

**CHAPTER 6
BUILDING CODE**

Authority

N.J.S.A. 13:17-1 et seq., specifically 13:17-6(i).

Source and Effective Date

R.2001 d.241, effective June 21, 2001.
See: 33 N.J.R. 385(a), 33 N.J.R. 2495(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 6, Building Code, expires on December 18, 2006. See: 34 N.J.R. 2539(a).

Chapter Historical Note

Chapter 6, Building Code, was adopted as R.1970 d.46, effective May 1, 1970. See: 1 N.J.R. 17(b), 2 N.J.R. 52(a). Notice of routine program implementation. See: 25 N.J.R. 1010(a).

Subchapter 3, Uniform Construction Code; Uniform Procedure for Administration and Enforcement, was adopted as R.1977 d.457, effective on December 12, 1977. See: 9 N.J.R. 393(a), 10 N.J.R. 49(a).

Subchapter 1, General Provisions, and Subchapter 3, Uniform Construction Code; Uniform Procedure for Administration and Enforcement, were repealed, and a new Subchapter 1, General Provisions, was adopted by R.1991 d.233, effective May 6, 1991. See: 22 N.J.R. 2126(a), 23 N.J.R. 1451(a).

The expiration date of Chapter 6, Building Code, was extended by gubernatorial directive from May 6, 1996 to November 6, 1996. See: 28 N.J.R. 2566(c).

Pursuant to Executive Order No. 66(1978), Chapter 6, Building Code, was readopted as R.1996 d.399, effective July 26, 1996. See: 28 N.J.R. 2344(a), 28 N.J.R. 3969(d).

Pursuant to Executive Order No. 66(1978), Chapter 6, Building Code, was readopted as R.2001 d.241, effective June 21, 2001. See: Source and Effective Date.

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SUBCHAPTER 3. (RESERVED)

SUBCHAPTER 1. GENERAL PROVISIONS

19:6-1.1 (Reserved)**19:6-1.2 Authority**

These rules are hereby adopted for the Hackensack Meadowlands District (HMD) pursuant to the Interagency Agreement between the New Jersey Meadowlands Commission (NJMC) and the Department of Community Affairs (DCA), and pursuant to N.J.S.A. 13:17-1 et seq.

Administrative change.
See: 33 N.J.R. 3454(a).

19:6-1.3 NJMC responsibility

The NJMC, acting as agent for the Department of Community Affairs, shall have the responsibility, pursuant to N.J.S.A. 13:17-1 et seq., for the approval of all plans, for insuring compliance with the Uniform Construction Code (UCC) and for enforcement as outlined in this chapter.

Administrative change.
See: 33 N.J.R. 3454(a).

19:6-1.4 Enforcement

(a) As per the Interagency Agreement between the Department of Community Affairs (DCA) and the New Jersey Meadowlands Commission (NJMC) dated February 27, 1991, the NJMC shall act as DCA's agent within the HMD.

(b) The Office of the Chief Engineer (OCE) shall have the responsibility for reviewing and approving plans for all work within the HMD, pursuant to N.J.S.A. 13:17-1 et seq., subject to the requirements of this chapter, in addition to the responsibilities cited in N.J.A.C. 19:6-1.3. The OCE shall reserve the right to perform any or all inspections conducted in accordance with N.J.A.C. 5:23-2.18.

(c) Each municipal construction official has the responsibility of enforcing the requirements of the UCC and of this chapter in that portion of the HMD within the boundaries of his or her municipality, except for the specific circumstances noted in these rules.

(d) At least one OCE inspector/plan examiner in each subcode shall hold a class I license in accordance with N.J.A.C. 5:23. At least one member of the OCE staff shall also be licensed as a construction official, in accordance with N.J.A.C. 5:23-5.6.

(e) In the event that a municipal code enforcement official fails to implement any provision of this chapter or the UCC in that portion of the HMD within his or her jurisdiction, and no immediate action is deemed necessary by the NJMC, then the OCE, with prior written approval by the DCA, shall act in the capacity of that official, as agent for the DCA, in order to insure compliance with this chapter and the UCC.

(f) Except for (g) below, when the OCE shall determine that a violation of this chapter or the UCC exists, the OCE shall notify the Municipal Construction Official in writing of such violation and request the municipal construction official and the appropriate subcode official to take action necessary to bring about compliance with this chapter or the UCC and to notify the OCE of his or her actions.

(g) When the OCE determines that work in progress is being done contrary to approved plans and there is not adequate time to follow the procedure outlined in (f) above, and/or the OCE believes that any delay may exacerbate the extent and nature of the violation, then the OCE may act immediately to prevent continuation of such violations, as a subcode official acting as the agent of the DCA. This designation is temporary in nature and the OCE will act in this capacity until the violation is resolved. The municipality, upon written notification by the OCE, of the emergency situation and of its resolution, shall resume compliance authority.

Administrative change.
See: 33 N.J.R. 3454(a).

19:6-1.5 Fees

(a) Fees for plan review shall be in accordance with N.J.A.C. 19:3-1.3.

(b) In the event the OCE enters into an agreement with any or all municipalities within the District to perform required inspections, the OCE shall collect 100 percent of the NJMC's permit fee. Twenty percent of that fee, exclusive of plan review fees, will be returned to the municipality to cover administrative costs.

Administrative change.
See: 33 N.J.R. 3454(a).

19:6-1.6 Violations and penalties

For any violation of this chapter or the UCC, notice of violation and penalty procedure shall be in accordance with N.J.A.C. 19:4-6.24 and the UCC N.J.A.C. 5:23-2.31. All penalties shall be in accordance with the Uniform Construction Code.

19:6-1.7 Hackensack Meadowlands District uniform procedure

(a) All applications shall be initiated at the office of the municipal construction official and be in accordance with N.J.A.C. 5:23-2.15.