fall under the ex-

ception. Any building which exceeds two stories requires a fire suppression system. The basement, while not a story above grade, is considered a story for the purpose of applying this section. Therefore, in the above example, the building has three stories and a suppression system is required.

The exception also states that egress from a dwelling unit must go to an exterior exit access. In most cases, this means that the door to the dwelling unit opens onto an exterior landing or balcony, onto an exterior stair to grade or directly to grade. If the exit path is not an exterior exit access, this part of the exception is not met and a suppression system is required.

This code section has been in the BOCA National Building Code since the adoption of the 1993 edition. I hope this clarifies the application of the sprinkler exception. If you have any questions, please contact me at (609) 984-7672.

Source: Gerald Grayce  
Bureau of Regulatory Affairs

## New Jersey Register Adoptions

**Date:** January 19, 1999

**Adoption:** 31 N.J.R. 135(b)

Adopted amendments: N.J.A.C. 5:23 - 2.14

**Summary:** Incorrect references in this section were corrected.

**Date:** April 5, 1999

**Adoption:** 31 N.J.R. 852(a)

Adopted amendments: N.J.A.C. 5:23 - 7.1 - 7.14

**Summary:** This adoption reduces the number of sources needed to enforce the Barrier Free Subcode from three to two. The scoping provisions have been consolidated in N.J.A.C. 5:23-7 et seq. CABO/ANSI A117.1-92 contains the technical requirements. N.J.A.C. 5:23-7 now contains the scoping provisions for what types of buildings, and which spaces in those buildings, must be accessible. It also contains parking requirements, special requirements applicable to specific use groups, enforcement responsibility requirements, and recreation standards.

**Date:** August 16, 1999

**Adoption:** 31 N.J.R. 2330(a)

Adopted amendments: N.J.A.C. 5:23-3.4; 3.20; 6.21A; 6.25A; 6.26A; 6.27; 6.28; and 6.31.

**Summary:** This adoption requires the installation of carbon monoxide alarms in hotel guestrooms and dwelling units covered by the Hotel and Multiple Dwelling Act and the Rooming and Boarding Home Act.

Source: Code Assistance Unit

The *Construction Code Communicator* is published quarterly by the New Jersey Department of Community Affairs and the Center for Government Services at Rutgers, The State University. Editor: Emily Templeton. Address changes and subscription requests may be directed to the DCA Publications Unit, P.O. Box 802, Trenton, NJ 08625-0802. Comments and suggestions should be sent to the Code Development Unit, P.O. Box 802, Trenton, NJ 08625-0802.

## Utility Load Management Program and the Replacement of a Water Heater

It has been brought to the attention of the Code Assistance Unit that, during some electrical inspections under the "utility load management device installation program" (N.J.A.C. 5:23-2.18A), some electrical inspectors have found that domestic water heaters have been replaced. The electrical inspector notified the plumbing inspector of the new heater installation. When the plumbing inspector inspected the domestic water heater, it was found that a number of installations were in violation of the Plumbing Subcode. Primarily, the T&P relief valve was improperly installed and piped. Also, these heaters were replaced without a Plumbing Subcode permit.

The T&P relief valve is a very important safety item on a water heater installation. These valves must be installed and piped in compliance with the Plumbing Subcode for safety and for the proper operation of the water heater. A Plumbing Subcode permit and inspection are required.

Public utilities and their contractors are reminded that a permit is required for the installation of a load management device (N.J.A.C. 5:23-2.18A). A permit is also required for the installation or replacement of a water heater. These heaters are sometimes sold to a homeowner, but are not installed by the utility company or its contractor.

When electrical inspections are made (per N.J.A.C. 5:23-2.18A) and it appears that a new water heater has been installed, it should be brought to the attention of the plumbing inspector. NJAC 5:23-2.30 specifies that a notice of violation be issued. A permit can then be obtained and the installation may be inspected for code compliance.

Remember: we are all licensed New Jersey code officials. If an installation or code violation of another subcode discipline is detected, it should be brought to the attention of that subcode official.

Should you have any questions, please contact me at (609) 984-7609.

Source: Thomas C. Pitcherello  
Code Assistance Unit

## Hair Interceptors – Where Required

The following questions have been asked of the Code Assistance Unit many times: "Where in the 1996 National Standard Plumbing Code (NSPC) is it indicated that a hair interceptor is required?" and "What section of the Plumbing Subcode can be cited for a violation if this type of interceptor is required, but has not been installed?"

First, a hair interceptor is required on all commercial shampoo sinks where hair is washed. In the 1996 NSPC, the last sentence of Section 5.3.5, titled Prohibited Traps, declares: "Hair interceptors, precious metal interceptors, and similar appurtenances shall be permitted as per other sections of this Code."

In addition, at Section 6.1, titled "Interceptors, General," the code states that "Interceptors (including grease, oil, sand in-

terceptors, etc.) shall be provided when, in the opinion of the [Administrative Authority] Plumbing Subcode Official, they are necessary for the proper handling of liquid wastes containing grease, flammable wastes, sand, solids, and other ingredients harmful to the building drainage system, the public sewer or sewer-treatment plant or process." In this case, hair is classified as "solids and other ingredients [that are] harmful to the building drainage system."

The determination should be made during plan review as to whether a hair interceptor is required to be installed on a commercial (i.e. non-residential) shampoo sink. When it is determined that a hair interceptor is required, but is not provided, Section 6.1.1 of the Plumbing Subcode, titled "When required," should be cited on the violation notice.

If you have any questions, you may contact me at (609) 984-7609.

Source: Thomas C. Pitcherello  
Code Assistance Unit

## It's Rehab Subcode Code Change Proposal Time Again

It is time to think about proposals for the second annual Rehabilitation Subcode code changes. There is a companion article in this *Communicator* detailing amendments to the Rehabilitation Subcode. These amendments resulted in large part from code changes presented at the special Code Advisory Board meeting and public hearing held on March 12, 1999.

The Rehabilitation Code Change process for the upcoming year (2000) will mirror that followed for 1999:

1. At its meeting on December 10, 1999, the Code Advisory Board will set the date and time for a special meeting and public hearing on the Rehabilitation Subcode code change proposals.
2. Rehabilitation Subcode code change proposals are due by January 14, 2000.
3. Code change proposals received by January 14, 2000 will be sent to members of the Code Advisory Board and to members of the applicable technical subcode committees.
4. The Code Advisory Board meeting and public hearing for Rehabilitation Subcode code change proposals will be held in March 2000.
5. At the April 2000 Code Advisory Board meeting, recommendations regarding the code change proposals will be made to the Department.
6. The Department will prepare a rule proposal which will be published in the *New Jersey Register* during the summer, with adoption of the amendments planned by the end of the year.

The code change proposal form for 2000 is printed here for your convenience.

If you have any questions about this process, please feel free to contact me — or any member of the Code Assistance Unit — at (609) 984-7609.

Source: Emily Templeton  
Code Development

## The Barrier Free Subcode and Multifamily Residences

The Department has recently become aware that there are questions about which multifamily residential buildings are required to be accessible. With the adoption of the Barrier Free Subcode that was published in the *New Jersey Register* on April 5, 1999, an effort was made to make this clear by including a section on exempt buildings (N.J.A.C. 5:23-7.3) and separate sections on non-residential (N.J.A.C. 5:23-7.4) and multifamily residential (N.J.A.C. 5:23-7.5) buildings required to be accessible.

The Barrier Free Subcode begins (N.J.A.C. 5:23-7.1) by stating that all buildings and their associated sites are required to provide access to people with disabilities. N.J.A.C. 5:23-7.2 gives the technical standard for dimensional compliance and N.J.A.C. 5:23-7.3 gives two categories of exemptions.

(1) At N.J.A.C. 5:23-7.3(a), exemptions for non-residential buildings are given. There are four separate items in that category. They are: temporary structures, areas of buildings where work cannot reasonably be performed by people with disabilities, floors or mezzanines of less than 3,000 square feet, and unclassified accessory buildings or structures of Use Group U. Some of these items have subsections that explain — or provide an exception from — the item given.

(2) At N.J.A.C. 5:23-7.3(b), exemptions for residential structures are given. There are two items in that category. First are townhouses, which are defined as having more than one story of living space, excluding basement or attic, with most of the sleeping rooms on one story, and with an independent entrance at or near grade. There is no maximum number of townhouses given because this design, as defined, is exempt no matter how many are built. Second are residential buildings with one, two, or three dwelling units in a single structure. A subsection (N.J.A.C. 5:23-7.3(b)2i) specifies that when counting the number of dwelling units in a single structure, firewalls do not designate separate buildings. In this section, a number of dwelling units is given because the number of dwelling units in the single structure determines whether any of the dwelling units must be accessible.

These two items — the exemption for townhouses and the exemption for multifamily dwellings with fewer than four dwelling units in a single structure — are separate and distinct from one another; they are not cumulative.

Because some code users read for exemptions and others read for applications, the revised Barrier Free Subcode includes both. Therefore, scoping requirements can be "checked" by comparing the provisions of N.J.A.C. 5:23-7.4 (non-residential buildings) and N.J.A.C. 5:23-7.5 (multifamily buildings) with the exemptions in N.J.A.C. 5:23-7.3.

At N.J.A.C. 5:23-7.4, the accessibility requirements for non-residential buildings (including buildings of Use Group R-1) are given. Included in this section is the familiar large building/ small building distinction that determines when elevator service is required in the new construction of a non-residential building.

At N.J.A.C. 5:23-7.5, the accessibility requirements for multifamily residential structures are given. Buildings with four or more dwelling units are required to be accessible. Unless exempted by N.J.A.C. 5:23-7.3, the dwelling units required to be accessible depends on whether the building is elevator-serviced. In an elevator-serviced building, all dwelling units must be accessible; in a non-elevator serviced building, the ground floor dwelling units are required to be accessible. Remember, the ground floor dwelling units are the first level of dwelling units regardless of whether that level is at grade.

I hope this explains the format — and the requirements — of the newly adopted Barrier Free Subcode. If you have any questions on scoping, please contact me. If you have questions about dimensions, please contact John Terry. We can each be reached at (609) 984-7609.

Source: Emily Templeton  
Code Development

## UCCARS and Electrical Safety Inspections

In the UCCARS software, the monies collected for electrical safety inspections are entered under the miscellaneous payments screen, as follows:

At the main menu:

Select Enter or Update Data,

Enter your Third level Password

Select Misc Payment/Adjustment

Press the Enter key at the Permit/Control Number box

Input the Block and Lot numbers of the property,

Qual: Input is not required

Adjustment ? N

Fee Type:

Put an x next to Other,

Type the word pool in the box

Check number: If paid by check, type in a check number here

Check Amount Paid: If paid by check, input amount of payment here

Cash Amount Paid: If paid in cash, input amount of payment here

Received By: Input your initials

Date: Input date

Receipt Number: The receipt number must be entered if payment was in cash

Please call me at (609) 292-7898 if you have any questions about this process.

Source: Larry Wolford  
Team UCCARS  
Division of Codes and Standards

## More About the "Path of Travel"

For a code requirement that is almost five years old, there still seems to be an incredible amount of confusion regarding the "path of travel" in the Barrier-Free Subcode. The purpose of this article is to answer several of the questions that I am asked regularly on this issue.

**Question 1:** When a building fully complies with the requirements of the Barrier-Free Subcode, does the permit applicant's design professional still need to dedicate 20 percent of the cost of the planned rehabilitation work towards Barrier-Free compliance?

**Answer 1:** No. If the building is in compliance with the Barrier-Free Subcode and the rehabilitation project complies with the applicable sections of the Rehabilitation Subcode, there is no need to apply the path of travel requirements to the project. The purpose of the path of travel requirements is to improve the route to an interior space. The improvement may not provide complete accessibility. The highest level of compliance that can be obtained is compliance with the Barrier-Free Subcode. If the project complies with the Barrier-Free Subcode, it is not necessary for the building owner to undertake additional work that would exceed the Barrier-Free Subcode requirements.

**Question 2:** A reconstruction project is being undertaken and a portion of the cost of the project is being dedicated to improving the path of travel to the altered space. However, the dedicated amount is less than 20 percent of the overall cost of the project. The design professional has verified that full compliance with the Barrier-Free Subcode is being obtained by spending less than 20 percent. Is this acceptable?

**Answer 2:** Yes. As with the answer to the first question, the highest level of compliance that can be required by the construction department is full compliance with the Barrier-Free Subcode. No additional work is required.

**Question 3:** A rehabilitation project is undertaken in a building containing more than one use group. The scope of the project is limited to one use group, which has a separate entrance. There is no work contemplated in any other portion of the building. The part of the building where the project is being undertaken is fully compliant with the Barrier-Free Subcode. Should the permit applicant's design professional be required to analyze the entire building for compliance?

**Answer 3:** NO! The path of travel to be analyzed is to the altered or reconstructed space only. The fact that another portion of the building is not in compliance with the Barrier-Free Subcode is not relevant to the project being undertaken.

If you have questions, please contact me or Emily Templeton at (609) 984-7609.

Source: John N. Terry  
Code Assistance Unit

## Star Fire Sprinkler Recall

In cooperation with the Consumer Product Safety Commission, Mealane Corporation of Philadelphia is voluntarily recalling up to 1 million Star brand fire sprinklers that were manufactured from 1961 through 1976. These sprinkler heads were used in hospitals, schools, resorts, stores, office buildings, warehouses, and supermarkets.

This may be of interest to code officials, as well as fire officials, should a building owner undertake a construction project in an existing building that contains the recalled sprinkler heads. In that case, the code official should inform the building owner of the recall.

The Star sprinklers being recalled are dry-type models D-1, RD-1, RE-1, E-1 and ME-1 made from 1961 through 1976. The name "Star" appears on the sprinklers, along with the model number and date of manufacture.

Should a building owner have any questions on the recall, please direct them to the Star Sprinkler Recall Hotline at (800) 866-7807.

Source: John N. Terry  
Code Assistance Unit

## Adaptable AND Accessible

With the adoption of the new Barrier Free Subcode (N.J.A.C. 5:23-7) on April 5, 1999, there has been some confusion regarding the requirements for dwelling units. In the Barrier Free Subcode, the term "accessible" is used to describe those dwelling units that are required to be accessible to — and usable by — people with disabilities. The requirements for accessible dwelling units should not be confused with the requirements for non-residential accessible spaces. As the Barrier Free Subcode states, an accessible dwelling unit is a dwelling unit with an accessible route to, into, and through the unit, with adaptable features in the kitchen and bathroom. The requirements for an adaptable kitchen and bathroom in an accessible dwelling unit can be found in Section 4.33 of the CABO/ANSI A117.1-92 standard. One example of an adaptable feature is the provision of blocking in the bathroom wall for the later installation of grab bars. Another example is that the kitchen cabinets may be replaceable as a unit, which eliminates the need for custom height cabinets.

Just remember, there is one standard of compliance for a dwelling unit covered by the Barrier Free Subcode in the State of New Jersey. You can call it adaptable, accessible, or both, but it has an accessible route to, into, and through the dwelling unit, required clear floor space and maneuvering space in the dwelling unit, and adaptable features in the kitchen and bathroom. If you have any questions contact the Code Assistance Unit at (609) 984-7609.

Source: John N. Terry  
Code Assistance Unit

New Jersey Department Of Community Affairs
Division Of Codes And Standards Rehabilitation Subcode (NJAC 5:23-6)
Code Change Proposal

DUE: To be considered, code changes must be submitted by January 14, 2000.
Sections must be presented with language proposed for deletion in brackets [ ].
Sections must be presented with language proposed for addition underlined \_\_\_\_\_.

Mail code change proposals to:
Code Development Unit
Department of Community Affairs
Division of Codes and Standards
Post Office Box 802
Trenton, New Jersey 08625-0802

FAX Code Change Proposals to:
Code Development Unit
Department of Community Affairs
Division of Codes and Standards
(609) 633-6729 or
(609) 984-7717

Information may be obtained from the Code Development or Code Assistance Units at (609) 984-7609.

Section (Citation) Proposed for Change \_\_\_\_\_
Sections (Companion Changes) that may also need to be changed \_\_\_\_\_

NAME: \_\_\_\_\_

ORGANIZATION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

PROPOSED CODE CHANGE

Multiple horizontal lines for writing the proposed code change details.

SUPPORTING STATEMENT (Reason for Code Change)

Multiple horizontal lines for writing the supporting statement.

## Proposed Changes to the Rehabilitation Subcode (N.J.A.C. 5:23-6)

By the time this *Communicator* is mailed, the public comment period on these proposed changes to the Rehabilitation Subcode will have ended. However, anyone who has an idea for improving the Rehabilitation Subcode or who has identified a point on which the Rehabilitation Subcode requirements are unclear is encouraged to review this summary of proposed changes. If the point you have identified is not addressed here, please use the form included in this issue of the *Communicator* to submit a proposal for a code change to be considered next year.

The amendments to the Rehabilitation Subcode that are summarized here are the result of experience gained through the application of the Rehabilitation Subcode to construction projects throughout New Jersey for the past year and a half. This rule proposal includes changes initiated by the Department, code users, and members of the public.

**Ordinary Repair:** At N.J.A.C. 5:23-1.4, 2.7, 2.14, 3.3(a)1, and 9.3, the term "ordinary repair" has been changed to "ordinary maintenance" to distinguish this term, used throughout the Uniform Construction Code, from the term "repair," which is a category of work in the Rehabilitation Subcode.

### 5:23-2.32: Unsafe Structures

N.J.A.C. 5:23-2.32(a)3 contains an amendment replacing an existing reference to the 25-50 percent rule with a reference to the Rehabilitation Subcode. The 25-50 percent rule was deleted from the Uniform Construction Code when the Rehabilitation Subcode was adopted in January, 1998.

### 5:23-3.2: Matters covered; exceptions

At N.J.A.C. 5:23-3.2(b)1, the reference to "alteration" of health care facilities has been changed to "rehabilitation" because "alteration" is a defined term in the Rehabilitation Subcode. In addition, the reference to the "Guidelines for Construction and Equipment of Hospital and Medical Facilities" has been updated.

### 5:23-4.3A: Enforcing agency classification

At section N.J.A.C. 5:23-4.3A(e)1, the reference to the 25-50 percent rule regarding Departmental plan review has been replaced with a reference to the Rehabilitation Subcode.

### 5:23-6.2: Applicability and compliance

At N.J.A.C. 5:23-6.2(b)2i., an amendment is proposed to include language that permits the code official to require compliance with the codes applicable for new construction when all but a *de minimis* portion of a building is demolished.

### 5:23-6.4: Repairs

At N.J.A.C. 5:23-6.4(e)5, the section has been revised to clarify the relationship of the replacement of refrigerant to the requirements of the mechanical subcode. A companion change has been made in N.J.A.C. 5:23-6.5(e)7, N.J.A.C. 5:23-6.6(e)13, and N.J.A.C. 5:23-6.7(e)10.

At N.J.A.C. 5:23-6.4(f), the smoke detector requirements have been revised for clarity. A companion change has been made at N.J.A.C. 5:23-6.5(f) and N.J.A.C. 5:23-6.6(f).

### 5:23-6.5: Renovations

At N.J.A.C. 5:23-6.5(d)5., a new provision is proposed to require bars, grilles and screens that are placed over emergency escape and rescue windows to be openable without the use of key, tool or special knowledge. Corollary changes are proposed at N.J.A.C. 5:23-6.6(d)5. and N.J.A.C. 5:23-6.7(d)4.

At N.J.A.C. 5:23-6.5(e)1, an amendment is proposed to correct the referenced section. Corollary changes are proposed at N.J.A.C. 5:23-6.6(e)1. and N.J.A.C. 5:23-6.7(e)1.

### 5:23-6.6: Alterations

At N.J.A.C. 5:23-6.6(e)2iii(2), a clarification is included specifying that when an accessible unisex toilet room is provided, a second unisex bathroom (not accessible) is allowed. A companion change is also made at N.J.A.C. 5:23-6.7(e)2iii(2).

At N.J.A.C. 5:23-6.6(e)3ii(1), the reference to Use Group H has been deleted because this section applies only to Use Groups I-1, R-1 or R-2. A companion change has been made at N.J.A.C. 5:23-6.7(e)3ii(1).

At N.J.A.C. 5:23-6.6(e)9, the requirements for emergency rescue windows are spelled out for newly-created bedrooms in buildings of Use Group R or I-1.

At N.J.A.C. 5:23-6.6(e)10., an amendment is proposed to require a fire resistance rated assembly when living space is created over a garage in a Use Group R-3 or R-4 building. A companion change has been made at N.J.A.C. 5:23-6.27(c).

### 5:23-6.7: Reconstruction

At N.J.A.C. 5:23-6.7(e)9, an amendment is made that provides consistency with N.J.A.C. 5:23-6.6(e) regarding the minimum ceiling height in a room with a sloped ceiling.

### 5:23-6.8: Materials and methods

At N.J.A.C. 5:23-6.8(b)4i, the proposed amendment specifies that smoke detectors installed near a kitchen or bathroom in buildings of Use Group R or I-1 must be photoelectric type.

At N.J.A.C. 5:23-6.8(b)4ii., an amendment is proposed to require supervision consistent with the building subcode for newly-installed fire suppression, fire alarm and fire detection systems.

At N.J.A.C. 5:23-6.8(b)5iii, the proposed amendment adds section 1017.5 of the building subcode entitled "Security grilles". This was inadvertently omitted from the initial adoption.

At N.J.A.C. 5:23-6.8(c), the numbering of several sections has been corrected, as have the titles of three chapters of the 1996 National Standard Plumbing Code.

### 5:23-6.9: New Building Elements

At N.J.A.C. 5:23-6.9(a)6., an amendment is proposed to require newly created openings in fire resistance rated assemblies to be provided with fire dampers.

At N.J.A.C. 5:23-6.9(a)7., an amendment is proposed to require a fire separation assembly to protect newly-created exit discharge passageways. The required fire resistance rating of the newly-created assembly is not required to exceed the rating of the exit that discharges into the passageway.

At N.J.A.C. 5:23-6.9(a)20, the amendment requires newly-created tenant separation assemblies to comply with the rating requirements and the continuity requirements of the building subcode.

### 5:23-6.11 Basic Requirements in All Use Groups

At Table 1 of N.J.A.C. 5:23-6.11(b), an amendment is proposed to clarify that the limitation of five square feet per occupant applies only to Use Group A occupancies.

### 5:23-6.12 Basic Requirements Use Group A-1

At N.J.A.C. 5:23-6.12 (e), an amendment is proposed to clarify that the emergency electrical system is required to provide continue illumination for means of egress lighting for a period of one hour in conformance with the requirements of the building subcode. Companion changes are proposed at 5:23-6.13(f), 6.14(f), 6.15(e), 6.16(e), 6.17(e), 6.18(e), 6.19(e), 6.20(f), 6.21(g), 6.22(f), 6.23(f), 6.24(e), 6.25(g), 6.26(f) and 6.28(e).

At N.J.A.C. 5:23-6.12(e)1., an amendment is proposed to require the switch used to control the means of egress lighting in occupancies used for motion picture projection to be connected to the emergency system in accordance with the electric subcode. Companion changes are proposed at 5:23-6.13(f)1., 6.14(f)1., 6.15(e)1., 6.16(e)1 and 6.18(e)1.

At N.J.A.C. 5:23-6.12 (f), an amendment is proposed to clarify that exit signs are required to provide continuous illumination for a duration of one hour in conformance with the requirements of the building subcode. Companion changes are proposed at 5:23- 6.13(g), 6.14(g), 6.15(f), 6.16(f), 6.17(f), 6.18(f), 6.19(f), 6.20(g), 6.21(h), 6.22(g), 6.23(g), 6.24(f), 6.25(h), 6.26(g) and 6.28(f).

### 5:23-6.21: Basic Requirements — Use Group I-1

At N.J.A.C. 5:23-6.21(c), requirements are given for an egress window in a newly-created bedroom below the fourth floor in a building of Use Group I-1. Companion changes are proposed at N.J.A.C. 5:23-6.25© and 6.26(b).

### 5:23-6.25A Supplemental Requirements — Use Group R-1

At N.J.A.C. 5:23-6.25A(d), an amendment is proposed to make the threshold for requiring the installation of smoke detectors the same for all residential occupancies.

### 5:23-6.27: Basic Requirements — Use Group R-3 and R-4

At N.J.A.C. 5:23-6.27(g), an amendment is made specifying plumbing fixture requirements for buildings of Use Group R-3 or R-4. Basic requirements for plumbing fixtures were not included in the original proposal. Because the change of use requirements of the Rehabilitation Subcode refer the user to the basic requirements of the subcode, it is appropriate to include requirements for toilet facilities.

### 5:23-6.31: Change of use

At N.J.A.C. 5:23-6.3© and 6.31(d), the proposed amendments clarify the requirements for the enclosure of vertical openings in a change of use.

At N.J.A.C. 5:23-6.31(e)1i., an amendment is proposed to specify which structural elements are required to be analyzed when determining the construction type of an existing building.

At N.J.A.C. 5:23-6.31(f)1i., an amendment is proposed to clari-

fy the exception for the fire resistance rating of exterior walls of multiple buildings on the same lot. The proposed clarification states that the exception applies only to the exterior walls that face each other.

At N.J.A.C. 5:23-6.31(g)1., an amendment is proposed to require supervision of suppression systems when the system is required by this section.

At N.J.A.C. 5:23-6.31(h), an amendment is proposed to require supervision of a fire alarm system when the system is required by this section.

At N.J.A.C. 5:23-6.31(I), an amendment is proposed to require supervision of a fire detection system when the system is required by this section.

At N.J.A.C. 5:23-6.31(j), the proposed amendment specifies the required type of smoke detectors (photoelectric) to be installed near a kitchen or bathroom.

N.J.A.C. 5:23-6.31(n) clarifies enforcement responsibilities for two code items: the building subcode official must ensure that a test and balance of the mechanical system has been completed and the fire subcode official has jurisdiction for a hood suppression system.

### 5:23-6.32: Additions

N.J.A.C. 5:23-6.32(d) is clarified to emphasize that the expansion allowed is 25% beyond the existing floor area.

At N.J.A.C. 5:23-6.32(g)2, an amendment is proposed to correct the reference to the barrier-free subcode.

### 5:23-6.33: Historic buildings

At N.J.A.C. 5:23-6.33(a)3, the references to the specific site and building alterations required to make historic structures accessible to people with disabilities have been deleted. As originally adopted, this section might have been misunderstood to require more stringent accessibility requirements for historic structures than for other buildings. Improved accessibility for all buildings, including historic buildings, is effectively ensured through the categories of work. A statement that variations to the applicable barrier free requirements may be granted only if the historic character of the building is threatened or destroyed has been moved from the deleted 6.33(a)3 to (a)2, Variations, for clarity.

### 5:23-9.3: Interpretation: Ordinary maintenance

At N.J.A.C. 5:23-9.3, the title and all subsequent references in this section have been changed from "ordinary repair" to "ordinary maintenance."

At N.J.A.C. 5:23-9.3(a)4iii, the installation of battery-powered smoke detectors is included in the list of "ordinary fire protection maintenance." With adoption of the Rehabilitation Subcode, there has been some confusion regarding the permit requirements for these devices. This proposed amendment is intended to clarify that a permit is not required.

Source: John N. Terry  
Code Assistance

## Important Notice to Municipalities in the 856 Area Code

Effective December 1999, you must modify your telephone number.

If you are a UCCARS I user, you will need to modify the `uccsend.xtk` and `uccrbbs.xtk` files in the `C:\uccars\uccars.cmm` subdirectory of your hard drive. Note: If you are on a network, please consult your network administrator regarding the drive on which the program is located. Using a DOS text editor (such as DOS 6.2 edit or Earlier DOS edlin), modify the Number line in the file. The following are copies of the `uccsend.xtk` and `uccrbbs.xtk` files. Both files appear the same.

### Old File

```
Name      CARS BULLETIN BOARD
NUmber    292-9034
POrt      2
SPeed     9600
go r10/300
```

### New File

```
Name      CARS BULLETIN BOARD
NUmber    1-609-292-9034
POrt      2
SPeed     9600
go r10/300
```

If you are a UCCARS II user, you will need to modify the `uccsend.xtk` and `uccrbbs.xtk` files in the `C:\xtalk` subdirectory of your hard drive. Note: If you are on a network, please consult your network administrator regarding the drive on which the program is located. Using a DOS text editor (such as DOS 6.2 edit or Earlier DOS edlin), modify the Number as follows:

### Old File

```
Name      CARS BULLETIN BOARD
NUmber    292-9034
POrt      2
SPeed     9600
go r10/300
```

### New File

```
Name      CARS BULLETIN BOARD
NUmber    1-609-292-9034
POrt      2
SPeed     9600
go r10/300
```

An alternative method of changing the telephone number is to use the UCCOMM disk provided by the Department of community Affairs (DCA) and change the number. Before using this method, you must be sure which POrt your modem is on, and the speed, make, and model of your modem.

The screen will prompt you for the modem port number, baud rate, and the DCA bulletin board telephone number. Because the program is used by all parts of the State, the telephone number will vary based on location. The bulletin board telephone number — (609-292-9034) — is shown in the program's prompt

screen. Municipalities in the 201, 732, or 908 area codes will need to call 1-609-292-9034. Municipalities in the 609 area code will enter 292-9034. If your local telephone system requires that you dial a 9 or another access code to get an outside line, that number must be added to the telephone number followed by a comma (eg: 9,292-9034 or 9,1-609-292-9034).

After the telephone number has been entered, a pop-up window will appear prompting you to confirm the entries or re-enter the parameters. If the parameters are correct, select "ABOVE IS CORRECT." The UCCOMM program will then create the Crosstalk programs with your communication parameters and will execute the crosstalk program. At this point, you can quit the setup program. Your UCCARS files will have been modified.

Users of UCCARS-like software should contact their vendors to arrange for modifications to your system.

If you have any questions, please contact me at (609) 292-7898.

Source: Larry Wolford  
Team UCCARS  
Division of Codes and Standards

## Counter Documents

The Department has become aware that some municipal code enforcement offices offer "counter documents," information sheets for the general public that are available at the counter.

We believe that it may be helpful to make the best of these documents available to all municipalities. Therefore, we are asking each municipal office to send its counter documents to:

Department of Community Affairs  
Division of Codes and Standards  
Post Office Box 802  
Trenton, New Jersey 08625-0802  
ATTN: Natasha St. Cyr

Thank you very much. We look forward to receiving and reviewing these documents which are geared to improving the understanding of the Uniform Construction Code for citizens who are code users.

Source: Code Assistance Unit

## NEC and Y2K

Everyone is talking about the Year 2000. This is a good way to claim attention. Even though there is no connection between the Year 2000 and the National Electrical Code (NEC), the Department is making a connection by starting the Year 2000 with the most recent edition of the NEC (1999) as the adopted Electrical Subcode.

To achieve this, the proposal to adopt the 1999 NEC was published in the August 16, 1999 issue of the *New Jersey Register*. Don't forget to review the proposal and to send comments, if any, to the Department. Trust me, the new year-oops-the new millennium party would be safer with the 1999 edition, electrically speaking.

Source: Ashok K. Mehta  
Code Assistance Unit

## Municipal Inspectors' Liability

Some readers may be disturbed by a recent item in Codes & Standards, published by Kelly P. Reynolds and Associates of Chicago, quoting the case of Renan Realty v. DCA as standing for the proposition that a municipal inspector was liable for failure to note the absence of pilasters in a basement wall.

We wish to advise you that (1) Renan concerns an unsuccessful appeal by a landlord of the refusal of the Bureau of Housing Inspection to grant an exception from the second means of egress requirement and has nothing to do with either municipal inspectors or pilasters, and (2) the law in New Jersey remains that an inspector is not liable merely for negligent inspection or failure to inspect.

We have asked the Reynolds organization to make the necessary correction of its statement.

Source: Michael Ticktin, Esq.  
Chief, Legislative Analysis  
Division of Codes and Standards

## Correcting A State Training Fee Report

I recently received a letter asking how to correct a State Training Fee report. The following steps will allow a UCCARS user to correct a problem.

First: Run the Permit Fee Log for each of the 3 months included in the State Training Fee report. In the Permit Fee Log, look for permits in which the column for DCA training fee is zero.

*Make an evaluation: Is the work value of this permit less than \$625?*

If this is the case, the DCA fee should be \$0. Some municipalities charge a minimum fee of \$1.

*Is this permit for work done by the municipality, county, State, or school board?*

If so, make sure the permit has been marked as Public. In this case, the DCA fee is \$0.

*Is this permit an update on new construction?*

If this is the case and there has been no increase in volume for the update, the DCA fee is \$0. All updates on new construction permits should have the same permit number plus an indicator that it is an update such as +A, +B.

*Have you voided a permit during this month?*

If so, the DCA fee is still listed as having been collected. Include a copy of the voided permit(s) with your report.

Rounding the DCA fees can result in some discrepancies, but DCA has a method of compensating for this, so there is no need for the UCCARS user to take any steps to account for it.

If you are a UCCARS user, are you on version 5.16 of UCCARS II or version 3.16 of UCCARS I? These versions have been modified to list the value and volume of permits which are exempt from the DCA fee.

UCCARS II users who use Control Numbers and "shortcut" the Upgrade to Permit process create major problems with

State Training Fees and corrupt the data in their computers. The shortcut to Upgrade involves upgrading the permit from a control number to a permit number without reviewing and saving each of the subcode sections. Fortunately, the remedy is as easy as going back to the permit and reviewing and saving each subcode section individually. This is time-consuming, but well worth the effort.

Please contact me at (609) 292-7898 with any questions you may have regarding this process.

Source: Larry Wolford/TEAM UCCARS/  
Division of Codes and Standards

## Who Do I Call at DEP?


In an effort to improve communication between users of the Uniform Construction Code and those involved with land use regulated by the New Jersey Department of Environmental Protection (DEP), DEP has provided the following list of contact people. These people may be contacted with questions about whether prior approvals have been met. They can also answer other construction-related questions, such as whether changes to the construction documents affect the DEP approval, whether a prior approval is needed, or whether site work that is not covered by the Uniform Construction Code might require DEP approval. The list is organized by county and by land use program. It is reprinted here for your convenience.

**New Jersey Department Of Environmental  
Protection Land Use Regulation Program  
Contact List  
9/23/99**

[www.state.nj.us/dep/landuse](http://www.state.nj.us/dep/landuse)  
501 East State Street, 2nd Floor, P.O. Box 439  
Trenton, New Jersey 08625-0439  
(609) 292-0060

*For general information, not related to a submitted application, call the "general caller of the day" at (609) 984-0194 or (609) 984-0184.*

**If a LUR application has already been submitted:**

 **CALL APPLICATION SUPPORT AT  
(609) 777-0456 for the name and phone of the  
staffer handling the application.**

**For enforcement questions, or to report a violation, call:**

- Northern New Jersey — (609) 292-1240
- Southern New Jersey — (732) 255-0787

**For dredging and marina questions, call:**

- Barnegat Bay and north — Suzanne Dietrick at (609) 292-9203
- Little Egg Harbor and south (including the Delaware River) — David Risilia at (609) 292-9342

**For tidelands questions, call (609) 292-2573**

**For mitigation or Mitigation Council questions, call:**

- Virginia Kop'Kash at (609) 984-0194

DEP Land Use Regulation Contact List<sup>1</sup>

County and/or Municipality Permit Program	DEP Supervisor (all area codes are 609)	County and/or Municipality Permit Program	DEP Supervisor (all area codes are 609)
<b>Atlantic County</b> Freshwater wetlands and Coastal permits <sup>2</sup> Stream encroachment <sup>3</sup>	Karl Braun: 984-0288 or kbraun@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Gloucester County</b> Freshwater wetlands and Coastal permits Stream encroachment	Kevin Broderick: 984-0288 or kbroderi@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us
<b>Bergen County</b> Freshwater wetlands and Coastal permits (except major Hudson River developments) Stream encroachment	Mark Godfrey: 633-9277 or mgodfrey@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us	<b>Hudson County</b> Freshwater wetlands and Coastal permits (except major Hudson River developments) Stream encroachment	Chris Jones: 633-6754 or cjones@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us
Major developments within 500 feet of the Hudson River	Karl Braun: 984-0288 or kbraun@dep.state.nj.us	Major developments within 500 feet of the Hudson River	Karl Braun: 984-0288 or kbraun@dep.state.nj.us
<b>Burlington County</b> Freshwater wetlands and Coastal permits Stream encroachment	Andy Heyl: 984-0288 or ahey1@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Hunterdon County</b> Freshwater wetlands (no Coastal permits are needed in Hunterdon County) Stream encroachment	Lou Cattuna: 777-0454 or lcattuna@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us
<b>Camden County</b> Freshwater wetlands and Coastal permits Stream encroachment	Kevin Broderick: 984-0288 or kbroderi@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Mercer County</b> Freshwater wetlands and Coastal permits Stream encroachment	Lou Cattuna: 777-0454 or lcattuna@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us
<b>Cape May County</b> <i>Dennis Twp., Lower Twp., Middle Twp., Upper Twp., West Cape May, Woodbine</i>		<b>Middlesex County</b> Freshwater wetlands and Coastal permits Stream encroachment	Chris Jones: 633-6754 or cjones@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us
Freshwater wetlands and Coastal permits Stream encroachment	Kevin Broderick: 984-0288 or kbroderi@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Monmouth County</b> <i>Aberdeen Twp., Allentown, Atlantic Highland, Brielle, Colts Neck Twp., Eatontown, Englishtown, Fair Haven, Farmingdale, Freehold Borough, Freehold Twp., Hazlet Twp., Highlands, Holmdel Twp., Howell Twp., Interlaken, Keansburg, Keyport, Little Silver, Long Branch, Manalapan Twp., Marlboro Twp., Matawan, Middletown Twp., Millstone Twp., Millstone Twp., Monmouth Beach, Neptune Twp., Neptune City, Ocean Twp., Oceanport, Red Bank, Roosevelt, Rumson, Sea Bright, Shrewsbury, Shrewsbury Twp., Spring Lake Heights, Tinton Falls, Union Beach, Upper Freehold Twp., Wall Twp., West Long Branch</i>	
<i>Avalon, Cape May City, Cape May Point, Lower Twp. (oceanfront only), North Wildwood City, Ocean City, Sea Isle City, Stone Harbor, Upper Township (Strathmere only), Wildwood, Wildwood City, Wildwood Crest</i>		Freshwater wetlands and Coastal permits Stream encroachment	Kurt Kalb: 984-0184 or kkalb@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us
Coastal permits	Mark Mauriello: 292-8262 or mmauriel@dep.state.nj.us	<i>Allenhurst, Asbury Park, Avon-By-The-Sea, Belmar, Bradley Beach, Deal, Loch Arbour, Manasquan, Sea Girt, South Belmar, Spring Lake</i>	
Freshwater wetlands	Kevin Broderick: 984-0288 or kbroderi@dep.state.nj.us	Freshwater wetlands and Coastal permits Stream encroachment	Mark Mauriello: 292-8262 or mmauriel@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us
Stream encroachment	Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Cumberland County</b> Freshwater wetlands and Coastal permits Stream encroachment	
<b>Cumberland County</b> Freshwater wetlands and Coastal permits Stream encroachment	Kevin Broderick: 984-0288 or kbroderi@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Morris County</b> Freshwater wetlands (no Coastal permits are needed in Morris County) Stream encroachment	Mark Godfrey: 633-9277 or mgodfrey@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us
<b>Essex County</b> Freshwater wetlands and Coastal permits Stream encroachment	Chris Jones: 633-6754 or cjones@dep.state.nj.us Rick Reilly: 984-0194 or rreilly@dep.state.nj.us		

<sup>1</sup> If you need information regarding an application that has already been submitted to DEP Land Use Regulation, call the Application Support Unit at (609) 777-0456 to obtain the name and phone number of the staffer handling the application.

<sup>2</sup> "Coastal permits" include all Waterfront Development, CAFRA, and Coastal Wetlands permits.

<sup>3</sup> "Stream encroachment" is the Department's program regulating development in flood hazard areas.

County and/or Municipality Permit Program	DEP Supervisor (all area codes are 609)	County and/or Municipality Permit Program	DEP Supervisor (all area codes are 609)
<b>Ocean County</b> <i>Barneгат Light, Bay Head, Beach Haven, Beachwood, Berkeley Twp. (barrier island portion only), Brick Twp., Dover Twp. (barrier island portion only), Harvey Cedars, Island Heights, Lavallette, Long Beach Twp., Ocean Gate, Mantoloking, Pine Beach, Point Pleasant, Point Pleasant Beach, Seaside Heights, Seaside Park (oceanfront portion only), Ship Bottom, South Toms River, Surf City</i>	Freshwater wetlands and Coastal permits Stream encroachment  Mark Mauriello: 292-8262 or mmauriel@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Salem County</b> Freshwater wetlands and Coastal permits Stream encroachment	Kevin Broderick: 984-0288 or kbroderi@dep.state.nj.us Rick Reilly: 984-0194 or reilly@dep.state.nj.us
<i>Barneгат Twp., Berkeley Twp. (inland portion only), Dover Twp. (inland portion only), Jackson Twp., Lacey Twp., Lakehurst Borough, Lakewood Twp., Manchester Twp., Ocean Twp., Plumstead Twp., Seaside Park (inland portion only)</i>	Freshwater wetlands and Coastal permits Stream encroachment  Andy Heyl: 984-0288 or ahey1@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Somerset County</b> Freshwater wetlands (no Coastal permits are needed in Somerset County) Stream encroachment	Chris Jones: 633-6754 or cjones@dep.state.nj.us Rick Reilly: 984-0194 or reilly@dep.state.nj.us
<i>Eagleswood, Little Egg Harbor, Stafford, Tuckerton</i>	Freshwater wetlands and Coastal permits Stream encroachment  Karl Braun: 984-0288 or kbraun@dep.state.nj.us Mohammed Husain: 984-0162 or mhusain@dep.state.nj.us	<b>Sussex County</b> Freshwater wetlands (no Coastal permits are needed in Sussex County) Stream encroachment	Lou Cattuna: 777-0454 or lcattuna@dep.state.nj.us Rick Reilly: 984-0194 or reilly@dep.state.nj.us
<b>Passaic County</b> Freshwater wetlands and Coastal permits Stream encroachment	Lou Cattuna: 777-0454 or lcattuna@dep.state.nj.us Rick Reilly: 984-0194 or reilly@dep.state.nj.us	<b>Union County</b> Freshwater wetlands and Coastal permits Stream encroachment	Chris Jones: 633-6754 or cjones@dep.state.nj.us Rick Reilly: 984-0194 or reilly@dep.state.nj.us
		<b>Warren County</b> Freshwater wetlands (no Coastal permits are needed in Warren County) Stream encroachment	Lou Cattuna: 777-0454 or lcattuna@dep.state.nj.us Rick Reilly: 984-0194 or reilly@dep.state.nj.us



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33 Livingston Avenue, Suite 200  
New Brunswick, NJ 08901-1979



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# Construction Code Communicator



State of New Jersey  
Christine Todd Whitman, Governor

Department of Community Affairs  
Jane M. Kenny, Commissioner

Volume 11 Number 4

Winter 1999

## The Rehab Subcode Wins An "Oscar!"

The New Jersey Rehabilitation Subcode has won an award as one of the top ten programs in innovative government for 1999! Sponsored by the Ford Foundation, the Council for Excellence in Government, and the Kennedy School for Government and International Affairs, the Innovations in American Government award is highly competitive (over 1600 applications annually) and has been called "the Oscar of governmental awards."

How did this happen? Well, approximately a year ago, the Department of Community Affairs received an application to compete for a national "Innovations in American Government" award. Our appetites whetted by the competition and our excitement heightened by the possibility of spreading the word about the unique and original Rehabilitation Subcode, we filled out the application.

First, we were one of 100 programs named semi-finalists. Next, we were one of 25 programs named finalists. As a finalist, we qualified for \$20,000 to help "spread the word" about the Rehabilitation Subcode. We also had the opportunity to participate in a two-day awards ceremony in Washington, D.C.

The first day of the awards ceremony consisted of presentations. Representatives of each of the 25 programs gave a five-minute summary of their innovative program, emphasizing its benefits, its unique and innovative characteristics, and its replicability. William Connolly, Director of the Division of Codes and Standards, and Cynthia Wilk, Assistant Director, summarized and illustrated the Rehabilitation Subcode for a distinguished panel that included David Gergen, special editor of *U.S. News and World Report* and advisor to four United States Presidents, and David Osborne, author of *Reinventing Government*.

The next day, the Department's Rehabilitation Subcode team members (Amy Fenwick Frank, Michael Baier, Chris Ma-

jors, George Miller, Emily Templeton and John Terry) joined Bill Connolly and Cynthia Wilk at the National Press Club for the awards luncheon, at which ten \$100,000 winners were announced (team member Mitch Malec was not able to attend the awards luncheon). To say that we were excited when David Gergen began to describe the Rehabilitation Subcode as a winner is an understatement. But, even better was Mr. Gergen's opening remark, "Sometimes the presentation makes the difference. The next program is one that had puzzled many of the panelists. We did not really understand this program until yesterday when suddenly it was crystallized. Then it soared right to the top with little debate."

All of us in code enforcement, all code officials, all Rehabilitation Advisory Committee members, and all Code Advisory Board members should be proud of this achievement. This is the first really new idea in building codes in over 50 years and it has been recognized with an "Oscar."

Congratulations to all who participated in its development by offering ideas and critiques. Congratulations to all who use, apply, and enforce the Rehabilitation Subcode and who, thereby, make it real. And congratulations to this State, which had the leadership to become — and has the vision to remain — a national leader in code enforcement.

The \$100,000 award is to be used to publicize the Rehabilitation Subcode, so some staff members will be doing some travelling in the near future. But, our primary thanks and congratulations go to the local code officials who are on the front line, and who make the Uniform Construction Code and all of its subcodes work. Without you, the code would be a book; with you it is an active, effective, award-winning regulation.

Source: Emily W. Templeton  
Code Development

### In This Issue

Clarification of FTO-13.....	7
Free UCCARS Telephone Technical Assistance ...What Does That Mean?.....	5
Inspection and Testing of Swimming Pools, Spas, and Hot Tubs .....	5
Is This What Code Enforcement is All About? .....	4
Mid-Year Construction Highlights 1999 .....	2
New Jersey Building Safety Conference 2000 .....	3
No More "Testing Windows" .....	7

On-Line Training .....	5
Playground Safety Subcode Adopted .....	6
Providers of UCCARS-like Software: The Resulting Data File Criteria and Vendors Marketing Such Software.....	5
Sanctions Instituted Against Code Officials .....	6
The Rehab Subcode Wins An "Oscar!" .....	1
Update Fees .....	8

## Mid-Year Construction Highlights 1999

New Jersey's construction industry continued its strong performance in June. The estimated cost of work authorized by building permits was \$856.5 million. This was the second largest monthly total in the five years the New Jersey Department of Community Affairs has published construction statistics. New homes and residential rehabilitation accounted for \$460.3 million (53.7 percent). Office, retail, and other commercial uses amounted to \$396.2 million (46.3 percent); 513 municipalities reported.

Compared to last month, the amount of work authorized by building permits increased by \$145.7 million, 20.5 percent. New housing grew at more than double that rate. Localities authorized 3,175 new houses in June — 961 more than last month, a 43.4 percent increase.

Top municipalities for the month were Hopewell Township in Mercer County (\$24.2 million), the City of Hoboken in Hudson County (\$18 million), Edgewater Borough in Bergen County (\$17.9 million), and the City of Newark in Essex County (\$17.8 million). Hopewell has another large office building under construction that is part of a campus development by a large financial services firm. This building accounts for about two-thirds of all the municipality's June activity. Over 83 percent of the work in Hoboken was for several large multifamily housing developments. The City had 194 new dwellings in June, second only to South Plainfield Borough in Middlesex County with 256 multifamily units. New houses also account for much of the activity in Edgewater. The Borough had 111 authorized units, third among all municipalities. In addition, work began on a new 87,000-square-foot movie theater with an estimated cost of \$9.5 million. Newark's monthly activity was split between residential and commercial uses. The City had 84 authorized housing units, sixth best among municipalities. The estimated cost of new housing and rehabilitation of existing units was \$8.6 million. Nonresidential activity totaled \$9.2 million, which included \$3.8 million for office renovations and \$3.9 million for school alterations.

Mid-Year Construction Indicators, New Jersey				
Time Period	Estimated Cost of Construction (dollars)	Authorized Housing Units	Authorized Office Space (sq. ft.)	Authorized Retail Space (sq. ft.)
Jan-June 1999	\$4,994,367,961	16,809	5,254,870	3,596,046
Jan-June 1998	4,121,149,094	15,139	4,780,300	4,128,120
Jan-June 1997	3,926,007,970	12,824	3,527,402	2,632,495
Percent Change				
1st half of 1999 vs. 1st half of 1998	21.2%	11.0%	9.9%	-12.9%
1st half of 1998 vs. 1st half of 1997	5.0%	18.1%	35.5%	57.4%

Source: N.J. Department of Community Affairs

## Mid-Year Performance

New Jersey's construction industry boomed in 1998. Halfway through 1999, three of the four major indicators published by the Department of Community Affairs show the State on pace to best last year's strong performance. The estimated cost of construction authorized by permits totaled nearly \$5 billion between January and June 1999. This is \$873.3 million more (21.2 percent) than the amount authorized this time last year. New housing is up by 1,670 units (11 percent). New office space topped last year's halfway point by 475,000 square feet (9.9 percent). Only retail activity is down. New Jersey localities had 3,596,046 square feet of new retail space, 12.9 percent less than what was reported for the first half of 1998.

## Central New Jersey Still Strong

Despite strong showings by several big cities in the north, central New Jersey had the most development as a region: 39.4 percent. Northern New Jersey had 37.7 percent of the total, and southern New Jersey had 15.9 percent. State buildings accounted for 6.9 percent, though it should be noted that \$167.8 million of this amount (over 48 percent) was for five buildings that are part of the Essex County Jail under construction in Newark.

While the three municipalities with the most new houses are in northern New Jersey, the central region of the State accounts for over 44.7 percent of all authorized units in the first half of 1999. Northern New Jersey had 5,180 units (30.8 percent) and southern New Jersey had 4,112 units (24.5 percent). Central New Jersey also had more new office and retail space authorized by building permits.

Mid-Year Construction Indicators by New Jersey Regions				
	Estimated Cost of Construction (dollars)	Authorized Housing Units	Authorized Office Space (sq. ft.)	Authorized Retail Space (sq. ft.)
North	\$1,884,976,926	5,180	1,900,012	1,397,023
Central	1,966,979,892	7,510	2,273,606	1,462,402
South	796,546,102	4,112	657,454	736,641
State Buildings	345,865,041	7	423,798	0
Total	\$4,994,367,961	16,809	5,254,870	3,596,066
Percent Distribution				
North	37.7%	30.8%	36.2%	38.8%
Central	39.4%	44.7%	43.3%	40.7%
South	15.9%	24.5%	12.5%	20.5%
State Buildings	6.9%	0.009%	8.1%	0.0%
Total	100.0%	100.0%	100.0%	100.0%

Source: N.J. Department of Community Affairs

## Boom Town

Municipalities with the most work in the first half of 1999 are Woodbridge Township in Middlesex County (\$139.4 million), Hoboken (\$115.7 million), Newark (\$155.6 million), Jersey City

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in Hudson County (\$92.4 million), and Hopewell Township in Mercer County (\$77.2 million). Big projects in Woodbridge include two new warehouses with estimated construction costs of \$44.1 million and \$35 million, and a parking garage (\$10.1 million). The northern New Jersey-New York City metropolitan housing boom accounts for most of the work in Hoboken. Nearly 95 percent of the estimated construction cost authorized by permits was for renovations of existing housing (\$53.1 million) or construction of new multifamily units (\$56 million). Since January 1999, Hoboken has authorized 632 new dwelling units, more than any other locality.

New housing also accounts for much of the activity in New Jersey's two largest cities. Jersey City authorized 428 new housing units while Newark had 409, ranking second and third behind Hoboken. Other major developments in Newark include a new baseball stadium with an estimated construction cost of \$17.4 million, a new industrial warehouse (\$8.5 million), and several major alterations of existing office buildings. As mentioned earlier, Newark's activity excludes building permits for the Essex County Jail with an estimated construction cost of \$167.8 million.

Jersey City has several residential and commercial developments underway. What is especially significant is that, at the time this article was written, the City ranked fourth among all municipalities despite not having submitted a June monthly report. Major developments include a 26-story multifamily building with 283 market-rate units. The estimated construction cost of the high-rise is \$36 million. The municipality also issued an \$11.9-million permit update for a new hotel that broke ground last year.

New office construction accounts for \$52.6 million of the \$77.2 million authorized in Hopewell Township. The construction office reported an additional \$6.7 million in renovations of existing offices and \$13 million in new residential construction.

Rank	Municipality	County	Estimated Construction Costs (dollars)	Authorized Housing Units	Authorized Office Space (sq. ft.)	Authorized Retail Space (sq. ft.)
1	Woodbridge	Middlesex	\$139,356,657	36	56,204	95,950
2	Hoboken	Hudson	115,732,727	632	0	0
3	Newark	Essex	115,621,124	409	40,342	15,400
4	Jersey City	Hudson	92,356,117	428	526	199,427
5	Hopewell Twp.	Mercer	77,196,202	67	440,974	0
	Top Municipalities		\$540,262,827	1,572	538,046	310,777
	New Jersey		\$4,994,367,961	16,809	5,254,870	3,596,066

Source: N.J. Department of Community Affairs

**New House Prices**

The number of houses that began enrollment in a new home warranty program in the second quarter of 1999 was 5,460. Ocean County had the most new houses (801 units) that were built, occupied, and began enrollment in a warranty program in April, May, or June. Statewide, the median sales price of all new homes beginning enrollment in the second quarter of 1999 was \$225,633

and the average sale price was \$270,971. Bergen County had the highest median sale price with \$463,991 and Cumberland County had the lowest with \$143,081. Homebuilders must enroll most of the new houses they build in a new home warranty protection program. The exceptions are rental units and those dwellings where homeowners build their own houses.

Warranty Enrollment Start Date	Number of New Houses	Median Sales Price	Average Sales Price
1996	20,930	\$183,300	\$217,564
1997	21,640	190,000	226,856
1998	23,884	209,900	245,638
1999 1st quarter	4,351	210,010	251,069
1999 2nd quarter	5,460	225,633	270,971

Source: N.J. Department of Community Affairs

Data on construction in the State is available in a monthly publication, *The New Jersey Construction Reporter*, which is available by subscription. If you have questions about a subscription, please contact Janice White at (609) 984-7609; if you have questions about the data, you may contact me at (609) 292-7899.

Source: John Lago  
Division of Codes and Standards

**New Jersey Building Safety Conference 2000**

The Building Safety Conference Committee is busy making plans for the spring conference. Last year, over 800 people gathered to take advantage of the educational opportunities and networking possibilities. The dates and place of the next Building Safety Conference are May 17-19, 2000 in Atlantic City at Bally's Park Place.

We encourage all code enforcement personnel and other interested parties to participate in this event. We are trying to keep costs comparable to last year's figures. Once again there will be an opportunity for early registration at a special rate. The hotel has agreed to reserve blocks of sleeping rooms at a special rate of \$93 per room per night in the hotel and \$117 per room per night in the tower.

For golfers, the fifth annual golf outing will take place on Wednesday, May 17, 1999. This is a good occasion to invite other code users, such as architects or builders, to join you on the course to put together "foresomes." The golf outing will take place at the Mays Landing Country Club with fees in 2000 similar to those charged in 1999.

The Building Safety Conference brochure will be mailed in early March. Plan to bring your "significant other" with you. Exciting activities are being planned for guests. New educational seminars will be available for all construction disciplines, including technical assistants.

Mark your calendar now! We are looking forward to seeing you in Atlantic City from May 17-19, 2000.

Source: Susan H. McLaughlin, Supervisor  
Education Unit  
Bureau of Code Services

## Is This What Code Enforcement is All About?

I recently received the letter reprinted below. (All identifying information has been removed from the letter.) The family who sent this letter was mistreated by a licensed code official. Unfortunately, I receive an embarrassing number of letters with similar complaints.

To be considered a professional, one must not only know the laws, but must also know how to enforce them while engendering respect and maintaining one's dignity. After all, we are all public servants. Unprofessional actions, such as those described in the following letter, foster criticism of civil servants, civil service, tenure, and four-year appointments. These actions also undermine code enforcement and diminish the private sector's confidence in government. No one should have to endure this kind of treatment.

Dear Mr. Mraw:

We wish to inform you of an unacceptable situation in our town regarding our building inspector. This man, who represents your office, has been nothing short of arrogant and condescending in his role as building inspector.

This summer we decided to purchase and install a small, above-ground swimming pool (4 feet high by 18 feet wide). We went to the town hall and applied for the necessary permits (building and electrical). The electrical inspector came to our house and explained exactly what was needed to fulfill the requirements. Our building inspector told us to "read the code."

Our entire property is enclosed by a five-foot high chain-linked fence. At first, a representative of the town hall told us that we did not need a gate around the ladder of the pool because the existing fence fulfilled the requirements of the building code. When we asked the building inspector about this, his response was, "Read the code."

We thought we had complied with all code requirements and we called the town hall to make appointments for inspections by the electrical and building inspectors. In our town, the inspectors are available only on Tuesday and Wednesday mornings. The electrical inspector came; the electrical work on the pool passed inspection. We were at work the day that the building inspector was scheduled to come to our house. When we arrived home, we did not find any notice from the inspector. We did not know whether the pool had passed or failed inspection.

We called the town hall the next day to ask about the status of the pool. We were told that the building inspector had come to our house, but had been "too busy to get out of his truck to open the gate." Our property is enclosed by a fence and there is a gate at the end of the driveway.

Mr. Mraw, we welcome you or any of your representatives to come to our house any time. Our house is not that far off the road. The inspector did not have to walk up a long country driveway. There is absolutely nothing tricky about this gate. There is no lock; there is simply a standard gate latch.

We had to wait until the following week to get another appointment with the building inspector. The next week, we left the gate open, as ordered. The building inspector came and failed the pool. When we called to ask why the pool had failed, the first words out of his mouth were, "I'm on overtime. Make it quick." Then he told us that we needed a gate around the ladder. When we tried to ask him what kind of gate is required, he said, "Read the code."

Mr. Mraw, we did not expect any special treatment from him.

All we wanted was a little bit of courtesy and help so that our son could swim in the pool during this hot summer.

Anyway, we put a gate around the ladder and waited for the following week to get another appointment. Again, we left the gate open at the end of the driveway, as instructed. The building inspector came and failed the pool. We called the next day and asked what was wrong. All he would say was, "Read the code." After practically pleading with him, the building inspector informed us in an extremely condescending way that "people like us" should learn to "read the code." Eventually we learned that our gate did not comply because it was not a self-latching gate.

We put a self-latching lock on the gate and waited for another week to get another appointment. We left the gate open at the end of the driveway. The building inspector came again and failed the pool. Once more, we called the next day and asked what was wrong with the pool. Again we were told to "read the code." Finally we were told that the posts on the gate had to be cemented and the gate needed to have a spring on it. That night (it was a Tuesday) we did everything that he had asked. We called the town hall the next day and asked if he could possibly come to our house that day (Wednesday) to inspect the pool. My wife was home when he came. In an arrogant manner, the building inspector began shaking the "flimsy gate," as he called it, and told her it was not secure. My wife told him that I had just cemented the posts and that the cement might not be completely dry yet. He shook the gate so much that it no longer closed properly.

The building inspector told my wife that the gate had failed again. When she asked him what more we needed to do, his response was, "Read the code." Totally frustrated, my wife asked, "What do we need to do to get this gate to pass? Why do you have such an attitude? Why can't you even get out of your truck and open the gate to our driveway?" He said, "Because the State says that I don't have to open gates. It's not my job to tell you how to do this. Read the code!" At this point, my wife felt extremely intimidated by the building inspector and the manner of his response. She said nothing else. He then threw up his hands and yelled, "Failed!" He left.

It was now the beginning of August. The pool had been up for six long weeks. We called the town hall and made another appointment. We left the gate open at the end of our driveway and he came and inspected our pool again. This time, it passed. Even the gate passed. Please note that this time he passed the gate without our doing anything else to it.

We admit that our little pool project did not comply at first with the State code. For that, we apologize. However, we are middle-class working people. We are not professional builders. All we asked from the building inspector was a little information and some common professional courtesy. All we received from him was arrogance, disrespect, and a condescending, intimidating attitude. In the future, when we have home building projects, we will request a different building inspector.

Sincerely,

Mr. Beleaguered Homeowner

It should be noted that, in contrast to the building inspector, the electrical inspector was highly professional. This ultimately required less work on his part. That caliber of professionalism should be the norm.

Source: Louis J. Mraw, Supervisor  
Bureau of Regulatory Affairs

## Providers of UCCARS-like Software: The Resulting Data File Criteria and Vendors Marketing Such Software

The Department is currently aware of four vendors marketing software that can be used as an alternative to UCCARS in managing a construction code enforcement office. An alternate product qualifies as a viable substitute if it is capable of transmitting the monthly report based upon UCCARS specifications established by the Department. Those specifications are provided to interested vendors upon request.

At present, the electronic data files created by the following vendors' UCCARS-like products meet Department specifications.

### HTE Systems

Contact: Chris Meehan  
1000 Business Center Drive  
Lake Mary, Florida 32746-5585  
Tel: 1-800-727-8088

### MC Systems of NJ

Contact: Chris Kloss  
120-D Commissioners Pike  
Mullica Hill, New Jersey 08062  
Tel: (609) 478-6215  
Fax: (609) 478-4908

### NeWare Technology Corporation (aka MuniWare)

Contact: Peter C. Getchell  
21 Ernston Road  
Parlin, New Jersey 08859  
Tel: (732) 727-4850  
Fax: (732) 727-8990

### United Computers

Contact: Larry Shore  
100 Dobbs Lane  
Cherry Hill, New Jersey 08034  
Tel: 1-800-242-7403  
Fax: (609) 795-4341

**Note: the Department makes no certification concerning the performance or product provided by these vendors, but simply acknowledges the adequacy of their respective transmitted data files. In addition, the Department assumes no responsibility for the conversion of data to or from the UCCARS software environment. Municipalities choosing to use an alternative product in the conduct of construction code enforcement activity do so at their own risk and expense.**

Source: Berit Seiple Osworth  
Division of Codes and Standards

## On-Line Training

A new educational option is available to code enforcement officials. The Education Unit in the Bureau of Code Services has recently reviewed and approved for continuing education credit several on-line courses offered by Building Officials and Code Administrators (BOCA), International. Computer on-line training allows inspectors to learn at their own pace anytime, anywhere via the Internet. These courses are designed for the busy

professional. Currently, there are 31 courses organized into technical, managerial, administrative, and basic skills subject areas. There is also an on-line discussion forum designed for communication among code enforcement professionals nationwide.

For further information or a free visit, point your browser to [www.uol.com/boca](http://www.uol.com/boca). To access the list of on-line approved course offerings for New Jersey, call BOCA's Fax-on-Demand system at 1-800-214-4321, ext. 500 and request document 6560.

If you have questions about this opportunity, please contact the Education Unit at (609) 984-7820.

Source: Susan H. McLaughlin, Supervisor  
Education Unit  
Bureau of Code Services

## Free UCCARS Telephone Technical Assistance...What Does That Mean?

Since the original release of the Uniform Construction Code Administrative Records System (UCCARS) software in 1988, the Department of Community Affairs has maintained an annual contract with Municipal Information Systems, Inc. for providing telephone technical assistance for UCCARS to municipal construction code enforcement offices, *free* of any additional charge.

The contract calls for live phone coverage four hours per day; when the *Help Desk* is not manned by an individual, an answering machine provides the caller the opportunity to leave a message. All calls are returned within one working day. The operative term in the foregoing explanation is clearly "telephone." If the caller asks the Municipal Information Systems, Inc. representative to schedule a site visit, MIS, Inc. will bill that visit to the municipal construction code enforcement office.

Thus, when telephoning MIS, Inc. for technical assistance, to avoid any additional cost, be certain to limit assistance to over-the-phone service.

Source: Berit Seiple Osworth  
Division of Codes and Standards

## Inspection and Testing of Swimming Pools, Spas, and Hot Tubs

The Department is aware that some testing companies and licensed electrical contractors have not observed Departmental guidelines for conducting bonding and grounding tests for swimming pools, spas, and hot tubs. Specifically, there is concern that testing instruments be properly calibrated with appropriate sensitivity levels to ensure valid readings.

The Department reminds code officials that they have the authority to seek and review bonding and grounding testing information to ensure that Departmental guidelines are met. Code officials must make certain that readings are obtained using proper instruments and analyzed in accordance with nationally recognized standards of accepted engineering practice.

It is important that testing companies use a properly calibrated instrument when conducting bonding and grounding tests during the coming inspection cycle. Code officials are also reminded to perform annual electrical inspections in accordance with Departmental guidelines in the spring of 2000.

Source: Ashok Mehta  
Code Assistance Unit

## Sanctions Instituted Against Code Officials

I have been asked to publish examples of situations that gave rise to administrative actions instituted against licensed construction code officials. This article is the first of a series of such articles I will author on this subject. The purpose of publishing sanctions is not to demean or embarrass the affected individuals; therefore, names and townships will not be provided. The purpose of this article — and future articles — is to make people aware of the nature of violations committed by licensed officials and the actions taken by the Department of Community Affairs in response.

The vast majority of code officials enforce the Uniform Construction Code (UCC) as intended and do so with reason, honesty, and integrity. Sometimes, however, officials become frustrated by what they perceive is a lack of enforcement by the Department of Community Affairs against a lax official. Hopefully, these articles will increase confidence in the UCC by showing that the Department of Community Affairs takes its enforcement responsibilities seriously.

### DCA Recommended Sanction: 60-Day Suspension

Example: A construction official had a subordinate issue permits and conduct inspections on projects where the contractor was an immediate family member. This is a violation of the conflict-of-interest regulations. Under the circumstances noted above, the inspection of the project and issuing of the permit should have been carried out by another municipality.

*Action Taken:* Following a peer review proceeding, the sanction issued was a penalty of \$1,800.00 and administrative courses.

### DCA Recommended Sanction: Revocation of All Licenses

Example: A licensed building official falsified test results in an attempt to obtain an electrical inspector I.C.S. license. This inspector changed the test result from a failure to a passing grade; he also attempted to reproduce the testing company's seal.

*Action Taken:* Following a peer review proceeding, the individual was issued a revocation of all licenses, including licenses unrelated to the misrepresentation, as well as a \$1,000.00 penalty.

### DCA Recommended Sanction: \$1,000.00 Penalty

Example: A construction official violated the three-business day requirement for issuance of permits after prototype approval had been granted for a particular development. The construction official also failed to ensure that inspections were conducted within three business days.

*Action Taken:* Following a peer review proceeding, the code official was issued a \$1,000.00 penalty.

### DCA Recommended Sanction: \$2,000.00 Penalty

Example: A construction official performed eight inspections without proper licensure.

*Action Taken:* Following a peer review proceeding, the code official was issued a \$2,000.00 penalty.

### DCA Recommended Sanction: Revocation of All Licenses

Example: A construction official allowed a particular developer to start construction on numerous properties without the required permits. This code official also allowed numerous,

serious framing violations to go unabated. On at least two occasions, the official inspected and approved footings that had been poured prior to inspection. This code official approved numerous building projects for occupancy without ensuring that all inspections were conducted.

*Action Taken:* Following a peer review proceeding, the official was issued a revocation of all licenses held. Final action is pending an Administrative Law Hearing.

### DCA Recommended Sanction: Revocation of All Licenses

Example: Two building inspectors inspected numerous properties and approved framing inspections with serious framing violations. These building inspectors performed inspections without evidence that prior required inspections were conducted. For example, the building inspectors approved footings that had been poured prior to inspection.

*Action Taken:* Following a peer review proceeding, the officials were issued a revocation of building licenses held.

### DCA Recommended Sanction: \$250.00 Penalty

Example: Two construction officials failed to submit the appropriate State Training Fee forms and associated fees despite several written requests from the Department.

*Action Taken:* After a peer review proceeding, the officials were each issued a \$250.00 penalty.

Source: Louis J. Mraw  
Supervisor  
Bureau of Regulatory Affairs

## Playground Safety Subcode Adopted

On March 23, 1999, Governor Christine Whitman signed a new law, P. L. 1999, c. 50, which supplements the State Uniform Construction Code Act and requires the Department of Community Affairs to adopt rules governing the design, installation, inspection and maintenance of playgrounds — whether operated by governmental, private or nonprofit entities. The new law further requires that those rules incorporate the guidelines and criteria contained in the Handbook for Public Playground Safety (Publication No. 325) published by the United States Consumer Product Safety Commission (CPSC). For purposes of this law, a "playground" is defined as "an improved area designed, equipped and set aside for play of six or more children, which is not intended for use as an athletic playing field or athletic court" and includes "any play equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation, and related structures."

Rules implementing this law were adopted by Commissioner Jane M. Kenny, effective October 18, 1999, as subchapter 11 of the Uniform Construction Code rules (N.J.A.C. 5:23-11), the "playground safety subcode." They also include amendments to existing rules concerning appeals and enforcement. A provision was added on adoption, in response to public comments received, that makes clear the relationship between the new subcode and the barrier-free recreations standards (N.J.A.C. 5:23-7.15 through 7.31).

Though the CPSC Handbook is written in advisory

("should") language, the provisions concerning design, installation, inspection and maintenance are to be treated as mandatory because P.L. 1999, c.50 contains a mandatory compliance schedule. All playground surfacing is required to comply with the CPSC standards within five years of adoption of the rules, or October 18, 2004. Governmental and for-profit entities must have all elements of their playgrounds in full compliance by October 18, 2007, while nonprofits have until October 18, 2014. Beginning April 18, 2000, all newly-built playgrounds and all newly-installed equipment must be in compliance.

Since playgrounds must be in compliance with both the new subcode and the barrier-free recreation standards, the rules modify the CPSC standards by providing that sand and gravel, even though allowed by the CPSC, are not to be used for surfacing in routes and spaces required to be accessible, since these materials are not stable, firm and slip resistant.

In accordance with P.L. 1999, c.50, no permit shall be required for any element of playground construction that is not otherwise subject to the permit requirements of the UCC. The playground safety subcode will be enforced in the same way that the barrier-free recreation standards are now enforced: DCA will be the sole enforcing agency for all matters not within the scope of a construction permit and enforcement will be on a complaint basis, following the procedure whereby a complaint first files a complaint with the facility manager, followed by a right to a departmental appeal that has gone to hearing in all the years that the barrier-free recreation standards have been in effect, and we have no reason to believe at this point that the caseload will be considerably higher under the new subcode — and certainly not until the first compliance date for retrofit requirements, which is five years from now.

Copies of the Handbook for Public Playground Safety may be obtained free of charge from the CPSC's Office of Information and Public Affairs, Washington, DC 20207. Orders can also be placed by calling the CPSC hotline at 1-800-638-2772 or visiting their website at [www.cpsc.gov](http://www.cpsc.gov). Code officials can make an important contribution to playground safety by making agencies and organizations that operate playgrounds aware of the new requirements and the applicable timetables and by informing them how to obtain copies of the rules and the CPSC Handbook.

If you have any questions concerning the playground safety subcode, please call Michael L. Ticktin, Esq., DCA's Chief of Legislative Analysis, at (609) 292-7898.

Source: Michael Ticktin, Esq.  
Chief of Legislative Analysis  
Division of Codes and Standards

### Clarification of FTO-13

The intent of publishing Formal Technical Opinion (FTO) 13 was to provide a solution to the problem of fire-resistance ratings of garages. The problem was widespread and the Department was contacted by many code officials, design professionals, and builders.

It must now be pointed out that FTO-13 is not the only way to provide the required fire-resistance rating between a garage

and a dwelling unit, when there is living space above the garage.

It is true that Formal Technical Opinions are binding and must be enforced. However, FTO-13 states that it provides "examples of construction practices that meet the intent of the Code requirements and should be considered as acceptable methods of providing a one-hour fire-resistance rated assembly." A listed assembly is also acceptable.

If you have questions about this FTO, please contact the Code Assistance Unit at (609) 984-7609.

Source: John N. Terry  
Code Assistance Unit

### No More "Testing Windows"

Beginning in January 2000, there will be no more testing windows for the National Certification Program for Construction Code Inspectors (NCPCCI). The Chauncey Group, which had administered the testing program since 1996, has entered a partnership with Experior, which is the current company developing and administering the NCPCCI tests. While reviewing testing data, Experior noticed that there has been a significant reduction (approximately 20 percent) of test-takers over the past two years. Upon reflection, Experior concluded that the combination of the reduced candidate volume with a solid item base (e.g., a large pool of examination questions) means that it is possible to eliminate the restrictions on retesting and to introduce an "at will" process.

This means that a test-taker decides when he (or she) is ready. The candidate contacts Experior and gets an Agreement To Test (ATT). Then the candidate calls a Sylvan Testing Center and schedules the exam(s) desired. Upon passing the exam(s), the candidate contacts the Licensing Unit, which now has access to test results within 72 hours after the exam has been completed, and proceeds with licensure. If the candidate does not pass the exam, re-testing is possible after two weeks. If the candidate does not pass the exam the second time, there is a 90-day waiting period before testing a third time. Statistics have shown that after failing twice, significant additional study is required. This "lag time" is intended to provide extra study time to increase the odds of the candidate passing the exam the third time.

At the same time that testing windows are being eliminated, a flat fee of \$96 per exam is being instituted. Computer-based testing is more expensive than paper-and-pencil testing, in part because the cost of the "seat time" is higher. The cost of seat time does not diminish when someone takes additional examinations. To make taking more than one exam at a time more affordable, beginning in January 2000, Experior will offer "linked" exams. Candidates for examinations that have been linked will receive a discounted price. There will be information regarding the linked examinations in the next Candidate Bulletin, which will be available about the time you receive this *Communicator*.

If you have questions about the NCPCCI testing program, please feel free to contact me at (609) 984-7609. If you have questions about exams and licensing please contact the Licensing Unit at (609) 984-7834.

Source: Emily Templeton  
Code Development

## Update Fees

You just got an application to update an open permit; now what do you do with it? If your municipality is like most, the only uniformity is that you have your own way of handling it.

An update is an extension of the original permit. Therefore, you need to check the update to see if it still conforms with prior approvals and uses. A plan review may be (but is not always) needed. Now the big question to ask yourself is, "If the change had been on the original application, would it have changed the fee?" If your answer is no, distribute the paperwork just like any permit and file the rest. Generally, when a subcode official or technical assistant is given a filled-out technical form, their first response is to "price" it. However, there are times when no additional fee is required for a permit update. Two pricing examples follow.

The first example deals with a new building for which the fee is based on the volume. If, during construction, the owner decides to add offices in an open space, there is no additional fee because the volume of the building has not changed.

The second example is electrical. If the electrician needs to add seven devices that were not on the original application, the electrical subcode official must review the original technical section to determine if an additional fee is required. The electrical fees are determined by unit rate, as indicated in the Uniform Construction Code at N.J.A.C. 5:23-4.1(c)3. The original permit and

the update application are combined into one application; they are not regarded as separate permits. To be more specific, suppose the original application included 46 devices and the updated application added seven devices; this gives a total of 53 devices. Using the State fee schedule, \$36.00 would have been paid on the original permit. Therefore, the update fee would be \$6.00 for the three devices over 50. If the fee were allowed to be charged for additional devices independent of the total number of devices, the total fee for the update would come to \$36.00, an overcharge of \$30.00.

The comment I often receive from code officials is, "But I have to do another inspection!" This may be true, depending when the update occurs. Sometimes you have to do additional inspections without an update application. This may occur, for example, on a house that is being remodeled in phases because the owners are living in it; also, a large building requires numerous inspections.

Why complete an update application at all if there is no fee involved? Well, the owner may need it for insurance purposes, or the contractor may need it to get paid or to provide evidence of having completed the job. But, more importantly for code enforcement, the update ensures correct records. Accurate records allow all code officials to know what permitted work has been done in that building.

Source: Kenneth W. Verbos  
Bureau of Regulatory Affairs

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