

**CHAPTER 6**

**BUILDING CODE**

**Authority**

N.J.S.A. 13:17-1 et seq., specifically 13:17-6(i), and the Interagency Agreement between the Department of Community Affairs (DCA) and the Hackensack Meadowlands Development Commission (HMDC), dated February 27, 1991.

**Source and Effective Date**

R.1991 d.233, effective May 6, 1991.  
See: 22 N.J.R. 2126(a), 23 N.J.R. 1451(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 8, Building Code, expires on May 6, 1996.

**Chapter Historical Note**

All provisions of Chapter 6, Building Code, were adopted pursuant to authority delegated at N.J.S.A. 13:17-1 et seq. and were filed and became effective May 1, 1970 as R.1970 d.46. See: 1 N.J.R. 17(b), 2 N.J.R. 52(a). Public Notice: See: 25 N.J.R. 1010(a).

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**SUBCHAPTER 3. (RESERVED)**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**Subchapter Historical Note**

Subchapter 1, General Provisions, was repealed and replaced with new rules by R.1991 d.233, effective May 6, 1991. See: Source and Effective Date.

**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 Hackensack Meadowlands Development Commission (HMDC) and the Department of Community Affairs (DCA), and pursuant to N.J.S.A. 13:17-1 et seq.

**19:6-1.3 HMDC responsibility**

The HMDC, 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.

**19:6-1.4 Enforcement**

(a) As per the Interagency Agreement between the Department of Community Affairs (DCA) and the Hackensack Meadowlands Development Commission (HMDC) dated February 27, 1991, the HMDC 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 HMDC, 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.

**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 HMDC's permit fee. Twenty percent of that fee, exclusive of plan review fees, will be returned to the municipality to cover administrative costs.

**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.

(b) The municipal construction official shall advise applicants that all applications requiring plan review are to be approved by HMDC prior to the issuing of a construction permit.

(c) Submittals to the HMDC for purposes of plan review shall consist of three sets of plans, copies of the standard UCC application forms filed with the municipality and plan review fees required by N.J.A.C. 19:3-1.3.

(d) Following approval of construction plans, the OCE shall return two copies of the approved plans and a Certificate of Compliance to the municipal construction official. Providing all prior approvals and the UCC rules have been satisfied, the municipal construction official shall then issue a construction permit, a copy of which shall be sent to the OCE.