

**5:10-14.4 Minimum temperature**

(a) From October 1 of each year to the next succeeding May 1, every unit of dwelling space and every habitable room therein shall be maintained at a temperature of at least 68 degrees Fahrenheit between the hours of 6:00 A.M. and 11:00 P.M. and at least 65 degrees Fahrenheit between the hours of 11:00 P.M. and 6:00 A.M. The heating system shall be capable of maintaining the minimum required temperature in all habitable rooms without the necessity of heating adjoining rooms more than five degrees higher than said minimum required temperature. The design of the heating system shall conform to the ASHRAE Guide and Data Book. The heating standard herein set forth may be modified by the Commissioner by emergency rule.

(b) In meeting the aforesaid standards, the owner shall not be responsible for heat loss and the consequent drop in the interior temperature arising out of action by the occupants in leaving windows or doors open to the exterior of the building.

(c) The owner shall be obligated to supply required fuel or energy and maintain the heating system in good operating condition so that it can supply heat as required herein, notwithstanding any contractual provision seeking to delegate or shift responsibility to the occupant or third person, except that the owner shall not be required to supply fuel or energy for heating purposes to any unit where the occupant thereof agrees in writing to supply heat to his own unit of dwelling space and the said unit is served by its own exclusive heating equipment for which the source of heat can be separately computed and billed.

**5:10-14.5 Space heaters**

(a) Space heaters shall be so installed, located and maintained so as to exhaust the products of combustion to the outside air, to prevent a fire hazard by being sufficiently removed or insulated from surrounding material, to be permanently affixed so that the heater cannot be moved by occupants, and not to constitute a hazard to persons using the premises in close proximity to the heater by reason of chance contact or by reason of lack of fresh air supply.

(b) Space heaters shall be installed in such a manner that all habitable rooms will be heated to the required temperature, with no room more than five degrees Fahrenheit higher in temperature than the other rooms. If the temperature varies over five degrees Fahrenheit, other heaters must be installed to give uniform heating of all habitable rooms.

(c) Electric and gas space heaters shall be permitted providing they meet standards established by the Underwriters' Laboratories.

**5:10-14.6 (Reserved)**

Repealed by R.1993 d.464, effective September 20, 1993.  
See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

Section was "Fuel storage".

**5:10-14.7 Annual inspection**

(a) The heating system as herein defined shall be inspected annually. Such inspection shall be for the following purposes:

1. To insure that the system is being maintained in accordance with the standards applicable to the system as of the time of installation;
2. To locate and remove hazards or conditions that may, if not corrected, foreseeably develop into hazards or become violations of these regulations;
3. To confirm the ability of the system to fulfill the heating requirements provided hereunder.

**SUBCHAPTER 15. WATER SUPPLY****5:10-15.1 Sufficiency of source and system**

Every multiple dwelling and hotel shall be connected to a source of and system for delivery of potable water sufficient to meet the requirements for hot and cold water at all connected fixtures.

**5:10-15.2 Connection of fixtures**

Every kitchen sink, bathroom or toilet room, sink, basin, tub or shower shall be connected to both hot and cold water lines and be provided with both hot and cold water.

**5:10-15.3 Hot water**

(a) Each building shall be served by a hot water heater and hot water distribution system capable of operating even when the heating system itself is not in operation and of providing all units of dwelling space and facilities therein requiring hot water with water at the outlets at a minimum temperature of 120 degrees Fahrenheit and a maximum temperature of 160 degrees Fahrenheit at all times in accordance with anticipated need resulting from the number of fixtures and use of the building.

(b) The use of sidearm water heaters shall be prohibited.

**5:10-15.4 Flow of water**

All plumbing fixtures and equipment for the supply and drainage of running water shall be maintained so that the rate of flow shall be of sufficient volume and at pressures adequate to enable them to function properly. The pipes conveying the water shall be of sufficient size to provide the water required without undue pressure reduction and without undue noise under all normal conditions of use.

**SUBCHAPTER 16. NATURAL LIGHT,  
VENTILATION AND REPLACEMENT  
GLAZING**

**5:10-16.1 Natural light**

(a) Every habitable room shall have at least one window or skylight or transparent or translucent panel facing the exterior of the premises directly or through an open porch into the room, equal in area to at least eight percent of the floor area of such room.

(b) Wherever walls or other portions of a structure or other opaque barriers face a window surface and are less than three feet distant from such window surface and where the projected plane of any such wall, surface or barrier shall obscure more than one half of the window surface, then such shall not be included in the calculation as contributing to meet the minimum requirements hereof.

**5:10-16.2 Natural ventilation**

(a) Every habitable room, bathroom, toilet room or enclosed kitchenette shall have a means of natural ventilation unless there is supplied some other device affording adequate ventilation and exchange of air. Natural ventilation as required hereunder shall be directly to the exterior through an opening of at least three square feet or through a porch having access and exposure to fresh air from the exterior. The total of openable window or skylight area in each such room shall be equal to at least 50 percent of the minimum window or skylight area required for natural light under N.J.A.C. 5:10-16.1.

(b) Every such window or skylight shall be equipped with the necessary hardware or other means so that it can be readily opened and closed by occupants from the interior of the dwelling space.

**5:10-16.3 Mechanical ventilation**

(a) Where the required natural ventilation is not provided, there shall be ventilation by mechanical means, conforming to the following requirements:

1. Kitchens and kitchenettes shall be ventilated by mechanical means so as to exhaust at least two cubic feet of air per minute per square foot of floor area directly to the outdoors or by means of a properly installed and maintained electrically-powered non-ducted range hood equipped with an activated charcoal filter for the elimination of cooking odors;

2. For commercial kitchens see N.J.A.C. 5:18-4.7(g);

3. Bathrooms and toilet rooms containing only one water closet or urinal shall be mechanically vented by an exhaust system that exhausts at least 50 cubic feet of air per minute. Means shall be provided for air ingress by louvers in the door, by undercutting the door or by transfer ducts, grilles or other openings.

4. Bathrooms and toilet rooms containing more than one water closet or urinal shall be mechanically vented by an independent exhaust system that exhausts at least 40 cubic feet of air per minute per water closet or urinal.

Administrative Correction to (a)3.

See: 22 N.J.R. 921(a).

Amended by R.1993 d.464, effective September 20, 1993.

See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

**5:10-16.4 Replacement glazing**

All replacement glazing shall conform to the applicable construction codes of the New Jersey Uniform Construction Code for glazing requirements for specific hazardous locations.

**SUBCHAPTER 17. STORAGE AND CLOSET  
FACILITIES**

**5:10-17.1 Storage of occupants' property**

(a) Any storage area available to or used by occupants in common areas shall have each space within the area separately designated for each unit of dwelling space and a list identifying each such space shall be retained by the person in charge of the premises or, if the space is used in common by occupants of more than one unit of dwelling space, then all items so stored shall bear the identification of the occupant storing the item or items.

(b) The owner shall not permit unmarked items to be stored in a common storage area and shall have a procedure for notifying each tenant, in writing, before removal and disposal of same.

(c) Materials stored in such areas shall be secured against becoming sources of infestation and shall be protected against fire hazards caused by ignition from electrical or heating devices or equipment of similar possible sources of fire.

Amended by R.1993 d.464, effective September 20, 1993.

See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

**5:10-17.2 No smoking signs**

Common areas available for or utilized for storage purposes and public garages shall contain one sign at least one square foot in area, clearly legible and prominently displayed at or near the entrance to the space, prohibiting smoking in the area.

**5:10-17.3 Limitations on storage space**

(a) Storage in common areas shall not cover more than 80 percent of the overall floor area and not more than 60 percent of the cubic content of the storage area and shall be arranged so that there will be maintained at all times aisles at least three feet in width.