

Construction Code Communicator



State of New Jersey
Chris Christie, Governor
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Department of Community Affairs
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Building Thermal Envelope Values of ASHRAE 90.1-2013

I'm assuming by now you have all have become intimately involved with the information available for energy subcode compliance through Bulletin 15-4 (<http://www.nj.gov/dca/divisions/codes/resources/bulletins.html>). As a follow-up to this bulletin, I am providing the building thermal envelope (BTE) tables within ASHRAE 90.1-2013 applicable to the State of NJ (Climate Zones 4A and 5A). Bulletin 15-4 makes reference to Tables 5.5-4 and 5.5-5 within the "Tip" that says to use these tables, as applicable, for a starting point in your calculations using the COMcheck compliance software.

As we all know, it doesn't matter how well the mechanical and lighting perform if the BTE that encloses these elements isn't done properly from the get-go. You can find the entire ASHRAE 90.1, including these tables, at <https://www.ashrae.org/standards-research-technology/standards--guidelines> by clicking on "Standard 90.1-2013 (IP)" under the heading "Preview ASHRAE Standards." Note that IP stands for Inch-Pound (English customary) units versus SI (International System) units – this standard is used in areas outside the US. These tables are provided because the read-only electronic version of the Standard is tedious to use.

Before you view the tables, keep in mind that, the values are only applicable per the text of Chapter 5 which dictates the installation of the insulation, etc. *(Tables are included on the following two pages)*

Source: Rob Austin
Code Assistance Unit
(609) 984-7609

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Building Envelope Requirements for Climate Zone 4A (Table 5.5-4) ^a									
	Nonresidential			Residential			Semiheated		
Opaque Elements	Assembly Maximum	Insulation Minimum		Assembly Maximum	Insulation Minimum		Assembly Maximum	Insulation Minimum	
ROOFS									
* Insulation Entirely above Deck	U-0.032	R-30 ci		U-0.032	R-30 ci		U-0.093	R-10 ci	
* Metal Building ^b	U-0.037	R-19 + R-11 Ls or R-25 + R-8 Ls		U-0.037	R-19 + R-11 Ls or R-25 + R-8 Ls		U-0.082	R-19	
* Attic & Other	U-0.021	R-49		U-0.021	R-49		U-0.034	R-30	
WALLS, ABOVE GRADE									
* Mass	U-0.104	R-9.5 ci		U-0.090	R-11.4 ci		U-0.580	NR	
* Metal Building	U-0.060	R-0 + R-15.8 ci		U-0.050	R-0 + R-19 ci		U-0.162	R-13	
* Steel Framed	U-0.064	R-13 + R-7.5 ci		U-0.064	R-13 + R-7.5 ci		U-0.124	R-13	
* Wood Framed & Other	U-0.064	R-13 + R-3.8 ci or R-20		U-0.064	R-13 + R-3.8 ci or R-20		U-0.089	R-13	
WALL, BELOW GRADE									
* Below Grade Wall	C-0.119	R-7.5 ci		C-0.092	R-10 ci		C-1.140	NR	
FLOORS									
* Mass	U-0.057	R-14.6 ci		U-0.051	R-16.7 ci		U-0.107	R-6.3 ci	
* Steel Joist	U-0.038	R-30		U-0.038	R-30		U-0.052	R-19	
* Wood Framed & Other	U-0.033	R-30		U-0.033	R-30		U-0.051	R-19	
SLAB-ON-GRADE FLOORS									
* Unheated	F-0.520	R-15 for 24in		F-0.520	R-15 for 24in		F-0.730	NR	
* Heated	F-0.843	R-20 for 24in		F-0.688	R-20 for 48in		F-0.900	R-10 for 24in	
OPAQUE DOORS									
* Swinging	U-0.500			U-0.500			U-0.700		
* Nonswinging	U-0.500			U-0.500			U-1.450		
Fenestration	Assem. Max. U	Assem. Max. SHGC	Assem. Min. VT/SHGC	Assem. Max. U	Assem. Max. SHGC	Assem. Min. VT/SHGC	Assem. Max. U	Assem. Max. SHGC	Assem. Min. VT/SHGC
VERTICAL FENESTRATION, 0%-40% of WALL									
* Nonmetal framing, all	0.35	0.40	1.10	0.35	0.40	1.10	0.51	NR	NR
* Metal framing, fixed	0.42			0.42			0.73		
* Metal framing, operable	0.50			0.50			0.81		
* Metal framing, entrance door	0.77			0.68			0.77		
SKYLIGHT, 0%-3% of ROOF									
* All types	0.50	0.40	NR	0.50	0.40	NR	1.15	NR	NR

Notes:

a. ci = continuous insulation (see Section 3.2); Ls = liner system (see Section A2.3.2.5); NR = no (insulation) requirement.

b. When using the R-value compliance method for metal building roofs, a thermal spacer block is required (see Section A2.3.2).

Building Envelope Requirements for Climate Zone 5A (Table 5.5-5) ^a									
	Nonresidential			Residential			Semiheated		
Opaque Elements	Assembly Maximum	Insulation Minimum		Assembly Maximum	Insulation Minimum		Assembly Maximum	Insulation Minimum	
ROOFS									
* Insulation Entirely above Deck	U-0.032	R-30 ci		U-0.032	R-30 ci		U-0.063	R-15 ci	
* Metal Building ^b	U-0.037	R-19 + R-11 Ls or R-25 + R-8 Ls		U-0.037	R-19 + R-11 Ls or R-25 + R-8 Ls		U-0.082	R-19	
* Attic & Other	U-0.021	R-49		U-0.021	R-49		U-0.034	R-30	
WALLS, ABOVE GRADE									
* Mass	U-0.090	R-11.4 ci		U-0.080	R-13.3 ci		U-0.151 ^c	R-5.7 ci ^c	
* Metal Building	U-0.050	R-0 + R-19 ci		U-0.050	R-0 + R-19 ci		U-0.094	R-0 + R-9.8 ci	
* Steel Framed	U-0.055	R-13 + R-10 ci		U-0.055	R-13 + R10 ci		U-0.084	R-13 + R3.8 ci	
* Wood Framed & Other	U-0.051	R-13 + R-7.5 ci or R-19 + R-5 ci		U-0.051	R-13 + R-7.5 ci or R-19 + R-5 ci		U-0.089	R-13	
WALL, BELOW GRADE									
* Below Grade Wall	C-0.119	R-7.5 ci		C-0.092	R-10 ci		C-1.140	NR	
FLOORS									
* Mass	U-0.057	R-14.6 ci		U-0.051	R-16.7 ci		U-0.107	R-6.3 ci	
* Steel Joist	U-0.038	R-30		U-0.038	R-30		U-0.052	R-19	
* Wood Framed & Other	U-0.033	R-30		U-0.033	R-30		U-0.051	R-19	
SLAB-ON-GRADE FLOORS									
* Unheated	F-0.520	R-15 for 24in		F-0.510	R-20 for 24in		F-0.730	NR	
* Heated	F-0.688	R-20 for 48in		F-0.688	R-20 for 48in		F-0.900	R-10 for 24in	
OPAQUE DOORS									
* Swinging	U-0.500			U-0.500			U-0.700		
* Nonswinging	U-0.500			U-0.500			U-1.450		
Fenestration	Assem. Max. U	Assem. Max. SHGC	Assem. Min. VT/SHGC	Assem. Max. U	Assem. Max. SHGC	Assem. Min. VT/SHGC	Assem. Max. U	Assem. Max. SHGC	Assem. Min. VT/SHGC
VERTICAL FENESTRATION, 0%-40% of WALL									
* Nonmetal framing, all	0.32	0.40	1.10	0.32	0.40	1.10	0.45	NR	NR
* Metal framing, fixed	0.42			0.42			0.62		
* Metal framing, operable	0.50			0.50			0.70		
* Metal framing, entrance door	0.77			0.68			0.77		
SKYLIGHT, 0%-3% of ROOF									
* All types	0.50	0.40	NR	0.50	0.40	NR	0.98	NR	NR

Notes:

a. ci = continuous insulation (see Section 3.2); Ls = liner system (see Section A2.3.2.5); NR = no (insulation) requirement.

b. When using the R-value compliance method for metal building roofs, a thermal spacer block is required (see Section A2.3.2).

c. Exception to Section 5.5.3.2 applies for mass walls above grade.

Plumbing Technical Section Required for Backflow Preventers

The question is whether a NJ Licensed Master Plumber is required to sign and seal the Plumbing Technical Section for the following:

1. **On a combination (single service) water service** providing domestic and fire water service where a backflow preventer is installed on the fire service, is a NJ Licensed Master Plumber required to install the backflow preventer and sign and seal the plumbing technical section? Yes.
2. **On a “dedicated” fire water service**, the installation of the backflow preventer is not required to be installed by a NJ Licensed Master Plumber and must be installed by a person certified by the NJ Division of Fire Safety. Therefore, a plumbing technical section is not required. A fire technical section is required.

There is an opinion interpretation from the NJ Board of Examiners of Master Plumbers that the installation of the backflow preventer on a dedicated fire water service is not required to be installed, repaired or replaced by a NJ Licensed Master Plumber.

This should clear up some of the confusion as to what technical sections are required for the installation of a backflow preventer.

Source: Thomas C. Pitcherello
Code Assistance Unit
(609) 984-7609

Fire Separation Distance Based on Materials

As all of you should be aware, exterior walls of dwellings and accessory buildings subject to the International Residential Code/2015 must comply with Section R302.1 for fire separation distances. This section references Table R302.1(1) for non-sprinkled dwellings and Table R302.1(2) for sprinkled dwellings. However, as per Section R703.14.2, polypropylene siding may not be installed on walls with a fire separation distance of less than 5 feet and walls closer than 10 feet to a building on another lot.

Moral of this article...make sure all your i's are dotted and all your t's crossed, making sure that the desired materials don't dictate a specific fire separation distance over what the basic requirements are in Section R302.1

Source: Rob Austin
Code Assistance Unit
(609) 984-7609

Construction Official's Responsibility Regarding Hotels and Multiple Dwellings

One of the many responsibilities of the Construction Official in dealing with newly-constructed or rehabbed hotels and multifamily buildings, as defined in the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-1 et seq.), is to ensure that these buildings are properly registered with the Bureau of Housing Inspection, Division of Codes and Standards at the Department of Community Affairs. N.J.A.C 5:23-2.24(e) stipulates that the Construction Official **shall not** issue a certificate of occupancy until the owner has provided a copy of the Certificate of Registration issued by the Bureau of Housing Inspection; this is a required prior approval.

Source: Fayez Fanik
Bureau of Housing Inspection
(609) 633-6216

Bulletin 15-1 Correction

A correction has been made to Bulletin 15-1, Liquid Carbon Dioxide (CO2) Carbonated Beverage Systems. It appears that the bulletin misstated the threshold found in the 2015 International Fire Code (IFC). On page 3, the first item #1 now states: 1. *More than 100 lbs* of carbon dioxide used in beverage dispensing applications will be required to comply with the new regulations (italicized text previously stated as, 100 lbs or more). On page 4, the “UCC and UFC” paragraph now states in part: A business owner could comply with the new threshold of 100 lbs and the other requirements of the 2015 IFC above instead of requiring the ventilation for all businesses that have *100 lbs or less* (italicized text previously stated as, less than 100lbs).

The correction is minor but well worth mentioning. We apologize if it has caused any confusion. If you would like a copy of the corrected bulletin, please visit <http://www.nj.gov/dca/divisions/codes/resources/bulletins.html>.

Source: Code Assistance Unit, (609) 984-7609

Building America Solution Center – Energy Subcode

The US Department of Energy offers many tools through its Building America Solution Center (BASC) online. The BASC provides access to expert information on hundreds of high-performance construction topics, including air sealing and insulation, HVAC components, windows, indoor air quality, and much more. Links are provided to explore:

- Program checklists – Access guides for general energy conservation code compliance and above code programs such as ENERGY STAR Certified Homes, Zero Energy Ready Home and EPA Indoor airPLUS.
- Building Components – Access guides for new and existing homes based on building components.
- Sales Tool – Access to the Building Science-to-Sales Translator which provides a new glossary of sales themes that can be used across the industry to consistently reinforce the value of high-performance homes.
- Climate Packages – Access to review materials related to new home energy efficiency specifications and case studies that exceed 2009 IECC by 30%.
- Building Science Publications – Access to a “library” of building science publications that include CAD files, an image gallery, case studies, videos and more.

If you have a moment, feel free to visit <https://basc.pnnl.gov/> and play with this website. You as a code official would most likely be interested in the Building Components link. All other links can further your knowledge of current and future construction techniques, especially as energy conservation codes continue to get more aggressive.

Source: Rob Austin
Code Assistance Unit
(609) 984-7609

Fire Safety and Evacuation Plans

The building subcode (IBC/2015 edition) now requires fire safety and evacuation plans to be in place per Section 1001.4. Pursuant to the State's Fire Prevention Code, N.J.A.C. 5:70-3 (currently the 2006 NJ edition of the International Fire Code), the fire official has been required to make sure these plans have been submitted and updated annually. The fire subcode official must require that a new building owner submit these plans to the fire official and have approved plans in place per Sections 401.2 and 404 of the IFC/2015 edition. This will be a prior approval for issuance of a Certificate of Occupancy.

A full list of the occupancies required to have plans appears at IFC Section 403. IFC Section 401.2 requires that these plans be approved by the fire official. IFC Section 404 requires fire safety, evacuation and lockdown plans to be submitted in accordance with Sections 404.2 through 404.4.1. Fire evacuation plans must contain the ten items listed in Section 404.2.1, as applicable. Fire safety plans must contain the seven items listed in Section 404.2.2, as applicable. Most of these requirements will be handled by the fire official, and once they are approved, a written notice must be provided to the fire protection subcode official. Any fire alarm or voice alarm communication procedures must be coordinated with the fire protection subcode official during plan review, when applicable. When facility managers wish to develop a lockdown plan, such plans must comply with Section 404.2.3.

Source: Michael Whalen
Code Assistance Unit
(609) 984-7609

Energy Subcode Online Training

The US Department of Energy, through its Building Energy Codes Program (BECP), offers a variety of training resources related to the world of energy codes, ranging from overviews to a variety of special topics and tutorials. A list of the most commonly requested materials is included below (and more topics can be found at <https://www.energycodes.gov/training/>):

- Codes 101: An Overview of Building Energy Codes
- Energy Code Compliance Paths: Which is best for you?
- Achieving and Evaluating Residential Compliance of Tight Envelopes
- REScheck Basics
- Lighting Requirements and compliance with the ASHRAE 90.1-2013

Additional resources are also available in their full Training Catalog (<https://www.energycodes.gov/resource-center/training-catalog/>).

Source: Code Assistance Unit, (609) 984-7609

What is a Rooming/Boarding House?

The *Rooming and Boarding House Act of 1979 (N.J.S.A. 55:13b-1 et seq) (Act)* and the attendant *Regulations Governing Rooming and Boarding Houses (N.J.A.C. 5:27-1 et seq) (regulations)* were enacted as remedial legislation to protect a vulnerable population of New Jersey from unscrupulous individuals and provide for the health, safety and welfare of all those who reside in rooming/boarding houses. Individuals residing in unlicensed facilities oftentimes are subjected to hazardous living conditions which lack the mandatory safeguards for fire and personal safety and may be subject to financial exploitation, illegal eviction, unhealthy diets, denied access to medical professionals and medication and become victims of predatory individuals.

The Act statutorily requires that ANY person or entity shall apply for and obtain a license to Own/Operate a rooming/boarding house issued by the Department of Community Affairs, Bureau of Rooming and Boarding House Standards (DCA) before owning/operating a rooming/boarding house in the State. DCA is the regulatory agency appointed to enforce the Act and the corresponding regulations regarding the licensure and inspection requirements for rooming/boarding houses.

So...What is a rooming/boarding house? Simply put, a rooming/boarding house is ANY building which contains two or more units of dwelling space arranged or intended for single room occupancy. A boarding house is a rooming house in which the licensee is required to provide personal services, such as assistance in bathing, assistance dressing, meals, etc. to the residents. A rooming house owner is prohibited from providing personal services.

The Act lists exceptions and exclusions to the above which you can read in the Act at N.J.S.A. 55:13B-3, Definitions.

You can view the Act and regulations on line at

http://www.nj.gov/dca/divisions/codes/codereg/CurrentAdministrative_and_statutes.html

Single room occupancy is an arrangement of dwelling space that does **not** provide a private, secure dwelling space arranged for independent living which contains a full bath, a complete kitchen and which is **not** used for limited tenure (occupancy in a hotel, motel or established guest house) regardless of the number of individuals occupying any room or rooms. If a dwelling space contains either a full bath or a complete kitchen, but not both, that dwelling space or room is not arranged for independent living, and therefore, would be counted as single room occupancy. If there are two single room occupancies being rented out or held out for rent in a building, it's probably a rooming/boarding house.

If a property owner chooses to rent one room in their house to an individual or bona fide couple, a license from DCA is not required. Once the property owner rents a second room, or intends to rent a second room, the premises falls under the regulatory authority of DCA. An example of intent is a simple sign in the local laundromat or on the front yard advertising "2 rooms for rent", either of which meets the statutory definition of intent to operate a rooming house in the Act. The owner may be required to obtain a license to own/operate a rooming/boarding house issued by DCA.

As the Construction Official having jurisdiction in a town that, by a local ordinance, permits a property owner to rent more than one room in their house, you must instruct the owner to contact DCA and apply for and obtain a license to own/operate a rooming/boarding house. The municipal ordinance permitting the rental of more than one room in a house does not obviate the State licensing requirement contained in the Act.

A building used as a rooming house for six or more occupants is classified as Group R-2. Buildings being used as boarding homes with six to sixteen occupants are classified as Group R-4; those with more than sixteen occupants are classified Group I-1. As you are aware, the R-4 and I-1 group classifications require additional safeguards. (See Bulletin 15-3 for guidance on group classification.) It is not uncommon for DCA to find a building's use has been illegally changed making it ripe for enforcement action by the Construction Official having jurisdiction. A building being used as a rooming or boarding house with five or fewer occupants is to be classified as Group R-3 or R-5. Regardless of whether there is a change in the building's group designation, the owner and operator of the building still must be licensed by DCA. If you locate an unlicensed facility, you should take steps to compel the owner to apply to DCA for a license or return the subject premises to its original intended use. (Note: FTO-10 will be revised or withdrawn in the near future as it no longer accurately reflects the group designations for rooming and boarding homes since adoption of the 2015 I Codes.)

(continued next page)

(What is a Rooming/Boarding House?)

The majority of the time DCA issues two separate licenses, an Owner's License and a separate Operator License. DCA licenses the person or entity appearing on the recorded deed as the owner of the premises. DCA licenses the Operator as well. In accordance with the Act, the Licensed Operator must reside in the rooming/boarding house. If the licensed owner resides at the rooming/boarding house, DCA will issue a License to Own & Operate to the Owner. The regulations stipulate all licenses issued by DCA must be posted in plain view within the rooming/boarding house.

DCA has initiated enforcement action in accordance with the Act based solely on information submitted to DCA by the Construction Official's Office or Code Enforcement Office having jurisdiction. Examples of the types of information that DCA can use to take this action are:

- The number of individuals residing,
- The date of occupancy of each resident,
- The rental amount paid,
- To whom the rent is being paid,
- A short narrative as to the conditions and layout of the building suspected of being an unlicensed rooming/boarding house,
- Photos of keyed entry hardware on the doors to each room,
- Copies of Incident Reports from First Responders, and
- Subsequently providing testimony at proceedings held at the Office of Administrative Law.

Please note that this is not a request for the Construction Official to provide the above information. When a complaint is received, DCA will conduct a jurisdictional investigation of the alleged unlicensed rooming/boarding house and take the necessary action at the conclusion of the investigation.

If you or your staff have any question or concerns, please feel free to contact DCA. DCA can verify if a property you may suspect of operating as a rooming/boarding house is licensed or not licensed simply by telephoning DCA at (609) 633-6251.

Source: Jay Raywood
Bureau of Rooming and Boarding House Standards

Multiple Motor Vehicle Dealerships

There seems to be confusion regarding the change of use of existing buildings for use as licensed motor vehicle dealerships. Typically, these dealerships are connected to each other and located in the same building.

This article is to inform you of the licensing requirements of the NJ Motor Vehicle Commission (NJ MVC). As UCC personnel, you are not required to enforce these provisions as part of the UCC. A lack of compliance with the NJ MVC construction requirements will preclude the facility from being issued a motor vehicle dealership license from the NJ MVC. You are, however, responsible to ensure that the building complies with the change of use requirements of the Rehabilitation Subcode (N.J.A.C. 5:23-6.31).

The MVC's regulation, N.J.A.C. 13:21-15.4(d), Established Place of Business states: "A proposed place of business is deemed to occupy the same premises as another dealership if the two facilities are not completely separated by exterior walls or a fire wall conforming to the National Building Code requirements." In order to have multiple licensed motor vehicle dealers at the same location, the dealerships must be separated by either exterior walls or fire walls as defined in the building subcode. From a UCC standpoint, the building is typically permitted be constructed without the exterior walls or fire walls, however, in order to meet the NJMVC licensing requirements, the building would still require these features.

Do not consider this MVC fire wall requirement as a prior approval to the issuance of a permit. The enforcement responsibility of this regulation is entirely the responsibility of the MVC and the owner of the facility.

Source: John Maher
Office of Regulatory Affairs
(609) 984-7672

Current Nationally Recognized Testing Laboratories (NRTLs)

In reference to N.J.A.C. 5:23-3.6, Standards; accepted practice, the current list of NRTLs is as follows:

- Canadian Standards Association (CSA)
- Curtis-Straus LLC (CSL)
- FM Approvals LLC (FM)
- International Association of Plumbing and Mechanical Officials EGS (IAPMO)
- Intertek Testing Services NA, Inc. (ITSNA)
- MET Laboratories, Inc. (MET)
- Nemko-CCL (CCL)
- NSF International (NSF)
- QAI Laboratories, LTD (QAI)
- QPS Evaluation Services Inc.
- SGS North America, Inc.
- Southwest Research Institute
- TUV Rheinland of North America, Inc.
- TUV Rheinland PTL, LLC
- TÜV SÜD America Inc.
- TÜV SÜD Product Services GmbH
- Underwriters Laboratories Inc.

This information can be found at <https://www.osha.gov/dts/otpc/nrtl/nrtllist.html>. It is important to note this and periodically check this information as organizations may no longer be recognized. This would not negate previous testing if an item came into question and was installed at a time when the organization was recognized. Organizations no longer listed can be found at <https://www.osha.gov/dts/otpc/nrtl/recgterm.html>.

Lastly, Bulletin 90-1 addresses CSA acceptance in the State of NJ. Since CSA is recognized, this bulletin is no longer necessary and will be withdrawn.

Source: Rob Austin
Code Assistance Unit
(609) 984-7609

Footing and Foundation Inspection for Class 1 Buildings

The article is being published to add some clarity regarding the requirements of foundation inspections for Class 1 buildings, as defined at N.J.A.C. 5:23-4.3A(d). Chapter 17 of the 2015 International Building Code (IBC/2015) requires special inspections for Class 1 buildings in accordance with Section 1704.2.

Inspections for foundations of buildings of other than one- and two-family dwellings are found at N.J.A.C. 5:23-2.18(b)2. Here it states: Inspections for all subcodes of construction, other than one- and two-family dwellings, shall be limited to those required for one- and two-family dwellings and the following: fire suppression systems; heat producing devices; any special inspections required by any subcode of the regulations.

As you can see, it references the foundation inspections required for one- and two-family dwellings are addressed in N.J.A.C. 5:23-2.18(b)1. (see NJAC 5:23-2 at <http://www.nj.gov/dca/divisions/codes/codereg/ucc.html>)

Special inspections are required as per Chapter 17 of the IBC/2015. Special inspections and tests of concrete construction shall be performed in accordance with Section 1705.3, Concrete construction, and Table 1705.3, Required Special Inspections and Tests of Concrete Construction. Section 1705.3 requires foundation special inspection of reinforcing bars in accordance with Section 1705.3.1, Welding of reinforcing bars, and material tests in accordance with Section 1705.3.2, Material tests.

Table 1705.3, Inspection and Test of Concrete Construction, lists the required special inspections. (see Chapter 17 at http://codes.iccsafe.org/app/book/toc/2015/New_Jersey/building/index.html)

Special inspections and tests of driven deep foundations (piles) must be performed during installation of driven deep foundation elements as specified in Table 1705.7, Required Special Inspections and Tests of Driven Deep Foundation Elements. The approved geotechnical report and the construction documents prepared by the registered design professionals are used to show compliance.

Table 1705.7, Required Special Inspections and Tests of Driven Deep Foundation Elements, lists the required special inspections and tests of driven deep foundation elements.

(see Chapter 17 at http://codes.iccsafe.org/app/book/toc/2015/New_Jersey/building/index.html)

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(Footings and Foundation Inspection for Class 1 Buildings)

Comparing foundation inspections required for all buildings versus the foundation special inspections required for Class 1 buildings, we can clearly see that the foundation special inspections of Chapter 17 do not address those required at N.J.A.C. 5:23-2.18.

Therefore, the inspection of items addressed at N.J.A.C. 5:23-2.18 must be performed by the local jurisdiction having authority, and in the case of a Class 1 buildings, the applicable special inspections of Chapter 17 are performed by the appropriate Special Inspector **in addition to** the local's inspections.

Source: Marcel Iglesias
Code Assistance Unit
(609) 984-7609

Accessibility – “Regular” Condo/Apartment Buildings

A typical condo/apartment building follows Section 1107.6.2.3 of the International Building Code/2015 (IBC/2015), and more specifically Subsection 1107.6.2.3.2. Please note, this subsection does not reference Table 1107.6.1.1 and states that a building containing 4 or more condo/apartments with:

- No elevator; units at ground level – all units at ground level must be Type A;
- No elevator; units not at ground level – vertical accessibility shall be provided to at least the 1st level of residential units and be Type A units at this level;
- Elevator; all units shall be Type A.

The table referenced would apply to such places like an extended-stay hotel/motel that exceeds the transient limitation set forth in the IBC/2015 and what might seem like a Group R-1 is now a Group R-2, which would require a specific number or a percentage of rooms to be accessible.

Source: Rob Austin
Code Assistance Unit
(609) 984-7609

Utility Solar Projects

It has come to the attention of the Department that the regulations of the Uniform Construction Code (UCC) are being applied to Utility owned or leased property regarding solar projects. As stated in Bulletin 88-1, these projects are outside of the scope of the UCC.

In other words, if the project in question is sited upon land that is either owned or leased by a Utility Company, the photovoltaic panels are NOT housed within or sited upon a building, and all power generated is provided through a direct connection to the Utility, then no plan review or construction permits are required for the project. If, however, **any** of these conditions changes, please contact the Bureau of Construction Project Review at (609) 984-7850 for a jurisdictional determination.

Source: Code Assistance Unit, (609) 984-7609

Generators Revisited!

In a recent article, we discussed conductor ampacity and sizing based on the over current device contained within a generator. In this article, we need to understand the correlation between “**general load**” and “**total connected load**” and the allowances of NEC 310.15(B) (7). Article 702 states that the system capacity shall be made in accordance with Article 220 or by **another approved means**. Article 220 is branch circuit; feeder and service calculations and the formulas contained within are used to size conductors to avoid overloading, overheating and potential fire hazards. When it comes to sizing a service, Article 220 gives a method which will provide a “**general load**” calculation. The **general load** calculation will be more than sufficient to carry all the loads to the dwelling without the potential of overheating the conductors if the guidelines contained within are followed.

When sizing a generator, the “**total connected load**” can be used, and by doing so, the allowance of 310.15(B)(7) can also be used. This means that the conductors from the generator to the transfer switch which feeds the entire **connected load** can be calculated with an allowable reduction factor of 83% for feeders rated 100 through 400 amps. The first question to pop up is, “What if there is load shedding and half of the total connected load is not being used?”

(continued on page 12)

Accessibility Responsibilities

As you are aware, the 2015 codes (and referenced standards) were adopted 09-21-15. One of the big changes was moving the majority of the Barrier Free Subcode, N.J.A.C. 5:23-7, to Chapter 11 of the International Building Code/2015. This adoption left N.J.A.C. 5:23-7.15 to 7.32 intact: Enforcement (7.15) and recreation (7.16 – 7.32). The Recreation portions will remain, but the Enforcement section has been moved to its proper location, N.J.A.C. 5:23-3.4, Responsibilities as of 04-04-16. Just like the old section, the code enforcement responsibilities of the ICC/ANSI A117.1 will now be reflected within the Building Subcode at Section 3.4 for the 2009 ICC/ANSI A117.1. The breakdown of the 2009 ICC/ANSI A117.1 is as follows:

Ch. 11	Accessibility	Building	Building
A117.1	301.1- 308.3.2	Building	Building
	309	As applicable	As applicable
	401.1- 406.14	Building	Building
	407 - 410	Elevator	Elevator
	501.1 - 506.1	Building	Building
	602.1 – 602.2	Building/Plumbing	Building
	602.3 – 602.6	Building/Plumbing	Plumbing
	603.1 – 603.6	Building	Building
	604.1	Building/Plumbing	Building
	604.2	Building/Plumbing	Plumbing
	604.3	Building/Plumbing	Building
	604.4	Building/Plumbing	Plumbing
	604.5	Building/Plumbing	Building
	604.6	Building/Plumbing	Plumbing
	604.7 – 604.11.1	Building/Plumbing	Building
	604.11.2	Building/Plumbing	Plumbing
	604.11.3	Building/Plumbing	Building
	604.11.4	Building/Plumbing	Plumbing
	604.11.5	Building/Plumbing	Building
	604.11.6	Building/Plumbing	Plumbing
	604.11.7 – 605.1	Building/Plumbing	Building
	605.2	Building/Plumbing	Plumbing
	605.3	Building/Plumbing	Building
	605.4	Building/Plumbing	Plumbing
	605.5 – 606.2	Building/Plumbing	Building
	606.3 – 606.6	Building/Plumbing	Plumbing
	607.1 – 607.4.2.3	Building/Plumbing	Building
	607.5 – 607.6	Building/Plumbing	Plumbing
	607.7 – 608.2.1	Building/Plumbing	Building
	608.2.1.1	Building/Plumbing	Plumbing
	608.2.1.2 – 608.2.2	Building/Plumbing	Building
	608.2.2.1	Building/Plumbing	Plumbing
	608.2.2.2 – 608.2.3	Building/Plumbing	Building
	608.2.3.1	Building/Plumbing	Plumbing
	608.2.3.2 – 608.3.3	Building/Plumbing	Building
	608.4 – 608.5	Building/Plumbing	Plumbing
	608.6 – 608.7	Building/Plumbing	Building
	609 – 701.1	Building	Building

(continued next page)

(Accessibility Responsibilities)

702.1	Fire/Electrical	Electrical
703.1 - 1002.6	Building	Building
1002.7 – 1002.9	As applicable	As applicable
1002.10	Building	Building
1002.11	As applicable	As applicable
1002.12 – 1003.6	Building	Building
1003.9	As applicable	As applicable
1003.10	Building	Building
1003.11 – 1003.11.2.1	Building/Plumbing	Building
1003.11.2.2	As applicable	As applicable
1003.11.2.3 -1003.11.2.4	Building/Plumbing	Building
1003.11.2.4.1	Building/Plumbing	Plumbing
1003.11.2.4.2 – 1003.11.2.4.4	Building/Plumbing	Building
1003.11.2.4.5 – 1003.11.2.4.6	Building/Plumbing	Plumbing
1003.11.2.5.1 – 1003.11.2.5.2	As applicable	As applicable
1003.12 – 1003.12.3.3	Building	Building
1003.12.4 – 1004.12.4.2	Building/Plumbing	Building
1003.12.4.3 – 1003.12.4.4	Building/Plumbing	Plumbing
1003.12.5.2-1006.7	Building	Building

Source: Code Assistance Unit, (609) 984-7609

Windowless Basement - Sprinkler or Supervised Automatic Fire Alarm

The Department has been receiving a great number of calls from property owners and contractors regarding the requirements for windowless basements. Many have been receiving citations for Uniform Fire Code (UFC) violations. All buildings regulated by Subchapter 4 of the UFC (those that received a construction permit to build before 01/01/77) have been required to install fire sprinklers in windowless basements and stories. Below is the fire retrofit code text (emphasis added) that allows a supervised low voltage automatic fire alarm system to be installed in lieu of the code required sprinklers when the basement space does not exceed 3,000 sq ft.

N.J.A.C. 5:70-4.7(h)6.

(h) In all buildings, any windowless basement or story located below the seventh story shall be equipped throughout with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code. 6. Windowless basements not exceeding 3,000 square feet in area shall be exempt from this automatic suppression requirement, provided a supervised automatic fire alarm system shall be installed in accordance with the New Jersey Uniform Construction Code.

The automatic fire alarm system allowed by number six above needs to be installed within the window basement in accordance with the Uniform Construction Code. Many callers are telling me that they are being told to install a full fire alarm system throughout the entire building that contains a windowless basement. This is incorrect; the code requires only the automatic fire alarm system in the basement. The basement detection system is required to be monitored so early notification is provided to the fire department so that they can respond quickly before the fire has a chance to compromise the floor/ceiling assembly.

Other sections of our codes do require the entire building to be protected; however, those sections specifically state that the system needs to be “installed throughout the building.” In this case, the sprinkler protection is only required for “any windowless basement” and it can be a limited area fire sprinkler system in most cases. The “equipped throughout with an automatic fire suppression system” is only referring to the basement space. So a 19 or fewer sprinkler head limited area sprinkler system can be used and does not need to be supervised; alternatively, if the basement space does not exceed 3,000 square feet, the owner of the building may opt to install a “supervised automatic fire alarm system.”

Source: Michael Whalen
Code Assistance Unit
(609) 984-7609

Nonresidential Development Fee, Part 2

In July 2008, Governor Corzine signed a bill¹ that created a uniform and statewide system for municipalities to assess and collect a fee on new, nonresidential development. The purpose was to raise affordable housing funds. The law set a uniform fee on new, commercial development and created a process to collect it. Local building departments had a key role. They weren't asked to be the money handlers, but they were required to notify planners and community development officers, tax assessors, and/or other local officials when they issued building permits for new, nonresidential work. They also were required to withhold certificates of occupancy (CO) until the fee was paid. The fee was based on the assessed value of new development, and it was added to the list of "prior approvals" local building officials considered before they released COs.

Money was collected, much of which was soon returned, as the nonresidential development fee was victim to bad timing. Just before it was enacted, the housing bubble burst. New Jersey took steps to spur economic recovery and placed a moratorium on collection of the fee. There were two of these.² They were temporary measures. They've expired. The fee is back.

As construction officials and technical assistants, here are some things to consider:

1. Check with your municipality. There should be in place a way to collect the fee. Some localities collect money directly; others have developers pay the New Jersey Department of Treasury.
2. The building department's role is to: a) notify appropriate local officials of building permits for new, nonresidential work; and b) withhold COs until payment is made.
3. The fee applies only to commercial buildings for new construction and additions. Permits for rehabilitation work (e.g. alterations) are excluded, as are all permits for new houses and home repair.
4. Projects affected: offices, restaurants, shops, hotels, warehouses, and other new, commercial buildings.
5. Public buildings and public amenities are excluded. These include government buildings, schools, and community and recreational centers. Churches, synagogues, and other places of worship are exempt, too. So are parking decks (for either residential or commercial uses).
6. Also excluded are developments in special places and for special purposes, like the relocation of a hospital or nursing home. An example of a site exemption is development in a designated transit village or near a light-rail line.
7. New commercial farm buildings and buildings of group "U" for utilities, accessory, and other miscellaneous structures don't pay either.
8. Only permits for new commercial projects with site plan approval after July 1, 2013 **and** a permit-issue date on or after January 1, 2015 are subject to the fee.

¹ P.L. 2008, c. 46.

² P.L. 2008, c. 90 and P.L. 2011, c. 122.

Questions about whether the fee applies should be directed to the local tax assessor. For more information, check the link to the DCA website at: http://www.nj.gov/dca/divisions/codes/forms/pdf_forms/NRDF_info_2014

Source: John Lago
Division of Codes and Standards
(609) 292-7899

(Generators Revisited! – continued from page 8)

When you think about it, this question answers itself. Total connected load means everything which is capable of being energized from the optional stand-by generator. Load shedding is an added safety feature not allowing additional circuits to be turned on during emergency operation, which means they are not connected.

The second question is, "How should the total connected load be calculated and/or be accepted for permit release?" This goes back to Article 220 for specific allowable reductions and/or the nameplate rating of the actual fixed appliance in the structure. The contractor can provide calculations for every light, appliance and accessory device that will be supplied by the generator. Some calculations may be required based on continuous use and also some reductions are allowed based on the specific appliance. Another method allowed is obtaining the highest KW demand in months from the utility provider and taking the average of those highest months. However it is submitted, as long as the capacity of the generator is sufficient to carry all the loads connected while in operation, the use of 310.15(7) for conductor size should be accepted.

Source: Dave Greenhill
Code Assistance Unit
(609) 984-7609

December 2015 Construction Highlights

- \$1.368 billion of construction was authorized by building permits in December. This was the ninth straight month of activity in excess of one billion dollars.
- Residential work totaled \$666.4 million, 48.7 percent of all construction authorized by building permits.
- Office, retail, and other nonresidential construction accounted for \$702.0 million (51.3 percent).
- December construction is based on building permits from 553 of New Jersey's 565 municipalities.
- Livingston Township in Essex County had nearly \$100 million in December, top among localities. The big project was an \$88.8 million addition to St. Barnabas Medical Center.
- Jersey City had \$80.9 million of work, half of which was for new houses. The City's building department issued permits for 154 new dwellings. Only Maplewood Township and Newark, both in Essex County, had more with 236 and 177, respectively.
- State Buildings had \$139.8 million of construction. Two of the bigger projects were a \$38.9 million renovation by New Jersey City University in Jersey City of its science center and \$34.4 million for a new school in Keansburg in Monmouth County. (The permit was authorized for the New Jersey School Development Authority, which is why it appears as a "State Building.")

Year to Date

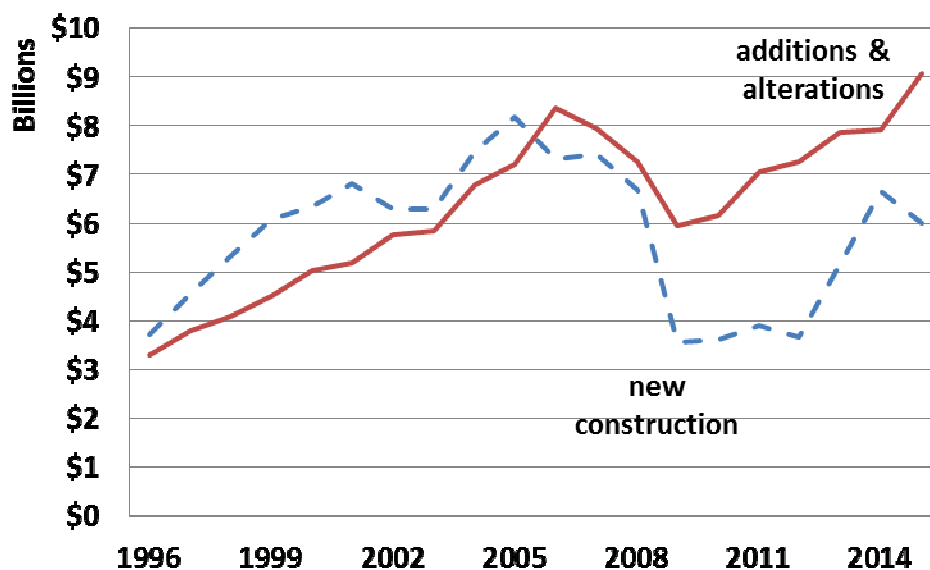
Major Construction Indicators, New Jersey: January - December					
NJ DCA, 2/8/16					
	Estimated cost of construction	Authorized housing units	Authorized office space (square feet)	Authorized retail space (square feet)	
<i>year-to-date figures (January - December)</i>					
Jan – December 2015	\$15,069,210,207	19,267	5,731,747	3,544,140	
Jan – December 2014	14,439,333,570	22,840	5,325,631	3,536,520	
Jan – December 2013	13,007,550,849	18,733	5,822,166	2,240,758	
Jan – December 2012	10,901,351,075	15,145	7,376,324	2,073,947	
Jan – December 2011	10,890,224,961	11,822	4,889,841	1,649,925	
Jan – December 2010	9,657,851,990	11,578	5,192,205	2,135,558	
Jan – December 2009	9,454,767,714	11,067	4,035,812	2,417,629	
Jan – December 2008	13,834,284,685	16,203	7,869,822	5,459,374	
Jan – December 2007	14,907,746,308	25,472	8,875,968	4,993,848	
<i>annual figures</i>					
2014	\$14,584,198,988	22,896	5,426,729	3,536,522	
2013	13,037,845,643	18,795	5,830,508	2,240,758	
2012	10,941,709,996	15,270	7,395,704	2,088,658	
2011	10,939,809,749	11,882	4,915,544	1,680,445	
2010	9,768,642,343	11,885	5,496,579	2,192,231	
2009	9,517,725,396	11,145	4,253,888	2,248,935	
2008	13,944,534,578	16,338	7,962,998	5,557,101	
2007	15,356,572,820	25,948	9,569,501	5,423,889	
<i>percent change (January - December)</i>					
2014-15	\$629,876,637	-3,573	406,116	7,620	
percent change	4.4%	-15.6%	7.6%	0.2%	
2013-14	\$1,431,782,721	4,107	-496,535	1,295,762	
percent change	11.0%	21.9%	-8.5%	57.8%	
2012-13	\$2,106,199,774	3,588	-1,554,158	166,811	
percent change	19.3%	23.7%	-21.1%	8.0%	

(continued next page)

(December 2015 Construction Highlights)

- Permit data for 2015 are preliminary, as not all building departments have reported. Most have, and preliminary indicators show, mixed signs of recovery for New Jersey's construction industry.
- The dollar amount of work between January and December 2015 is \$15.069 billion, 4.4 percent more than last year at this time.
- Not all sectors of the construction industry, however, made gains.
- New home construction is down by 3,473 dwellings (15.6 percent) compared to last year at this time.
- New office space is up 7.6 percent. The biggest project was the new headquarters for Bristol Meyer Squibb in Lawrence Township, Mercer County.
- Retail development is at about the same level as last year. The American Dream retail and entertainment complex in East Rutherford, Bergen County accounted for 1.5 million square feet of the space in 2015.
- Work on existing buildings grew by \$1.138 billion (14.3 percent).

**Dollar Amount of Work Authorized by Permits:
rehab vs. new, 1996 - 2015 prelim**



- The dollar amount of construction for new buildings, however, declined by \$652.1 million (9.8 percent).
- State Buildings had an especially strong year. Nearly \$1.3 billion of construction was authorized in 2015. The American Dream development accounted for \$441.2 million and appears as a "State Building" because the permits were issued to the New Jersey Sports and Exposition Authority.
- State colleges and universities, particularly the College of New Jersey and Rowan University, as well as public school construction by the New Jersey School Development Authority, also account for the strong showing.

State Buildings, January - December 2015

NJDCA, 2/8/16

American Dream, NJ Sports & Exposition Authority	East Rutherford, Bergen County	\$441.2 million
New Jersey School Development Authority	public schools, various locations	197.0 million
College of New Jersey	Ewing, Mercer County	126.2 million
Rowan University	Glassboro, Gloucester County	108.5 million
New Jersey City University	Jersey City, Hudson County	68.9 million
subtotal		\$941.8 million
State Buildings		\$1.291 billion

(continued next page)

(December 2015 Construction Highlights)

- New houses played an important role in the municipalities with the most work in 2015.
- Jersey City led all municipalities with \$989.7 million of construction in 2015. The City also had the most new houses, 2,649. This trend has lasted more than a decade.
- Newark had \$294.8 million of construction in 2015. The City also had 417 new dwellings, ranking sixth among municipalities.

Authorized Housing, New Jersey, Newark, & Jersey City

Source: NJ Department of Community Affairs, 5/7/15

Year	New Jersey	Newark	rank	Jersey City	rank
2015 prelim	19,267	417	6	2,649	1
2014	22,896	734	3	3,766	1
2013	18,795	309	9	1,705	1
2012	15,270	266	14	618	2
2011	11,882	180	13	700	1
2010	11,885	169	18	249	11
2009	11,145	285	4	1,132	1
2008	16,338	289	6	1,468	1
2007	25,948	927	2	2,765	1
2006	31,709	2,125	2	2,578	1
2005	39,688	2,611	2	3,778	1
2004	39,254	1,702	2	2,156	1
2003	35,171	1,730	1	969	2
2002	34,589	1,223	1	907	2
2001	35,680	1,066	2	2,009	1

- Toms River in Ocean County was one of the New Jersey municipalities hardest hit by Super Storm Sandy in October 2012. The Township reported \$294.8 million of construction in 2015. New houses and home renovations accounted for nearly 88 percent.
- Princeton had \$220 million of work. Two of the bigger developments were Princeton University's renovation of Frick Hall for its engineering department and a 240-unit apartment complex on the site of the old medical center.
- The City of Camden is among top performers. This is due to a new technology campus on a 50-acre site on the City's waterfront for Holtec, an alternative energy firm.

Dollar Amount of Authorized Construction, 2015 top municipalities

NJ DCA, 2/8/16

Municipality	County	Estm. Cost of Construction (\$)	Authorized Housing Units	Authorized Office Space (square ft)	Authorized Retail Space (square ft)
Jersey City	Hudson	\$989,701,974	2,649	196,258	1,009
Newark	Essex	294,826,707	417	25,409	10,452
Toms River	Ocean	280,914,502	684	42,801	0
Princeton (consolidated)	Mercer	220,792,498	369	52,262	0
Hoboken	Hudson	213,737,391	457	0	1,626
Camden	Camden	204,128,524	52	186,900	9,180
Livingston	Essex	196,460,462	24	43,545	0
Lakewood	Ocean	189,552,239	782	245,394	5,496
Edison	Middlesex	167,046,676	60	82,883	13,602
Woodbridge	Middlesex	140,178,903	122	115,831	11,760
State Buildings		1,290,659,396	0	493,943	1,527,953
New Jersey		\$15,069,210,207	19,267	5,731,747	3,544,140

(continued next page)

(December 2015 Construction Highlights)

New Home Prices

- 1,950 new houses were completed and began enrollment in a new home warranty in the fourth quarter of 2015. Their median sales price was \$435,000. This was 1.1 percent less than in the previous quarter.
- Essex, Union, and Bergen Counties had the most expensive new houses.
- Most new houses built in New Jersey that are for sale are required to have a new home warranty. The exception is those houses where the homeowner served as his/her own general contractor.

New House Prices

NJ DCA 2/8/2016

	# of New	Median	Percent
Period	Houses	Sales Price	Change
4th qtr 2015 (p)	1,950	\$435,000	-1.1%
3rd qtr 2015 (p)	2,023	439,900	-2.0%
2nd qtr 2015 (p)	2,060	449,000	12.3%
1st qtr 2015 (p)	1,673	400,000	-0.9%
4th qtr 2014	2,336	410,400	3.4%
3rd qtr 2014	2,375	396,824	-1.7%
2nd qtr 2014	2,488	403,785	4.9%
1st qtr 2014	1,757	385,020	
2014	8,956	\$400,000	0.3%
2013	7,861	399,000	-0.2%
2012	7,165	399,900	2.5%
2011	6,839	390,000	1.3%
2010	8,712	384,899	4.4%
2009	9,161	368,512	-13.3%
2008	13,841	425,000	0.1%
2007	18,397	424,570	2.6%
2006	22,697	413,825	9.2%
2005	24,571	378,992	8.3%
2004	23,844	349,900	13.9%
2003	22,226	307,168	11.8%
2002	23,647	274,705	8.3%
2001	23,372	253,670	9.5%
2000	25,058	231,728	3.2%
1999	24,479	224,496	6.9%
1998	23,884	209,980	10.5%
1997	21,640	190,000	3.7%
1996	20,903	183,300	

Note: (p) data are preliminary

DCA vs. Census

Building permits are an important measure of the economy and settlement patterns. They are one of the few sources of information available for every municipality, every month. Both the New Jersey Department of Community Affairs (DCA) and the US Census Bureau (Census) examine them and report on authorized housing, the number of new dwellings authorized by these permits.

(continued next page)

(December 2015 Construction Highlights)

Figures from both agencies appear in the *Construction Reporter*. Data users will find significant differences between authorized housing reported by the two agencies. DCA reports 19,267 authorized dwellings, while Census reports 31,050. DCA's tally is 15.6 percent *less than* this time last year. Census shows a 10.2 percent *increase*.

What's going on?

Housing Units Authorized by Building Permits, New Jersey

DCA vs. Census, January - December 2015

NJDCA 2/8/16

month	DCA authorized housing (revised)	Census Bureau authorized housing (revised)	Census Bureau no. of imputed housing units	percent imputed
Jan	1,295	1,840	818	44.5%
Feb	1,402	1,889	554	29.3%
Mar	1,046	1,687	1,165	69.1%
Apr	1,837	2,835	2,189	77.2%
May	1,689	3,451	1,116	32.3%
Jun	1,769	4,502	3,537	78.6%
Jul	2,082	2,153	1,032	47.9%
Aug	1,713	2,345	887	37.8%
Sep	1,440	2,287	1,064	46.5%
Oct	1,837	2,774	1,216	43.8%
Nov	1,449	2,261	873	38.6%
Dec	1,708	3,026	1,627	53.8%
year-to-date total	19,267	31,050	16,078	51.8%

The introduction to the *Construction Reporter*, which follows these highlights, discusses some of the differences between how DCA and Census report authorized housing. One of the differences not in this introduction is Census imputes data when it does not get information from a local building department. DCA does not. It reports "No report" for missing information. It does not guess.

Thus far, for 2015, more than half of the authorized housing reported by Census was imputed. For June 2015, Census reports over 4,500 new houses. Three-quarters of which were imputed. DCA reports 1,769 authorized dwellings for June 2015. Both tallies are as of February 2016. The DCA count is based on reports from all 565 municipalities in the State.

DCA and Census are working closely to try to remove the guesswork in building permit data.

Source: John Lago
Division of Codes and Standards
(609) 292-7899

The Construction Code Communicator is an online publication of the New Jersey Department of Community Affairs' Division of Codes and Standards. It is typically published four times a year.

Copies may be read or downloaded from the division's website at: www.nj.gov/dca/divisions/codes.

Please direct any comments or suggestions to the NJDCA, Division of Codes and Standards, Attention: Code Development Unit, PO Box 802, Trenton, NJ 08625-0802 or codeassist@dca.nj.gov.



At its March meeting, the Municipal Construction Officials of New Jersey (MUNCO) presented the inaugural William M. Connolly Construction Official of the Year award to Sal DiCristina, Construction Official for Rutgers University. Pictured are: Bill Connolly, Sal DiCristina and Steve Gluck, Chairman of MUNCO.

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