

CHAPTER 23
UNIFORM CONSTRUCTION CODE

Authority

N.J.S.A. 52:27D-123, 123a, 123.2, 123.5, 123.8, 124 and 124f.

Source and Effective Date

R.1997 d.409, effective September 9, 1997.
See: 29 N.J.R. 2736(a), 29 N.J.R. 4281(a).

Executive Order No. 66(1978) Expiration Date

Chapter 23, Uniform Construction Code, expires on September 9, 2002.

Chapter Historical Note

Chapter 23, Uniform Construction Code, was adopted as R.1976 d.344, d.345, d.346 and d.347, effective January 1, 1977 and codified as Subchapter 1, General Provisions; Subchapter 2, Administration and Enforcement Process; Subchapter 3, Subcodes, and Subchapter 4, Enforcing Agencies: Duties, Powers, Procedures. See: 8 N.J.R. 216(b), 319(a), 370(d), 414(a); 8 N.J.R. 546(a). Chapter 23 superseded N.J.A.C. 5:16, Standard Building Code and N.J.A.C. 5:20, Safety Glazing Materials, which were repealed by R.1978 d.360, effective October 6, 1978. See: 10 N.J.R. 377(a), 10 N.J.R. 470(a). Chapter 23 also superseded N.J.A.C. 5:21, Uniform Standards Code for Mobile Homes, which was repealed by R.1982 d.7, effective February 1, 1982. See: 13 N.J.R. 717(a), 14 N.J.R. 142(a). Subchapter 5, Licensing of Code Enforcement Officials, was adopted as R.1977 d.304, effective October 1, 1977. See: 9 N.J.R. 257(b), 9 N.J.R. 413(b). Subchapter 6, Tax Exemption for Solar Facilities, was adopted as R.1978 d.334, effective September 18, 1978. See: 10 N.J.R. 222(b), 10 N.J.R. 418(a). Pursuant to Executive Order No. 66(1978), Subchapter 6 was readopted as R.1980 d.303, effective July 1, 1980. See: 12 N.J.R. 249(c), 12 N.J.R. 452(c).

Pursuant to Executive Order No. 66(1978), Chapter 23 was readopted as R.1983 d.144, effective April 26, 1983. See: 14 N.J.R. 1247(a), 15 N.J.R. 803(c). Subchapter 7, Barrier Free Subcode, was adopted as R.1986 d.448, effective November 3, 1986. See: 18 N.J.R. 757(a), 18 N.J.R. 2194(a). Subchapter 8, Asbestos Hazard Abatement Subcode, was adopted as Emergency New Rules R.1985 d.362, effective June 18, 1985 (expired August 17, 1985). See: 17 N.J.R. 1782(a). The provisions of R.1985 d.362 were readopted as R.1985 d.472, effective August 16, 1985. See: 17 N.J.R. 2249(a).

Pursuant to Executive Order No. 66(1978), Chapter 23 was readopted as R.1988 d.168, effective March 22, 1988. N.J.A.C. 5:23-6.1, 6.2 and 6.3, concerning tax exemption for solar facilities, were not readopted and expired on April 1, 1988. See: 20 N.J.R. 223(a), 20 N.J.R. 893(a). Subchapter 9, Code Interpretations, was adopted as R.1988 d.195, effective May 2, 1988. See: 20 N.J.R. 224(a), 20 N.J.R. 977(a). Subchapter 10, Radon Hazard Subcode, was adopted as R.1990 d.226, effective May 7, 1990. See: 21 N.J.R. 3696(a), 22 N.J.R. 1356(a). Subchapter 4A, Industrialized/Modular Buildings and Building Components, was adopted as R.1990 d.313, effective June 18, 1990, (operative July 1, 1990). See: 22 N.J.R. 691(a), 22 N.J.R. 1915(b). Subchapter 11, Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, was adopted as R.1992 d.33, effective January 21, 1992. See: 23 N.J.R. 1730(b), 24 N.J.R. 229(c). Subchapter 12, Elevator Safety Subcode, was adopted as R.1991 d.325, effective July 1, 1991. See: 23 N.J.R. 805(a), 23 N.J.R. 2046(a).

Pursuant to Executive Order No. 66(1978), Chapter 23 was readopted as R.1993 d.106, effective February 3, 1993. See: 24 N.J.R. 1420(b), 25 N.J.R. 920(a). Subchapter 4B, Manufactured Homes and Manufactured Home Add-On Units Not Subject to Federal Regulation, and Subchapter 4C, Enforcement of Federal Manufactured Home

Standards, were adopted as R.1994 d.96, effective February 22, 1994. See: 25 N.J.R. 5388(a), 26 N.J.R. 1073(a). N.J.A.C. 5:23-7.1 through 7.99 were repealed and 7.100 through 7.116 were recodified as 7.2 through 7.18 by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995). See: 26 N.J.R. 2698(a), 26 N.J.R. 2524(a), 27 N.J.R. 1180(a). Subchapter 11, Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, was repealed by R.1995 d.612, effective December 4, 1995 (operative July 1, 1995). See: 27 N.J.R. 3518(a), 27 N.J.R. 4885(a).

Pursuant to Executive Order No. 66(1978), Chapter 23 was readopted as R.1997 d.409, effective September 9, 1997. See: Source and Effective Date. As a part of R.1997 d.409, effective October 6, 1997, Subchapter 6, Tax Exemption, was repealed. See, also, section annotations.

Cross References

Child care center physical facility requirements, see N.J.A.C. 10:122-5.1 et seq.

Children's group home physical facility requirements, see N.J.A.C. 10:128-4.1 et seq.

Children's shelter physical facility requirements, see N.J.A.C. 10:124-5.1 et seq.

Residential child care facility maintenance and sanitation requirements, see N.J.A.C. 10:127-4.4.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 5:23-1.1 Title; division into subchapters
- 5:23-1.2 Authority
- 5:23-1.3 Intent and purpose
- 5:23-1.4 Definitions
- 5:23-1.5 Effective date
- 5:23-1.6 Grace period
- 5:23-1.7 Validity

SUBCHAPTER 2. ADMINISTRATION AND ENFORCEMENT; PROCESS

- 5:23-2.1 Title; scope; intent
- 5:23-2.2 Matter covered
- 5:23-2.3 Applicability
- 5:23-2.4 Alterations, replacements and damages
- 5:23-2.5 Concerning increase in size
- 5:23-2.6 Change of use
- 5:23-2.7 Ordinary maintenance
- 5:23-2.8 Installation of equipment
- 5:23-2.9 Variations and exceptions
- 5:23-2.10 Applications for variations
- 5:23-2.11 Review of variation applications
- 5:23-2.12 Final decision on variations
- 5:23-2.13 Authority to grant variations
- 5:23-2.14 Construction permits—when required
- 5:23-2.15 Construction permits—application
- 5:23-2.16 Construction permits—procedure
- 5:23-2.17 Demolition or removal of structures; abandoned wells
- 5:23-2.17A Minor work
- 5:23-2.18 Inspections
- 5:23-2.18A Utility load management device installation programs
- 5:23-2.18B Utility area lighting facility installation program
- 5:23-2.18C Use and occupancy of swimming pools, spas and hot tubs
- 5:23-2.19 Special technical services
- 5:23-2.20 Tests and special inspections
- 5:23-2.21 Construction control
- 5:23-2.22 Premanufactured construction
- 5:23-2.23 Certificate requirements

- 5:23-2.24 Conditions of certificate of occupancy
- 5:23-2.25 Establishment of fees
- 5:23-2.26 Plan review fees
- 5:23-2.27 Refunds
- 5:23-2.28 Volume computation
- 5:23-2.29 Entry
- 5:23-2.30 Violation, notice and orders
- 5:23-2.31 Compliance
- 5:23-2.32 Unsafe structures
- 5:23-2.33 Service of notice
- 5:23-2.34 through 5:23-2.37 (Reserved)
- 5:23-2.38 Departmental appeal
- 5:23-2.39 Automatic fire suppression systems

SUBCHAPTER 3. SUBCODES

- 5:23-3.1 Title; scope; intent
- 5:23-3.2 Matters covered; exceptions
- 5:23-3.3 Enforcement
- 5:23-3.4 Responsibility
- 5:23-3.5 Posting structures
- 5:23-3.6 Standards; accepted practice
- 5:23-3.7 Municipal approvals of nonconforming materials
- 5:23-3.8 Departmental approval of nonconforming materials
- 5:23-3.8A Products violating the Code
- 5:23-3.9 Interpretations and opinions
- 5:23-3.10 (Reserved)
- 5:23-3.11 Enforcement activities reserved to the Department
- 5:23-3.11A Public school facility plan review and inspection; Uniform Construction Code enhancements in public school facilities
- 5:23-3.11B Underground storage tank systems
- 5:23-3.12 Amended rules
- 5:23-3.13 State-sponsored code change proposals
- 5:23-3.14 Building subcode
- 5:23-3.15 Plumbing subcode
- 5:23-3.16 Electrical subcode
- 5:23-3.17 Fire protection subcode
- 5:23-3.18 Energy Subcode
- 5:23-3.19 Manufactured home subcode
- 5:23-3.20 Mechanical subcode
- 5:23-3.20A Indoor air quality subcode
- 5:23-3.21 One and two-family dwelling subcode

SUBCHAPTER 4. ENFORCING AGENCIES; DUTIES; POWERS; PROCEDURES

- 5:23-4.1 Title; scope; intent
- 5:23-4.2 Matter covered; exceptions
- 5:23-4.3 Municipal enforcing agencies—establishment
- 5:23-4.3A Enforcing agency classification
- 5:23-4.4 Municipal enforcing agencies—organization
- 5:23-4.5 Municipal enforcing agencies—administration and enforcement
- 5:23-4.5A Selection of private on-site inspection and plan review agencies
- 5:23-4.6 Interlocal enforcing agencies—establishment
- 5:23-4.7 Interlocal enforcing agencies—organization
- 5:23-4.8 Interlocal enforcing agencies—administration and enforcement
- 5:23-4.9 State enforcing agencies—establishment
- 5:23-4.10 State enforcing agencies—organization
- 5:23-4.11 State enforcing agencies—administration and enforcement
- 5:23-4.12 Private on-site inspection and plan review agencies; establishment
- 5:23-4.13 Private on-site inspection and plan review agencies; organization
- 5:23-4.14 Private on-site inspection and plan review agencies; administration and enforcement
- 5:23-4.15 Suspension and revocation
- 5:23-4.16 (Reserved)
- 5:23-4.17 Municipal enforcing agency fees
- 5:23-4.18 Standards for municipal fees
- 5:23-4.19 State of New Jersey training fees
- 5:23-4.20 Departmental fees

- 5:23-4.21 Private enforcing agency authorization and reauthorization fees
- 5:23-4.22 (Reserved)
- 5:23-4.23 Payment of fees
- 5:23-4.24 Plan review by the Department of Community Affairs
- 5:23-4.25 (Reserved)
- 5:23-4.26 Certification of building elements
- 5:23-4.27 through 5:23-4.40 (Reserved)

SUBCHAPTER 4A. INDUSTRIALIZED/MODULAR BUILDINGS AND BUILDING COMPONENTS

- 5:23-4A.1 Purpose
- 5:23-4A.2 Findings; functions of the Commission
- 5:23-4A.3 Scope
- 5:23-4A.4 Definitions
- 5:23-4A.5 Standards
- 5:23-4A.6 Amendments
- 5:23-4A.7 Certification required
- 5:23-4A.8 Product control and identification
- 5:23-4A.9 Compliance assurance documents
- 5:23-4A.10 Uniform Administrative Procedures
- 5:23-4A.11 Appeals
- 5:23-4A.12 Conduct of hearings
- 5:23-4A.13 through 5:23-4A.27 (Reserved)

SUBCHAPTER 4B. MANUFACTURED HOMES AND MANUFACTURED HOME ADD-ON UNITS NOT SUBJECT TO FEDERAL REGULATION

- 5:23-4B.1 Scope
- 5:23-4B.2 Applicability
- 5:23-4B.3 Standards
- 5:23-4B.4 Administration and enforcement
- 5:23-4B.5 Acceptability
- 5:23-4B.6 Approvals of building systems and compliance assurance program
- 5:23-4B.7 Certification
- 5:23-4B.8 Labels; fees
- 5:23-4B.9 Requirements for submission of compliance assurance documents
- 5:23-4B.10 Appeals
- 5:23-4B.11 Conduct of hearings

SUBCHAPTER 4C. ENFORCEMENT OF FEDERAL MANUFACTURED HOME STANDARDS

- 5:23-4C.1 Delegation of authority
- 5:23-4C.2 Relation to Federal law
- 5:23-4C.3 Complaint procedure
- 5:23-4C.4 Hearing and appeal procedures
- 5:23-4C.5 Monitoring inspection fee

SUBCHAPTER 5. LICENSING OF CODE ENFORCEMENT OFFICIALS

- 5:23-5.1 Title; scope; intent
- 5:23-5.2 Licensing unit; hearings
- 5:23-5.3 Types of licenses
- 5:23-5.4 Licenses required
- 5:23-5.5 General license requirements
- 5:23-5.6 Construction official requirements
- 5:23-5.7 Subcode official requirements
- 5:23-5.8 Building inspector H.H.S. requirements
- 5:23-5.9 Building inspector I.C.S. requirements
- 5:23-5.10 Building inspector R.C.S. requirements
- 5:23-5.11 Electrical inspector H.H.S. requirements
- 5:23-5.12 Electrical inspector I.C.S. requirements
- 5:23-5.13 Fire protection inspector H.H.S. requirements
- 5:23-5.14 Fire protection inspector I.C.S. requirements
- 5:23-5.15 Fire protection inspector R.C.S. requirements
- 5:23-5.16 Plumbing inspector H.H.S. requirements
- 5:23-5.17 Plumbing inspector I.C.S. requirements
- 5:23-5.18 Inplant inspector requirements
- 5:23-5.19 Elevator inspector H.H.S. requirements

- 5:23-5.19A Mechanical inspector requirements
- 5:23-5.20 Standards for educational programs
- 5:23-5.21 Renewal of license
- 5:23-5.22 Fees
- 5:23-5.23 Examination requirements
- 5:23-5.24 Procedure for approving educational programs
- 5:23-5.25 Revocation of licenses and alternative sanctions

SUBCHAPTER 6. REHABILITATION SUBCODE

- 5:23-6.1 Introduction; using this Subcode
- 5:23-6.2 Applicability and compliance
- 5:23-6.3 Definitions
- 5:23-6.4 Repairs
- 5:23-6.5 Renovations
- 5:23-6.6 Alterations
- 5:23-6.7 Reconstruction
- 5:23-6.8 Materials and methods
- 5:23-6.9 New building elements
- 5:23-6.10 Basic requirements and supplemental requirements—general
- 5:23-6.11 Basic requirements in all Use Groups
- 5:23-6.11A Supplemental requirements in all Use Groups
- 5:23-6.12 Basic requirements—Use Group A-1
- 5:23-6.12A Supplemental requirements—Use Group A-1
- 5:23-6.13 Basic requirements—Use Group A-2
- 5:23-6.13A Supplemental requirements—Use Group A-2
- 5:23-6.14 Basic requirements—Use Group A-3
- 5:23-6.14A Supplemental requirements—Use Group A-3
- 5:23-6.15 Basic requirements—Use Group A-4
- 5:23-6.15A Supplemental requirements—Use Group A-4
- 5:23-6.16 Basic requirements—Use Group A-5
- 5:23-6.16A Supplemental requirements—Use Group A-5
- 5:23-6.17 Basic requirements—Use Group B
- 5:23-6.17A Supplemental requirements—Use Group B
- 5:23-6.18 Basic requirements—Use Group E
- 5:23-6.18A Supplemental requirements—Use Group E
- 5:23-6.19 Basic requirements—Use Group F
- 5:23-6.19A Supplemental requirements—Use Group F
- 5:23-6.20 Basic requirements—Use Group H
- 5:23-6.20A Supplemental requirements—Use Group H
- 5:23-6.21 Basic requirements—Use Group I-1
- 5:23-6.21A Supplemental requirements—Use Group I-1
- 5:23-6.22 Basic requirements—Use Group I-2
- 5:23-6.22A Supplemental requirements—Use Group I-2
- 5:23-6.23 Basic requirements—Use Group I-3
- 5:23-6.23A Supplemental requirements—Use Group I-3
- 5:23-6.24 Basic requirements—Use Group M
- 5:23-6.24A Supplemental requirements—Use Group M
- 5:23-6.25 Basic requirements—Use Group R-1
- 5:23-6.25A Supplemental requirements—Use Group R-1
- 5:23-6.26 Basic requirements—Use Group R-2
- 5:23-6.26A Supplemental requirements—Use Group R-2
- 5:23-6.27 Basic requirements—Use Groups R-3/R-4
- 5:23-6.27A Supplemental requirements—Use Groups R-3/R-4
- 5:23-6.28 Basic requirements—Use Group S
- 5:23-6.28A Supplemental requirements—Use Group S
- 5:23-6.29 Mixed use buildings
- 5:23-6.30 Special technical requirements—all use groups
- 5:23-6.31 Change of use
- 5:23-6.32 Additions
- 5:23-6.33 Historic buildings

SUBCHAPTER 7. BARRIER FREE SUBCODE

- 5:23-7.1 Applicability
- 5:23-7.2 Accessibility standards
- 5:23-7.3 Exemptions
- 5:23-7.4 Nonresidential buildings
- 5:23-7.5 Multi-family residential buildings
- 5:23-7.6 Exterior accessible route
- 5:23-7.7 Accessible building entrances
- 5:23-7.8 Interior accessible routes
- 5:23-7.9 Accessible parking

- 5:23-7.10 Requirements applicable to specific nonresidential use groups and Use Group R-1
- 5:23-7.11 Requirements applicable to all nonresidential use groups, including spaces other than guestrooms in Use Group R-1
- 5:23-7.12 Existing facilities
- 5:23-7.13 Variations
- 5:23-7.14 Enforcement
- 5:23-7.15 Recreation
- 5:23-7.16 Recreation: definitions
- 5:23-7.17 Recreation: exceptions
- 5:23-7.18 Recreation: route of travel
- 5:23-7.19 Recreation: pools
- 5:23-7.20 Recreation: swimming and skating areas
- 5:23-7.21 Recreation: boating areas
- 5:23-7.22 Recreation: fishing areas
- 5:23-7.23 Recreation: court games
- 5:23-7.24 Recreation: ice rinks and roller rinks
- 5:23-7.25 Recreation: playing fields
- 5:23-7.26 Recreation: golf facilities
- 5:23-7.27 Recreation: ski lifts, aerial tramways, and conveyors
- 5:23-7.28 Recreation: trails
- 5:23-7.29 Recreation: camping sites
- 5:23-7.30 Recreation: equipment
- 5:23-7.31 Recreation: equestrian facilities

SUBCHAPTER 8. ASBESTOS HAZARD ABATEMENT SUBCODE

- 5:23-8.1 Title; scope; intent
- 5:23-8.2 Definitions
- 5:23-8.3 Enforcement; licensing; special technical services
- 5:23-8.4 Variations
- 5:23-8.5 Construction permit for asbestos abatement
- 5:23-8.6 Coordination with other permits
- 5:23-8.7 Inspections; violations
- 5:23-8.8 Certificate of occupancy; certificate of completion
- 5:23-8.9 Fees
- 5:23-8.10 Asbestos safety technician
- 5:23-8.11 Asbestos safety control monitor
- 5:23-8.12 Application of asbestos
- 5:23-8.13 Pre-project procedures
- 5:23-8.14 Operations and maintenance activities
- 5:23-8.15 Asbestos hazard abatement projects
- 5:23-8.16 Asbestos encapsulation and enclosure
- 5:23-8.17 Limited containment removals
- 5:23-8.18 Demolition
- 5:23-8.19 Abatement in occupied buildings
- 5:23-8.20 Removal of non-friable asbestos-containing material
- 5:23-8.21 Air monitoring methodology
- 5:23-8.22 Disposal of asbestos waste

SUBCHAPTER 9. CODE INTERPRETATIONS

- 5:23-9.1 Interpretation: Application of the Plumbing Subcode to certain mobile homes
- 5:23-9.2 Interpretation: Construction Permit for a single family residence
- 5:23-9.3 Interpretation: Ordinary maintenance
- 5:23-9.4 (Reserved)
- 5:23-9.5 Interpretation: Records retention
- 5:23-9.6 Interpretations: Construction requirements for new and existing casinos
- 5:23-9.7 Interpretation: Manufacturing, production and process equipment
- 5:23-9.8 Bed and breakfast guest houses, change in use group requirements
- 5:23-9.9 Foundation systems for garden type utility sheds and similar structures

SUBCHAPTER 10. RADON HAZARD SUBCODE

- 5:23-10.1 Title; scope; intent
- 5:23-10.2 Definitions
- 5:23-10.3 Enforcement

5:23-10.4 Construction techniques

APPENDIX 10-A. NEW JERSEY MUNICIPALITIES IN TIER 1

SUBCHAPTER 11. PLAYGROUND SAFETY SUBCODE

- 5:23-11.1 Subcode adopted
- 5:23-11.2 Definition
- 5:23-11.3 Enforcement of subcode
- 5:23-11.4 Compliance schedule

SUBCHAPTER 12. ELEVATOR SAFETY SUBCODE

- 5:23-12.1 Title; scope; intent
- 5:23-12.2 Referenced standards
- 5:23-12.3 Inspection and test schedule
- 5:23-12.4 Registration of elevator devices
- 5:23-12.5 Registration fee
- 5:23-12.6 Test and inspection fees
- 5:23-12.7 Licensing
- 5:23-12.8 Alterations, replacements, damages, increases in size, changes in use group, minor work, ordinary repairs
- 5:23-12.9 Certificate of compliance requirements
- 5:23-12.10 Inspections in seasonal facilities
- 5:23-12.11 Notice concerning accidents
- 5:23-12.12 Special safety equipment

SUBCHAPTER 12A. OPTIONAL ELEVATOR INSPECTION PROGRAM

- 5:23-12A.1 Title; scope; intent
- 5:23-12A.2 Qualified elevator device inspection firms
- 5:23-12A.3 Qualified elevator device inspector
- 5:23-12A.4 Enrollment of devices
- 5:23-12A.5 Permit process and monitoring
- 5:23-12A.6 Special inspection and compliance procedures

SUBCHAPTER 1. GENERAL PROVISIONS

5:23-1.1 Title; division into subchapters

(a) These regulations shall be known as the "Regulations for the New Jersey Uniform Construction Code" and are referred to herein as "the regulations".

(b) The chapter consists of the following subchapters:

1. "General provisions" which may be cited throughout the regulations as N.J.A.C. 5:23-1 and when referred to in subchapter 1 of this chapter may be cited as this subchapter.
2. "Administration and enforcement; process" which may be cited throughout the regulations as N.J.A.C. 5:23-2 and when referred to in subchapter 2 of this chapter may be cited as this subchapter.
3. "Subcodes" which may be cited throughout the regulations as N.J.A.C. 5:23-3 and when referred to in subchapter 3 of this chapter may be cited as this subchapter.

i. N.J.A.C. 5:23-3.11B contains references to the Department of Environmental Protection's rules concerning underground storage tanks, codified at N.J.A.C. 7:14B, which are jointly enforced by this Department and local enforcing agencies pursuant to this chapter.

4. "Enforcing agencies: duties, powers, and procedures" which may be cited throughout the regulations as N.J.A.C. 5:23-4 of this chapter and when referred to in subchapter 4 of this chapter may be cited as this subchapter.

5. "Industrialized/Modular Buildings and Building Components" which may be cited throughout the regulations as N.J.A.C. 5:23-4A and when referred to N.J.A.C. 5:23-4A may be cited as this subchapter.

6. "Manufactured Homes and Manufactured Home Add-On Units Not Subject to Federal Regulations" which may be cited throughout the regulations as N.J.A.C. 5:23-4B and when referred to in subchapter 4B may be cited as this subchapter.

7. "Enforcement of Federal Manufactured Home Standards" which may be cited throughout the regulations as N.J.A.C. 5:23-4C and when referred to in subchapter 4C may be cited as this subchapter.

8. "Licensing of Code Enforcement Officials" which may be cited throughout the regulations as N.J.A.C. 5:23-5 and when referred to in subchapter 5 of this chapter may be cited as this subchapter.

9. "Rehabilitation Subcode" which may be cited throughout the regulations as N.J.A.C. 5:23-6 and, when referred to in subchapter 6 of this chapter, may be cited as this subchapter.

10. "Barrier Free Subcode" which may be cited throughout the regulations as N.J.A.C. 5:23-7 and when referred to in subchapter 7 of this chapter may be cited as this subchapter.

11. "Asbestos Hazard Abatement Subcode" which may be cited throughout the regulations as N.J.A.C. 5:23-8 and when referred to in subchapter 8 of this chapter may be cited as this subchapter.

12. "Code Interpretations" which may be cited throughout the regulations as N.J.A.C. 5:23-9 and when referred to in subchapter 9 of this chapter may be cited as this subchapter.

13. "Radon Hazard Subcode" which may be cited throughout the regulations as N.J.A.C. 5:23-10 and when referred to in subchapter 10 of this chapter may be cited as this subchapter.

14. "Playground safety subcode" which may be cited throughout this chapter as N.J.A.C. 5:23-11 and, when referred to in subchapter 11 of this chapter, may be cited as "this subchapter."

15. "Elevator Safety Subcode" which may be cited throughout the rules as N.J.A.C. 5:23-12 and when referred to in subchapter 12 of this chapter may be cited as this subchapter.

New (a)7; old (a)7 through 9 renumbered (a)8.-10.
Administrative Change: This section was originally part of N.J.A.C. 5:23-3.11.

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

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

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

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

Administrative Correction to (c).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rewrote the section.

5:23-3.11B Underground storage tank systems

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

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

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

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

1. Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;

2. Tanks with a capacity of 2,000 gallons or less used to store heating oil for onsite consumption in a nonresidential building;

3. Tanks used to store heating oil for onsite consumption in a residential building;

4. Septic tanks installed in compliance with rules adopted by DEP pursuant to P.L. 1954, c.199 (N.J.S.A. 58:11-23 et seq.);

5. Tanks situated in an underground area, including, but not limited to, basements, cellars, mines, drift shafts, or tunnels, if the storage tank is situated upon or above the surface of the floor;

6. Tanks situated in an underground area, including, but not limited to, basements, cellars, mines, drift shafts, or tunnels, if the storage tank is equipped with secondary containment and is uncovered so as to allow visual inspection of the exterior of the tank;

7. Wastewater treatment tanks;

8. Electrical equipment;

9. Hydraulic lift tanks; and

10. Any pipes, lines, fixtures, or other equipment connected to any tank exempted from the provisions of N.J.A.C. 7:14B as set forth in (b)1 to 9 above.

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

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

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

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

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

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

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

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

5:23-3.12 Amended rules

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

Amended by R.1995 d.544, effective October 16, 1995.

See: 27 N.J.R. 2827(a), 27 N.J.R. 3933(a).

Amended by R.2000 d.413, effective October 16, 2000.

See: 32 N.J.R. 2278(a), 32 N.J.R. 3783(a).

Rewrote the section.

5:23-3.13 State-sponsored code change proposals

(a) Any municipality, other political subdivision, or agency of the State seeking to submit a "State-sponsored code change proposal" shall do so not less than 90 days prior to

the code change meeting of the model code adoption agency
for which the amendment is proposed.

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

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

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

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

5:23-3.14 Building subcode

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

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

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

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

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

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

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

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

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

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

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

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

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

vi. The term and definition "Attic, habitable" are added from the 1990 BOCA National Building Code as follows: "Attic, habitable: A habitable attic is an attic which has a stairway as a means of access and egress and in which the ceiling area at a height of 7 1/8 feet (2235 mm) above the attic floor is not more than one-third of the area of the next floor below."

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

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

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

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

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

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

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

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

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

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

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

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

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

- xx. The definition of the term "Structure" is replaced by the definition at N.J.A.C. 5:23-1.4;
- xxi. The term and definition "Structure, existing" is deleted;
- xxii. The term and definition of "Writing" is deleted;
- xxiii. The term and definition of "Zoning" is deleted.
3. The following amendments are made to Chapter 3 of the building subcode, entitled "Use or Occupancy."
- i. Section 301.2 is deleted;
 - ii. Section 307.8 is amended to replace the term "less" in the second line of exception #3 with the term "more."
 - iii. Section 310.6 is amended to delete the phrase "not more than three stories in height."
 - iv. Section 312.0 is deleted and substitute in lieu thereof section 312.0 of the 1993 BOCA National Building Code as follows: "312.0 Utility and Miscellaneous Use Group—312.1 General: Buildings and structures of an accessory character and miscellaneous structures not classified in any specific use group shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Use Group U shall include fences over 6 feet (1829 mm) high, tanks, cooling towers, retaining walls and buildings such as private garages, carports, sheds and agricultural buildings."
 - v. Table 313.1.2 is modified to delete Use Group U from the table.
4. The following amendments are made to Chapter 4 of the building subcode, entitled "Special Use and Occupancy";
- i. Section 415.1 is amended to replace the phrase "authority having jurisdiction" with the term "construction official";
 - ii. Section 416.11 is deleted;
 - iii. Section 420.0 is amended to replace the terms "Mobile Units," "Unit" and "Units" with the terms "Manufactured Homes," "Home" and "Homes" respectively;
 - iv. Sections 420.1 and 420.2 are deleted in their entirety;
 - v. Section 421.3 is amended to replace the term "code official" with the term "construction official";
 - vi. Section 421.6 is amended to end with the phrase "in accordance with the plumbing subcode";
 - vii. Section 421.6.1 is deleted;
 - viii. Section 421.6.2 is amended to end with the phrase "in accordance with the plumbing subcode";
 - ix. Section 421.9.3 is amended to replace the term "governing body" with the term "construction official."
 - x. Section 421.10.1 #9 of the 1996 BOCA National Building Code is deleted in its entirety.
5. The following amendment is made to Chapter 5 of the building subcode, entitled "General Building Limitations":
- i. Table 503 is modified to delete Use Group U from the table.
6. The following amendments are made to Chapter 7 of the building subcode, entitled "Fire-resistant Material and Construction":
- i. Table 705.2 is modified to delete U^d in the second column and U^c in the fourth column under the heading of Use Group. Delete "Note c" and "Note d" of the table.
 - ii. Table 707.1 is modified to delete U under the heading of Use Group in the second row.
 - iii. Section 721.6.5 is deleted and substitute in lieu thereof the text of Section 720.6.5 of the 1993 BOCA National Building Code as follows: "Architectural Trim: Fireblocking shall be installed in exterior cornices and other exterior architectural elements where permitted of combustible construction in Section 1406.0, or where erected with combustible frames, at maximum intervals of 20 feet (6096 mm). If noncontinuous, such elements shall have closed ends, with at least 4 inches (102 mm) of separation between sections."
 - iv. Section 723.6 is deleted in its entirety.
7. The following amendments are made to Chapter 8 of the building subcode, entitled "Interior Finishes":
- i. Table 803.4 is modified to delete U under the heading of Use Group in the eighth row.
 - ii. Sections 805.1, 805.2.1, 807.2.1 and 807.2.2 are amended to replace the term "code official" with the term "fire protection subcode official."
8. The following amendments are made to Chapter 9 of the building subcode, entitled "Fire Protection Systems":
- i. References to the term "code official" shall be replaced with the term "fire protection subcode official."
 - ii. Section 901.4 is deleted in its entirety;
 - iii. Section 903.1 is amended to replace the term "department" with the phrase "enforcement agency responsible for plan review," and in the note, to replace the word "Since" with the term "If";

iv. Section 917.0 is amended to replace the phrase "administrative authority of the jurisdiction" with the term "fire protection subcode official;"

v. Section 921.0 is deleted in its entirety.

9. The following amendments are made to Chapter 10 of the building subcode, entitled "Means of Egress":

i. Section 1001.2 is amended to replace the phrase "Article 1 for modification of this code or by adoption of approved rules" with the regulations at "N.J.A.C. 5:23-2";

ii. Section 1005.5 is deleted and substitute in lieu thereof Section 1005.5 of the 1993 BOCA National Building Code as follows: "1005.5 Open-sided floor areas: Guards shall be located along open-sided walking surfaces, mezzanines and landings which are located more than 30 inches (762 mm) above the floor or grade below. The guards shall be constructed in accordance with Section 1021.0. Exception: Guards are not required on the loading side of loading docks and the auditorium side of stages and raised platforms."

iii. Section 1005.6 is deleted and substitute in lieu thereof section 1005.6 of the 1993 BOCA National Building Code as follows:

"1005.6 Elevation Change: Where changes in elevation exist in exit access corridors, exits or exit discharge, ramps shall be used where the difference in elevation is less than 12 inches (305 mm). Exception: A maximum step height of 8 inches (203 mm) shall be permitted for buildings with occupancies in Use Groups F, H, R and S at exterior doors not required to be accessible by Chapter 11."

iv. Section 1014.6 exception #8 is modified to replace the first sentence with the text of Section 1014.6 exception #8 of the 1993 BOCA National Building Code and retain the 1996 text for the second sentence as follows:

"8. In occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2, the maximum riser height shall be 8¼ inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A nosing of not less than ¾ inches (19 mm) but not more than 1¼ inches (32 mm) shall be provided on stairways with a solid riser where the tread depth is less than 11 inches (279 mm)."

v. Section 1014.6.3 is deleted and substitute in lieu thereof Section 1014.6.3 of the 1993 BOCA National Building Code as follows:

"1014.6.3 Winders: Winders shall not be permitted in required means of egress stairways except in occupancies in Use Group R-3 and stairways serving a single dwelling unit. Such winders shall have a tread depth of not less than 9 inches (229 mm) at a point not more than 12 inches (305 mm) from the side

where the tread is narrower and the minimum tread depth shall not be less than 6 inches (152 mm)."

vi. Section 1014.9.1 is deleted and substitute in lieu thereof Section 1014.9.1 of the 1993 BOCA National Building Code as follows:

"1014.9.1 Strength: All stairways, platforms and landings in other than occupancies in Use Group R-3 shall be adequate to support a live load of 100 pounds per square foot (488.20 kg/m²) and a concentrated load of 300 pounds (136.20 kg)."

vii. Section 1017.1.1 is amended to add the word "nominal" at the end of the sentence at exception #2.

viii. Section 1021.2 exception #1 is deleted and substitute in lieu thereof Section 1021.2 exception #1 of the 1993 BOCA National Building Code as follows:

"1. In other than occupancies in Use Group E, guards shall not be less than 34 inches (864 mm) in height above the leading edge of the tread along stairs which are not more than 20 feet (6096 mm) in height or which reverse direction at an intermediate landing with 12 inches (305 mm) or less measured horizontally between successive flights."

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

"1022.2 Handrail details: Handrail-gripping surface shall be continuous, without interruption by newel posts, other structural elements or obstructions. A handrail and any wall or other surface adjacent to the handrail shall be free of any sharp or abrasive elements. The clear space between the handrail and the adjacent wall or surface shall not be less than 1½ inches (38 mm). Edges shall have a minimum radius of ⅝ inch (3 mm)."

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

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

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

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

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

xiii. Section 1028.2 is deleted.

10. Chapter 11 of the building subcode entitled "Accessibility," is modified in the manner set forth in N.J.A.C. 5:23-7.

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

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

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

"1210.1 Roof spaces: Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilation openings that are protected against the entrance of rain and snow. The openings shall be covered with corrosion-resistant mesh not less than $\frac{1}{4}$ inch (6 mm) nor more the $\frac{1}{2}$ inch (13 mm) in any direction.

1210.1.1 Ventilation Area: The minimum required net free ventilation area shall be $\frac{1}{50}$ of the area of the space ventilated, except that the minimum required area shall be reduced to $\frac{1}{600}$, provided that: a vapor retarder having a permeance not exceeding 1 perm is installed on the warm side of the ceiling; or at least 50 percent, and not more than 80 percent, of the required ventilating area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet (914 mm) above eave or cornice vents, with the balance of the required ventilation provided by eave or cornice vents."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

vii. Section 1705.3.1 is deleted in its entirety;

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

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

i. Section 2603.5.1 is deleted in its entirety.

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

i. Chapter 27 is deleted in its entirety.

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

i. Section 2803.0 is deleted in its entirety;

ii. Section 2809.0 is deleted in its entirety.

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

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

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

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

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

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

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

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

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

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

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

x. Section 3005.0 is deleted in its entirety with the exception of section 3005.4 which is amended to replace the term "code official" with the term "construction official";

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

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

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

xiv. Section 3012.2 is deleted;

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

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

xvii. Section 3013.0 is deleted in its entirety.

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

i. Section 3102.5 is deleted in its entirety.

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

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

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

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

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

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

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

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

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

impact resistance to provide egress through the wall.

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

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

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

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

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

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

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

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

i. Section 3202.5 is deleted in its entirety.

ii. Section 3204.2 is deleted.

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

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

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

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

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

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

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

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

25. The following amendment is made to Chapter 34 entitled "Existing Structures":

i. Chapter 34 is deleted with the exception of section 3406.0, which is amended to replace the term "code official" with the term "construction official";

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

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

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

(1) BOCA National Property Maintenance Code;

(2) ICC International Mechanical Code;

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

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

(5) CABO Model Energy Code.

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

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

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

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

Added (a)2 and (c).

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

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

This section was substantially amended.

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

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

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

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

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

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

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

(b)3i: amended text.

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

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

Substantially amended.

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

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

Model subcode revisions.

Amended by R.1988 d.270, effective June 20, 1988.
 See: 20 N.J.R. 575(a), 20 N.J.R. 1344(a).
 Added (a)3 and (c).
 Amended by R.1990 d.253, effective May 21, 1990.
 See: 22 N.J.R. 909(b), 22 N.J.R. 1554(a).
 Text added at (c)2ii, 4, 5 and 7.
 Amended by R.1990 d.325, effective July 2, 1990.
 See: 21 N.J.R. 1654(a), 22 N.J.R. 2001(a).
 Text added at (b)5xii(1) to conform to Fire Code.
 Amended by R.1990 d.507, effective October 15, 1990.
 See: 22 N.J.R. 2208(a), 22 N.J.R. 3214(a).
 Text conformed to BOCA National Code/1990.
 Amended by R.1990 d.558, effective November 19, 1990.
 See: 22 N.J.R. 1969(b), 22 N.J.R. 3483(a).
 Conditional exemption for hoopouses or polyhouses added.
 Amended by R.1991 d.325, effective July 1, 1991.
 See: 23 N.J.R. 805(a), 23 N.J.R. 2046(a).
 Article 26 amended at (b)14.
 Amended by R.1991 d.429, effective August 19, 1991.
 See: 23 N.J.R. 1487(a), 23 N.J.R. 2501(a).
 In (a), added 3. Added (c).
 Amended by R.1992 d.244, effective June 15, 1992.
 See: 24 N.J.R. 1147(a), 24 N.J.R. 2243(a).
 Text added at (b)10v through viii.
 Amended by R.1993 d.662, effective December 20, 1993.
 See: 25 N.J.R. 3891(a), 25 N.J.R. 5918(a).
 Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).
 See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).
 Amended by R.1995 d.477, effective September 5, 1995.
 See: 27 N.J.R. 1717(a), 27 N.J.R. 3328(a).
 Added (b)2v.
 Amended by R.1998 d.332, effective July 6, 1998.
 See: 30 N.J.R. 1377(a), 30 N.J.R. 2421(b).
 Rewrote the section.

Case Notes

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

5:23-3.15 Plumbing subcode

(a) Rules concerning subcode adopted are as follows:

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

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

2. "The National Standard Plumbing Code/1996," may be known and cited as "the plumbing subcode."

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

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

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

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

ii. The definition of the term "approved" is amended to add after the word "authority" on line 3, the words "as defined in N.J.A.C. 5:23-3.7."

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

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

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

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

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

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

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

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

iii. Section 2.5 is deleted in its entirety.

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

v. Section 2.12 is amended to delete subparagraph e.

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

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

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

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

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

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

ii. Section 3.1.2 is amended to delete the words "at least" on line 2. Also the words "section 3.12" are deleted at the end of the first paragraph and substitute in lieu thereof, the words "N.J.A.C. 5:23-3.7."

iii. Section 3.1.3 is amended to delete the words "Section 3.12.2" on line 4 and in lieu thereof, substitute the words "N.J.A.C. 5:23-3.7."

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

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

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

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

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

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

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

i. Section 5.3.2 is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the words "administrative authority" on line 3.

ii. Section 5.3.4 is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the words "administrative authority" on line 2.

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

i. Section 6.1.1 is amended to delete the phrase "in the opinion of the administrative authority" on line 2 and to add after line 5 the sentence "The determination of necessity shall be made by the plumbing subcode official in accordance with N.J.A.C. 5:23-3.3."

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

iii. Section 6.4.4 is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the word "approval" on line 2.

8. Chapter 7 of the plumbing subcode, entitled "Plumbing Fixtures," is amended as follows:

i. Section 7.2 is amended to read "Plumbing fixtures for accessible use and their installation shall conform to the requirements of N.J.A.C. 5:23-7 et. seq."

ii. Section 7.4.2 is amended to add the words "Only pressurized (not gravity flow) water closets are acceptable for commercial uses. Commercial uses are A, E, B and M uses with an occupancy requiring more than two water closets connected to the building sewer." after the words "1.6 gallons per flush" and to delete the exceptions.

(1) Exception: Installation of water closets bearing a manufacturer's date stamp indicating a date of manufacture prior to July 1, 1991 and requiring an amount in excess of 1.6 gallons per flush shall be permitted.

iii. Exception 2 to section 7.4.4 is amended to read "Accessible Water Closets shall conform to the requirements of N.J.A.C. 5:23-7 et seq."

iv. Section 7.18.2 is amended to add the phrase "in accordance with N.J.A.C. 5:23-3.3" after the words "administrative authority" on line 2.

v. Note 1 to Tables 7.21.1.A, 7.21.1.B, 7.21.1.C, 7.21.1.D, 7.21.1.E is amended to delete the words "for handicap requirements see local, state, or national codes" in the second sentence.

vi. Figure 7.3.2 is amended to delete the word "Code" and substitute in lieu thereof "Subcode" in the block at bottom.

vii. A new section 7.22 is added as follows:

"7.22 Safety Features for Spas and Hot Tubs

Spas and hot tubs shall comply with the following sections of ANSI/NPSI-2 1992:

9.4 Entrapment avoidance: If the suction outlet system, such as an automatic cleaning system, is a vacuum cleaner system which has a single suction outlet or multiple suction outlets which can be isolated by valves, then each suction outlet shall protect against user entrapment by either an antivortex cover or an equivalent means approved by the plumbing subcode official.

9.5 Outlets per pump: A minimum of two suction outlets shall be provided for each pump in the suction outlet system, separated by a minimum of three feet or located on two different planes; for example, one on the bottom and one on the vertical wall, or one each on two separate vertical walls. These suction outlets shall be plumbed such that water is drawn through them simultaneously through a common line to the pump.

(b) The following chapters or articles of the electrical subcode are amended as follows:

1. Article 90 of the electrical subcode, entitled "Introduction," is amended as follows:

i. Section 90-4, Enforcement, is amended to delete in the first paragraph the phrase, "authority having jurisdiction of enforcement of the code" and substitute in lieu thereof, the term "electrical subcode official." And add a new last sentence in the first paragraph: "Approval shall be in accordance with N.J.A.C. 5:23-2.9." Delete in the second paragraph the phrase "authority having jurisdiction" and substitute in lieu thereof the term "electrical subcode official" and add after "effective safety" the phrase "as provided in N.J.A.C. 5:23-2.9." Delete in the third paragraph the phrase "authority having jurisdiction" and substitute in lieu thereof the term "electrical subcode official" and delete the phrase "by the jurisdiction" after the word "adopted."

ii. Section 90-5, entitled "Mandatory Rules, Permissive Rules, and Explanatory Material," is amended to add "except as outlined under N.J.A.C. 5:23-3.16(a)2i" after the word "Code" in line 6 under paragraph (c).

2. Chapter 1 of the electrical subcode, Article 100, entitled "Definitions," is amended as follows:

i. The definition of the term "approved" is amended to delete the phrase "the authority having jurisdiction" and substitute in lieu thereof, the phrase "electrical subcode. Approval shall be in accordance with N.J.A.C. 5:23-3.7, 3.8 and 3.8A."

ii. Amend to include the following definition: "Authority having jurisdiction: Unless otherwise specifically noted the authority having jurisdiction for the Electrical Subcode shall be the Electrical Subcode Official".

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

iv. The definition of the term "garage" is amended to add the sentence, "The term cutoff is intended to refer to the appropriate fire separation as required by the building subcode."

3. Chapter 2 of the electrical subcode, entitled "Wiring and Protection," is amended as follows:

i. Section 210-12(b) of Article 210, entitled "Branch Circuits," is amended to delete the words "become effective January 1, 2002" at the end of the section and in lieu thereof substitute the words "be considered optional."

4. Chapter 3 of the electrical subcode, entitled "Wiring Methods and Materials," is amended as follows:

i. Section 300-4(a)(1) is amended to delete the words from "so that the edge . . ." on line four through

" . . . cannot be maintained" on line six and in lieu thereof substitute "as required by the building subcode. Where the distance from the edge of the hole to the nearest edge of the wood member is less than 1¼ inches (31.8 mm)."

5. Chapter 5 of the electrical subcode, entitled "Special Occupancies," is amended as follows:

i. Exception to section 500-5(a)(4), section 514-5(b) and section 514-5(c) are amended to delete the phrase "authority having jurisdiction" and substitute in lieu thereof the phrase "fire protection subcode official."

ii. Part B of Article 550, entitled "Mobile Homes, Manufactured Homes, and Mobile Home Parks" comprising sections 550-5 through 550-15 is deleted in its entirety with the exception of section 550-5 which shall be retained.

(1) Exception—Part B is retained in its entirety in the case of mobile/manufactured homes undergoing repair or alteration work.

iii. In Article 551, entitled "Recreation Vehicles and Recreation Vehicle Parks," delete from the title the words "Recreation Vehicles and."

(1) Section 551-1 is amended to delete the phrase "within or on recreational vehicles" on line 2.

(2) Parts B, C, D, E and F, comprising sections 551-10 through 551-60, are deleted in their entirety, with the exception of Figure 551-46(c), which shall be retained.

iv. The following amendments are made to Article 552, entitled "Park Trailers":

(1) Parts B and C comprising Sections 552-10 through 552-20 are deleted in their entirety.

(2) Part D comprising Sections 552-40 through 552-59 is deleted with the exception of Sections 552-43, 552-44 and 552-47 which shall be retained.

(3) Part E is deleted in its entirety.

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

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

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

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

Section substantially amended.

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

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

Model subcode revisions.

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

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

Amendments to (b)4i(2), ii(2).

Administrative Correction to (b)4i(2).

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

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

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

Text conformed to BOCA National Code/1990.

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

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

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

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

Rewrote the section.

Amended by R.1998 d.362, effective July 20, 1998.

See: 30 N.J.R. 1122(a), 30 N.J.R. 2644(b).

In (a), inserted a new 3.

Amended by R.2000 d.48, effective February 7, 2000.

See: 31 N.J.R. 2317(a), 32 N.J.R. 445(a).

In (a), substituted references to 1999 for references to 1996 throughout, substituted a reference to One Batterymarch Park for a reference to Batterymarch Park in 1i, and inserted 2i; and in (b), inserted 1ii, inserted a new 3, recodified former 3 and 4 as 4 and 5, substituted a reference to line four for a reference to line three and substituted a reference to line six for a reference to line five in the new 4i, and substituted a reference to section 500-5(a)(4) for a reference to section 500-3(a)4 in the new 5i.

Case Notes

Former N.J.A.C. 5:23-3.6 designated "National Electrical code of 1975" as controlling code; statute of limitations. *Brown v. Jersey Central Power and Light Co.*, 163 N.J.Super. 179 394 A.2d 397 (App. Div.1978) certification denied 79 N.J. 489 401 A.2d 244.

5:23-3.17 Fire protection subcode

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

1. Pursuant to authority of P.L. 1975, c.217 as modified by P.L. 1996, c.53, the Commissioner hereby adopts the following portions of the building, electric, and mechanical subcodes, to the extent delineated in N.J.A.C. 5:23-3.4, as the fire protection subcode for New Jersey.

i. BOCA National Building Code/1996 of the Building Officials and Code Administrators International Inc. (N.J.A.C. 5:23-3.14):

- (1) Chapter 3 entitled, "Use or Occupancy"
- (2) Chapter 4—Special Use and Occupancy;
- (3) Chapter 7—Fire resistant Materials and Construction;
- (4) Chapter 8—Interior Finishes;
- (5) Chapter 9 Fire Protection Systems. Add the following to section 906.8: Hydraulic system data plates shall conform to N.J.A.C. 5:23-3.5(d);
- (6) Chapter 10—Means of Egress;
- (7) Sections 2113.0 through 2117.0 of Chapter 21—Masonry;
- (8) Sections 2603.0 through 2605.0 of Chapter 26—Plastic;
- (9) Section 3106.0 of Chapter 31—Special Construction;
- (10) Section 3305.0 of Chapter 33—Site Work, Demolition and Construction;
- (11) Section 3406.0 of Chapter 34—Existing Structures.

ii. National Electric Code/1996 of the National Fire Protection Association (N.J.A.C. 5:23-3.16).

(1) Section 300-21 of Chapter 3—Wiring Methods and Materials;

(2) Article 450, Part C—Transformer Vaults of Chapter 4—Equipment for General Use;

(3) Chapter 5—Special Occupancies;

(4) Article 695—Fire Pumps of Chapter 6—Special Equipment;

(5) Article 760—Fire Alarm Systems of Chapter 7—Special Conditions;

iii. BOCA National Mechanical Code/1993 of the Building Officials and Code Administrators International Inc. (N.J.A.C. 5:23-3.20):

- (1) Chapter 3 entitled "Air Distribution Systems"
- (2) Chapter 4—Mechanical Equipment;
- (3) Chapter 5—Kitchen Exhaust Equipment;
- (4) Section M-802.1 of Chapter 8
- (5) Chapter 9—Flammable and Combustible Liquid Storage and Piping Systems;
- (6) Chapter 10—Combustion Air;
- (7) Chapter 11—Clearance Reduction
- (8) Chapter 12—Chimneys and Vents;
- (9) Chapter 14—Fireplaces, Solid Fuel-Burning and Gas Accessory Appliances.
- (10) Chapter 15—Incinerators and Crematories

2. The model code portions listed above may be known as "the fire protection subcode."

(b) Rules concerning modifications to subcodes are as follows:

1. The modifications made to the appropriate portion of the adopted model code in N.J.A.C. 5:23-3.14 (Building Subcode), N.J.A.C. 5:23-3.16 (Electrical Subcode) and N.J.A.C. 5:23-3.20 (Mechanical Subcode) will apply also to those portions as regards this adoption.

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

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

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

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

Section substantially amended.

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

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

Substantially amended.

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

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

Model subcode revisions.

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

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

Reference to 1989 Supplement added; (a)1i(7) amended.

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

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

Text conformed to BOCA National Code/1990.

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

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

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

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

Rewrote (a).

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

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

In (a)1i(5), added a second sentence.

Case Notes

Zoning ordinance's definition of family violated Constitution. Cherry Hill Tp. v. Oxford House, Inc., 263 N.J.Super. 25, 621 A.2d 952 (A.D.1993).

5:23-3.18 Energy Subcode

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

1. Pursuant to authority of P.L. 1975, c.217, as modified by P.L. 1996, c.53, the Commissioner hereby adopts the model code of the Building Officials and Code Administrators International, Inc., known as the BOCA National Energy Conservation Code/1993, as the energy subcode for New Jersey.

i. Copies of the BOCA National Energy Conservation Code/1993 may be obtained from the sponsor at BOCA, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60477-5795.

ii. The model code listed above may be known and cited as the "energy subcode."

SUBCHAPTER 6. REHABILITATION SUBCODE

Authority

N.J.S.A. 52:27D-123.5, 123.8, 124.

Source and Effective Date

R.1998 d.28, effective January 5, 1998.
See: 29 N.J.R. 3603(a), 30 N.J.R. 129(a).

5:23-6.1 Introduction; using this Subcode

(a) This section is a guide to the use of the rehabilitation subcode. It should not be interpreted as containing substantive requirements and it is not intended to be cited for enforcement purposes.

1. The provisions of the other subcodes of the Uniform Construction Code do not apply to work in existing buildings, changing the use of an existing building or work in an existing building related to an addition unless the provisions of this subcode specifically reference them and make them applicable.

2. Traditionally, the New Jersey Uniform Construction Code has made the requirements that are applicable to new buildings also apply to buildings whose use is changed; applicable to buildings undergoing rehabilitation with the extent of the requirements depending on the amount of money being spent on the building; and to some extent applicable to existing buildings that have an addition constructed. Buildings whose use was changed and buildings receiving rehabilitation costing more than 50 percent of the replacement cost of the building were required to comply with all the provisions of the Uniform Construction Code for new buildings.

3. This subcode takes a new approach. The requirements that apply to a project are based upon the type of work being done rather than on the extent of the work. There is only one exception to this rule. In the case of reconstruction work, as the term reconstruction is defined in this subcode, there are some requirements which must be met when the project is a large one in floor area. There are no requirements in this subcode that are based on the cost of the work.

4. In this subcode, work is classified into six categories. Each category has a separate section which describes the requirements for that category of work. The categories are repair, renovation, alteration, reconstruction, change of use and additions. These terms are defined in N.J.A.C. 5:23-6.3. The definitions are critical to understand the distinctions between these six categories of work. Where a project contains more than one category of work, each applicable category must be consulted for the requirements for that category of work.

(b) **Repair Work:** The requirements that apply to repair work are in N.J.A.C. 5:23-6.4. The requirements for repairs are brief due to the limited nature of the work. There is a short list of materials that may not be used for repair

work due to their inherently hazardous nature and another list of materials which must be used in connection with repair work where applicable. These lists should be used when planning the repair components of any project.

1. This subcode does not establish when a permit is required for a project. Those requirements are in N.J.A.C. 5:23-2. Although it is generally true that repair work undertaken by itself does not require a construction permit, it is important to understand that any repair work undertaken in connection with a project that involves other categories of work is required to meet only the provisions for the repair category established by this subcode. There is no limit to the amount of repair work which may be undertaken. The decision to renovate rather than repair is made only by the owner.

(c) **Renovation Work:** The requirements that apply to renovation work are in N.J.A.C. 5:23-6.5. Renovation is defined in N.J.A.C. 5:23-6.3.

1. There are short lists of materials that may not be used and materials or practices which must be used, where applicable, when renovation work is undertaken. These lists should be used when planning a project which involves renovation work.

2. The installation of smoke detectors is required in any building of Use Groups R-3/R-4 which undergoes a renovation.

3. Renovation work must comply with N.J.A.C. 5:23-6.8, Materials and methods. All materials used for the renovation work must meet the standards for those materials established by N.J.A.C. 5:23-6.8 and methods of installation must comply with that section. N.J.A.C. 5:23-6.8, Materials and methods, references and makes applicable to renovation work certain specified subsections of the other subcodes of the Uniform Construction Code. Only those subsections specifically referenced in N.J.A.C. 5:23-6.8 apply to renovation work. All materials and methods used in renovation work must comply with the requirements of that section.

4. This subcode never requires renovation. Any existing work may be repaired. The requirements for renovation apply only where the owner decides to renovate.

(d) **Alteration Work:** The requirements that apply to alteration work are in N.J.A.C. 5:23-6.6. Alteration is defined in N.J.A.C. 5:23-6.3.

1. N.J.A.C. 5:23-6.6, Alteration work, contains short lists of materials that may not be used and materials or practices which must be used, where applicable, when alteration work is undertaken. These lists should be used when planning a project which includes alteration work.

2. The installation of smoke detectors is required in any building of Use Group R-3/R-4 which undergoes an alteration.

3. Alteration work must also comply with materials and methods that are set forth in N.J.A.C. 5:23-6.8.

4. In alteration work, the configuration of the building is changed in some manner. The definition of "alteration" in N.J.A.C. 5:23-6.3 provides the information needed to fully understand this term. Because improper alteration work could create a safety hazard in the building, this subcode contains specific requirements which define these hazards. These are the basic requirements of the subcode which can be found in N.J.A.C. 5:23-6.10 through 6.30.

5. The subcode includes basic requirements, listed by use group, with the exception of egress capacity, interior finish requirements, commercial cooking operations, and windowless stories which apply to all use groups. Reference should be made to the list of basic requirements applicable to the particular use group in which the building being altered falls. Care should be taken to ensure that the alteration will not create a non-conformity with any of the basic requirements which did not exist before the alteration was undertaken.

6. Certain alterations create what are defined to be new building elements. There is a specific listing of those items which are to be treated as newly-created building elements which can be found in N.J.A.C. 5:23-6.9. The elements on that list are required to conform to certain specific sections of the other subcodes of the Uniform Construction Code. The sections with which each newly-constructed element must comply are listed in N.J.A.C. 5:23-6.9. Any alteration which creates one of the elements listed in that section must comply with the specific requirements listed in N.J.A.C. 5:23-6.9.

7. Improvements to the accessibility of buildings may be required when alteration work is undertaken. Those requirements are specified in N.J.A.C. 5:23-6.6(e) and (i).

(e) Reconstruction Work: The requirements that apply to reconstruction work are in N.J.A.C. 5:23-6.7. Reconstruction is defined in N.J.A.C. 5:23-6.3. Unlike repair, renovation, and alteration, reconstruction is not a kind of work. A reconstruction may, as the definition of the term makes clear, include a combination of repair, renovation, and alteration work. It is the extent and nature of the work which makes a project a reconstruction. There are no quantitative criteria which determine whether a project is a reconstruction. A project becomes a reconstruction when the area where the project is taking place cannot be occupied while the work is in progress and when a new certificate of occupancy is required before the area can be re-occupied. Both criteria must be met.

1. This subcode requires that a reconstruction project have a delineated work area. This area is established by the permit applicant. The term "work area" is defined in N.J.A.C. 5:23-6.3. A reconstruction project must always involve an entire use, primary function space, or tenancy as those three terms are defined in N.J.A.C. 5:23-6.3. Projects which do not involve an entire use, primary function space, or tenancy are not reconstruction projects.

2. Although a reconstruction project is comprised of repair, renovation and alteration work, all of the requirements that apply are found in N.J.A.C. 5:23-6.7. For ease of use, this section has been written to include all of the requirements applicable to reconstruction. The entire work area must conform to the basic requirements in N.J.A.C. 5:23-6.10 through 6.30. These sections must be carefully reviewed when a reconstruction project is being planned.

3. The basic requirements are organized by individual use groups in N.J.A.C. 5:23-6.12 through 6.28. Only the sections relevant to the building's use group must be consulted. Where a project involves mixed uses, then the special provisions of N.J.A.C. 5:23-6.29 should also be consulted. Basic requirements that apply to all use groups are in N.J.A.C. 5:23-6.11 and 6.30. Therefore, N.J.A.C. 5:23-6.11, 6.30, and the specific use group section between 6.12 and 6.28 must be consulted for the basic requirements which apply to a project.

4. In addition to meeting the basic requirements, certain reconstruction projects must meet the supplemental requirements found in N.J.A.C. 5:23-6.10 through 6.30. There is a specific section for each use group as is the case with the basic requirements. Supplemental requirements that apply to all use groups are in N.J.A.C. 5:23-6.11A and 6.30. The supplemental requirements apply only when the work area for a reconstruction project exceeds a certain size. Each supplemental requirement has its own threshold of applicability.

5. The owner of a building in which a reconstruction project is planned must review the supplemental requirements applicable to the use of the project to determine if any of those requirements applies to the project. In addition to the specific use group section between N.J.A.C. 5:23-6.12A and 6.28A, N.J.A.C. 5:23-6.11A and 6.30 should be consulted for the supplemental requirements that apply to a project.

(f) Applying the Subcode to a Project: The requirements of this subcode applicable to a project can be found as follows:

1. Separate the project into its component parts of repair, renovation, and alteration;
2. Where a portion of the work is repair, consult the repair section of this subcode (N.J.A.C. 5:23-6.4) to ensure that prohibited materials are not being used and that any applicable required materials or practices are being used;
3. Where a portion of the work is renovation:
 - i. Consult the renovation sections of this subcode (N.J.A.C. 5:23-6.5);
 - ii. Ensure that the renovation work does not use any prohibited materials and that any applicable required materials or practices are being used; and
 - iii. Ensure that renovation materials and the methods of their installation conform to the Materials and Methods section of this subcode (N.J.A.C. 5:23-6.8).

4. Where a portion of the work is alteration work:

i. Consult the alteration section of this subcode (N.J.A.C. 5:23-6.6);

ii. Ensure that the alteration work does not use any prohibited materials and that any applicable required materials or practices are being used;

iii. Ensure that any materials and methods used for the alterations conform to the requirements of the materials and methods section of this subcode (N.J.A.C. 5:23-6.8);

iv. Ensure that alteration which creates a new building element listed in N.J.A.C. 5:23-6.9 conforms to the requirements for new building elements that are specified in N.J.A.C. 5:23-6.9; and

v. Ensure that none of the alteration work creates a new condition which would create a violation of any of the basic requirements applicable to the use group that are specified in N.J.A.C. 5:23-6.10 through 6.30.

5. Determine whether the project is a reconstruction project according to the definitions in N.J.A.C. 5:23-6.3. When the project is a reconstruction project:

i. Establish the work area of the project and show it on the plans and/or permit application;

ii. Ensure that the requirements applicable to the repair, renovation, and alteration portions of the project are followed;

iii. Ensure that the basic requirements for the particular use that are specified in the relevant section of this subcode between N.J.A.C. 5:23-6.12 and 6.28 are followed. Where the project work area includes more than one use group, then N.J.A.C. 5:23-6.29 should be consulted; and

iv. Review the size of the work area against the relevant provisions of the supplemental requirements in N.J.A.C. 5:23-6.11A through 6.28A. Where compliance with a supplemental requirement is necessary, then ensure that the plans and/or the permit application reflect compliance with the required section. Some supplemental requirements will require work outside the work area.

(g) Changes of Use: The Uniform Construction Code divides all buildings into categories called uses. The Rehabilitation Subcode uses these same classifications.

1. The different uses represent different hazards and different needs. Specific requirements apply to each use. Each of the other technical subcodes of the Uniform Construction Code: Building, Fire, Plumbing, Electrical,

and Mechanical, defines these uses, each for its own purpose. Traditionally, the Uniform Construction Code required any building or portion of a building where the use was changed to conform to the requirements of the code for a new building of that use. This subcode takes a different approach.

2. A change of use in a building often, but not always, involves some construction work. Changes of use, in which the owner does not need any construction work to effect the new use, do happen. The different uses defined by the code reflect different levels of hazard and different safety requirements. Depending upon the specific change, a new use may not affect the hazard; it could pose a lesser hazard; or it might pose a greater hazard or necessitate additional safety measures.

3. This subcode allows changes of use where the new use is similar to or less demanding in terms of hazard or safety requirements than the present use. No modifications to the building are required by this subcode where such a change of use is planned.

4. This subcode uses the concept of hazard indexes in order to specify the requirements for a change of use. Separate hazard indexes are established for different aspects of building, health, and safety:

i. Basic Requirements: Changes of use specified in N.J.A.C. 5:23-6.31(b) must comply with the basic requirements set forth in N.J.A.C. 5:23-6.10 through 6.30 before the building can be occupied for the new use.

ii. Means of Egress: Certain changes of use specified in N.J.A.C. 5:23-6.31(c) must comply with additional requirements for egress which are set forth in N.J.A.C. 5:23-6.31 before the building can be occupied for the new use.

iii. Vertical Openings: Stairways and other vertical openings located in a building or portion of a building where there is a change of use are required to meet certain enclosure requirements for the new use which are specified in N.J.A.C. 5:23-6.12 through 6.28. These requirements must be met before the building may be occupied for the new use.

iv. Height and Area Limits: Changes of use are not allowed if the building will exceed the height and area limits specified in N.J.A.C. 5:23-6.31(e) for its type of construction. The types of construction are defined in N.J.A.C. 5:23-3.14, the Building Subcode.

v. Exterior Walls: Changes of use as specified in N.J.A.C. 5:23-6.31(f) of this subcode must have the fire resistance of exterior walls and any openings therein improved as specified in N.J.A.C. 5:23-6.31(f) before the building can be occupied for the new use.

vi. Fire Suppression: Changes of use as specified in N.J.A.C. 5:23-6.31(g) must have a fire suppression system installed in accordance with the requirements of N.J.A.C. 5:23-6.31(g) before the building can be occupied for the new use.

vii. Fire Alarms and Fire Detection Systems: Changes of use as specified in N.J.A.C. 5:23-6.31(h), (i) and (j) must have fire alarms or fire detection installed in accordance with the requirements of N.J.A.C. 5:23-6.31(h), (i), and (j) before the building can be occupied for the new use.

viii. Structural, Plumbing, Electrical, and Mechanical: Some changes of use may necessitate changes to the structural, plumbing, electrical, or mechanical systems of a building. These requirements are set forth in N.J.A.C. 5:23-6.31(k), (l), (m) and (n) of this subcode. Only those requirements necessitated by the change and needed for health or safety in the new use as specified must be met.

ix. Accessibility Requirements: Changes of use must conform to the accessibility requirements specified in N.J.A.C. 5:23-6.31(o) before the building can be occupied for the new use.

5. Where the owner of a building undergoing a change of use decides to undertake work not required by N.J.A.C. 5:23-6.31, then that work must comply with the requirements for repair, renovation, alteration, and reconstruction, as the case may be, which are established by N.J.A.C. 5:23-6.4, 6.5, 6.6 and 6.7.

6. Where the use of a building or portion of a building is changed, a new certificate of occupancy is required for the new use by the provisions of N.J.A.C. 5:23-2. This does not mean that all changes of use are required to meet the requirements for reconstruction. Only a project which meets the definition of reconstruction set forth in N.J.A.C. 5:23-6.3 need comply with the provisions of N.J.A.C. 5:23-6.7, Reconstruction.

(h) Additions: Additions are required to comply with the provision of the other technical subcodes of the Uniform Construction Code. Work in the existing building which is related to the addition must conform with the requirements of N.J.A.C. 5:23-6.32. Additionally, such work undertaken in the existing building must comply with the requirements for repair, renovation, alteration, and reconstruction as set forth in N.J.A.C. 5:23-6.4, 6.5, 6.6 and 6.7.

(i) Historical Buildings: N.J.A.C. 5:23-6.33 defines those buildings which are to be treated as historic and sets forth certain special requirements applicable to historic buildings which modify the provisions of this subcode when a building is historic. N.J.A.C. 5:23-6.33 should be reviewed to deter-

mine if a building is to be treated as historic under this subcode and for the special provisions applicable to the various types of historical buildings.

5:23-6.2 Applicability and compliance

(a) This subchapter, adopted pursuant to authority of the State Uniform Construction Code Act (P.L. 1975, c.217), and entitled "Rehabilitation Subcode," shall be known and may be cited throughout the regulations as N.J.A.C. 5:23-6, and when referred to in subchapter 6 of this chapter, may be cited as "this subchapter" or "this subcode." Unless otherwise specifically provided, all references to article or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such article, section or provision of this subchapter.

(b) Scope: Except as otherwise specified, this subchapter shall control all matters concerning the repair, renovation, alteration, reconstruction, change of use, and addition to all buildings and structures and their service equipment as defined herein and shall apply to all existing buildings and structures in the State of New Jersey.

1. This subchapter shall not be applied to any building or portion thereof that has never been occupied. In such buildings or spaces, the requirements of the other subcodes of the Uniform Construction Code for new construction shall apply.

2. All work shall be classified by the construction official, in consultation with the appropriate subcode official(s), as one or more of six categories: repair, renovation, alteration, reconstruction, change of use, and additions. Specific requirements are established for each work category.

i. If a structure is demolished except for a de minimis amount, the construction official shall designate the replacement structure as a new structure and apply the requirements of the Uniform Construction Code applicable to new construction.

3. Work of more than one category may be part of a single work project.

i. Where a project includes repair, renovation or alteration work, then the work in each such category shall comply with the requirements for that category of work.

ii. Where a project is a reconstruction project which includes repair, renovation or alteration work, then the work in each such category shall comply with the requirements for that category of work.

iii. Where an alteration project results in a new building element, then each such new element shall comply with the requirements for new building elements.

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

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

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

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

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

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

3. Any variation previously issued in writing pursuant to the UCC shall remain in force and effect unless the work to be performed during the course of the rehabilitation project causes one of the conditions of the variation to be violated or would otherwise create a hazardous condition.

4. As an alternative to compliance with the building and fire protection requirements of this subchapter, a permit applicant shall be allowed to evaluate the building in accordance with Section 3408.6 of the BOCA National

Building Code, 1996 edition, incorporated herein by reference, and to bring the building into compliance with the standards contained therein.

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

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

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

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

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

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

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

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

2. Responsibility for the enforcement of mechanical requirements in buildings of use Group R-3 or R-4 may be assigned as delineated in N.J.A.C. 5:23-3.4 at the discretion of the construction official.

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

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

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

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

2. It is the intent of this subcode to establish requirements for reconstruction projects which are at least as stringent as the requirements applicable to that area under the Uniform Fire Code (N.J.A.C. 5:18), the Regulations for Maintenance of Hotels and Multiple Dwellings (N.J.A.C. 5:10) and the New Jersey State Housing Code (N.J.A.C. 5:28). This subcode shall not be interpreted as establishing requirements less stringent than these codes.

3. Certificates of occupancy issued for projects in compliance with the requirements of this subcode are specific to the work undertaken and shall not obviate the need for the building to be brought into compliance with the requirements of N.J.A.C. 5:18-4.

i. Notwithstanding (g)3 above, a variation issued in writing pursuant to the UCC in connection with a rehabilitation project shall remain in force and effect provided that all of the conditions of the variation continue to be met and shall be accepted for purposes of establishing compliance with N.J.A.C. 5:23-4 for the portion of the building to which the variation applies.

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

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

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

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

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

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

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

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

Inserted (b)2i.

5:23-6.3 Definitions

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

"Addition" means an increase in the footprint area of a building or an increase in the height and the number of stories of a building.

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

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

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

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

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

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

“Primary structural component” means any component of the primary load bearing structure of a building including footings, piles, foundations, columns, girders, beams, joists, **wind** or seismic bracing but not including, for the purposes of this subcode, sheathing or subflooring.

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

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

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

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

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

“Technically infeasible” means, in connection with accessibility requirements, a change that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a loadbearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit

modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

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

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

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

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

5:23-6.4 Repairs

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

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

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

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

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a

permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1606 of the building subcode and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

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

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

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

2. Existing fire alarm, fire suppression and standpipe systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

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

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

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

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

3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90-7, 110-2, 110-3, and 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/ NRTL), etc.; and (Electrical)

4. Plumbing materials and supplies:

i. All purpose solvent cement;

ii. Clear PB (polybutylene) piping;

iii. Flexible traps and tailpieces;

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

v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)

(e) The following products and practices shall be required, when applicable:

1. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2405.2 of the building subcode. (Building)

2. Existing electrical wiring and equipment undergoing repair or replacement shall be allowed to be replaced with like material except for the following: (Electrical)

i. Replacement of electrical receptacles shall comply with the requirements contained in Section 210-7(d) of the electrical subcode;

ii. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240-51(b) of the electrical subcode;

iii. For replacement of nongrounding-type receptacles with grounding-type receptacles, the grounding conductor of a grounding type receptacle outlet shall be permitted, in accordance with Section 250-50 of the electrical subcode, to be grounded to any accessible point on the grounding electrode system as described in Section 250-81 of the electrical subcode, or to any accessible point on the grounding electrode conductor;

iv. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Use Group I-2, shall be replaced with "hospital grade" receptacles; and

v. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances, except for mobile homes and recreational vehicles, shall be permitted to be grounded to the grounded circuit conductor if all the conditions of Section 250-60 of the electrical subcode are met.

3. When door hardware is replaced in buildings required by the barrier free subcode to be accessible, replacement hardware shall comply with CABO/ANSI A117.1-1992 Section 4.13.9. (Building)

4. Replacement handrails and guardrails shall comply with Sections 1022.0 and 1021.0 of the building subcode, respectively. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the referenced sections of the building subcode. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

5. When the refrigerant in existing equipment is replaced with a different refrigerant, the requirements of the mechanical subcode applicable to the new refrigerant, if any, shall be met. (Plumbing)

(f) In buildings of Use Group R-3 and R-4 and in dwelling units of Use Group R-2, smoke detectors shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted. (Fire)

Amended by R.1999 d.424, effective December 6, 1999.
See: 31 N.J.R. 2428(a), 31 N.J.R. 4001(c).
Inserted (e)5; and rewrote (f).

5:23-6.5 Renovations

(a) Renovations, as defined in N.J.A.C. 5:23-6.3, shall comply with the requirements of this section.

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

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1606 of the building subcode and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

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

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

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

2. Existing fire alarm, fire suppression and standpipe systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

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

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

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

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

3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90-7, 110-2, 110-3, and 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories, Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/ NRTL), etc.; and (Electrical)

4. Plumbing materials and supplies:

i. All purpose solvent cement;

ii. Clear PB (polybutylene) piping;

iii. Flexible traps and tailpieces;

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

v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)

5. Bars, grilles and screens shall not be placed over emergency escape windows or doors in Use Groups R or I-1 unless they are releasable or removable from the inside without the use of a key, tool or force greater than that which is required for the normal operation of the window or door. (Building)

(e) The following products and practices shall be required, when applicable:

1. When any water closet is replaced, the replacement water closet shall require not more than 1.6 gallons of water per flush as required at N.J.A.C. 5:23-3.15(b)8ii. (Plumbing)

2. In buildings required by the barrier free subcode to be accessible, when bathrooms or toilet rooms are renovated, the following requirements for providing accessibility shall apply unless the requirements of the barrier free subcode have been met:

i. When toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with CABO/ANSI A117.1-1992 Section 4.18 shall be created provided that this can be accomplished without moving fixtures. (Building)

ii. When bathroom fixtures or hardware are replaced, the replacement fixtures or hardware shall comply with CABO/ANSI A117.1-1992 Sections 4.16 through 4.22, as applicable, for nonresidential buildings or Section 4.33 for residential buildings required by the barrier free subcode to be accessible. (Plumbing)

iii. Where full compliance is technically infeasible, compliance shall be achieved to the maximum extent feasible. (Building)

3. Replacement doors shall comply with the following: (Building)

i. When replacement doors are installed in buildings required by the barrier free subcode to be accessible, replacement hardware shall comply with CABO/ANSI A117.1-1992 Section 4.13.9.

ii. Replacement dwelling unit, guest room or rooming unit corridor doors in Use Groups I-1, R-1 or R-2 shall be 1 $\frac{3}{4}$ inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames.

(1) 1 $\frac{3}{8}$ inch solid core replacement doors shall be accepted if the existing frame is not being replaced and will accommodate only a 1 $\frac{3}{8}$ inch door.

4. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2405.2 of the building subcode. (Building)

5. Where a fireproofing material is removed that is integral to the rating of an existing fire-rated assembly, the material shall be replaced so that the rating is preserved. (Building)

6. Existing electrical wiring and equipment undergoing repair or replacement shall be allowed to be replaced with listed, like material except for the following: (Electrical)

i. Replacement of electrical receptacles shall comply with the requirements contained in Section 210-7(d) of the electrical subcode;

ii. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240-51(b) of the electrical subcode;

iii. For replacement of nongrounding-type receptacles with grounding-type receptacles, the grounding conductor of a grounding type receptacle outlet shall be permitted, in accordance with Section 250-50 of the electrical subcode, to be grounded to any accessible point on the grounding electrode system as described in Section 250-81 of the electrical subcode, or to any accessible point on the grounding electrode conductor;

iv. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Use Group I-2, shall be replaced with "hospital grade" receptacles; and

v. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances, except for mobile homes and recreational vehicles, shall be permitted to be grounded to the grounded circuit conductor if all the conditions of Section 250-60 of the electrical subcode are met.

7. When a new refrigerant is introduced, the requirements of the mechanical subcode applicable to that refrigerant, if any, shall be met. This shall apply to the replacement of existing equipment with equipment using a different refrigerant or the replacement of the refrigerant in existing equipment with a different refrigerant. (Plumbing)

(f) In buildings of Use Group R-3 and R-4 and in dwelling units of Use Group R-2, smoke detectors shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted.

(g) All materials and methods used shall comply with the building, plumbing, fire protection, mechanical, electrical and barrier free subcodes as specified in N.J.A.C. 5:23-6.8, Materials and methods.

1. Exception: Windows may be replaced with windows like those existing without meeting the size requirements of the building subcode.

i. In sleeping rooms below the fourth story in occupancies of Use Groups R or I-1, where the size of window openings is being changed, at least one window shall:

(1) Be operable;

(2) Have a sill height of not more than 44 inches;

(3) Have a width of at least 20 inches, a height of at least 24 inches and a minimum of total area of 5.7 square feet measured from head to sill and from side to side.

(4) New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

ii. Basement windows in buildings of Use Group R-2 shall comply with the requirements of N.J.A.C. 5:23-6.26(a)3 where the window serves as the second means of egress from the dwelling unit.

2. Replacement handrails and guardrails shall comply with Sections 1022.0 and 1021.0 of the building subcode, respectively. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the referenced sections of the building subcode. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

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

Inserted (d)5; in (e), changed N.J.A.C. reference in 1, deleted "In all use groups other than H," at the beginning of 3ii(1), and added 7; and rewrote (f).

5:23-6.6 Alterations

(a) Alterations, as defined in N.J.A.C. 5:23-6.3, shall comply with the requirements of this section.

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

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1606 of the building subcode and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

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

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

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

2. Existing fire alarm, fire suppression and standpipe systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

3. No work shall be undertaken that diminishes accessibility below that which is required by the Barrier Free Subcode of the Uniform Construction Code. (Building)

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

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

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

3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90-7, 110-2, 110-3, and 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories, Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/ NRTL), etc.; and (Electrical)

4. Plumbing materials and supplies:

i. All purpose solvent cement;

ii. Clear PB (polybutylene) piping;

iii. Flexible traps and tailpieces;

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

v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)

5. Bars, grilles and screens shall not be placed over emergency escape windows or doors in Use Groups R or I-1 unless they are releasable or removable from the inside without the use of a key, tool or force greater than that which is required for the normal operation of the window or door. (Building)

(e) The following products and practices shall be required, when applicable:

1. When any water closet is replaced, the replacement water closet shall require not more than 1.6 gallons of water per flush as required at N.J.A.C. 5:23-3.15(b) 8ii. (Plumbing)

2. In buildings required by the barrier free subcode to be accessible, when bathrooms or toilet rooms are altered, the following requirements for providing accessibility shall apply unless the requirements of the barrier free subcode have been met:

i. When toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with CABO/ANSI A117.1-1992 Section 4.18 shall be created provided that this can be accomplished without moving fixtures. (Building)

ii. When bathroom fixtures or hardware are replaced, the replacement fixtures or hardware shall comply with CABO/ANSI A117.1-1992 Sections 4.16 through 4.22, as applicable, for nonresidential buildings or Section 4.33 for residential buildings required by the barrier free subcode to be accessible. (Plumbing)

iii. When space is reconfigured, the altered space shall comply with the barrier free subcode, N.J.A.C. 5:23-7.

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

(2) Where full compliance is technically infeasible, a single fixture unisex accessible bathroom shall be permitted. This may be accomplished by providing two unisex bathrooms, one of which is accessible. (Building)

(3) Where it is technically infeasible to gain compliance within an altered bathroom, signage to the closest accessible bathroom (if any) shall be provided at the altered bathroom. (Building)

3. Replacement doors shall comply with the following: (Building)

i. In buildings required by the barrier free subcode to be accessible, when new door openings are created, existing door openings are enlarged or door assemblies are replaced and the required door width can be achieved within the existing opening, the new door shall comply with CABO/ANSI A117.1-1992 Section 4.13.

(1) If the door being added, enlarged or replaced is a building entrance and at least 50 percent of the entrance doors are accessible, then the door being added, enlarged or replaced is not required to comply with CABO/ANSI A117.1-1992 Section 4.13.

ii. Replacement dwelling unit, guest room or rooming unit corridor doors in Use Groups I-1, R-1 or R-2 shall be 1¾ inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames.

(1) 1¾ inch solid core replacement doors shall be accepted if the existing frame is not being replaced and will accommodate only a 1¾ inch door.

4. In buildings required by the barrier free subcode to be accessible, when entrance steps are being replaced, an accessible entrance shall be provided if this does not add more than 20 percent to the cost of replacing the steps. (Building)

i. If at least 50 percent of the other building entrances are accessible, then the installation of a ramp shall not be required.

5. When providing vertical access is part of the scope of work, a limited use limited application elevator or platform lift may be installed as permitted by N.J.A.C. 5:23-7.1. (Building)

6. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2405.2 of the building subcode. (Building)

7. Where a fireproofing material is removed that is integral to the rating of an existing fire-rated assembly, the material shall be replaced so that the rating is preserved. (Building)

8. Existing electrical wiring and equipment undergoing repair or replacement shall be allowed to be replaced with like material except for the following: (Electrical)

i. Replacement of electrical receptacles shall comply with the requirements contained in Section 210-7(d) of the electrical subcode;

ii. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240-51(b) of the electrical subcode;

iii. For replacement of nongrounding-type receptacles with grounding-type receptacles, the grounding conductor of a grounding type receptacle outlet shall be permitted, in accordance with Section 250-50 of the electrical subcode, to be grounded to any accessible point on the grounding electrode system as described in Section 250-81 of the electrical subcode, or to any accessible point on the grounding electrode conductor;

iv. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Use Group I-2, shall be replaced with "hospital grade" receptacles; and

v. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances, except for mobile homes and recreational vehicles, shall be permitted to be grounded to the grounded circuit conductor if all the conditions of Section 250-60 of the electrical subcode are met.

9. In buildings of Use Group R or I-1, when the work being performed creates a bedroom, the following shall be provided:

i. A hard-wired smoke detector shall be installed within each new bedroom and a second, hard-wired smoke detector shall be installed within the immediate vicinity of the bedroom in accordance with NFPA 72. (Fire)

ii. A bedroom window or exterior door that meets the requirements of N.J.A.C. 5:23-6.9(a)17 shall be provided when the bedroom created is below the fourth floor. (Building)

(1) This requirement shall not apply in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

10. In buildings of Use Group R-3 and R-4, when the work being performed creates living space over a private garage, the private garage shall comply with Section 407 of the building subcode for fire resistance rating.

11. In buildings of Use Group R-1, in at least one sleeping room or suite of every 25 or fewer that are part of the scope of work, the work being performed shall comply with the applicable provisions of CABO/ANSI A117.1 unless the facility already provides the number of accessible sleeping rooms required by the barrier free subcode. In addition, at least one sleeping room or suite of every 25 or fewer that are part of the scope of work shall be equipped with a visual alarm and notification device for the hearing impaired unless the facility already provides the number required by the barrier free subcode. (Building)

12. In buildings of Use Groups R-1 and R-2, when habitable space is created in previously unoccupied space, the minimum clear ceiling height shall be seven feet. For rooms with a sloped ceiling, the minimum clear ceiling height shall be seven feet for at least 35 square feet of the floor area of the room. Any portion of the room measuring less than five feet from the finished floor to the finished ceiling shall not be considered usable floor area.

13. When a new refrigerant is introduced, the requirements of the mechanical subcode applicable to that refrigerant, if any, shall be met. This shall apply to the installation of new equipment, the replacement of existing equipment with equipment using a different refrigerant, or the replacement of the refrigerant in existing equipment with a different refrigerant. (Plumbing)

(f) In buildings of Use Group R-3 and R-4 and in dwelling units of Use Group R-2, smoke detectors shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted. (Fire)

(g) The work shall not make the building less conforming with the basic requirements of this subchapter than it was when the alteration was undertaken.

1. Where the building currently exceeds the basic requirements, the extent to which it exceeds shall not be reduced unless the building also exceeds the requirements of the corresponding subcode of the UCC. In this case,

the extent of compliance with the basic requirements may be reduced, but not below the requirements of the corresponding subcode of the UCC.

(h) All materials and methods used shall comply with the requirements specified in N.J.A.C. 5:23-6.8, Materials and methods.

1. Exception: Windows may be replaced with windows like those existing without meeting the size requirements of the building subcode.

i. In sleeping rooms below the fourth story in occupancies of Use Groups R or I-1, where new window openings are being created or the size of window openings is being changed, at least one window shall:

(1) Be operable;

(2) Have a sill height of not more than 44 inches;

(3) Have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.

(4) New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

ii. Basement windows in buildings of Use Group R-2 shall comply with the requirements of N.J.A.C. 5:23-6.26(a)3 where the window serves as the second means of egress from the dwelling unit.

2. Replacement handrails and guardrails shall comply with Sections 1022.0 and 1021.0 of the building subcode, respectively. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the referenced sections of the building subcode. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

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

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

1. The accessible path of travel shall include, but not be limited to, an accessible parking space, an accessible exterior route, an accessible building entrance, an accessible interior route to the altered area, accessible

restrooms, accessible drinking fountains, and accessible telephones serving the altered primary function space. Priority shall be given to providing an accessible entrance or accessible restrooms where possible.

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

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

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

4. Where the alteration work is for the primary purpose of increasing the accessibility of the building or tenancy, the requirement to further improve the path of travel shall not apply.

5. Where it is technically infeasible to comply with the technical standards in the barrier free subcode, the work must comply to the maximum extent feasible.

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

Inserted (d)5; in (e), changed N.J.A.C. reference in 1, inserted a second sentence in 2iii(2), deleted "In all use groups other than H," at the beginning of 3ii(1), rewrote 9, inserted a new 10, recodified former 10 and 11 as 11 and 12, and added 13; and rewrote (f).

5:23-6.7 Reconstruction

(a) Reconstruction, as defined in N.J.A.C. 5:23-6.3, shall comply with the requirements of this section.

1. If a project is less than the entire use, primary function space or tenancy by a de minimis amount, the construction official may designate the project a reconstruction project and require that the requirements of this section be met.

2. If work performed or to be performed in phases is so extensive that the project would require a new certificate of occupancy if the work were performed at one time, the construction official may designate the project a reconstruction project and require that the requirements of this section be met.

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

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement or addition of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1606 of the building subcode and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

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

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

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

2. Existing fire alarm, fire suppression and standpipe systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

3. No work shall be undertaken that diminishes accessibility below that which is required by the Barrier Free Subcode of the Uniform Construction Code. (Building)

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

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

2. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electric Code (sections 90-7, 110-2, 110-3, and 100), only electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/NRTL), etc.; (Electrical)

3. Plumbing materials and supplies:

i. All purpose solvent cement;

ii. Clear PB (polybutylene) piping;

iii. Flexible traps and tailpieces;

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

v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems (Plumbing); and

4. Bars, grilles and screens shall not be placed over emergency escape windows or doors in Use Groups R or I-1 unless they are releasable or removable from the inside without the use of a key, tool or force greater than that which is required for the normal operation of the window or door. (Building)

(e) The following products and practices shall be required, when applicable:

1. When any water closet is replaced, the replacement water closet shall require not more than 1.6 gallons of water per flush as required at N.J.A.C. 5:23-3.15(b)8ii. (Plumbing)

2. In buildings required by the barrier free subcode to be accessible, when bathrooms or toilet rooms are altered the following requirements for providing accessibility shall apply unless the requirements of the barrier free subcode have been met:

i. When toilet partitions are moved or installed, but existing fixtures are not being moved, an accessible stall complying with CABO/ANSI A117.1-1992 Section 4.18 shall be created provided that this can be accomplished without moving fixtures. (Building)

ii. When bathroom fixtures or hardware are replaced, the replacement fixtures or hardware shall comply with CABO/ANSI A117.1-1992 Sections 4.16 through 4.22, as applicable, for nonresidential buildings or Section 4.33 for residential buildings required by the barrier free subcode to be accessible. (Plumbing)

iii. When space is reconfigured, the altered space shall comply with the barrier free subcode, N.J.A.C. 5:23-7.

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

(2) Where full compliance is technically infeasible, a single fixture unisex accessible bathroom shall be permitted. This may be accomplished by providing two unisex bathrooms, one of which is accessible. (Building)

(3) Where it is technically infeasible to gain compliance within a reconstructed bathroom, signage to the closest accessible bathroom (if any) shall be provided at the reconstructed bathroom. (Building)

3. Replacement or new doors shall comply with the following: (Building)

i. In buildings required by the barrier free subcode to be accessible, when new door openings are created, existing door openings are enlarged or door assemblies are replaced and the required door width can be achieved within the existing opening, the new door shall comply with CABO/ANSI A117.1-1992 Section 4.13.

(1) If the door being added, enlarged or replaced is a building entrance and at least 50 percent of the entrance doors are accessible, then the door being added, enlarged or replaced is not required to be accessible.

ii. Replacement dwelling unit, guest room or rooming unit corridor doors in Use Groups I-1, R-1 or R-2 shall be 1 $\frac{3}{8}$ inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames.

(1) 1 $\frac{3}{8}$ inch solid core replacement doors shall be accepted if the existing frame is not being replaced and will accommodate only a 1 $\frac{3}{8}$ inch door.

4. In buildings required by the barrier free subcode to be accessible, when entrance steps are being replaced, a ramp shall be installed provided that the installation of a ramp does not add more than 20 percent to the cost of replacing the steps. (Building)

i. If at least 50 percent of the other building entrances are accessible, then the installation of a ramp shall not be required.

5. When providing vertical access is part of the scope of work, a limited use limited application elevator or platform lift may be installed as permitted by N.J.A.C. 5:23-7.1. (Building)

6. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2405.2 of the building subcode. (Building)

7. Where a fireproofing material is removed that is integral to the rating of an existing fire-rated assembly, the material shall be replaced so that the rating is preserved. (Building)

8. Existing electrical wiring and equipment undergoing repair or replacement shall be allowed to be replaced with like material except for the following: (Electrical)

i. Replacement of electrical receptacles shall comply with the requirements contained in Section 210-7(d) of the electrical subcode;

ii. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240-51(b) of the electrical subcode;

iii. For replacement of nongrounding-type receptacles with grounding-type receptacles, the grounding conductor of a grounding type receptacle outlet shall be permitted, in accordance with Section 250-50 of the electrical subcode, to be grounded to any accessible point on the grounding electrode system as described in Section 250-81 of the electrical subcode, or to any accessible point on the grounding electrode conductor;

iv. Non-“hospital grade” receptacles in patient bed locations of health care facilities, Use Group I-2, shall be replaced with “hospital grade” receptacles; and

v. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances, except for mobile homes and recreational vehicles, shall be permitted to be grounded to the grounded circuit conductor if all the conditions of Section 250-60 of the electrical subcode are met.

9. In buildings of Use Group R-1 and R-2, when habitable space is created in previously unoccupied space, the minimum clear ceiling height shall be seven feet. For rooms with a sloped ceiling, the minimum clear ceiling height shall be seven feet for at least 35 square feet of the floor area of the room. Any portion of the room measuring less than five feet from the finished floor to the finished ceiling shall not be considered usable floor area. (Building)

10. When a new refrigerant is introduced, the requirements of the mechanical subcode applicable to that refrigerant, if any, shall be met. This shall apply to the installation of new equipment, the replacement of existing equipment with equipment using a different refrigerant, or the replacement of the refrigerant in existing equipment with a different refrigerant. (Plumbing)

(f) All materials and methods used shall comply with the requirements specified in N.J.A.C. 5:23-6.8, Materials and methods.

1. For repair work undertaken as part of a reconstruction project, materials like those existing may be used. There is no limit to the amount of repair work which may be undertaken.

2. Exception: Windows may be replaced with windows like those existing without meeting the size requirements of the building subcode.

i. In sleeping rooms below the fourth story in occupancies of Use Groups R or I-1, where new window openings are being created or the size of window openings is being changed, at least one window shall:

(1) Be operable;

(2) Have a sill height of not more than 44 inches;

(3) Have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.

(4) New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

ii. Basement windows in buildings of Use Group R-2 shall comply with the requirements of N.J.A.C. 5:23-6.26(a)3 where the window serves as the second means of egress from the dwelling unit.

3. Replacement handrails and guardrails shall comply with Sections 1022.0 and 1021.0 of the building subcode, respectively. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the referenced sections of the building subcode. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

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

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

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

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

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

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

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

i. Windows, hardware, operating controls, electrical outlets and signage;

ii. Mechanical systems, electrical systems, installations or alterations of fire protection systems or abatement of hazardous materials; or

iii. The repair or installation of roofing, siding, or other exterior wall facade.

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

4. Where the work is for the primary purpose of increasing the accessibility of the building or tenancy, the requirement to further improve the path of travel shall not apply.

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

5:23-6.8 Materials and methods

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

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

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

1. Section 505.0 of Chapter 5 entitled "General Building Limitations" shall apply to newly-constructed "Mezzanines."

2. The following sections of Chapter 7 entitled "Fire-resistant Materials and Construction":

i. Subsections 704.1.1, 704.2, 704.3, 704.4.

ii. Subsections 705.1.2, 705.2.1, 705.2.2, 705.7.

(1) Subsection 705.1.1 shall apply to the removal of an exterior wall.

iii. Subsections 707.1.1, 707.1.2.

iv. Section 708.0.

v. Subsections 709.3, 709.5, 709.6, 709.7.

vi. Subsections 711.3, 711.6, 711.7.

vii. Subsections 713.4, 713.5.

viii. Section 714.0.

ix. Subsections 717.2, 717.3, 717.4.

x. Subsections 718.1, 718.3.

xi. Subsections 719.1, 719.5.

xii. Subsection 720.1.

xiii. Subsections 721.2, 721.3, 721.4.

xiv. Subsections 722.2, 722.4, 722.5.

xv. Subsections 723.1, 723.2, 723.3, 723.4, 723.5.

3. All of Chapter 8 entitled "Interior Finishes" except 801.1, 802.0, 806.0.

4. All of Chapter 9 entitled "Fire Protection Systems" except 901.0, 902.0, 903.0, 904.0, 915.2, 916.2, 918.4, 919.4, 920.3, 921.2, 922.0, 923.0, 924.0.

i. In buildings of Use Group R and I-1, smoke detectors that are located closer than five feet to a kitchen or bathroom area shall be of photoelectric type only.

ii. Section 924.0 shall apply to newly installed fire suppression, fire alarm, and fire detection systems.

5. The following sections of Chapter 10 entitled "Means of Egress":

i. Subsection 1017.4.1.

ii. Subsection 1017.4.4.

iii. Subsection 1017.5.

iv. Section 1021.0 "Guards."

v. Section 1022.0 "Handrails."

6. All of Chapter 12 entitled "Interior Environment" except 1201.0, 1202.0, 1203.0, 1204.0, 1205.0, 1206.0, 1207.0, 1208.0, 1209.0, 1211.0, 1212.0, 1213.0, 1214.0.

7. All of Chapter 14 entitled "Exterior Wall Covering" except 1401.0, 1402.0, 1403.0.

8. All of Chapter 15 entitled "Roofs and Roof Structures" except 1501.0, 1502.0, 1503.0.

9. All of Chapter 16 entitled "Structural Loads" except 1601.0, 1603.0, 1610.0, 1611.0, 1614.0 shall apply to new or replaced structural members. The referenced sections of Chapter 16 shall not be used to analyze any existing structural members, except as otherwise provided by this subcode.

10. All of Chapter 18 entitled "Foundation and Retaining Walls" except 1801.0, 1802.0, 1803.0, 1804.0, 1805.0, 1806.0, 1807.0, 1813.0, 1825.0.

i. Additionally, the following subsections of section 1813.0 shall be included as part of the Materials and Methods requirements: 1813.3.1, 1813.3.2, 1813.4.1, 1813.4.2, 1813.4.3, 1813.5.1, 1813.5.2, 1813.5.3.

11. All of Chapter 19 entitled "Concrete" except 1901.0, 1902.0, 1903.0, 1904.0, 1905.0:

i. Subsection 1905.1 shall apply to newly-constructed concrete slabs.

12. All of Chapter 20 entitled "Lightweight Metals" except 2001.0.
13. All of Chapter 21 entitled "Masonry" except 2101.0, 2102.0, 2103.0, 2105.0, 2106.0, 2107.0, 2108.0.
14. All of Chapter 22 entitled "Steel" except 2201.0, 2202.0, 2203.0, 2204.0, 2206.3, 2207.0.
15. All of Chapter 23 entitled "Wood" except 2301.0, 2302.0, 2303.0, 2306.0, 2305.7, 2305.8, 2311.1, 2311.4, 2311.5, 2311.6, 2311.7:
- i. Subsections 2311.1, 2311.5, 2311.6, 2311.7 shall apply to completely replaced or newly-constructed balconies, decks or porches.
16. All of Chapter 24 entitled "Glass and Glazing" except 2401.0.
17. All of Chapter 25 entitled "Gypsum Board and Plaster" except 2501.0, 2502.0.
18. All of Chapter 26 entitled "Plastic" except 2601.0, 2602.0, 2609.0:
- i. Section 2609.0 shall apply to newly-installed "Light Transmitting Plastic Interior Signs."
19. All of Chapter 28 entitled "Mechanical Systems" except 2801.0, 2802.0, 2803.0, 2804.0, 2809.0.
20. For the applicability of Chapter 30 entitled "Elevators and Conveying Systems," refer to 6.8(g), Elevator Devices.
21. All of Chapter 31 entitled "Special Construction" except 3101.0, 3102.0, 3103.0, 3104.0, 3106.0, 3108.0, 3109.0, 3110.0:
- i. Section 3102.0 shall apply to newly-installed "Signs"; and
 - ii. Section 3109.0 shall apply to newly-installed "Radio and Television Antennas."
22. All of Chapter 32 entitled "Construction in the Public Right-of-Way" except 3201.0, 3203.0.
23. All of Chapter 33 entitled "Site Work, Demolition and Construction" except 3301.0, 3302.0.
24. FTO-3 of the Uniform Construction Code entitled "Fire Escapes."
- (c) Plumbing Materials and Methods: The following sections of the plumbing subcode (N.J.A.C. 5:23-3.15) shall constitute the plumbing material and method requirements for this subchapter:
1. All of Chapter 2 entitled "General Regulations" except 2.19 and 2.24:
 - i. Section 2.19 for mandatory connections to the public water supply and sewer shall apply when existing septic or water supply facilities are no longer suitable for use as determined by the local health inspector, and public facilities are available within the meaning of 2.19.
 2. All of Chapter 3 entitled "Materials."
 3. All of Chapter 4 entitled "Joints and Connections."
 4. All of chapter 5, entitled "Traps, cleanouts and backwater valves."
 5. Chapter 6, entitled "Interceptors" except sections 6.1.1, 6.1.7, 6.3.1 and 6.4.1:
 - i. Section 6.1.1, 6.3.1, 6.4.1 for when interceptors are required shall not apply. However, when new fixtures, or devices are installed that will produce wastes that need to be separated, an interceptor shall be required.
 6. Chapter 7, entitled "Plumbing Fixtures, Fixture Fittings and Plumbing Appliances" except section 7.21 and table 7.21.1.
 7. Chapter 8 entitled "Hangers and Supports."
 8. Chapter 9 entitled "Indirect Wastes Piping and Special Waste."
 9. Chapter 10 entitled "Water Supply and Distribution" except for sections 10.3, 10.6.5, 10.8.1, and 10.14:
 - i. Water shall be supplied so that fixtures within a building are provided with an adequate supply of water so that they are functional.
 - ii. Section 10.6.5 shall apply to all newly-installed or completely replaced water services.
 - iii. Section 10.8.1 shall apply, where there is not sufficient pressure for proper functioning of fixtures, a water pressure booster system shall be required.
 - iv. Section 10.14 for sizing water distribution systems shall apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required. All new piping associated with the installation of additional fixtures shall comply with the sizing requirements of Chapter 10.
 10. All of Chapter 11, entitled "Sanitary Drainage Systems" except 11.2.2, 11.2.3, 11.5, and 11.6:
 - i. Section 11.2.3 for sizing building sewers shall apply when the proposed work will impose additional loads on the sewer. Where the proposed work does not increase or decreases the load on the existing system, no increase in size shall be required.

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

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

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

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

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

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

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

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

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

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

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

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

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

vii. Section 13.6.1 for sizing of "Vertical Conductors and Leaders" shall only apply when the proposed work will impose additional loads on the system. Where the proposed work does not increase or decreases the load

on the existing system, no increase in size shall be required.

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

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

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

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

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

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

1. Section 90-7, entitled "Examination of Equipment for Safety" of the Introduction, Article 90;

2. All of Chapter 1, entitled "General" except Section 110-8 Wiring Methods, 110-16 Working Space About Electrical Equipment (600 Volts, Nominal, or Less), 110-17 Guarding of Live Parts (600 Volts, Nominal, or Less), 110-32 Work Space about Equipment and 110-33 Entrance and Access to Work Space;

3. All of Chapter 2, entitled "Wiring and Protection" except Sections 210-52 Dwelling Unit Receptacle Outlets, 210-60 Guest Rooms, 210-62 Show Windows, 210-63 Heating, Air Conditioning, and Refrigeration Equipment Outlet, 210-70 Lighting Outlets Required, and 220-4 Branch Circuits Required;

4. All of Chapter 3, entitled "Wiring Methods" except Section 380-8 Accessibility and Grouping (switches), 384-4 Installation (switchboards and panelboards) and 384-8 clearances (switchboards and panelboards);

5. All of Chapter 4, entitled "Equipment for General Use;"

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

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

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

9. All of Chapter 8, entitled "Communication Systems."

10. Existing working clearances, clear space, access and entrance dimensions to working spaces, illumination, headroom clearances, and location of overcurrent protec-

tion devices shall be allowed to remain without modification.

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

1. All of Chapter 3, entitled "Air Distribution Systems," except sections M-303.0, M-306.3, M-313.2 and M-314.0.

i. Section M-303.0 shall apply to newly-constructed plenums. Modifications to existing plenums, such as installation of new building, electrical or plumbing materials inside the plenum, increasing air flow rate within the plenum, etc. shall not require the plenum to comply with the construction requirements for new plenums. However, newly-installed materials within the plenum shall be consistent with material requirements of M-303.0.

2. All of Chapter 4, entitled "Mechanical Equipment," except sections M-405.2, M-405.6, M-408.1, M-409.2 and M-409.3.

3. All of Chapter 5, entitled "Kitchen Exhaust Equipment," except section M-508.1.

4. All of Chapter 6, entitled "Boilers and Water Heaters."

5. All of Chapter 7, entitled "Hydronic Piping."

6. All of Chapter 8, entitled "Gas Piping Systems," except section M-805.0.

i. Section M-805.0 sizing shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased even if the altered system does not meet code minimums.

7. All of Chapter 9, entitled "Flammable and Combustible Liquid Storage and Piping Systems."

8. All of Chapter 10, entitled "Combustion Air."

9. All of Chapter 11, entitled "Clearance Reduction."

10. All of Chapter 12, entitled "Chimneys and Vents."

11. All of Chapter 13, entitled "Mechanical Refrigeration."

12. All of Chapter 14, entitled "Fireplaces, Solid Fuel-Burning and Gas Accessory Appliances."

13. All of Chapter 15, entitled "Incinerators and Crematories."

14. All of Chapter 16, entitled "Ventilation Air," except sections M-1603.0, M-1604.0 and M-1605.0.

15. All of Chapter 18, entitled "Solar Heating and Cooling Systems."

16. Section M-2001.2 of Chapter 20, entitled "Boilers and Pressure Vessels, Maintenance and Inspection."

(f) Barrier Free Materials and Methods: The requirements of CABO/ANSI A117.1-1992 shall constitute the barrier free materials and methods requirements for this subchapter and shall apply to work projects in all buildings other than buildings of Use Group R-2, R-3 or R-4 containing fewer than four dwelling units or buildings of Use Group U.

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

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

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

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

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

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

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

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

1. All of ASME A17.1-1993 Part XII except Section 1206.

2. The following sections of Chapter 30 of the building subcode: Section 3008.3 "Elevator Opening Protectives—Hardware" and Section 3010.3 "Conveyors—Machinery Guards."

3. The requirements of ASME A17.1-1993 Rule 102.2(c)4, when an automatic fire suppression system is provided in an elevator hoistway, machine room and/or machinery space.

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

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

Administrative correction.

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

5:23-6.9 New building elements

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

1. The installation of a floor system which did not previously exist shall be constructed utilizing the live load requirements as specified in section 1606.0 of the building subcode.

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

3. Newly created floor openings shall comply with the requirements of section 713.3 of the building subcode.

4. Newly created atriums shall comply with the requirements of section 404.0 of the building subcode.

5. Newly created door openings shall comply with section 1017.3 of the building subcode. Additionally, newly created door openings in walls which are fire-resistance rated shall comply with section 717.0 of the building subcode.

6. Newly created openings in fire resistance rated assemblies shall be protected in accordance with Section 718.0 of the building subcode.

7. Newly created exit discharge passageways used as exit elements shall comply with the requirements of Section 1020.0 of the building subcode. However, the fire resistance rating of the discharge passageway shall not be required to exceed the fire resistance rating of the exit element that discharges into the passageway.

8. Newly created exit stairways shall comply with section 1014.0 of the building subcode.

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

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

11. Newly created corridors shall comply with sections 1011.1, 1011.2, 1011.4 of the building subcode.

12. Newly constructed mezzanines shall comply with section 505.0 of the building subcode.

13. Newly created covered mall buildings shall comply with section 402.0 of the building subcode.

14. Newly created motion picture projection rooms, screening rooms and sound stages shall comply with section 411.0 of the building subcode.

15. Newly created stages and platforms shall comply with section 412.0 of the building subcode.

16. Newly created spaces which are utilized for the application of flammable finishes shall comply with section 419.0 of the building subcode.

17. At least one newly created window opening in sleeping rooms below the fourth story in occupancies in Use Groups R or I-1 shall:

i. Be operable;

ii. Have a sill height of not more than 44 inches;

iii. Have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side. (Building)

iv. New window openings in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

v. Basement windows in buildings of Use Group R-2 shall comply with the requirements of N.J.A.C. 5:23-6.26(a)3 where the window serves as the second means of egress from the dwelling unit.

18. Newly created specific occupancy areas shall comply with the following:

i. Paint shops in other than Use Group F which contain chemicals below the exempt amount for Use Group H, waste and soiled linen collection rooms and chute termination rooms shall be separated from other portions of the building by a one hour fire partition or provided with an automatic fire suppression system.

ii. Incinerator rooms in all use groups shall be separated from other portions of the building by a two hour fire separation assembly and provided with an automatic fire suppression system.

iii. In Use Groups I-2 and I-3, physical plant maintenance shops, laundries in excess of 100 square feet in area and padded cells shall be separated from other portions of the building by a one hour fire partition or provided with an automatic fire suppression system. (Plan review—Building, Fire. Inspection—Fire)

19. Newly installed electrical service equipment, switchboards, panelboards, motor control centers and other electrical equipment containing overcurrent, switching or control devices likely to require examination, adjustment, servicing or maintenance while energized shall conform with the requirements specified in N.J.A.C. 5:23-6.8, Materials and methods, and, in addition, shall conform with Sections 110-16 (Working Space About Electrical Equipment—600 Volts, Nominal or Less), 110-17 (Guarding of Live Parts—600 Volts, Nominal or Less), 110-32 (Work Space About Equipment), 110-33 (Entrance and Access to Work Space), 380-8 (Accessibility and Grouping—Switches), 384-4 (Installation—Switchboards and Panelboards) and 384-8 (Clearances—Switchboards and Panelboards), as applicable, of the electrical subcode. (Electrical)

20. Newly created tenant separation assemblies shall comply with the requirements of section 711.0 of the building subcode based on the construction type of the existing building.

Administrative correction.

See: 30 N.J.R. 539(a).

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

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

In (a), inserted new 6 and 7, recodified former 6 through 17 as 8 through 19, and added 20.

5:23-6.10 Basic requirements and supplemental requirements—general

(a) The basic requirements, set forth in N.J.A.C. 5:23-6.11 for all use groups and for individual use groups in N.J.A.C. 5:23-6.12 through 6.28, shall be met within or with regard to the work area in all reconstruction projects. (These requirements are in addition to the requirements contained in the N.J.A.C. 5:23-6.8, Materials and methods.)

(b) The supplemental requirements, set forth in N.J.A.C. 5:23-6.11A for all use groups and for individual use groups in the N.J.A.C. 5:23-6.12A through 6.28A, shall be met in all buildings where there are reconstruction projects that meet or exceed the stated threshold for each requirement.

1. All reconstruction work begun within a single 12 month period shall be considered for determining the applicability of the supplemental requirement.

2. If a project falls under the threshold for a supplemental requirement by a de minimis amount, the construction official may require that the supplemental requirement be met.

(c) Reconstruction projects contained in mixed use buildings shall comply with the requirements of N.J.A.C. 5:23-6.29 as applicable.

(d) Special technical specifications for windowless stories, the supervision of automatic fire suppression systems, suppression system risers, acceptances of existing alarm and suppression systems, smoke barriers, elevators and specific occupancy areas are established in N.J.A.C. 5:23-6.30. The windowless story, supervision of automatic fire suppression systems and smoke barrier special technical requirements shall apply only in those uses where specified by this subcode.

5:23-6.11 Basic requirements in all Use Groups

(a) This section shall apply within the work area for all reconstruction projects.

(b) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be sufficient for the maximum permitted occupant load of the work area and any adjacent spaces served by that means of egress as calculated on a per floor basis. Means of egress shall be measured in units of exit width of 22 inches.

1. The maximum permitted occupant load of a space shall be determined by the capacity of the means of egress serving the space as calculated in accordance with Table 1. Building owners shall have the option of establishing a reasonable restriction on the occupant load of the space based on the existing capacity of the means of egress or of providing additional egress capacity. (Plan review—Building, Fire. Inspection—Building)

Table 1
CAPACITY PER UNIT EGRESS WIDTH

Use Group	Without fire suppression system Number of occupants		With fire suppression system Number of occupants	
	Stairways	Doors, Ramps and Corridors	Stairways	Doors, Ramps, and Corridors
A	75	100	113	150
B	60	100	90	150
E	75	100	113	150
F	60	100	90	150
H	—	—	60	100
I-1	60	100	90	100
I-2	22	30	35	45
I-3	60	100	90	150
M	60	100	90	150
R	75	100	113	150
S	60	100	90	150

Note: The occupant load may be equal to the total number of occupants for which exit capacity is provided as determined by Table 1 above. For Use Group A occupancies, the resulting total occupant load shall not exceed one occupant per five square feet of net floor area over the entire use.

Interpolation shall be allowed in determining capacity of egress width.

Unit of egress width = 22 inches

(c) Interior Finishes: Interior finishes within work areas shall comply with the following:

1. Existing interior finishes of walls and ceilings shall have a flame spread rating not greater than the class prescribed by Table 2 below. All existing interior finish materials which do not comply with the requirements of this section shall be removed or shall be treated with an approved fire retardant coating in accordance with the manufacturer's instructions to secure compliance with the requirements of this section. Exceptions are allowed as follows:

i. The use of vinyl or paper wall coverings not exceeding 1/28th of an inch in thickness which is applied directly to a noncombustible or fire retardant treated wood substrate shall not be regulated by this section.

ii. Interior trim which does not exceed 10 percent of the aggregate wall and ceiling area of any room or space shall not be regulated by this section.

iii. When an approved automatic fire suppression system is provided, interior finish of Class II or III materials shall be permitted where Class I or II materials, respectively, are required by this section.

iv. Exposed portions of structural members complying with the requirements for heavy timber construction in accordance with the Uniform Construction Code shall not be regulated by this section. (Plan review—Building, Fire. Inspection—Building)

or story below the seventh story in which the work area exceeds 50 percent of the gross enclosed floor area of the windowless story, shall comply with the requirements listed in N.J.A.C. 5:23-6.30. (Fire)

(d) Underground Structures: When the work area exceeds 50 percent of the gross enclosed floor area of an underground structure, the entire structure shall comply with Section 405.0 of the building subcode.

Table 2

Existing Interior Finish Requirements^a

Use Group	Exit	Exit Access	Rooms or
	Enclosures	Enclosures	Spaces
A ^b , E, I, R-1	I	II	III
All Other Use Groups	I	II	No Minimum

^aThe classification of interior finishes referred to herein corresponds to flame spread ratings determined by ASTM E84 as follows: Class I flame spread, 0-25; Class II flame spread, 26-75; Class III flame spread, 76-200. In all cases, the smoke developed rating determined by ASTM E84 shall not exceed 450.

^bSee Use Group A-3 for amusement buildings.

(d) Commercial cooking operations: An automatic fire suppression system shall be required for newly-installed commercial cooking equipment producing grease-laden vapors, except within individual dwelling units in multiple family dwellings in Use Group R-2. No suppression system shall be required for completely enclosed ovens, steam tables or similar equipment.

1. Exception: Bed and breakfast homestay facilities, which are designed to accommodate five or fewer guests, shall not be required to comply with this provision. (Fire)

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

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

In (b), rewrote the note at the end of Table 1.

5:23-6.11A Supplemental requirements in all Use Groups

(a) This section shall apply to all reconstruction projects.

(b) Vertical Opening Protection: For purposes of applying the supplemental requirement for vertical opening protection below, a low hazard occupancy is an occupancy having contents of such low combustibility that no self-propagating fire can occur therein. A moderate hazard occupancy is an occupancy having contents that are likely to burn with moderate rapidity or to give off a considerable volume of smoke. (Plan review—Building, Fire. Inspection—Building)

(c) Windowless Stories: Any windowless basement or story located below the seventh story which is created by the work being performed or any existing windowless basement

5:23-6.12 Basic requirements—Use Group A-1

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

1. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building subcode in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building subcode in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review—Building, Fire, Electric. Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required. Exceptions are as follows:

i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

(j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy ¹	Water Closets		Lavatories	Drinking Water Facilities	Service Sinks
	Male	Female			
1-50	1 Unisex		1	1	1
51-100	1	1	1 per sex	1	1
101 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the second sentence.

5:23-6.12A Supplemental requirements—Use Group A-1

(a) Automatic Fire Suppression System: An automatic fire suppression system shall be installed throughout the building when the work area is 12,000 square feet (gross enclosed floor area) or more. (Fire)

(b) Automatic Alarm System: When the work area exceeds 25 percent of the gross enclosed floor area of the building, an automatic fire alarm system that complies with NFPA 72 shall be installed in all storage, workshop, boiler or furnace rooms. (Fire)

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

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

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

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

3. A minimum 30 minute fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:

i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic fire suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

5:23-6.13 Basic Requirements—Use Group A-2

(a) Automatic Fire Suppression System: An automatic fire suppression system shall be required in buildings with an occupant load of 50 or more.

1. Exception: Suppression shall not be required for buildings with a permitted occupancy of fewer than 300 having all components of the required means of egress on the same level as the use and having all such exits discharging not more than five feet above, nor more than two feet below, the adjacent grade;

2. Exception: Suppression shall not be required for buildings with a permitted occupancy of fewer than 200 having no portion of the required means of egress located more than one level above, or more than two feet below, the adjacent grade. (Fire)

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

1. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(c) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware.

3. If there are more than two individual rooms which can be used for separate functions, each with an occupant load of more than 300, the required egress doors from such rooms shall lead directly outside or to an exit passageway. Exit passageways shall be completely enclosed by assemblies having a fire-resistance rating of at least two hours, shall lead directly outside and shall not be used for any other purpose unless a horizontal exit is provided in accordance with the building subcode. (Plan review—Building, Fire. Inspection—Building)

(d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review—Building, Fire. Inspection—Building)

(e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length.

Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(f) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall

be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review—Building, Fire, Electric. Inspection—Building)

(g) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(h) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(i) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in

which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(j) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.
3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required. Exceptions are as follows:

- i. When connecting the main floor and mezzanines; or
- ii. When all of the following conditions are met:
 - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic suppression system; and
 - (2) The lowest or next to the lowest level is a street floor; and
 - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants; and
 - (4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and
 - (5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

(k) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(l) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy ¹	Water Closets		Lavatories	Drinking	Service
	Male	Female		Water Facilities	
1-25	1	1	1	0	0
26 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

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

1. Spaces intended to be naturally ventilated shall be provided with openable doors, windows, louvers, or other openings to the outdoors. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. Where rooms without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet. The ventilation openings to the outdoors shall be based on the total floor area being ventilated.
2. Mechanically-ventilated spaces shall comply with the following:
 - i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.
 - ii. Existing systems that are altered or extended shall not reduce the amount of outside air below the existing rate per person or the rate included in ASHRAE 62-89, whichever is lower. As a minimum, mechanically-ventilated spaces shall be provided with five CFM per person of outdoor air and 15 CFM of ventilation air per person unless the indoor air quality procedure of ASHRAE 62-89 is followed and results in a lesser amount.
3. All newly-introduced devices, equipment or operations that produce airborne particulates, odors, fumes, sprays, vapors, smoke or gases in such quantities to be irritating or injurious to health shall be provided with local exhaust. (Building)

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

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

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

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (g)2, rewrote the second sentence.

5:23-6.13A Supplemental requirements—Use Group A-2

(a) Automatic Fire Suppression System: When the work area is 5,000 square feet (gross enclosed floor area) or more, an automatic fire suppression system shall be installed throughout the floor on which the A-2 Use is located and on all floors below. If the A-2 Use is below grade, then an automatic fire suppression system shall be installed throughout the floor on which the A-2 Use is located and on all floor above up to and including the level of exit discharge. (Fire)

(b) Automatic Alarm System: When the work area exceeds 25 percent of the gross enclosed floor area of the building, an automatic fire alarm system that complies with NFPA 72 shall be installed in all storage, workshop, boiler or furnace rooms. (Fire)

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

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

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

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

3. A minimum 30 minute fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:

i. When connecting the main floor and mezzanines;
or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic fire suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with emergency controls,

as required by ASME A17.1-1987, Rule 211.4. (Elevator)

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

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

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

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

5:23-6.14 Basic requirements—Use Group A-3

(a) Automatic Fire Suppression System: Fire suppression shall be required in spaces of Use Group A-3 greater than 12,000 square feet.

1. Exceptions: Suppression shall not be required if the space is divided into fire areas of not more than 12,000 square feet by a two hour fire separation with 1½ hour opening protectives or if the space is completely separated from any other uses by a two hour fire separation with 1½ hours opening protectives. (Fire)

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

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

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

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(c) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware.

3. If there are more than two individual rooms which can be used for separate functions, each with an occupant load of more than 300, the required egress doors from such rooms shall lead directly outside or to an exit passageway. Exit passageways shall be completely enclosed by assemblies having a fire-resistance rating of at least two hours, shall lead directly outside and shall not be used for any other purpose. (Plan review—Building, Fire. Inspection—Building)

(d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review—Building, Fire. Inspection—Building)

(e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(f) **Means of Egress Lighting:** Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review—Building, Fire, Electric. Inspection—Building)

(g) **Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(h) **Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(i) **Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(j) **Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required. Exceptions are as follows:

i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

(k) **Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building

subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(l) Plumbing Fixtures: The following apply to plumbing fixtures: (Plumbing)

1. For auditoriums, museums, libraries, and similar facilities, plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section.

Total Occupancy ^{1,2}	Water Closets		Lavatories	Drinking Water	Service Sinks
	Male	Female		Facilities	
1-50	1 Unisex		1	1	1
51-100	1	1	1 per sex	1	1
101 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

2. For restaurants, plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section.

Total Occupancy ^{1,2}	Water Closets		Lavatories	Drinking Water	Service Sinks
	Male	Female		Facilities	
1-25	1 Unisex		1	0	0
26 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

3. For recreational facilities, passenger terminals and other buildings of Use Group A-3, plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section.

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

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

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

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

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

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

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

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

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (g)2, rewrote the second sentence.

5:23-6.14A Supplemental requirements—Use Group A-3

(a) Automatic Fire Suppression System: For ballrooms, exhibit areas, and accessory spaces of Use Group A-3, an automatic fire suppression system shall be installed throughout the A-3 use when the work area is 12,000 square feet (gross enclosed floor area) or more. (Fire)

(b) Automatic Alarm System: When the work area exceeds 25 percent of the gross enclosed floor area of the building, an automatic fire alarm system that complies with NFPA 72 shall be installed in all storage, workshop, boiler or furnace rooms. (Fire)

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

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

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

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

3. A minimum 30 minutes fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:

i. When connecting the main floor and mezzanines;
or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic fire suppression system; and

(2) The lowest or next to the lowest level is a street floor; and

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants; and

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shut-down is not required when the system is part of an approved smoke removal or smoke control system.) (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

(g) Amusement Buildings: When any reconstruction project is undertaken in a building or portion thereof designed to disorient the occupant, reduce vision, present barriers or otherwise impede the flow of traffic, the following requirements shall be met throughout the building or portion thereof that constitutes the amusement use.

1. Every such amusement facility shall be equipped throughout with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

2. The interior finish of all walls and ceilings shall in no case be less than a Class II material in accordance with this subchapter.

3. Every such amusement facility shall be equipped with exit signs installed in accordance with this subchapter.

4. Every such amusement facility shall be equipped throughout with an approved automatic fire alarm system installed in accordance with the Uniform Construction Code and in accordance with (g)5 through 8 below.

5. The automatic alarm system shall activate a prerecorded message which can be clearly heard throughout the entire facility instructing the patrons to proceed to the nearest exit. Any alarm signals used in conjunction with the prerecorded message shall produce a signal which is distinctive from all sounds used in the normal operation of the amusement facility.

6. Every such amusement facility shall be equipped with emergency lighting equipment installed in accordance with the New Jersey Uniform Construction Code. The emergency lighting equipment shall automatically activate when:

- i. The fire suppression system is activated;
- ii. The fire alarm system is activated; or
- iii. Loss of the primary power supply occurs.

7. All audio and visual equipment such as horns, bells, flashing, or otherwise distracting stimuli and mechanized displays shall cease operation upon initiation of an alarm by the automatic fire alarm system or activation of the automatic fire suppression system.

8. Activation of the automatic alarm system shall automatically shut down the air distribution system. (Plan review—Building, Fire. Inspection—Building)

5:23-6.15 Basic requirements—Use Group A-4

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

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

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

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all **buildings**, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review—Building, Fire, Electric. Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required. Exceptions are as follows:

i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

(j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy ¹	Water Closets		Lavatories	Drinking	Service Sinks
	Male	Female		Water Facilities	
1-50	1 Unisex		1	1	1
51-100	1	1	1 per sex	1	1
101 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.				

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

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

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

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

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

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

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

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the second sentence.

5:23-6.15A Supplemental requirements—Use Group A-4

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

1. A minimum two hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting more than six floor levels.
2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels.
3. A minimum 30 minute fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:
 - i. When connecting the main floor and mezzanines; or
 - ii. When all of the following conditions are met:
 - (1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic fire suppression system;
 - (2) The lowest or next to the lowest level is a street floor;
 - (3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shut-down is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase I Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

3. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied

floor area of the building, standpipes shall be provided up to and including the highest floor that is part of the work area. The standpipes shall be located and installed in accordance with the building subcode, except as follows:

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

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

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

5:23-6.16 Basic requirements—Use Group A-5

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

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

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

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant

load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All required exit doors equipped with latching devices in buildings or spaces with an occupant load greater than 100 shall be equipped with approved panic hardware. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). Additionally, for buildings with an occupant load of 100 or more, a main entrance capable of serving as the main exit with an egress capacity for at least one-half the total occupant load is required. The remaining exits shall be capable of providing one-half of the total required exit capacity. This provision shall not apply in buildings with multiple main entrances. (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review—Building, Fire, Electric. Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{8}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows. Stairways are not required to be enclosed where all portions of the means of egress are essentially open to the outside.

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required. Exceptions are as follows:

i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level. (Plan review—Building, Fire. Inspection—Building)

(j) **Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) **Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the second sentence.

5:23-6.16A Supplemental requirements—Use Group A-5

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

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

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

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

3. A minimum 30 minute fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:

i. When connecting the main floor and mezzanines; or

ii. When all of the following conditions are met:

(1) The communicating area has a low hazard occupancy or has a moderate hazard occupancy which is protected throughout by an automatic fire suppression system;

(2) The lowest or next to the lowest level is a street floor;

(3) The entire area is open and unobstructed in a manner such that it may be assumed that a fire in any part of the interconnected spaces will be readily obvious to all of the occupants;

(4) Exit capacity is sufficient to provide egress simultaneously for all the occupants of all levels by considering all areas to be a single floor area for the determination of required exit capacity; and

(5) Each floor level, considered separately, has at least one-half of its individual required exit capacity provided by an exit or exits leading directly out of that level without having to traverse another communicating floor level or be exposed to the smoke or fire spreading from another communicating floor level.

4. Exception: Stairways are not required to be enclosed where all portions of the means of egress are essentially open to the outside. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shut-down is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

5:23-6.17 Basic requirements—Use Group B

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

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

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

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

3. A single exit shall be permitted in buildings of not more than two stories in height, with not more than 3,000 square feet per floor when the exit access travel distance does not exceed 75 feet and a minimum fire resistance rating of one hour is provided for the exit enclosure and the opening protection. (Plan review—Building, Fire, Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review—Building, Fire, Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in

accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire, Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire, Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review—Building, Fire, Electric, Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire, Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required, with the following exception:

i. No vertical opening protection shall be required for vertical openings of up to three stories in buildings not exceeding 3,000 square feet per floor or in buildings with suppression throughout. (Plan review—Building, Fire. Inspection—Building)

(j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows: Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy ^{1,2,3}	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
Employees	1-15 16 and over	1 Unisex Fixtures	1 to be provided as per Table 7.21.1 of the plumbing subcode.	1	1
Customers	1-25 26 and over	1 Unisex Fixtures	1 to be provided as per Table 7.21.1 of the plumbing subcode.	1	1

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Customer and employee facilities may be satisfied with a single unisex toilet facility where the number of employees does not exceed 15 and where the total occupancy does not exceed 25 or where the occupied floor area does not exceed 1,500 square feet.

Note 3. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence of the introductory paragraph; and in (f)2, rewrote the second sentence.

5:23-6.17A Supplemental requirements—Use Group B

(a) Manual Alarm System: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a fire alarm system shall be installed throughout the building.

1. Exception: Manual alarm systems are not required in buildings which do not have occupied floors which are two or more stories above the lowest level of exit discharge or floors two or more stories below the highest level of exit discharge. (Fire)

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

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

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

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

i. Exception: No vertical opening protection shall be required for buildings up to 3,000 square feet per floor or for buildings with an automatic fire suppression system throughout. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

2. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied

floor area of the building, all elevators in the building shall be equipped with the following emergency control devices:

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase I Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

4. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, central control station and communication systems shall be provided as follows:

i. An approved public address communication system consisting of loudspeakers in each corridor and in each room and tenant space exceeding 1,000 square feet, each elevator and elevator lobby and in each stair enclosure which shall be capable of being operated from the central control station;

ii. A two-way fire department communication system which shall operate between the central control and every elevator, elevator lobby and entry to enclosed exit stairways;

iii. A central control station for fire department operations shall be provided in a location approved by the fire department. It shall contain the public address panel, the fire department communications panel, fire detection and alarm system annunciator panels, status indicators and controls for air handling systems, sprinkler valve and water flow detector display panels, and status indicators and a telephone for fire department use with controlled access to the public telephone system. (Fire)

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

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

(e) Airport Traffic Control Towers: When the work area exceeds 50 percent of the gross enclosed floor area of an airport traffic control tower, the entire structure shall comply with the requirements of Section 414.0 of the building subcode.

5:23-6.18 Basic requirements—Use Group E

(a) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 50 and with exit travel distance greater than 75 feet, permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet.

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

i. A single exit shall not be permitted when a building is used as a child care center. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. A single means of egress shall be permitted in classrooms having a maximum occupant load of 75 in buildings equipped throughout with an automatic fire suppression system. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. In buildings used for motion pictures or other projections by means of directed light, the illumination of aisles may be reduced during periods of projection to not less than 0.2 foot candle. The switch requirements and location(s) for controlling egress lighting connected to the emergency electrical system shall be in conformance with the NFPA 70 (NEC). (Plan review—Building, Fire, Electric. Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one hour fire barrier shall be required, with the following exception:

i. No vertical opening protection shall be required for vertical openings of up to three stories in buildings with suppression throughout. (Plan review—Building, Fire. Inspection—Building)

(j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) Plumbing Fixtures: Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

2. Mechanically ventilated spaces shall comply with the following:

i. Newly installed HVAC systems shall comply with ASHRAE 62-89.

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

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

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

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

Administrative correction.

See: 30 N.J.R. 3785(b).

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and rewrote 1; and in (f)2, rewrote the second sentence.

5:23-6.18A Supplemental requirements—Use Group E

(a) Automatic Fire Suppression System: In buildings three stories or more in height, with greater than 20,000 square feet per floor, when the work area exceeds 50 percent of the gross enclosed floor area of a floor, an automatic fire suppression system shall be installed throughout that floor. (Fire)

(b) Automatic Alarm System: When the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire alarm system shall be installed throughout the building as follows:

1. An approved system of automatic smoke detectors;
or

2. An approved automatic fire suppression system equipped with automatic fire alarm devices; or

3. An approved system which combines the following elements shall be acceptable when devices are located as indicated below:

i. Combination fixed temperature/rate-of-rise detectors in classrooms and ancillary spaces;

ii. Photoelectric or projected-beam smoke detectors in exit access corridors and at the top of the exit stair enclosures; and

iii. Fixed temperature detectors in such a system shall be accepted in locations such as boiler rooms, garage areas and other spaces in which conditions render other detectors inappropriate.

4. Existing fire detection systems, installed and maintained in accordance with the manufacturer's recommendations, and meeting the intent of current standards for automatic fire alarms, shall be acceptable, provided:

i. The existing system is certified as functional by an approved service agency competent in the manufactured system.

ii. Where a portion of an existing system is not serviceable and cannot be repaired, the existing system shall be replaced in accordance with the above and the provisions of the building subcode. (Fire)

(c) Manual Alarm System: When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarm boxes shall be provided throughout the building in compliance with Section 918.5 of the building subcode and in accordance with the following:

1. Manual fire alarm boxes shall be provided in the natural path of escape from fire, near each exterior door from the corridor, kitchen, heater room and other exterior exits that are required to serve 50 or more persons. Additional fire alarm boxes shall be located in the main office, stage, at each stairway entrance from a corridor or place of assembly and near one exterior exit in each section of a place of assembly. It shall not be necessary to traverse more than 200 feet of unobstructed horizontal distance on the same floor in order to reach a fire alarm box. (Fire)

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

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

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

3. A minimum one hour fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required for buildings with an automatic fire suppression system throughout. (Plan review—Building, Fire, Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase I Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

Administrative correction.
See: 30 N.J.R. 3242(a).

5:23-6.19 Basic requirements—Use Group F

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

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

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

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review—Building, Fire, Electric. Inspection—Building)

(f) **Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria: (Plan review—Building, Fire. Inspection—Building)

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) **Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) **Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) **Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one hour fire barrier shall be required, with the following exceptions:

i. No vertical opening protection shall be required for vertical openings of up to three stories in special purpose manufacturing occupancies when necessary for manufacturing operations and when direct access is provided to at least one protected stairway; or

ii. In buildings with suppression throughout. (Plan review—Building, Fire. Inspection—Building)

(j) **Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) **Plumbing Fixtures:** Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy ¹	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
Light	1-15	1 Unisex	1	1	1
Industrial Heavy	16 and over				

Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.
Fixtures to be provided as per Table 7.21.1 of the plumbing subcode

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and added a reference to plan review and inspection in the last sentence of the introductory paragraph; and in (f)2, rewrote the second sentence.

5:23-6.19A Supplemental requirements—Use Group F

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

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

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

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

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

3. A minimum one hour fire barrier required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required for special purpose occupancies when necessary for manufacturing operations and direct access is provided to at least one protected stairway or for buildings with an automatic fire suppression system throughout. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

5:23-6.20 Basic requirements—Use Group H

(a) Automatic Fire Suppression System: An approved automatic fire suppression system shall be required. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

(b) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants.

1. For buildings of Use Group H-1, H-2 or H-3, a minimum of two exits shall be required from all mezzanines with an occupant load of greater than three or in which the travel distance exceeds 50 feet. For buildings of Use Group H-4, a minimum of two exits shall be required from all mezzanines with an occupant load of greater than 10 or in which the travel distance exceeds 75 feet.

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

3. For buildings of Use Group H-1 or H-2, new slides, capes or safety chutes shall be permitted where constructed in accordance with the building subcode. (Plan review—Building, Fire. Inspection—Building)

(c) Egress Doorways: For buildings or spaces of Use Group H-1, H-2 or H-3, a minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than three or in which the travel distance exceeds 50 feet. For buildings or spaces of Use Group H-4, a minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 10 or in which the travel distance exceeds 75 feet. All egress doors shall swing in the direction of exit travel. (Plan review—Building, Fire. Inspection—Building)

(d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. (Plan review—Building, Fire. Inspection—Building)

(f) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. Exception: Lighting to illuminate the exit discharge shall not be required. (Plan review—Building, Fire, Electric. Inspection—Building)

(g) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria: (Plan review—Building, Fire. Inspection—Building)

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(h) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(i) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(j) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one hour fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories, with the following exception:

i. No vertical opening protection shall be required for vertical openings of up to three stories when necessary for manufacturing operations in a building where every floor level has direct access to at least two remote enclosed stairways or other approved exits. (Plan review—Building, Fire. Inspection—Building)

(k) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(l) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy ¹	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
Light Industrial	1-15	1 Unisex	1	1	1
Heavy Industrial	16 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode			

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and inserted a reference to electric plan review in 1; and in (g)2, rewrote the second sentence.

5:23-6.20A Supplemental requirements—Use Group H

(a) Automatic Fire Suppression System: An automatic fire suppression system shall be installed throughout the work area. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building. (Fire)

(b) Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building or use, a manual fire alarm system shall be installed throughout for buildings or portions thereof of Use Group H-2, H-3 or H-4. (Fire)

(c) Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building or use, an automatic fire alarm system shall be installed throughout in buildings of Use Group H. (Fire)

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

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

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

3. A minimum one hour fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required when the opening is necessary for manufacturing operations in a building where every floor level has direct access to at least two remote enclosed stairways or other approved exits. (Plan review—Building, Fire Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase I Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

(g) HPM Facilities: When the work area exceeds 50 percent of the gross enclosed floor area of an HPM facility, the entire building is required to comply with the requirements of Section 416.0 of the Building subcode. (Building)

(h) Hazardous Materials: When the work area exceeds 25 percent of the gross enclosed floor area of the Use Group H portion of a building, the entire building is required to comply with the requirements of Section 417.0 and 418.0 of the building subcode. (Building)

5:23-6.21 Basic requirements—Use Group I-1

(a) Automatic Fire Suppression System: Fire suppression shall be required in buildings greater than two stories in height above grade with an occupant load greater than 20 excluding staff. (Fire)

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

1. A single exit shall not be permitted.

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

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

ii. Ladders shall be prohibited on fire escapes used as a required means of egress.

iii. Window access to fire escapes shall be permitted from individual rooms.

3. Existing slidescapes or safety chutes shall be permitted. (Plan review—Building, Fire. Inspection—Building)

(c) Emergency Egress Windows: When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

1. Be operable;

2. Have a sill height of not more than 44 inches; and

3. Have a width of at least 20 inches, a height of at least 24 inches, and a minimum total area of 5.7 square feet measured from head to sill and side to side.

4. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

(d) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant

load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All dwelling unit, guest room or rooming unit corridor doors shall be at least 1 $\frac{3}{8}$ inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames. Corridor doors shall not be constructed of hollow core wood, shall not contain louvers and shall not be of panel construction. Doors shall fit both plumb and level in frames, and be reasonably tight fitting. All replacement doors shall be 1 $\frac{3}{4}$ inch solid core wood or approved equal, unless existing frame will accommodate only a 1 $\frac{3}{8}$ inch door. (Note: Existing doors meeting HUD Guidelines or BOCA Existing Structures Code (1984) for a rating of 15 minutes or better shall be accepted.)

3. In buildings with an automatic fire suppression system, doors are only required to provide a smoke barrier, to be free of louvers, to fit plumb and level and to be reasonably tight fitting.

4. All doors opening onto a passageway at grade or onto an exit stair shall be self-closing or automatic closing by listed closing devices.

i. Exception: Group homes with a maximum of 15 occupants and an approved automatic fire detection system shall not be required to have self-closing doors. (Plan review—Building, Fire. Inspection—Building)

(e) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(f) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(g) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connect-

ed to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review—Building, Fire, Electric. Inspection—Building)

(h) **Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (h)1 and 2 below:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.

3. Exceptions: Illuminated exit signs shall not be required for buildings with an occupant load, excluding staff, of 20 or less or when the second means of egress is a fire escape that is accessed directly from the individual sleeping room. (Plan review—Building, Fire. Inspection—Building)

(i) **Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(j) **Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(k) **Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one hour fire barrier shall be required, with the following exception:

i. Exception: Vertical opening protection shall not be required for either the top or bottom of a stairway connecting not more than two floor levels when such stairway does not serve as a required means of egress and the occupant load does not exceed 12, excluding staff. (Plan review—Building, Fire. Inspection—Building)

(l) **Boiler/Furnace Equipment Rooms:** Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 907.0 of the building subcode.

3. For group homes and supervised transitional living homes heated with oil-burning equipment, an emergency shutoff switch shall be required at the top of the stairs leading to the basement for equipment in the basement or outside of the room for equipment located in other enclosed rooms. (Plan review—Building, Fire. Inspection—Building)

(m) **Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(n) **Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

Inserted a new (c); recodified former (c) through (p) as (d) through (q); in the new (g), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in the new (h), made an internal reference change in introductory paragraph, and rewrote the second sentence in 2.

Administrative correction.

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

5:23-6.21A Supplemental requirements—Use Group I-1

(a) **Automatic Fire Suppression System:** When the work area is more than two floors or when the work area will be occupied by more than 20 persons, excluding staff, an automatic fire suppression system shall be required throughout the work area. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the entire building. (Fire)

(b) **Automatic Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout the building.

1. Exception: Automatic alarm systems shall not be required in buildings, other than boarding homes, with an automatic fire suppression system and a manual fire alarm system and with single station smoke detectors in the vicinity of sleeping areas in accordance with NFPA 72. (Fire)

(c) **Manual Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

(d) **Carbon monoxide alarms:** When the work area exceeds 25 percent of the gross enclosed floor area of the building, single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in any room or dwelling unit in a building that contains a fuel-burning appliance or has an attached garage. (Fire)

1. Exception: Rooms or dwelling units which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be provided with single station carbon monoxide alarms provided that:

i. The room or dwelling unit is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;

ii. The room or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and

iii. The building is provided with a common area carbon monoxide alarm system. Individual alarms shall be located in the immediate vicinity of the room(s) containing a fuel-burning appliance and in the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, ventilation shafts on the story containing the fuel-burning appliance and any story within two stories above or below said story. All such common area alarm devices shall be connected to an alarm monitoring station or shall be interconnected.

2. Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery-operated, hard-wired or of the plug-in type.

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

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

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

3. A minimum one hour fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required for either the top or bottom of a stairway connecting not more than two floor levels when such stairway does not serve as a required means of egress and the occupant load does not exceed 12, excluding staff. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

Inserted a new (d); and recodified former (d) through (f) as (e) through (g).

5:23-6.22 Basic requirements—Use Group I-2

(a) Automatic Fire Suppression System: Fire suppression shall be required.

1. Exception: Suppression shall not be required in buildings of Type 1 or Type 2A construction of any height or of Type 2B construction not over one story in height.

2. Exception: Suppression shall not be required in day care centers with an occupant load of 100 or less where all the children under 2½ years of age are cared for on the first floor and in which each child care room has an exit door directly to the exterior. (Fire)

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

1. A single exit shall not be permitted. (Plan review—Building, Fire. Inspection—Building)

(c) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. A minimum of two egress doorways shall be required for any patient sleeping room or suite of rooms greater than 1,000 square feet. (Plan review—Building, Fire. Inspection—Building)

(d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(f) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review—Building, Fire, Electric. Inspection—Building)

(g) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings,

rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (g)1 and 2 below:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.

3. Exception: When the second means of egress is a fire escape that is accessed directly from the individual sleeping room, illuminated exit signs shall not be required above the means of egress serving the fire escape. (Plan review—Building, Fire. Inspection—Building)

(h) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(i) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(j) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one hour fire barrier shall be required, with the following exception:

i. Exception: Vertical opening protection shall not be required for vertical openings connecting not more than two floor levels which are separated by a one-hour fire barrier equipped with a self-closing or automatically closing 20 minute door at the top or bottom of the stairway when such stairway does not serve as a required means of egress. (Plan review—Building, Fire. Inspection—Building)

(k) Boiler/Furnace Equipment Rooms: Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies for day nurseries, children's shelter facilities, residential child care facilities and similar facilities with children below the age of 2½ years.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 907.0 of the Building subcode.

3. Where oil-burning equipment is used, an emergency shutoff switch shall be required at the top of the stairs leading to the basement for equipment in the basement or outside of the room for equipment located in other enclosed rooms. (Plan review—Building, Fire. Inspection—Building)

(l) Smoke Barriers: On every story used for sleeping purposes for more than 30 occupants and on stories which are usable, but unoccupied, when the work area exceeds 22,500 square feet on a floor, the work area shall be divided into not less than two compartments by smoke barrier walls complying with the technical requirements of N.J.A.C. 5:23-6.30(e) such that each compartment does not exceed 22,500 square feet and is no more than 150 feet in length and width. (Plan review—Building, Fire. Inspection—Building)

(m) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(n) Plumbing Fixtures: Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (g)2, rewrote the second sentence.

5:23-6.22A Supplemental requirements—Use Group I-2

(a) Automatic Fire Suppression System: When the work area is 50 percent or more of the occupied floor area of the building, an automatic fire suppression system shall be required throughout the floor. When an automatic sprinkler system is provided, the sprinkler riser shall be sized to serve the entire building, even if the system currently being installed serves only a portion of the building.

1. Exception: No automatic fire suppression system shall be required for day care centers with an occupant load of 100 or less where all children below 2½ years of age are cared for on the first floor and in which each child care room has an exit door directly to the exterior. (Fire)

(b) Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout the building.

1. Exception: Automatic alarm systems shall not be required for buildings with an automatic fire suppression system and a manual fire alarm system and with single station smoke detectors in vicinity of sleeping areas in accordance with NFPA 72. (Fire)

(c) Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

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

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

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

3. A minimum one hour fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories.

i. Exception: No vertical opening protection shall be required for vertical openings connecting not more than two floor levels which are separated by a one-hour fire barrier equipped with a self-closing or automatically closing 20 minute door at the top or bottom of the stairway when such stairway does not serve as a required means of egress. (Plan review—Building, Fire, Inspection—Building)

(e) Requirements for highrise buildings: Any building or structure having one or more floors used for human occu-

pancy located either more than six stories or more than 75 feet above the lowest level accessible to a fire department vehicle, shall comply with the following:

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shut-down is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase I Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

(f) Smoke Barriers: When the work area exceeds 50 percent of the occupied enclosed floor area of a story used for sleeping purposes for more than 30 occupants or of a story which is usable, but unoccupied, the story shall be divided into two or more compartments by smoke barrier walls complying with the technical requirements of N.J.A.C. 5:23-6.30(e) such that each compartment does not exceed 22,500 square feet and is no more than 150 feet in length and width. (Plan review—Building, Fire. Inspection—Building)

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

5:23-6.23 Basic requirements—Use Group I-3

(a) Automatic Fire Suppression System: Fire suppression shall be required in buildings with an occupant load of six or more. As an alternative, buildings shall be in compliance with all applicable provisions of Chapter 15 “Existing Detention and Correctional Occupancies” of the Life Safety Code, NFPA 101, 1985 edition.

1. In buildings not required to be equipped throughout with suppression, suppression shall be provided in all padded cells, boiler rooms, storage and workshop rooms 24 square feet or larger, mechanical equipment and similar rooms. (Fire)

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

1. A single exit shall not be permitted. (Plan review—Building, Fire. Inspection—Building)

(c) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. Buildings with remote power unlocking capability on more than 10 doors shall be provided with an emergency power source for such locks. Power shall be arranged to automatically operate upon failure of normal power within 10 seconds and for a duration of not less than one hour. (Plan review—Building, Fire. Inspection—Building)

(d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(f) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review—Building, Fire, Electric. Inspection—Building)

(g) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (g)1 and 2 below:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word “Exit” shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.

3. Exception: When the second means of egress is a fire escape that is accessed directly from the individual sleeping room, illuminated exit signs shall not be required above the means of egress serving the fire escape. (Plan review—Building, Fire. Inspection—Building)

(h) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(i) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(j) Vertical Opening Protection: Approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required for all vertical openings. The vertical opening protection may be omitted if either of the following conditions is met:

1. The building is in compliance with NFPA 101, Chapter 15, 1985 edition; or
2. The building is equipped throughout with an automatic suppression system. (Plan review—Building, Fire. Inspection—Building)

(k) Interior Finishes and Furnishings: Interior furnishings, drapes, curtains, carpeting, decorations, bedding, etc. shall be flame retardant. (Plan review—Building, Fire. Inspection—Building)

(l) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(m) Plumbing Fixtures: Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

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

In (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (g)2, rewrote the second sentence.

5:23-6.23A Supplemental requirements—Use Group I-3

(a) Automatic Fire Suppression System: When the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire suppression system or compliance with Chapter 15 "Existing Detention and Correctional Occupancies" of the Life Safety Code, NFPA 101, 1985 edition shall be required throughout the building when there is an occupant load of six or more. In buildings

without an automatic fire suppression system, padded cells, boiler and mechanical equipment rooms, and storage and workshop rooms 24 square feet or larger must have an automatic fire suppression system. (Fire)

(b) Automatic Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a supervised automatic fire alarm system shall be required throughout all resident housing areas in the building. Smoke detectors shall be arranged and positioned to prevent damage or tampering, provided that the function and speed of detecting a fire is equivalent to that provided by the spacing and arrangement requirements of NFPA 72 listed in Chapter 35 of the building subcode.

1. Exception: An automatic fire alarm system shall not be required for buildings with an automatic fire suppression system and a manual fire alarm system and with single station smoke detectors in vicinity of sleeping areas in accordance with NFPA 72.

2. Exception: Smoke detectors shall not be required in sleeping rooms with four or fewer occupants. (Fire)

(c) Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, manual fire alarms shall be required throughout the building. (Fire)

(d) Vertical Opening Protection: When the work area exceeds 50 percent of the gross enclosed floor area of the building, vertical opening protection shall be provided between floor levels of residential areas unless the building is equipped throughout with an automatic fire suppression or the building complies with NFPA 101, Chapter 15, 1985 edition. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

5:23-6.24 Basic requirements—Use Group M

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

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

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

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 50 and the exit access travel distance does not exceed 75 feet. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case

of primary power loss. (Plan review—Building, Fire, Electric. Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required, with the following exceptions:

- i. No vertical opening protection shall be required for openings connecting only two floor levels, such as between the street floor and mezzanine or second floor; or
- ii. In buildings with suppression throughout. (Plan review—Building, Fire. Inspection—Building)

(j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

	Total Occupancy ^{1,2,3}	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
Employees	1-15	1 Unisex	1	1	1
	16 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			
Customers	1-25	1 Unisex	1	1	1
	26 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

Note 2. Customer and employee facilities may be satisfied with a single unisex toilet facility where the number of employees does not exceed 15 and where the total occupancy does not exceed 25 or where the occupied floor area does not exceed 1,500 square feet.

Note 3. Requirements for employees and customers may be met with a single set of restrooms. The required number of fixtures shall be the greater of the required number for employees or customers.

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

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

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

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

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

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

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

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

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in (f)2, rewrote the second sentence.

5:23-6.24A Supplemental requirements—Use Group M

(a) Automatic Fire Suppression System: When the work area is 12,000 square feet or more, an automatic fire suppression system shall be installed throughout the entire fire area. (Fire)

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

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

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

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

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

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

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

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

iii. All designated attendant elevators having a travel distance of 25 feet or more above or below the desig-

nated level shall be equipped with emergency controls, as required by ASME A17.1-1987, Rule 211.4. (Elevator)

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

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

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

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

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

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

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

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

1. When more than one exit is required, existing fire escapes shall be accepted as providing one of the required means of egress unless judged to be dangerous for use under emergency exiting conditions. For use of fire escapes, access shall be through a door except when serving an occupant load of 10 or fewer. All occupants

shall have unobstructed access to fire escapes without having to pass through a room subject to locking.

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

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

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

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

4. A single exit is permitted from floors that are not more than 16 feet above grade provided that each unit on such floors has an operable window with a sill height of not more than 44 inches.

5. A single exit is permitted in buildings that are not more than two stories in height from floors that are not more than 16 feet above grade with not more than four dwelling units per floor and exit access travel distance not exceeding 50 feet and with a minimum fire resistance rating of one hour for the exit enclosure and opening protection and provided that each dwelling unit on such floors has an operable window with a sill height of not more than 44 inches. (Plan review—Building, Fire. Inspection—Building)

(c) Emergency Egress Windows: When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

1. Be operable;
2. Have a sill height of not more than 44 inches;
3. Have a width of at least 20 inches, a height of at least 24 inches, and have a minimum total area of 5.7 square feet measured from head to sill and side to side.
4. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

(d) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All dwelling unit, guest room or rooming unit corridor doors shall be at least 1 $\frac{3}{8}$ inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames. Corridor doors shall not be constructed of hollow core wood, shall not contain louvers and shall not be of panel construction. Doors shall fit both plumb and level in frames, and be reasonably tight fitting. All replacement doors shall be 1 $\frac{3}{4}$ inch solid core wood or approved equal, unless existing frame will accommodate only a 1 $\frac{3}{8}$ inch door. (Note: Existing doors meeting HUD Guidelines or BOCA Existing Structures Code (1984) for a rating of 15 minutes or better shall be accepted.)

3. In buildings with suppression, doors are only required to provide a smoke barrier, to be free of louvers, to fit plumb and level and to be reasonably tight fitting.

4. All doors opening onto a passageway at grade or onto an exit stair shall be self-closing or automatic closing by listed closing devices. (Plan review—Building, Fire. Inspection—Building)

(e) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(f) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(g) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. (Plan review—Building, Fire, Electric. Inspection—Building)

(h) **Illuminated Exit Signs:** Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (h)1 and 2 below:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible **when the sign is not energized.**

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.

3. Exception: When the second means of egress is a fire escape that is accessed directly from the individual sleeping room, illuminated exit signs shall not be required above the means of egress serving the fire escape. (Plan review—Building, Fire. Inspection—Building)

(i) **Handrails:** Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(j) **Guards:** Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(k) **Vertical Opening Protection:** Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum one hour fire barrier shall be required, with the following exceptions:

i. Vertical opening protection shall not be required in buildings not exceeding three stories with suppression throughout; or

ii. In buildings with not more than 25 guests when the following conditions are met:

(1) Every sleeping room is provided with an operable window having a sill height not greater than 44 inches;

(2) Every sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit;

(3) Any exit access corridor exceeding eight feet in length which serves two means of egress, at least one of which is an unprotected vertical opening, is separated from the vertical opening by a one-hour fire barrier; and

(4) The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review—Building, Fire. Inspection—Building)

(l) **Transoms and Other Interior Openings:** All transoms shall be either glazed with $\frac{1}{4}$ inch wire glass set in metal frames and permanently secured in the closed position or sealed with materials consistent with the corridor construction. Any other sash, grill or opening in a corridor, and any window in a corridor not opening to the outside air shall be sealed with materials consistent with the corridor construction. (Plan review—Building, Fire. Inspection—Building)

(m) **Boiler/Furnace Equipment Rooms:** Boiler/furnace equipment rooms shall be enclosed by one-hour fire-rated wall and ceiling assemblies.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 907.0 of the Building subcode. (Plan review—Building, Fire. Inspection—Building)

(n) **Structural Elements:** Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(o) **Electrical Equipment and Wiring:** Guestrooms shall be provided with one switch-controlled ceiling or wall type outlet or equivalent to illuminate entrances and exits. Additionally, each guest bathroom shall be provided with at least one duplex receptacle outlet which is GFCI protected and at least one switch-controlled lighting outlet.

(p) **Plumbing Fixtures:** Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

1. Exception: Specific occupancy areas within and serving a dwelling unit are not required to comply with this section. (Building)

(t) **Accessibility of Sleeping Rooms:** At least one sleeping room or suite of every 25 or fewer that are part of the scope of work shall be made accessible unless the facility already provides the number of accessible sleeping rooms required by the barrier free subcode. (N.J.A.C. 5:23-7.1(b)7) In addition, at least one sleeping room or suite of every 25 or fewer that are part of the scope of work shall be equipped with a visual alarm and notification device for the hearing impaired unless the facility already provides the number required by the barrier free subcode. (Building)

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

Inserted a new (c); recodified former (c) through (s) as (d) through (t); in the new (g), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" and inserted a reference to electric plan review in the last sentence; and in the new (h), made an internal reference change in the introductory paragraph, and rewrote the second sentence in 2.
Administrative change.
See: 32 N.J.R. 688(a).

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

(a) **Automatic Fire Suppression System:** In buildings four or more stories in height (excluding basements), when the work area is an entire floor, an automatic fire suppression system shall be installed throughout the work area. (Fire)

(b) **Automatic Alarm Systems:** When the work area exceeds 50 percent of the gross enclosed floor area of the building, an automatic fire alarm system shall be required throughout the building. System smoke detectors are not required in guestrooms provided that the single-station detectors required by Section 920.3.1 are connected to the emergency electrical system and are annunciated by guestroom at a constantly attended location from which the fire alarm system is capable of being manually activated.

1. Exception: An automatic fire detection system is not required in buildings that do not have interior corridors serving guestrooms and where all guestrooms have a means of egress door opening directly to an exterior exit access which leads directly to the exits. (Note: Single station smoke detectors are still required in individual guest rooms in such buildings in accordance with N.J.A.C. 5:23-6.25(b) or 6.25A(d), as applicable). (Fire)

(c) Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a manual fire alarm system shall be required throughout the building.

1. No manual fire alarms shall be required for buildings with less than 25 occupants and less than 10 guestrooms. (Fire)

(d) Smoke Detectors: When the work area exceeds 25 percent of the gross enclosed floor area of the building, smoke detectors within guestrooms that meet the specifications of the building subcode shall be required throughout the building. The smoke detectors shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72. (Fire)

(e) Carbon monoxide alarms: When the work area exceeds 25 percent of the gross enclosed floor area of the building, single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in any guestroom or dwelling unit in a building that contains a fuel-burning appliance or has an attached garage. (Fire)

1. Exception: Guestrooms or dwelling units which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be provided with single station carbon monoxide alarms provided that:

i. The guestroom or dwelling unit is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;

ii. The guestroom or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and

iii. The building is provided with a common area carbon monoxide alarm system. Individual alarms shall be located in the immediate vicinity of the room(s) containing a fuel-burning appliance and in the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, ventilation shafts on the story containing the fuel-burning appliance and any story within two stories above or below said story. All such common area alarm devices shall be connected to an alarm monitoring station or shall be interconnected.

2. Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery-operated, hard-wired or of the plug-in type.

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

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

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

3. A minimum one hour fire barrier required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:

i. For buildings with an automatic fire suppression system throughout;

ii. For buildings with not more than 25 guests when the following conditions are met:

(1) Every sleeping room is provided with an approved, operable window having a sill height not greater than 44 inches;

(2) Every sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit;

(3) Any exit access corridor exceeding eight feet in length which serves two means of egress, at least one of which is an unprotected vertical opening, shall be separated from the vertical opening by a one-hour fire barrier; and

(4) The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and

shall be of the manual reset type. Automatic fan shut-down is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

4. When the work area is one entire floor or more, central control station and communication systems shall be provided as follows:

i. An approved public address communication system consisting of loudspeakers in each corridor and in each room and tenant space exceeding 1,000 square feet, each elevator and elevator lobby and in each stair enclosure which shall be capable of being operated from the central control station;

ii. A two-way fire department communication system which shall operate between the central control and every elevator, elevator lobby and entry to enclosed exit stairways;

iii. A central control station for fire department operations shall be provided in a location approved by the fire department. It shall contain the public address panel, the fire department communications panel, fire detection and alarm system annunciator panels, status indicators and controls for air handling systems, sprinkler valve and water flow detector display panels, and status indicators and a telephone for fire department use with controlled access to the public telephone system. (Fire)

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

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

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

Inserted (e); and recodified existing (e) through (g) as (f) through (h).

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

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

In (d), substituted "25 percent" for "50 percent" following "exceeds" in the first sentence.

5:23-6.26 Basic requirements—Use Group R-2

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

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

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

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

iii. For rooming houses, ladders shall be prohibited on fire escapes used as a required means of egress.

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

3. Dwelling units in basements (stories below grade) shall have two means of egress unless the building has an automatic fire suppression system. (An operable window with a net clear opening of at least five square feet, a minimum net clear opening of 24 inches in height and 20 inches in width, and a sill height of not more than 44 inches above the finished floor is acceptable as one of the means of egress.)

4. For rooming houses, a single exit shall be prohibited.

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

6. A single exit is permitted from floor(s) are not more than 16 feet above grade provided that each dwelling unit on such floors has an operable window with a sill height of not more than 44 inches. (In community residences for the developmentally disabled, the maximum occupant load, excluding staff, is 12.)

7. A single exit is permitted in buildings that are not more than two stories in height from floors that are not more than 16 feet above grade with not more than four dwelling units per floor and exit access travel distance not exceeding 50 feet and with a minimum fire resistance rating of one hour for the exit enclosure and opening protection provided that each dwelling unit on such floors has an operable window with a sill height of not more than 44 inches. (In community residences for the developmentally disabled, the maximum occupant load, excluding staff, is 12.)

8. As used in this subsection, "rooming house" means any building and any part thereof, which contains two or more units of dwelling space which do not provide a private, secure dwelling space arranged for independent living and containing both full bath and kitchen facilities (exclusive of any such unit occupied by an owner or operator), including any residential hotel. The term does not include any hotel, motel or established guest house in which a minimum of 85 percent of the units of dwelling space are offered on a temporary basis only, for periods lasting no more than 90 days, to guests who either

maintain or intend to maintain a primary residence at a location other than the hotel, motel or established guest house. The term also does not include one-family residential dwellings made available for occupancy by not more than five roomers. (Plan review—Building, Fire, Inspection—Building)

(b) Emergency Egress Windows: When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

1. Be operable;
2. Have a sill height of not more than 44 inches; and
3. Have a width of at least 20 inches, a height of at least 24 inches, and have a minimum total area of 5.7 square feet measured from head to sill and side to side.
4. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system. For dwelling units in basements, one of the two remote exits may be as per (a)3 above.

(c) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways.

2. All dwelling unit, guest room or rooming unit corridor doors shall be at least 1 $\frac{3}{8}$ inch solid core wood or approved equal with approved door closers and shall not have any glass panels, other than approved wire glass in metal frames. Corridor doors shall not be constructed of hollow core wood, shall not contain louvers and shall not be of panel construction. Doors shall fit both plumb and level in frames, and be reasonably tight fitting. All replacement doors shall be 1 $\frac{3}{4}$ inch solid core wood or approved equal, unless existing frame will accommodate only a 1 $\frac{3}{8}$ inch door. (Note: Existing doors meeting HUD Guidelines or BOCA Existing Structures Code (1984) for a rating of 15 minutes or better shall be accepted.)

3. In buildings with an automatic fire suppression system, doors are only required to provide a smoke barrier, to be free of louvers, to fit plumb and level and to be reasonably tight fitting.

4. All doors opening onto a passageway at grade or onto an exit stair shall be self-closing or automatic closing by listed closing devices.

i. Exception: Group homes with a maximum of 15 occupants and an approved automatic detection system shall not be required to have self-closing doors. (Plan review—Building, Fire. Inspection—Building)

(d) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(e) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(f) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. Means of egress lighting shall be wired on a circuit independent of circuits within any dwelling unit. The disconnecting means and over current protection device shall not be located within a dwelling unit or such that access must be obtained by going through a dwelling unit. (Plan review—Building, Fire, Electric. Inspection—Building)

(g) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the criteria contained in (g)1 and 2 below:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs.

3. Exceptions: Illuminated exit signs shall not be required for buildings with an occupant load, excluding staff, of 20 or less or when the second means of egress is a fire escape that is accessed directly from the individual sleeping room. (Plan review—Building, Fire. Inspection—Building)

(h) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(i) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in which the existing guards are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(j) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.

2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required.

3. For vertical openings not exceeding three stories, a minimum 30 minute fire barrier shall be required, with the following exceptions:

i. Buildings with an automatic fire suppression system throughout; or

ii. When the vertical opening connects not more than two floor levels and not more than four dwelling units per floor provided that each dwelling unit has access to a fire escape or other approved secondary exit; or

iii. Owner-occupied buildings with not more than four dwelling units per floor, and in which the following conditions are met:

(1) Every sleeping room is provided with an operable window having a sill height not greater than 44 inches;

(2) Every dwelling unit or sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit; and

(3) The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review—Building, Fire. Inspection—Building)

(k) Transoms and Other Interior Openings: All transoms shall be either glazed with $\frac{1}{4}$ inch wire glass set in metal frames and permanently secured in the closed position or sealed with materials consistent with the corridor construction. Any other sash, grill or opening in a corridor, and any window in a corridor not opening to the outside air shall be sealed with materials consistent with the corridor construction. (Plan review—Building, Fire. Inspection—Building)

(l) Boiler/Furnace Equipment Rooms: Boiler/furnace equipment rooms shall be enclosed by one hour fire-rated wall and ceiling assemblies.

1. Exception: Enclosure shall not be required for boiler/furnace equipment of low pressure type (operating at pressures of 15 psig or less for steam equipment or 160 psig or less for hot water equipment) when installed in accordance with manufacturer's recommendations or for boiler/furnace equipment of residential, single-family type (200,000 BTU per hour input rating or less.)

2. Exception: Enclosure shall not be required for boiler/furnace equipment rooms equipped with a limited area sprinkler system in accordance with Section 907.0 of the Building subcode.

3. For group homes and supervised transitional living homes heated by oil-burning equipment, an emergency shutoff switch is required at top of the stairs leading to the basement for equipment in the basement or outside of the room for equipment located in other enclosed rooms. (Plan review—Building, Fire. Inspection—Building)

(m) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the

standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(n) Electrical Equipment and Wiring:

1. All enclosed areas, other than kitchens, basements, garages, hallways, closets, laundry areas and bathrooms shall have a minimum of two duplex receptacle outlets.

2. Kitchen areas shall have a minimum of two duplex receptacle outlets or equivalent and a switch-controlled lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space.

3. Laundry areas shall have a minimum of one duplex receptacle outlet or equivalent located near the laundry equipment and installed on an independent circuit.

4. At least one switch controlled lighting outlet shall be provided in every bathroom, hallway, stairway, attached garage, detached garage with electric power, and to illuminate outdoor entrances and exits.

5. At least one switch controlled lighting outlet shall be provided in utility rooms and basements where these spaces are used for storage or contain equipment requiring service.

6. Electrical service equipment (overcurrent devices) shall be located where they will not be subject to physical damage and shall not be located in the vicinity of easily ignitable material.

7. All 125 volt, single-phase, 15 and 20 ampere receptacles in locations specified in Section 210-8(a) of the electrical subcode shall have ground-fault circuit protection for personnel. (Electrical)

(o) Plumbing Fixtures: Plumbing fixtures shall be provided as required by Table 7.21.1 of the plumbing subcode. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

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

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

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

i. Newly-installed HVAC systems shall comply with the requirements of ASHRAE 62-89.

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

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

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

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

1. Exception: Specific occupancy areas within and serving a dwelling unit are not required to comply with this section. (Building)

(s) Accessibility: Accessible features shall be provided for all items that are part of the scope of work in those buildings with four or more dwelling units that are required by the barrier free subcode to be accessible.

(t) Communicating Attic Spaces: Where adjacent dwelling units have communicating space in the attic, a wall shall be constructed to provide a continuous one hour fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be performed on the side of the wall of the dwelling unit that is undergoing reconstruction. (Plan review—Building, Fire. Inspection—Building)

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

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

Inserted a new (b); recodified former (b) through (s) as (c) through (t); in the new (f), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and inserted a reference to electric plan review in 1; in the new (g), made an internal reference change in the introductory paragraph, and rewrote the second sentence in 2; and rewrote the new (s).

Administrative change.

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

5:23-6.26A Supplemental requirements—Use Group R-2

(a) Automatic Fire Suppression System: In buildings four or more stories in height (excluding basements), when the work area is an entire floor, an automatic fire suppression system shall be installed throughout the work area. (Fire)

(b) Manual Alarm Systems: When the work area exceeds 50 percent of the gross enclosed floor area of the building, a manual fire alarm system shall be required throughout the building.

1. Exception: No manual fire alarm system shall be required for buildings where all dwelling units are located fewer than three stories above the lowest level of exit discharge or one story or less below the highest level of exit discharge serving the dwelling unit(s). (Fire)

(c) Smoke Detection Systems: When the work area exceeds 25 percent of the gross enclosed floor area of the building, approved smoke detection systems shall be located in all interior common areas. Such systems shall be powered by an alternating current (AC) constantly active electric circuit that cannot be deactivated by the operation of any interconnected switching device and shall comply with NFPA 70-93 (National Electric Code) requirements, except as otherwise provided in this section. Such systems shall be on circuitry that is connected into the building owner's electric meter.

1. In multiple dwellings six stories or more in height and having 30 or more dwelling units, such systems:

i. Shall be connected to a supervisory type listed control panel conforming to U.L. 864 requirements and NFPA 72-90 standards, except as otherwise provided in this section;

ii. Shall be powered by an approved emergency power source as installed in conformance with NFPA 70-93 (National Electrical Code);

iii. Shall have a control panel of the multi-zoned type that will visually indicate the floor or zone from which the alarm is activated, which panel shall be located in accordance with NFPA 72-90 standards or as directed by the local fire subcode official.

2. A pre-signal alarm feature is not permitted.

3. The separate zoning of floors in high-rise buildings for selective floor evacuation is permitted at the discretion of the fire subcode official in consultation with the fire department.

4. Alarms shall be located so as to be effectively heard above all other sounds, by all the occupants, in every occupied space within the building not separated by fire walls having a fire-resistance rating of at least two hours.

5. With the approval of the fire subcode official, fixed temperature heat detectors in those locations where frequent nuisance alarms would be likely to occur. Such building spaces include, but are not limited to, garages, crawl spaces, uninhabitable attics, heater and boiler rooms, laundry rooms, kitchens, restaurant service areas, and other rooms where the ambient temperatures are below 40 degrees Fahrenheit or above 100 degrees Fahrenheit and/or have a relative humidity either below 20 percent or above 85 percent or where environmental conditions are likely to produce nuisance alarms.

6. Existing common area smoke detection systems that were installed in compliance with this subchapter or with the Regulations Governing Rooming and Boarding Houses (N.J.A.C. 5:27) or Regulations for the Maintenance of Hotels and Multiple Dwellings (N.J.A.C. 5:10) and maintained in accordance with N.J.A.C. 5:18-3, for which a construction permit was issued subject to plan review approval, shall be accepted as conforming to this section. (Fire)

(d) Smoke Detection within Dwelling Units: Smoke detectors shall be provided within dwelling units as follows:

1. When the work area is an entire dwelling unit, smoke detectors that meet the specifications of the building subcode shall be installed. The smoke detectors shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72.

2. When any work is undertaken within a dwelling unit, single station smoke detectors shall be installed. (Battery-powered units shall be permitted.) The smoke detectors shall be installed in the locations indicated in the **building** subcode and placed within those locations in accordance with NFPA 72. (Fire)

(e) Carbon monoxide alarms: Single station carbon monoxide detectors shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in any dwelling that is part of the scope of work in a building that contains a fuel-burning appliance or has an attached garage. Additionally, when the work area exceeds 25 percent of the gross enclosed floor area of the building, single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in every room or dwelling unit in the building. (Fire)

1. Exception: Rooms or dwelling units which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be provided with single station carbon monoxide alarms provided that:

i. The room or dwelling unit is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;

ii. The room or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and

iii. The building is provided with a common area carbon monoxide alarm system. Individual alarms shall be located in the immediate vicinity of the room(s) containing a fuel-burning appliance and in the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, ventilation shafts on the story containing the fuel-burning appliance and any story within two stories above or below said story. All such common area alarm devices shall be connected to an alarm monitoring station or shall be interconnected.

2. Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery-operated, hard-wired or of the plug-in type.

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

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

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

3. A minimum 30 minute fire barrier shall be required for interior stairways and other vertical openings not exceeding three stories. Exceptions shall be permitted as follows:

i. Buildings with an automatic fire suppression system throughout;

ii. When the vertical opening connects not more than two floor levels with not more than four dwelling units per floor and each dwelling unit has access to a fire escape or other approved secondary exit; or

iii. Owner-occupied buildings with not more than four dwelling units per floor, and in which the following conditions are met:

(1) Every sleeping room is provided with an approved, operable window having a sill height not greater than 44 inches;

(2) Every dwelling unit or sleeping room above the second floor is provided with direct access to a fire escape or other approved secondary exit; and

(3) The building is protected throughout by a supervised, automatic fire alarm system, installed in accordance with the UCC. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

4. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area of the building, central control station and communication systems shall be provided as follows:

i. An approved public address communication system consisting of loudspeakers in each common corridor, each elevator and elevator lobby and in each stair enclosure which shall be capable of being operated from the central control station;

ii. A two-way fire department communication system which shall operate between the central control and every elevator, elevator lobby and entry to enclosed exit stairways;

iii. A central control station for fire department operations shall be provided in a location approved by the fire department. It shall contain the public address panel, the fire department communications panel, fire detection and alarm system annunciator panels, status indicators and controls for air handling systems, sprinkler valve and water flow detector display panels, and status indicators and a telephone for fire department use with controlled access to the public telephone system. (Fire)

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

1. Exception: Elevator devices wholly within individual dwelling units and not accessible to the general public shall not be required to comply. (Elevator)

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

Inserted (e); and recodified existing (e) through (g) as (f) through (h).

5:23-6.27 Basic requirements—Use Groups R-3/R-4

(a) Smoke Detection within Dwelling Units: Smoke detectors that meet the specifications of the building subcode shall be installed. The smoke detectors shall be installed in the locations indicated in the building subcode and placed within those locations in accordance with NFPA 72. (Fire.)

(b) Carbon monoxide alarms: In any dwelling unit that is located in a building required to be registered as a multiple dwelling and that contains a fuel-burning appliance or has an attached garage, single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area. (Fire)

1. Exception: Dwelling units which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be provided with single station carbon monoxide alarms provided that:

i. The dwelling unit is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;

ii. The dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and

iii. The building is provided with a common area carbon monoxide alarm system. Individual alarms shall be located in the immediate vicinity of the room(s) containing a fuel-burning appliance and in the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, ventilation shafts on the story containing the fuel-burning appliance and any story within two stories above or below said story. All such common area alarm devices shall be connected to an alarm monitoring station or shall be interconnected.

2. Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery-operated, hard-wired or of the plug-in type.

(c) Egress Windows:

1. When the building is used as a bed and breakfast, every sleeping room below the fourth story shall be provided with an operable window having a sill height of not more than 44 inches.

i. Windows in sleeping rooms shall not be required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system. (Plan review—Building, Fire, Inspection—Building)

2. When the work being performed creates a bedroom below the fourth floor, at least one sleeping room window or exterior door shall:

i. Be operable;

ii. Have a sill height of not more than 44 inches; and

iii. Have a width of at least 20 inches, a height of at least 24 inches, and have a minimum total area of 5.7 square feet measured from head to sill and side to side.

iv. Windows are not required to meet these requirements in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits or in buildings equipped throughout with an automatic fire suppression system.

(d) When the work being performed creates living space over a private garage, the private garage shall comply with section 407 of the building subcode for fire resistance rating.

(e) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no

excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(f) Electrical Equipment and Wiring:

1. All enclosed areas, other than kitchens, basements, garages, hallways, closets, laundry areas and bathrooms shall have a minimum of two duplex receptacle outlets.

2. Kitchen areas shall have a minimum of two duplex receptacle outlets or equivalent and one switch controlled lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space.

3. Laundry areas shall have a minimum of one duplex receptacle outlet or equivalent located near the laundry equipment and installed on an independent circuit.

4. At least one switch controlled lighting outlet shall be provided in every bathroom, hallway, stairway, attached garage, detached garage with electric power, and to illuminate outdoor entrances and exits.

5. At least one switch controlled lighting outlet shall be provided in utility rooms and basements where these spaces are used for storage or contain equipment requiring service.

6. Electrical service equipment (overcurrent devices) shall be located where they will not be subject to physical damage and shall not be located in the vicinity of easily ignitable material.

7. All 125 volt, single-phase, 15 and 20 ampere receptacles in locations specified in Section 210-8(a) of the electrical subcode shall have ground-fault circuit protection for personnel. (Electrical)

(g) Communicating Attic Spaces: Where adjacent dwelling units have communicating space in the attic, a wall shall be constructed to provide a continuous one hour fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be performed on the side of the wall of the dwelling unit that is undergoing reconstruction. (Plan review—Building, Fire, Inspection—Building)

(h) Plumbing Fixtures: Each dwelling unit shall be provided with a minimum of one kitchen sink, one water closet, one lavatory, and one bathtub or shower or bathtub/shower combination.

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

Inserted (b); and recodified existing (b) through (e) as (c) through (f).

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

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

Rewrote (c); inserted a new (d); recodified former (d) through (f) as (e) through (g); and added (h).

5:23-6.27A Supplemental requirements—Use Groups R-3/R-4

There are no supplemental requirements applicable to Use Group R-3/R-4.

5:23-6.28 Basic requirements—Use Group S

(a) Exits: Two exits shall be required for stories with less than 500 occupants. Three exits shall be required for stories with 501 to 1,000 occupants. Four exits shall be required for stories with more than 1,000 occupants. Two means of egress are also required from all mezzanines with an occupant load greater than 30 and with exit travel distance greater than 100 feet.

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

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

2. A single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 30 and the exit access travel distance does not exceed 100 feet.

3. A single exit is permitted in open parking structures where vehicles are mechanically parked.

4. A single exit is permitted in buildings of Use Group S-2 not more than two stories in height, with not more than 3,000 square feet per floor when the exit access travel distance does not exceed 50 feet and a minimum fire resistance rating of one hour is provided for the exit enclosure and the opening protection. (Plan review—Building, Fire. Inspection—Building)

(b) Egress Doorways: A minimum of two egress doorways shall be required for all rooms and spaces with an occupant load greater than 50 or in which the travel distance exceeds 75 feet. All egress doors serving an occupant load greater than 50 shall swing in the direction of exit travel.

1. Exception: Storage rooms with a maximum occupant load of 10 shall not be required to have two egress doorways. (Plan review—Building, Fire. Inspection—Building)

(c) Capacity of Means of Egress: The capacity of the means of egress in each work area shall be determined in accordance with N.J.A.C. 5:23-6.11(b). (Plan review—Building, Fire. Inspection—Building)

(d) Dead End Corridors: Existing dead end corridors shall not exceed 35 feet in length. Exceptions are allowed as follows:

1. Dead end corridors may be up to 50 feet in length in a building with an automatic alarm system installed in conformance with the building code in effect at the time of its installation.

2. Dead end corridors may be up to 70 feet in length in a building with a suppression system installed in conformance with the building code in effect at the time of its installation. (Plan review—Building, Fire. Inspection—Building)

(e) Means of Egress Lighting: Artificial lighting with an intensity of not less than one foot candle at floor level shall be required during all times that the conditions of occupancy of the building require that the exits be available. In all buildings, rooms or spaces required to have more than one exit or exit access, means of egress lighting shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss.

1. Exception: Lighting to illuminate the exit discharge shall not be required. (Plan review—Building, Fire, Electric. Inspection—Building)

(f) Illuminated Exit Signs: Illuminated exit signs shall be provided for all required means of egress in all buildings, rooms or spaces required to have more than one exit or exit access. Exit signs shall be visible from the exit access and supplemented by directional signs when necessary. (Exception: Approved main exterior doors that are clearly identified as exits are not required to have exit signs.) Exit signs shall meet the following criteria:

1. Red or green letters at least six inches high; minimum width of each stroke $\frac{3}{4}$ inch on a white background or in other approved distinguishable colors. Arrows, if provided, shall be such that the direction cannot readily be changed. The word "Exit" shall be clearly discernible when the sign is not energized.

2. Exit signs shall be illuminated at all times when the building is occupied by a source providing at least five foot candles at the illuminated surface or shall be approved self-luminous signs which provide evenly illuminated letters with a minimum luminance of 0.06 foot lamberts. Exit signs shall be connected to an emergency electrical system conforming to NFPA 70 (NEC) except that continued illumination shall be required to be provided for not less than one hour in the case of primary power loss. No emergency power shall be required for approved self-luminous signs. (Plan review—Building, Fire. Inspection—Building)

(g) Handrails: Every required exit stairway having three or more risers and not provided with handrails or in which the existing handrails are in danger of collapsing when used under emergency exiting conditions, shall be provided with handrails for the full length of the run of steps on at least one side. All exit stairways more than 66 inches wide shall have handrails on both sides unless the full width of the stairway is not needed to accommodate the design occupancy. (Plan review—Building, Fire. Inspection—Building)

(h) Guards: Every open portion of a stair, landing or balcony which is more than 30 inches above the floor or grade below and is not provided with guards or those in **which the existing guards** are in danger of collapsing when used under emergency exiting conditions, shall be provided with guards. (Plan review—Building, Fire. Inspection—Building)

(i) Vertical Opening Protection: Vertical opening protection for interior stairways and other vertical openings shall be provided as follows:

1. For vertical openings connecting more than six floor levels, approved assemblies having a fire resistance rating of not less than two hours with approved opening protectives shall be required.
2. For vertical openings connecting four to six floor levels, approved assemblies having a fire resistance rating of not less than one hour with approved opening protectives shall be required. (Plan review—Building, Fire. Inspection—Building)

(j) Structural Elements: Structural elements which are uncovered during the course of the rehabilitation and which are found to be unsound or otherwise structurally deficient, shall be reinforced, supported or replaced in accordance with the applicable structural design criteria of the building subcode. Where structural elements are sound, there is no excessive deflection (defined as deflection in excess of the standards set forth in N.J.A.C. 5:23-6.7(c)1), and fixed loads are not changing in a way that will increase the stresses on existing structures beyond that which is permitted by N.J.A.C. 5:23-6.7(c), existing structural elements shall be permitted to remain. (Building)

(k) Plumbing Fixtures: Plumbing fixtures shall be provided as follows. Where the plumbing subcode allows for the substitution or omission of fixtures, such substitutions or omissions shall also be permitted under this section. (Plumbing)

Total Occupancy ¹	Water Closets	Lavatories	Drinking Water Facilities	Service Sinks
1-15	1 Unisex	1	1	1
16 and over	Fixtures to be provided as per Table 7.21.1 of the plumbing subcode.			

Note 1. For purposes of determining the number of plumbing fixtures required, total occupancy shall be the anticipated occupancy of the building under normal use conditions. It is not necessarily the same as the total permitted occupant load based on egress capacity.

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

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

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

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

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

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

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

Administrative correction.
See: 30 N.J.R. 539(a).
Amended by R.1999 d.424, effective December 6, 1999.
See: 31 N.J.R. 2428(a), 31 N.J.R. 4001(c).

In (e), substituted "except that continued illumination shall be required to be provided" for "to assure continued illumination" in the last sentence of the introductory paragraph, and inserted a reference to electric plan review in 1; and in (f)2, rewrote the second sentence.

5:23-6.28A Supplemental requirements—Use Group S

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

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

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

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

2. A minimum one hour fire rated assembly with approved opening protectives shall be required for interior stairways and other vertical openings connecting four to six floor levels. (Plan review—Building, Fire. Inspection—Building)

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

1. When the work area is one entire floor or more or when the work area is 20 percent or more of the occupied floor area served by a recirculating air or exhaust system, the recirculating air or exhaust system which serves the work area shall be equipped with approved smoke and heat detection devices installed in accordance with the UCC. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or smoke control system. (Building)

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

i. All automatic (nondesignated attendant) elevators having a travel distance of 25 feet or more above or below the designated level shall be equipped with Phase 1 Emergency Recall Operation as required by ASME A17.1-1987, Rules 211.3a and 211.3b listed in Appendix 3-A of N.J.A.C. 5:18-3;

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

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

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

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

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

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

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

(e) Public Garages: When the work area exceeds 50 percent of the gross floor area of a public garage, the entire building is required to comply with Section 408.0, except Subsection 408.3.3, of the Building subcode.

5:23-6.29 Mixed use buildings

(a) Each portion of a building shall be separately classified as to use. The requirements of this subcode shall apply to each portion of the building based on the use group of that portion, except that the most restrictive requirements of this subcode for fire suppression shall apply to the entire building.

1. Exception: An automatic fire suppression system shall not be required for uses that would not otherwise need suppression provided that there is a one hour fire separation between the use(s) requiring suppression and the other use(s) in the same building. A two hour fire separation assembly shall be required to apply this exception in any building where one or more of the uses is H. (Plan review—Building, Fire. Inspection—Building)

(b) Separation: In any nonresidential use located below one or more dwelling units, when the work area exceeds 50 percent of the gross enclosed floor area of the nonresidential use, the nonresidential use shall be separated from the residential use by a one hour fire resistance-rated ceiling assembly designed to protect the dwelling unit(s) above. (Plan review—Building, Fire. Inspection—Building)

3. Elevators shall be equipped with emergency operation as required by ASME A.17.1-1987, Rules 211.3 through 211.4 and 211.7.

i. Phase II emergency operation shall be provided only if required by the requirements for highrise buildings contained in the supplemental requirements for each use group, N.J.A.C. 5:23- 6.12A through 6.28A. In addition, when phase II emergency operation is required, standby power shall be provided. Standby power shall be installed in accordance with the electrical subcode. The elevator powered by a standby power system shall be subject to the requirements of ANSI/ASME A17.1-1993 Rule 211.2.

4. Escalators shall conform to ASME A17.3-1993 for Operating and Safety Devices (Section 5.3), Anti-Slide Devices (5.1.4), Handrail Guards (5.1.6), Guards at Ceiling or Soffit Intersection (5.1.3), Lighting (5.4), Distinction Between Comb and Step (5.5.2), Adjacent Floor Surfaces (5.5.3). (Elevator)

(h) Specific Occupancy Areas: Specific occupancy areas, as listed below, shall comply with the following:

1. Paint shops in other than Use Group F which contain chemicals below the exempt amount for Use Group H, waste and soiled linen collection rooms and chute termination rooms shall be separated from other portions of the building by a one hour fire partition or provided with an automatic fire suppression system.

2. Incinerator rooms in all use groups shall be separated from other portions of the building by a two hour fire separation assembly and provided with an automatic fire suppression system.

3. In Use Groups I-2 and I-3, physical plant maintenance shops, laundries in excess of 100 square feet in area and padded cells shall be separated from other portions of the building by a one hour fire partition or provided with an automatic fire suppression system. (Building)

5:23-6.31 Change of use

(a) General: The following are of general applicability to changes of use:

1. When the use of a building is changed, then the building must be brought into compliance with the requirements of this section. Each of the lettered subsections of this section establishes a specific type of requirement. This section establishes requirements for compliance with the basic requirements of this subcode, for means of egress, for enclosure of vertical openings, for height and area limitation, for exterior wall fire resistance, for fire suppression systems, for fire alarm systems, for fire detection systems, for structural soundness, for plumbing, electrical, and mechanical systems, and for accessibility.

i. Limit on new buildings undergoing a change of use: Buildings that have been occupied for their originally intended use for less than one year shall be required to comply with the requirements of the Uniform Construction Code for new construction for the proposed use.

2. The subsections governing compliance with the basic requirements, means of egress, height and area limitations, exterior wall fire resistance, and fire suppression incorporate Relative Use Group Hazard Index Tables. Compliance with the requirements of the subsection is required when the change of use will increase the relative hazard. Each of the subsections should be applied separately to the proposed new use.

3. This section may require an owner to undertake work in order to be permitted to change the use of a building or a portion of a building. Additionally, the owner of a building may wish to undertake other work not required by the section. That work must comply with the requirements for repair, renovation, alteration, and/or reconstruction applicable to the new use group in accordance with the provisions of this subcode.

4. Existing fire alarm, fire suppression and standpipe systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

(b) Compliance with Basic Requirements: Compliance with the basic requirements shall be required as follows:

TABLE B Relative Use Group Hazard	
1 (highest)	H-1, H-2, H-3
2	A-1, A-2, H-4, F-1, I-3, M, S-1
3	A-3, A-5, B, F-2, I-2, R-1, S-2
4	A-4, E, I-1, R-2 more than two stories in height or more than four dwelling units
5 (lowest)	R-2 two stories or fewer in height and four dwelling units or less, R-3, R-4, U

1. When the use of a building is changed to a higher relative use group hazard as shown in Table B above, the building shall comply with the basic requirements of N.J.A.C. 5:23-6.10 through 6.30 applied throughout the building for the new use group unless otherwise provided. Where another lettered subsection of this section establishes a requirement that differs from the basic requirement, the requirement contained in that other lettered subsection shall govern.

i. Where a portion of a building is changed to a higher relative use group hazard, the building shall comply with the basic requirements of N.J.A.C. 5:23-6.10 through 6.30 for fire suppression and fire detection and/or alarms applied throughout the building for the new use group unless the proposed use is separated from the existing use(s) by assemblies with the appropriate fire-resistance rating in accordance with Table 313.1.2 of the building subcode in which case

only the portion changed shall comply. The portion of the building changed shall comply with all the other basic requirements of N.J.A.C. 5:23-6.10 through 6.30 for the new use group.

2. When a change of use is made to an equal or lesser relative use group hazard as shown in Table B above, the existing building is not required to comply with the basic requirements except where required in connection with alteration or reconstruction work by the sections of this subcode applicable to alteration or reconstruction work.

3. Where the character of use of an existing building or portion thereof is changed to one of the following special use or occupancy categories as defined in the building subcode, the building or portion shall comply with the referenced section of the building subcode specific to the special use or occupancy regardless of whether a change of use group is involved.

- i. Covered Mall Building—Section 402.0;
- ii. Atriums—Sections 404.0;
- iii. Underground Structures—Section 405.0;
- iv. Private Garages—Section 407.0;
- v. Public Garages—Section 408.0;
- vi. Motion Picture Projection Rooms, Screening Rooms and Sound Stages—Section 411.0;
- vii. Stages and Platforms—Section 412.0;
- viii. Special Amusement Buildings—Section 413.0;
- ix. HPM Facilities—Section 416.0;
- x. Hazardous Materials—Sections 417.0 and 418.0;
- xi. Spray Booths, Spray Rooms, and Spray Storage Rooms—Section 419.0. (Plan review—Building, Fire, Inspection-Building.)

4. Any fire suppression or fire detection and/or alarm requirements applicable to the special use or occupancy shall be applied throughout the entire building unless the special use or occupancy is separated from the remainder of the building by fire separation assemblies having a rating of at least two hours. (Fire)

(c) Means of Egress: The following requirements apply to means of egress in a change of use:

TABLE C
Hazard Categories and Classifications
Means of Egress

Relative Hazard	Use Classification
1 (highest)	H-1, H-2, H-3
2	I-2, I-3
3	A, E, I-1, M, R-1, R-2
4	B, F-1, R-3, R-4, S-1, H-4
5 (lowest)	F-2, S-2, U

1. For any change of use, the occupant load of the space shall be calculated based on the capacity of the exits as per N.J.A.C. 5:23-6.11(b). The occupant load shall not exceed one occupant per five square feet floor area unless the building complies with Chapter 10 of the building subcode in its entirety.

i. Where a portion of a building undergoes a change of use, the determination of the capacity of the exit(s) serving that portion shall include all spaces served by those exit(s).

2. When a change in use is made to a higher hazard category as shown in Table C above, the entire building or portion thereof shall comply with the following requirements of the building subcode or of this subcode as specified below.

- i. Sections 1005.5 (Open-sided walking surfaces) and 1005.7 (Air movement in egress elements).
- ii. Sections 1006.2 (Arrangement), 1006.3 (Exit discharge), 1006.4 (Remote location), 1006.5 (Length of travel), 1006.6 (Elevators, escalators and moving walks) and 1006.7 (Common path of travel).
- iii. Sections 1010.2 (Minimum number) and 1010.3 (Buildings with one exit).

(1) Exception: The occupant load of the space may be restricted in order to comply with the requirements of these sections.

iv. Section 1011.4 (Corridor enclosure) and the Basic Requirements of this subcode (N.J.A.C. 5:23-6.10 through 6.30) for corridor widths.

(1) Existing lath and plaster in good condition or existing 1/2-inch thick gypsum wall board on both sides of the wall shall be accepted where a one-hour fire separation assembly is required by 1011.4 (Corridor enclosure).

v. Section 1012.0 (Assembly aisles and aisle accessways).

vi. Section 1013.0 (Grandstands).

vii. Section 1014.8 (Stairway egress doors) and the Basic Requirements of this subcode (N.J.A.C. 5:23-6.10 through 6.30) for stairway widths, handrails and guardrails.

viii. Section 1017.0 (Means of egress doorways) except 1017.3 (size of doors) and the Basic Requirements of this subcode (N.J.A.C. 5:23-6.10 through 6.30) for door widths.

ix. Section 1019.0 (Horizontal exits).

x. Section 1020.0 (Level of exit discharge passageways used as an exit element).

xi. Section 1023.0 (Exit signs and lights).

xii. Section 1024.0 (Means of egress lighting).

3. When a change of use is made to an equal or lesser hazard category as shown in Table C above, the existing building is not required to comply with the requirements contained in (c)2 above except in areas where reconstruction work being performed in connection with the change of use triggers these requirements.

4. Vertical opening protection shall be provided for all stairs in accordance with N.J.A.C. 5:23-6.10 through 6.30 when a change of use that also constitutes a change of use group is made and the proposed use group is a higher hazard category as shown in Table C above.

i. Where the use group of a portion of a building is changed to a higher hazard category, vertical opening protection shall be provided for all stairs serving the proposed use group from the floor(s) on which the proposed use group is located to the level of exit discharge.

5. Notwithstanding the relative hazard as determined by Table C above, where any change of use occurs to a single exit building, the building shall meet the requirements of Section 1010.3 (single exits) of the building subcode for the proposed use.

6. When a change of use is made to any residential use group (R-1, R-2, R-3 or R-4) or to Use Group I-1, every sleeping room below the fourth story shall have at least one operable window or exterior door. Where windows are provided to comply with this requirement, the window shall have a sill height of not more than 44 inches, and have a width of at least 20 inches, a height of at least 24 inches and a minimum total area of 5.7 square feet measured from head to sill and from side to side.

i. An outside window or exterior door is not required in buildings where the sleeping room is provided with a door to a corridor having access to two remote exits.

ii. An outside window or exterior door is not required in buildings equipped throughout with an automatic fire suppression system.

iii. In a building that originally was in Use Group R-3 and is returning to Use Group R-3, the windows shall be permitted to remain as they were during the time when the building previously was in use as a residence. (Plan review—Building, Fire. Inspection—Building)

(d) Enclosure of vertical openings:

1. For any change of use that also constitutes a change in use group, vertical openings other than stairs shall be protected as required by N.J.A.C. 5:23-6.10 through 6.30 for the proposed use within each space undergoing a change of use.

2. Stairs shall be enclosed in accordance with N.J.A.C. 5:23-6.10 through 6.30 for the proposed use when a change of use that also constitutes a change of use group

is made and the proposed use group is a higher hazard category as shown in Table C above.

3. Atriums in compliance with Section 404 of the building subcode are not required to be enclosed. (Plan review—Building, Fire. Inspection—Building)

(e) Height and Area Limitations: The following height and area limitations apply in a change of use.

TABLE E
Hazard Categories and Classifications
Height and Area

Relative Hazard	Use Classification
1 (highest)	A-2, H-1, H-2, I-2, I-3
2	A-1, A-3, E, F-1, H-3, H-4, M, I-1, S-1
3	A-4, B, R-1, R-2
4 (lowest)	F-2, R-3, R-4, S-2, U

1. When a change of use is made to a higher hazard category as shown in Table E above, the height and area of the building shall meet the limitations of Chapter 5 of the building subcode for the proposed use group.

i. For the purpose of determining the construction type, the fire resistance rating of the following structural elements shall be considered: exterior loadbearing walls, interior loadbearing walls, columns, girders, trusses and framing, floor construction, including beams, and roof construction, including beams, trusses and framing, arches and roof decks.

ii. Exception: One and two story buildings in use groups other than H may exceed the floor area permitted by Table 503 of the building subcode by up to 25 percent of the existing floor area without providing fire separation.

2. When a change of use is made to an equal or lesser hazard category as shown in Table E, the existing building may continue to exceed the maximum allowable height and area permitted for new buildings.

3. Where a change of use is made in a mixed use building or a single use building is changed to a mixed use building, and any of the proposed uses is a higher category as per Table E, the building shall comply with one or any combination of the following:

i. Nonseparated use groups: The maximum allowable height and area shall be determined by applying the more restrictive of the height and area limitations of each use group, as per Table 503 of the building subcode, to the entire building.

(1) One and two story buildings of all use groups, except H, are permitted to exceed that allowable area by 25 percent.

(2) Occupancies of Use Group H shall not be permitted to be unseparated when located in the same building as Use Groups A, E, I, M, R, or non-accessory Use Group B.

(3) Accessory occupancies in compliance with Section 302.1.2 of the building subcode are not required to comply with this requirement.

(4) When a change of use is made such that any non-residential use is located below a residential use, a one-hour fire separation shall be provided between the use groups. The exits from the residential floors shall be separately enclosed.

ii. Separated use groups: Each portion of the building containing a use group shall be completely separated from adjacent use groups by fire separation assemblies and floor/ceiling assemblies having a fire resistance determined in accordance with Table 313.1.2 of the building subcode. For buildings equipped throughout with an automatic fire suppression system, the required fire resistance rating for use groups other than H is permitted to be reduced by one hour, but shall not be reduced to less than one hour. Each portion of the building shall comply with the height limitation of Table 503 of the building subcode for that use group. In each story, the area shall be such that the sum of the ratios of the floor area of each use group divided by the allowable area of Table 503 of the building subcode for each use group shall not exceed 1.0 for buildings three or more stories in height, and 1.25, for one and two story buildings.

(1) Exception: Accessory occupancies in compliance with Section 302.1.2 of the building subcode are not required to comply with this requirement.

iii. Separate buildings: If each use group is separated from other uses by fire walls that meet the requirements of Table 602 of the building subcode, then each use shall be considered a separate building. Each building shall comply with the height and area limitation of Table 503 of the building subcode. One and two story buildings of all use groups, except H, are permitted to exceed the allowable area of the new use group by 25 percent.

(1) Exception: Accessory occupancies in compliance with Section 302.1.2 of the building subcode are not required to comply with this requirement.

4. Change of use of an unlimited area building shall comply with the provisions of Section 507 of the building subcode for the proposed use. (Plan review—Building, Fire. Inspection-Building)

(f) Exterior Wall Fire Resistance Ratings and Maximum Area of Exterior Wall Openings: The following exterior wall fire resistance ratings and maximum area of exterior wall openings apply in changes of use:

TABLE F
Hazard Categories and Classifications
Exposure of Exterior Walls

Relative Hazard	Use Classification
1 (highest)	H
2	Buildings exceeding 12,000 sq ft of F-1, M or S-1
3	A, B, E, F-2, I, R-1, S-2
	Buildings 12,000 sq ft or less of F-1, M or S-1
4 (lowest)	R-2, R-3, R-4, U

1. Exterior Wall Protection: If the use group of a building is changed to a higher hazard classification in accordance with Table F, the requirements for exterior wall fire resistance rating in the table below shall be met.

Requirements for Exterior Wall Fire Resistance Rating Building Use Group^b

Fire Separation Distance	A, B, E, F-2, S-2, H-4, I, R-1		
	H-2	F-1, H-3, M, S-1	H-2 or H-3
0-5 feet	4	3	2 ^a
Over 5-10 feet	3	2 ^a	1
Over 10-15 feet	2	1	0
Over 15-30 feet	1	0	0
Over 30 feet	0	0	0

Note a: Existing eight-inch hollow or six-inch solid masonry walls shall be accepted as a two hour rating in other than Use Group H-2 or H-3.

Note b: When the use group of a building is changed to H-1, the building shall be located in accordance with Table F3004.3 of the 1996 BOCA National Fire Prevention Code.

i. The requirements for exterior wall fire resistance rating shall not apply to exterior walls which face buildings on the same lot where the buildings are such that, if combined into one structure, the resulting building would comply with the height and area limitations of Table 503 of the building subcode.

ii. Where a portion of a building is changed to a higher hazard classification, exterior walls and openings of the entire building shall comply with the provisions of this section. If the proposed use is separated from the rest of the building by walls with the appropriate fire resistance rating in accordance with Table 313.1.2 of the building subcode, then only the portion changed must comply with the provisions of this section.

iii. When a change of use is made to an equal or lesser hazard classification as shown in Table F, no change in the rating of existing exterior walls is required.

iv. The fire resistance rating of non-loadbearing exterior walls may be reduced by one hour in buildings equipped throughout with an automatic fire suppression or sprinkler system. Exceptions shall be as provided in Section 705.2.4 of the building subcode, as follows:

(1) Exception: Where the fire separation distance is five feet or less, the fire resistance rating shall not be reduced to less than one hour.

(2) Exception: The rating of non-loadbearing exterior walls shall not be reduced in buildings of Use Group H.

2. Exterior Wall Openings: If the use group of a building is changed to a higher hazard classification in accordance with Table F, the requirements for exterior wall openings in the table below shall be met.

Use Group	Exterior Wall Requirements
H	No opening permitted with a fire separation distance of three feet or less. Protected openings required with a fire separation distance of 20 feet or less.
A-1, A-2, A-3, A-4, B, E, F-1, I-1, I-2, I-3, M, S-1, R-1	No openings permitted with a fire separation distance of three feet or less. Protected openings required with a fire separation distance of 10 feet or less.
F-2, S-2	No openings permitted with a fire separation distance of three feet or less. Protected openings required with a fire separation distance of five feet or less.

Newly created openings in Use Group R-2, R-3, and R-4 with a fire separation distance of three feet or less shall be provided with opening protectives.

i. If the building is provided with an automatic fire suppression system throughout, the amount of unprotected openings shall be permitted to be increased to the limit for protected openings.

ii. In all occupancies other than Use Group H, unlimited unprotected openings are permitted in the first story of exterior walls facing a street which have a fire separation distance of greater than 15 feet, or facing unoccupied space. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than 30 feet in width and shall have access from a street by a posted fire lane not less than 18 feet in width.

iii. When a change of use is made to an equal or lesser hazard classification as shown in Table F, no change in existing exterior wall openings is required. (Plan review—Building, Fire. Inspection-Building)

(g) Fire Suppression Systems: The following fire suppression system requirements apply in changes of use.

TABLE G
Hazard Categories and Classifications
Fire Suppression

Relative Hazard	Use Classification
1 (highest)	H, I
2	A-2, R-1, R-2
3	A-1, A-3
4	F-1, M, S-1
5	A-4, E
6 (lowest)	B, F-2, R-3, R-4, S-2, U

1. When a change of use is made to a higher hazard category as shown in Table G, the building shall be

provided with an automatic fire suppression system as required by the following sections of the building subcode: Section 904.2 of the building subcode for Use Groups A-1, A-3 and A-4, Section 904.3 of the building subcode for Use Group A-2, Section 904.4 of the building subcode for Use Group E, Section 904.5 of the building subcode for Use Group H, Section 904.6 of the building subcode for Use Group I, Section 904.7 of the building subcode for Use Groups F-1, M and S-1, Section 904.8 of the building subcode for Use Group R-1, Section 904.9 of the building subcode for Use Group R-2 and Section 904.10 of the building subcode for windowless stories. When the use group of a building is changed to Use Group A, E, H, I, M, or R, and a fire suppression system is required by this section, the fire suppression system shall be supervised in accordance with Section 924.1 of the building subcode.

i. When a portion of a building is changed to a higher hazard category and the proposed use is separated from the existing use(s) by assemblies that meet the applicable fire rating in Table 313.1.2 of the building subcode, an automatic fire suppression system as required above shall be installed only in the portion changed.

2. When a change of use is made to an equal or lesser hazard category as shown in Table G, there is no requirement to install a suppression system except in areas where work being performed in connection with the change of use triggers a requirement for suppression and in windowless stories in accordance with N.J.A.C. 5:23-6.30(c) of this subchapter.

3. Notwithstanding the relative hazard as determined by Table G, when a change in the character of the use is made to a higher degree of hazard as defined by NFPA 13 (Light Hazard, Ordinary Hazard Group 1, Ordinary Hazard Group 2, Extra Hazard Group 1, Extra Hazard Group 2 and Special Occupancy Hazards), the sprinkler system shall be evaluated and, where required by NFPA 13, altered to conform to the required density and maximum sprinkler protection area per head for the proposed occupancy. (Fire)

(h) Fire Alarm Systems: When a change of use is made to any of the following use groups, a fire alarm system shall be installed in accordance with sections 918.0 and 924.2 of the building subcode. Where a portion of a building is changed to any of the following use groups, a fire alarm system shall be installed throughout the building in accordance with sections 918.0 and 924.2 of the building subcode unless the proposed use is separated from the other use(s) in the building by assemblies with the appropriate fire-resistance rating in accordance with Table 313.1.2 of the building subcode in which case only the portion changed shall comply. (For purposes of applying this section, horizontal separation shall not be considered.)

1. Use Group A-4 or E: A fire alarm system shall be installed and maintained as required by Section 918.4.1 of the building subcode.

2. Use Group B: A fire alarm system shall be installed and maintained as required by Section 918.4.2 of the building subcode.

3. Use Group H: A fire alarm system shall be installed and maintained as required by Section 918.4.3 of the building subcode.

4. Use Group I: A fire alarm system shall be installed and maintained as required by Section 918.4.4 of the building subcode.

5. Use Group R-1: A fire alarm system shall be installed and maintained as required by Section 918.4.5 of the building subcode.

6. Use Group R-2: A fire alarm system shall be installed and maintained as required by Section 918.4.6 of the building subcode. (Fire)

(i) Automatic Fire Detection Systems: When a change of use is made to any of the following use groups, an automatic fire detection system shall be installed in accordance with Sections 919.0 and 924.2 of the building subcode. Where a portion of a building is changed to any of the following use groups, an automatic fire detection system shall be installed throughout the building in accordance with Sections 919.0 and 924.2 of the building subcode unless the proposed use is separated from the other use(s) in the building by assemblies with the appropriate fire-resistance rating in accordance with Table 313.1.2 of the building subcode in which case only the portion changed shall comply. (For purposes of applying this section, horizontal separation shall not be considered.)

1. Use Group I-1: An automatic fire detection system shall be installed and maintained as required by Section 919.4.1 of the building subcode.

2. Use Group I-2: An automatic fire detection system shall be installed and maintained as required by Section 919.4.2 of the building subcode.

3. Use Group I-3: An automatic fire detection system shall be installed and maintained as required by Section 919.4.3 of the building subcode.

4. Use Group R-1: An automatic fire detection system shall be installed and maintained as required by Section 919.4.4 of the building subcode.

5. Exception: A fire detection system is not required in the above use groups when the building is equipped throughout with an automatic fire sprinkler system installed in accordance with Sections 906.2.1 or 906.2.2 of the building subcode. These buildings are required to be provided with a fire alarm system installed in accordance with Section 918.0 of the building subcode. (Fire)

(j) Single and Multiple Station Smoke Detectors: When a change of use is made to any of the following use groups, single and multiple station smoke detectors shall be installed in accordance with Section 920.0 of the building subcode. Smoke detectors that are located closer than five feet to a kitchen or bathroom area shall be of the photoelectric type only.

1. Use Group R-1: Single or multiple station smoke detectors shall be installed and maintained as required by Section 920.3.1 of the building subcode.

2. Use Group R-2, R-3 and R-4: Single or multiple station smoke detectors shall be installed and maintained as required by Section 920.3.2 of the building subcode.

3. Use Group I-1: Single or multiple station smoke detectors shall be installed and maintained as required by Section 920.3.3 of the building subcode. Single or multiple station smoke detectors shall not be required where the building is equipped throughout with an automatic detection system in accordance with Section 919.4.1 of the building subcode.

4. Where the use of a portion of a building is changed such that any nonresidential use is located below one or more dwelling units (including single room occupancies), single or multiple station smoke detectors shall be installed in the nonresidential portion(s) of the building in accordance with NFPA 72 and provided with an audible alarm located within each dwelling unit of the residential portion of the building. The detectors shall be AC powered with battery back-up. Hard-wired, interconnected smoke detectors installed throughout the building shall be accepted as meeting this requirement. (Fire)

(k) Carbon monoxide alarms: When the use of a building is changed to Use Group I-1, R-1 or R-2, or to Use Group R-3 when the dwelling unit is located in any building required to be registered as a multiple dwelling, single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in any room or dwelling unit in a building that contains a fuel-burning appliance or has an attached garage. (Fire)

1. Exception: Rooms or dwelling units which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be provided with single station carbon monoxide alarms provided that:

i. The room or dwelling unit is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;

ii. The room or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and

iii. The building is provided with a common area carbon monoxide alarm system. Individual alarms shall be located in the immediate vicinity of the room(s) containing a fuel-burning appliance and in the immediate vicinity of any ventilated shaft, including, but not limited to, stair shafts, elevator shafts, ventilation shafts on the story containing the fuel-burning appliance and any story within two stories above or below said story. All such common area alarm devices shall be connected to an alarm monitoring station or shall be interconnected.

2. Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery-operated, hard-wired or of the plug-in type.

(l) Structural Requirements: The following structural requirements shall apply in changes of use:

Load Category	Use or Character of Use
1 (highest)	F-1, F-2, S-1, S-2, stack areas in libraries, stages and platforms, areas subject to vehicular loads, queuing areas
2	All loading conditions not listed in category 1 or 3
3 (lowest)	B, E, I-1, I-2, I-3, R-1, R-2, R-3, R-4

1. When the use or the character of use of a building is changed to a higher load category as shown in Table K above, then the structure shall be capable of supporting the load requirement for the new use or character of use as specified in Table 1606 of the building subcode.

i. If the building subcode official determines that the number of occupants or the placement and weight of furniture and equipment can be controlled by the occupants, the areas designed for the reduced live load shall be posted with the approved live load. Placards stating the allowable live loads shall be posted. Placards may state loads in forms usable by the occupants, in addition to posting the allowable load in pounds per square foot. Such information shall be developed by a licensed design professional and be approved by the subcode official.

(1) Analysis and test methods for evaluation of existing structural members shall use methods specified in the code in effect at the time the building was originally constructed or other standards as approved by the subcode official.

ii. The corridor and lobby loading requirements of Table 1606 shall be met only if the corridor exceeds six feet in width or if the lobby or corridor area is used for queuing purposes.

2. Where the use or character of use within an existing building is changed to an equal or lower load category as shown in Table K above, then the existing structure may be used without modification, provided that the building is structurally sound and in good structural repair.

3. When a change of use results in a building being reclassified into one of the following occupancies, the building shall comply with the seismic design requirements of Section 1610.0 of the building subcode: Fire, rescue and police station; Use Group I-2 having 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; 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 of the building subcode. (Building)

(m) Plumbing Requirements: When the character of the use of a building or portion of a building is changed, the following plumbing provisions shall apply:

1. The fixture requirements for the proposed new use shall comply with the basic requirements for that use.

2. If the new use is a food handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas except where it is the only practical alternative. Where new lines are to be installed, they shall be protected in accordance with the plumbing subcode.

3. New uses that will produce grease or oil laden wastes shall be provided with interceptors as required in the plumbing subcode.

4. If the new use produces chemical wastes, the following shall apply:

i. If the existing piping is compatible with the chemical waste, no change to the existing piping material is required.

ii. If the existing piping is not compatible with the chemical waste, either the waste must be neutralized prior to entering the drainage system or the piping must be changed to a compatible material.

iii. No chemical waste shall discharge to a public sewer system without the approval of the sewage authority.

5. Where a building's use is changed to a health care facility, the requirements of chapter 14 of the plumbing subcode shall apply. (Plumbing)

(n) Electrical Requirements: The following electrical requirements shall apply in changes of use:

1. When the character of the use of a building or portion thereof is changed to one of the following special occupancies as described in chapter 5 of the electrical subcode, the electrical wiring and equipment of the building or portion thereof that contains the proposed use shall comply with all applicable requirements of the electrical subcode regardless of whether a change of use group is involved:

- i. Hazardous (classified) Locations;
- ii. Commercial Garages, Repair and Storage;
- iii. Aircraft Hangars;
- iv. Gasoline Dispensing and Service Stations;
- v. Bulk Storage Plants;
- vi. Spray Application, Dipping, and Coating Processes;
- vii. Health Care Facilities;
- viii. Places of Assembly;
- ix. Theaters, Audience Areas of Motion Picture and Television Studios and Similar Locations;
- x. Motion Picture and Television Studios and Similar Locations; and
- xi. Agricultural Buildings.

2. When the use of a building is changed to Use Group R-2, R-3 or R-4, the electrical wiring and equipment of the building shall comply, at a minimum, with the Basic Requirements of this subcode for that use and shall have the electrical service (conductors and equipment) sized and rated in accordance with the electrical subcode. (Electrical)

(o) Mechanical Requirements: When the character of the use of a building is changed, the following mechanical provisions shall apply:

1. All spaces intended for human occupancy shall be provided with natural or mechanical ventilation. A building intended to be used as public school shall be mechanically ventilated.

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

ii. Spaces intended to be mechanically ventilated shall comply with the following:

(1) If the occupancy of a building is changed and the new occupancy would require the same or a lesser amount of outdoor air based on the equations below, no change to the mechanical ventilation system is required.

(2) If the occupancy of a building is changed and the new occupancy would require a greater amount of outdoor air based on the equations below, the HVAC system shall be upgraded to satisfy the requirements of Table N below for the new occupancy. As an alternative to providing the amount of outdoor air required by Table N below, the indoor air quality procedure of ASHRAE 62-89 can be used.

(3) Residential buildings that are intended to be mechanically ventilated shall be provided with the ventilation specified in the mechanical subcode.

(4) When the use of a building is changed to a health care facility, mechanical ventilation shall be provided as required by the mechanical subcode and N.J.A.C. 5:23-3.2(b).

(5) When the use group of a building is changed to B or E and the building is a class one or class two building, a test and balance report shall be submitted prior to the issuance of a certificate of occupancy. (Building)

2. A commercial hood and an automatic fire suppression system that comply with the mechanical subcode shall be required for commercial cooking equipment producing grease-laden vapors, except in Use Groups R-2, R-3 and R-4. No suppression system shall be required for completely enclosed ovens, steam tables or similar equipment.

i. Exception: Bed and breakfast home stay facilities, which are designed to accommodate five or fewer guests, shall not be required to comply with this provision. (Fire)

TABLE N
Outdoor Air Rates Based on Occupancy Type

Occupancy	P/1,000 sq. ft.	CFM/ person
Storage Warehouses	5	10
Correction Facilities		
Dining Halls	100	15
Guard Stations	40	15
Dry Cleaners, laundries		
Coin oper dry cleaner	20	15
Coin oper laundries	20	15
Education		
Auditoriums	150	15
Classrooms	50	15
Libraries	20	15
Music Rooms	50	15
Food & Bev Service		
Dining Rooms	70	15

<u>Occupancy</u>	<u>P/1,000</u> <u>sq. ft.</u>	<u>CFM/</u> <u>person</u>	<u>Occupancy</u>	<u>P/1,000</u> <u>sq. ft.</u>	<u>CFM/</u> <u>person</u>
Kitchens (cooking)	20	15	Cleaner	30	30
Hospitals, Nursing & Convalescent Homes			Food & Bev Service		
Med Procedure Rooms	20	15	Bars & Cocktail Lounges	100	30
Physical Therapy	20	15			
Recovery and ICU	20	15	Dry Cleaners, Laundries		
Hotels, Motels, Resorts, Dormitories			Storage, Pick-up	30	35
Assembly Rooms	120	15	Smoking Lounges	70	60
Dormitory Sleep Areas	20	15	Offices		
Lobbies	30	15	Conference Rooms	50	20
Specialty Shops			Office Spaces	7	20
Barber	25	15	Reception Areas	60	20
Florists	8	15	Telecommunication		
Hardware, drug, fabric	8	15	Ctrs & Data Entry	60	20
Reducing Salons	20	15	Theaters		
Supermarkets	8	15	Lobbies	150	20
Theaters			Ticket Booths	60	20
Auditoriums	150	15	Sports and Amusement		
Stages and Studios	70	15	Playing floors (gym)	30	20
Transportation			Sports and Amusement		
Platforms	100	15	Ballrooms and Discos	100	25
Vehicles	150	15	Bowling Alleys		
Waiting Rooms	100	15	(Seating areas)	70	25
Workrooms			Game Rooms	70	25
Bank Vaults	5	15	Hospitals, Nursing & Convalescent Homes		
Meat Processing ^a	10	15	Operating Rooms	20	30
Pharmacy	20	15	Hotels, Motels, Resorts, Dormitories		
Photo Studios	10	15	Gambling Casinos	120	30
Sports and Amusement					
Spectator Areas	150	15	<u>Occupancy</u>		
Correctional Facilities			<u>Education</u>		
Cells	20	20	Corridors		CFM/ sq. ft.
Education			Locker Rooms		0.1
Laboratories	50	20			0.5
Training Shops	30	20	Hospitals, Nursing and Convalescent Homes		
Food & Bev Service			Autopsy Rooms		0.5
Cafeteria, fast food	100	20	Public Spaces		
Hotels, Motels, Resorts, Dormitories			Corridors and Utilities		0.5
Conference Rooms	50	20	Elevators		1.0
Dry Cleaners			Locker & Dressing Rooms		0.5
Commercial Laundry	10	25	Public Restrooms		75 cfm per water-closet or urinal
Hospitals, Nursing and Convalescent Homes			Retail Stores, Sales Floors and Showroom Floors		
Patient Rooms	10	25	Basement and Street		0.3
Specialty Shops			Dressing Rooms		0.2
Beauty	25	25	Malls and Arcades		0.2
Dry Cleaners, Laundries			Shipping and Receiving		0.15
Commercial Dry			Storage Rooms		0.15
			Upper Floors		0.2
			Warehouses		0.05

Occupancy	CFM/ sq. ft.
Specialty Shops	
Automotive Service	1.5
Clothes and Furniture	0.3
Pet Shops	1.0
Sports & Amusement	
Ice Arenas	0.5
Swimming Pools (Pool & Deck Area)	0.5
Storage	
Repair Garages/Public Garages	1.5
Workrooms	
Darkrooms	0.5
Duplicating	0.5

Note: P/1,000 sq. ft. = persons per 1,000 square feet of building area.
 Note a. Spaces unheated or maintained below 50 degrees F are not covered by these requirements unless the occupancy is continuous.

Where the ventilation rates in Table N are based on CFM/person

- (1) $OL_n \times V_n$ is less than or equal to $OL_e \times V_e$ + no upgrade
- (2) $OL_n \times V_n$ is greater than $OL_e \times V_e$ + upgrade

Where the ventilation rates in Table N are based on CFM/square footage

- (3) $SF_n \times V_n$ is less than or equal to $SF_e \times V_e$ + no upgrade
- (4) $SF_n \times V_n$ is greater than $SF_e \times V_e$ + upgrade

Where the ventilation rates in Table N are based on CFM/square footage and CFM/person

- (5) $OL_n \times V_n$ is less than or equal to $SF_e \times V_e$ + no upgrade
- (6) $OL_n \times V_n$ is greater than $SF_e \times V_e$ + upgrade
- (7) $SF_n \times V_n$ is less than or equal to $OL_e \times V_e$ + no upgrade
- (8) $SF_n \times V_n$ is greater than $OL_e \times V_e$ + upgrade

Where:

- OL_n = the occupant load of the proposed occupancy based on Table N. When accepted by the administrative authority this occupant load can be reduced.
- OL_e = the occupant load of the existing occupancy based on Table N.
- SF_n = the square footage of the proposed occupancy.
- SF_e = the square footage of the existing occupancy.
- V_n = the ventilation rate for the proposed occupancy based on Table N.
- V_e = the ventilation rate for the existing occupancy based on Table N.

(p) **Accessibility Requirements:** The following accessibility requirements shall apply in changes of use:

1. The change of use of a building of 10,000 square feet or more total gross enclosed floor area shall comply with all applicable provisions of the barrier free subcode, N.J.A.C. 5:23-7.
2. The change of use of a building of less than 10,000 square feet total gross enclosed floor area shall be exempt from the provisions of the barrier free subcode, except as follows:
 - i. An alteration project undertaken in connection with the change of use of a small building shall provide accessibility as required by N.J.A.C. 5:23-6.6.
 - ii. A reconstruction project undertaken in connection with the change of use of a small building shall provide accessibility as required by N.J.A.C. 5:23-6.7.
3. In a building of any size, where there is a change of use of an area of 10,000 square feet or more, the proposed new use shall comply with the requirements of the barrier free subcode, N.J.A.C. 5:23-7.

4. In a building of any size, where there is a change of use of an area of less than 10,000 square feet, the proposed new use shall be exempt from the provisions of the barrier free subcode, except as follows:

- i. A renovation project undertaken in connection with the change of use of a small building shall provide accessibility as required by N.J.A.C. 5:23-6.5.
- ii. An alteration project undertaken in connection with the change of use of a small building shall provide accessibility as required by N.J.A.C. 5:23-6.6.
- iii. A reconstruction project undertaken in connection with the change of use of a small building shall provide accessibility as required by N.J.A.C. 5:23-6.7. (Building)

(q) Change of use to a bed and breakfast shall be done in compliance with N.J.A.C. 5:23-9.8. (Plan review Building,—Fire. Inspection—Building)

Administrative correction.

See: 30 N.J.R. 539(a).

Amended by R.1999 d.259, effective August 16, 1999.

See: 31 N.J.R. 825(a), 31 N.J.R. 2330(a).

Inserted (k); and recodified existing (k) through (p) as (l) through (q).

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

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

In (c), rewrote 4; rewrote (d); in (e)1, inserted a new i and recodified former i as ii; in (f)1, changed fire prevention code reference in Note b, and rewrote i; in (g)1, added the last sentence in the introductory paragraph; in (h) and (i), inserted references to section 924.2 throughout the introductory paragraphs; in (j), added the last sentence in the introductory paragraph; and in (o), added "(Building)" at the end of 1ii(5), and substituted "(Fire)" for "(Building)" at the end of 2i.

Administrative correction.

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

5:23-6.32 Additions

(a) Any addition to a building or structure shall comply with the requirements of the Uniform Construction Code applicable to new construction.

1. Any repair, renovation, alteration or reconstruction work undertaken within an existing building in connection with an addition shall comply with the requirements of this subchapter.

(b) No addition shall create or extend any non-conformity in the existing building to which the addition is constructed with regard to accessibility, structural strength, egress capacity, exit access travel distance or the capacity of mechanical, plumbing, electrical or fire protection system provisions of the basic requirements of this subcode.

(c) No addition shall increase the height of an existing building beyond that permitted under the applicable provisions of the building subcode for a new building of the same use group. (Plan review—Building, Fire. Inspection—Building)

(3) Repair or replacement of hoistway door equipment, rollers relating cables, gibs, hall buttons, lanterns, position indicator stations, and all existing related equipment, selector tapes, cables, dust covers, toe guards and hoistway fascia, and repair or replacement of all existing pit equipment with like equipment.

x. The following work on rails and guides:

(1) Realignment or replacement of main or counterweight rail sections with like products; and

(2) Repair or replacement of guide shoe liners or car and counterweight guides with like product.

xi. The following work on cabs:

(1) Installation or replacement of main and auxiliary car operating panels, emergency lighting, communication devices, door protective and reopening devices, car position indicators, and in-car lanterns;

(2) Repair or replacement of operating station on top of cars, door operating devices, motors, linkages, hangers, etc., hoistway door drive mechanisms, clutches, etc., side emergency exit latching devices and electrical switches, floor leveling and selector drive devices, terminal slow down and limiting devices, load weighing devices (on top of car and under car isolation), keyless entry and security devices, top of car intrusion devices, closed-circuit TV surveillance devices, lighting fixtures in the car on top of the car and under the car; and

(3) Replacement of ceilings with code approved materials, and of door saddles, cab flooring, walls and panels with materials equivalent to those being replaced in respect to weight and fire resistance.

New Rule, R.1993 d.487, effective October 4, 1993.

See: 25 N.J.R. 2159(a), 25 N.J.R. 4592(a).

Amended by R.1995 d.647, effective December 18, 1995 (operative March 18, 1996).

See: 27 N.J.R. 3517(a), 27 N.J.R. 5012(a).

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

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

In (a), substituted references to maintenance for references to repairs throughout, and inserted 4iii.

5:23-9.4 (Reserved)

New Rule, R.1990 d.490, effective October 1, 1990.

See: 22 N.J.R. 592(a), 22 N.J.R. 3148(a).

Repealed by R.1995 d.121, effective March 6, 1995 (operative July 1, 1995).

See: 26 N.J.R. 4875(a), 27 N.J.R. 894(c).

Formerly "Seismic Zones".

5:23-9.5 Interpretation: Records retention

(a) A construction official shall maintain, for the life of each structure wholly or partially within the jurisdiction of the enforcing agency, copies of the following documents: construction application, permits(s), any update(s), notice of unsafe structure, certificate of occupancy, ongoing inspection control card, elevator inspection, decision of the construction board of appeals, cut-in card and the inspection and certificate logs.

(b) Copies of additional documents may be retained at the discretion of the construction official.

(c) A construction office shall retain copies of plans for Class I and Class II structures for at least the life of the structures and copies of plans for Class III structures for at least 10 years.

New Rule, R.1990 d.364, effective August 6, 1990.

See: 22 N.J.R. 1455(a), 22 N.J.R. 2275(a).

Amended by R.1992 d.230, effective June 1, 1992.

See: 24 N.J.R. 168(a), 24 N.J.R. 2052(a).

Form numbers changed in (a).

Amended by R.1995 d.647, effective December 18, 1995 (operative March 18, 1996).

See: 27 N.J.R. 3517(a), 27 N.J.R. 5012(a).

Amended by R.1996 d.512, effective November 4, 1996.

See: 28 N.J.R. 3697(a), 28 N.J.R. 4782(a).

5:23-9.6 Interpretations: Construction requirements for new and existing casinos

(a) Fixed central pedestal seating (stools) shall be allowed within major aisles and cross-aisles in casinos for gaming patrons who use standard size slot machines or other similar machines, within these aisles, provided the following requirements are met:

1. Schematic drawings shall be submitted to the Department for review and approval which indicate the dimensions and locations of the stools, and the distances from adjacent fixtures, walls or other fixed objects;

2. Stool placement shall not result in any reduction of the required aisle accessway width when measured from the stool and any other adjacent obstacle, including, without limitation, other stools in back-to-back seating arrangements;

3. Stools that swivel and have a back rest shall be restricted so as to rotate only in one direction, operate in series, and be self-centering;

4. A minimum clearance of eight inches, measured from the face of the gaming machine base at knee height, shall be provided between the gaming machine and the stool and a minimum clearance of 10 inches, measured from seat edge to seat edge, shall be provided between adjacent stools, in order to ensure discharge clearances; and

5. The minimum clear width of aisles with slot stools shall be 48 inches.

(b) The following code requirements shall apply to gaming floors:

1. The use group of the gaming floor area shall be A-2.

2. Each gaming floor area shall be designed using an open landscape plan such that there is clear visibility throughout the floor and at least two of the exits are clearly discernible from all portions of the floor. Line of sight obstructions shall be limited and shall be subject to the approval of the Department.

3. An egress study shall be provided for each new egress route and for all modifications to an existing egress route, increases in occupant load or change of egress elements for gaming floor areas.

i. The occupant load shall be calculated at 11 square feet gross per person for all gaming floor areas, regardless of the gaming activity.

ii. The total capacity of the means of egress shall be calculated based on 116 2/3 percent of the calculated occupant load of any floor area containing gaming activities and any adjacent spaces using the gaming floor for exit access.

iii. Travel distances shall be delineated on the egress study and shall be measured from each and every occupiable point on the gaming floor to the closest exit. The travel distance shall be measured along the natural path of travel using a distance of one foot from obstructions, corners and walls and using the center of door openings.

iv. Each egress route shall identify the travel distance, number of occupants and size and type of egress elements.

4. Section 1017.4.1.3 of the building subcode, entitled "Special locking arrangements in penal facilities," shall be permitted to apply for areas that are back-of-house to the gaming floor where security is necessary.

5. Each slot machine installed on gaming floors shall comply with the following:

i. Each slot machine, other than those located at perimeter walls and columns, shall have a maximum overall height of 65 inches including base, except if the slot machine is placed at a location on the casino floor that would not cause a lack of compliance with (b)5ii below;

ii. A slot machine shall not obstruct visibility throughout the gaming floor, the visibility of exit signage or the operation of fire protection systems; and

iii. The base of the slot machine shall be constructed of noncombustible or fire-retardant treated material.

6. Signage installed on the gaming floor shall comply with the following:

i. All signage shall be listed, labeled, approved and identified by an approved testing laboratory;

ii. Each sign shall be attached to a wall, post or ceiling. A post-mounted sign above slot machines shall be fastened to, and supported by, the slot machine base;

iii. A sign containing moving sections or ornaments shall be equipped with fail-safe provisions to prevent the sign from releasing and falling or from shifting its center of gravity more than 15 inches. The fail-safe device shall be in addition to the mechanism and mechanism housing that operate the movable section. The fail-safe device shall be capable of supporting the full dead weight of the sign when the moving mechanism releases; and

iv. A sign shall not obstruct visibility throughout the gaming floor, the visibility of exit signage or the operation of fire protection systems.

7. Monitor cabinets, change banks, fillers and similar items shall be constructed of noncombustible or fire-retardant treated materials.

(c) The following precautions shall be taken during construction in any portion of an occupied casino hotel:

1. Except for changes to gaming tables, slot bases or signage, temporary construction partitions shall be required when construction is undertaken in an area with public access or in an area where the automatic sprinkler system will be inoperable.

i. A fire partition with a fire resistance rating of one hour shall be required for projects with automatic sprinkler protection. Fire partitions shall be constructed of noncombustible materials as defined in the building subcode and shall be continuous from the top of the floor to the underside of the ceiling above and shall be securely attached thereto. Opening protectives shall be rated for ¾ hour.

ii. A fire separation assembly with a fire resistance rating of two hours shall be provided for projects where the automatic sprinkler system is inoperable. Fire separation assemblies shall be constructed of noncombustible materials, as defined in the building subcode, and shall be continuous from the top of the floor to the underside of floor/roof slab or deck above or to the top fire resistance rated floor ceiling assembly above and shall be securely attached thereto. Opening protectives shall be rated for 1½ hours.

2. Projects with the ceiling removed shall be provided with operable upright type automatic sprinklers.

New Rule, R.1991 d.61, effective February 19, 1991.

See: 22 N.J.R. 3610(a), 23 N.J.R. 406(a).

Amended by R.1995 d.647, effective December 18, 1995 (operative March 18, 1996).

See: 27 N.J.R. 3517(a), 27 N.J.R. 5012(a).

Amended by R.1998 d.471, effective September 21, 1998.

See: 30 N.J.R. 1678(a), 30 N.J.R. 3466(a).

In (a), added 5; and added (b) and (c).

Amended by R.2000 d.414, effective October 16, 2000.

See: 32 N.J.R. 2279(a), 32 N.J.R. 3784(a).

In (b)3i, substituted "11" for "7.5" and changed "per person gross" to "gross per person" following "square feet".

5:23-9.7 Interpretation: Manufacturing, production and process equipment

(a) Manufacturing, production and process equipment is not under the jurisdiction of the Uniform Construction

Code. Manufacturing, production, and process equipment is defined as all equipment employed in a system of operations for the explicit purpose of the production of a product.