

Construction Code Communicator



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The Winter Communicator: A Reminder

The final (Winter) issue of the *Construction Code Communicator* each year now consists of a collection of Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items that were posted on the Division's website during the calendar year. This year, we are including articles that were printed in earlier editions of the *Construction Code Communicator* on topics that continue to generate questions. Once this edition of the *Construction Code Communicator* has been posted, these individual Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items will be removed from those sections of the Division's website. There is one exception: the materials related to Superstorm Sandy will remain in place. **Generally, there are no new articles in this issue. However, there are times when a short, new article finds its way into the Winter issue.**

Please note that, although the documents will be removed from the Alerts and Hot Topics, they will still be accessible through the Division's Document Library or through the "Topics A-Z" tab on the Division's website: www.nj.gov/dca/divisions/codes/.

Also, the indices for all issues of the *Construction Code Communicator* 2019 are included in this issue as a handy reference.

Prospectively, the *Construction Code Communicator* will follow this same format: three issues, Spring, Summer, and Fall, that contain new articles and a Winter issue that will provide in one place all the Alerts, Hot Topics, Letters from the Director, guidance documents, and other information items that were posted on the Division's website in that calendar year with previously printed articles where the topic continues to generate questions.

If you have any questions about the *Construction Code Communicator*, or if you have any recommendations for articles, please feel free to contact me at (609) 984-7609 or at marie.daniels@dca.nj.gov.

Source: Marie Daniels
Division of Codes and Standards



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Save the Date – Building Safety Conference Exciting and Important News!



The Building Safety Conference (BSC) Committee is partnering with the International Code Council (ICC) for a major change to the 2020 Conference!

For 2020, the Conference will include an option for three full days of training from April 28 through May 1. There will be a focus on certification academies encompassing three days of training to provide attendees with an intensive review intended to boost their knowledge needed to successfully complete ICC certification exams. The Department is also including “tokens” to complete the certification exams at their own pace, with the completion of the academies.

This year, we will continue to honor our NJ Inspectors and Technical Assistants of the Year during our annual luncheon, but this year’s ceremonies will also highlight the national kick off of Building Safety Month 2020! In keeping with the theme for this year’s Building Safety Month of “Safer Buildings, Safer Communities, Safer World,” our focus for this year, as it always is, will be on building and strengthening the code enforcement community to ensure our buildings and communities are, indeed, safe.

A little more on our planned training and the Conference schedule: we will be offering a three-day Fire/Life Safety Institute for those wanting a comprehensive look at the codes as well as many other one- and two-day classes to round out all three days. Of course, we are also continuing to offer our “traditional” Conference registration with two days of training. Both the three-day, or “full” Conference registration and the “traditional” registration include the famous Crackerbarrel session on Wednesday April 29th.

Of particular note to those planning to achieve the NJ Building Inspector RCS license or those seeking combination inspector certification with the ICC: the ICC has developed a certification academy specifically designed for NJ building inspector RCS candidates that review both the B1 and M1 ICC exams, which are required in addition to the educational program for the NJ Building Inspector RCS license, giving those attending one more review to aid in achieving licensure or certification. Tokens for both exams will be included in the registration.

Given all the excitement, we are beginning registration much earlier than normal, so keep an eye out for email blasts and the mailed brochure very soon with all registration and hotel reservation details.

See you in Atlantic City!

Source: John Delesandro, Operating Committee Chair
Supervisor, Licensing and Education Unit
(609) 292-7899

Summary of Rule Changes in 2019

(Amendments not listed update and insert cross references and/or section titles.)

August 5, 2019, [New Jersey Register](#)

N.J.A.C. 5:23-1.1, 2.2, 2.22, 3.21, and 6.8 – Manufactured Homes – The modifications to the above sections, along with the repeals of N.J.A.C. 5:23-3.19, 4B, and 4C, mean the Federal government is responsible for oversight of the initial installation of manufactured (HUD) homes in the State of New Jersey. Installation contractors are required to be licensed by HUD and are required to attend continuing education classes as required by HUD. Installations are inspected by third-party inspectors approved by HUD. Installations include, but are not limited to, any necessary site work for the installation of the HUD unit, permanent foundations, underground piping, electric, sewer, and water utility connections, etc. A certification that the installation meets the requirements of the Federal installation standards is required to be completed.

(continued on next page)

(Summary of Rule Changes in 2019)

September 3, 2019, *New Jersey Register*

N.J.A.C. 5:23-3.14, 3.15, 3.16, 3.17, 3.18, 3.20, 3.12, and 3.22 – Building, Plumbing, Electrical, Fire Protection, Energy, Mechanical, One- and Two-Family Dwelling, and Fuel Gas Subcodes – The 2018 I-Codes, the 2018 National Standard Plumbing Code, and the 2017 National Electrical Code are adopted. The changes were minimal on the national level from the previous code edition. For reference, the updates for the building subcode and one- and two-family dwelling subcode can be viewed at:

- <https://www.iccsafe.org/wp-content/uploads/2018-IBC-UPDATE-Handout-9-1-17.pdf>
- <http://www.iccsafe.org/wp-content/uploads/2018-IRC-UPDATE-Handout-9-1-17.pdf>

For all other subcodes, refer to the “March 04, 2019” row at the proposal/adoption webpage at: https://www.nj.gov/dca/divisions/codes/codreg/rule_proposals_adoptions.html.

Bulletins and Formal Technical Opinions (FTOs) – Reformatted

All Bulletins and FTOs have been reformatted. One should continue to visit the Division’s website for “Code Reference Updates,” <https://www.nj.gov/dca/divisions/codes>. Below, please find the Revised and Withdrawn bulletins. The majority of the revisions were due to the adoption of the 2018 I-Codes, 2018 NSPC and 2017 NEC.

New/Revised		
No. 19-3	Issued, Sept. 2019 (Supersedes Bulletin No. 15-2)	Adopted Codes, Standards and Recommended Practices Referenced Under Informational Notes of the National Electrical Code 2017
No. 19-2	Issued, Sept. 2019 (Supersedes Bulletin No. 15-4)	Energy Subcode Compliance <i>(includes Form 392)</i>
No. 19-1	Issued, Sept. 2019 (Supersedes Bulletin Nos. 94-8, 03-4 and 05-2)	Design Loads for Ground Snow, Wind and Seismic
No. 07-1	Revised, Aug. 2019	Premanufactured Construction
No. 04-2	Revised Dec. 2019 (Supersedes Bulletin No. 95-3)	Oxford House
No. 03-5	Revised, Sept. 2019	Special Inspections
No. 99-3	Revised, Sept. 2019	Carbon Monoxide Alarms
No. 98-3	Revised, Sept. 2019	Health Care Facilities Plan Review
No. 80-5	Revised, Sept. 2019	Proper Utilization of Temporary Power Taps
No. 79-7	Revised, Sept. 2019	Septic Systems
Withdrawn		
No. 15-4	Issued, Dec. 2015 (Supersedes Bulletin No. 11-1) <i>Withdrawn as of 03/2020</i>	Energy Subcode Compliance <i>(includes Form 392)</i>
No. 15-2	Issued, Sept. 2015 (Supersedes Bulletin No. 12-1) <i>Withdrawn as of 03/2020</i>	Adopted Codes, Standards and Recommended Practices Referenced Under Informational Notes of the National Electrical Code 2014
No. 05-2	Revised, Dec. 2015 <i>Withdrawn as of 03/2020</i>	Seismic Hazard Maps
No. 03-4	Revised, Dec. 2015 <i>Withdrawn as of 03/2020</i>	Wind Speed Map
No. 94-8	Revised, Dec. 2015 (Supersedes Bulletin No. 81-9) <i>Withdrawn as of 03/2020</i>	Ground Snow Loads
No. 80-6	Code Ref. Update, Jan. 2016 <i>Withdrawn as of 08/2019</i>	Manufactured Homes (<i>see “note” in Bulletin No. 07-1</i>)
No. 88-2	Revised, Dec. 1994 <i>Withdrawn as of 08/2019</i>	Manufactured Housing (<i>see “note” in Bulletin No. 07-1</i>)

Cost Estimates

(Reprint from Volume 24, Fall 2012)

The presidents of the construction officials' and subcode officials' associations have asked the Division to provide clarification on whether local enforcing agencies may ask for additional documentation when it is obvious that the cost estimate provided is extremely low.

The State's fee schedule provides a mechanism to deal with such a situation. N.J.A.C. 5:23-4.20(c)2i(2) allows the State to request additional documentation for cost per thousand projects in the form of a design professional's estimate, **if available**, estimating form, or by the contractor of record. The Department does not object to local enforcement agencies utilizing this section of the regulations **for good cause**. But the Department cautions that it may not be used as a policy for every project submitted to a municipality, and should not be applied when homeowners are doing their own work and there is no contractor. In this situation, the Department recommends that the homeowner be notified about the provisions of N.J.A.C. 5:23-2.15(a)4, which require that any labor or materials provided at no cost shall be estimated at its normal or usual costs. Most homeowners have no idea that their labor and/or free materials must be accounted for. The Uniform Construction Code (UCC) does not, and code enforcement officials should not, require a homeowner to hire a cost estimator or a design professional for this purpose. It's an unnecessary expense for the consumer and it is a bad business practice that will only lead to complaints being submitted to your administration and/or my office. In these tough times, we should not add impediments to the construction code enforcement process.

If the homeowner has a contractor and you believe that the estimate is unreasonably low, you may ask for a copy of the contract; however, this should not be standard practice. Bear in mind that Bulletin No. 94-3, Permit Documentation, states that items for which no permit is required must be excluded from the total cost of the calculations for the permit fee.

Under no circumstances is any code enforcement official to change an estimated cost and charge a permit fee that you believe is appropriate. One code official did this and was arrested for falsifying public records. Reject the application. Ask for additional documentation.

We expect you to use common sense and good judgment and only use this tool when there appears to be an obvious issue.

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

PermitsNJ Software to be Decommissioned Effective June 30, 2020

(Letter to Code Officials, August 1, 2019)

The Department has made the decision to decommission the PermitsNJ software effective June 30, 2020.

In 2017, Governor Christie signed Executive Order 225. This Executive Order decentralized software development and maintenance from the State's Office of Information Technology out to the individual State agencies. The software development resources were distributed to the state agencies with the largest software development needs, and the Department of Community Affairs did not acquire any of those software development resources. As a result, the Department can no longer enhance or maintain the PermitsNJ software; it has become outdated and has fallen out of pace with advancing technology.

A cost benefit analysis on the development or purchase of a replacement permitting software, to be offered to municipalities "free of charge," was conducted. Because there are so few local municipalities using the PermitsNJ software, it was found that it would be inefficient to develop or acquire new permitting software.

It is the Department's understanding that many municipalities using PermitsNJ have implemented municipal software elsewhere in the municipality. Most municipal government software suites include a permitting component. It is recommended that municipalities using PermitsNJ contact their municipal administrator as soon as possible to discuss replacing PermitsNJ with another permitting software.

Please note that, unlike UCCARS, municipalities will not be able to continue using PermitsNJ after June 30, 2020. If your office is still using the much older UCCARS software, be advised that this software has been out of support for many years and will not function on 64-bit versions of Windows 7 or higher. If your office issues fewer than 200 permits per year, you have the option of submitting monthly permit activity using the Municipal Monthly Activity Reports (UCC forms R811 and R812).

The Department will assist municipalities in any way possible to ensure a smooth transition to other permitting software. Should you have any questions or concerns, please email permitsnj@dca.nj.gov.

Source: PermitsNJ, (609) 292-7899

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Source: Code Assistance Unit



Swimming Pools & Spas - Plan Review & Inspections

(Updated reprint of Memorandum to Construction Officials – July 11, 2016)

This memorandum is intended to focus enforcement effort with regard to swimming pools and spas and to establish priorities.

With the adoption of the 2018 International Codes, the 2018 International Swimming Pool and Spa Code (ISPSC) is adopted by reference as part of the Uniform Construction Code. This was the same for the 2015 codes when this memo was initially issued. It should be noted that the provisions of the ISPSC are not new. These provisions were previously contained in referenced standards or in appendices (NSPI/APSP or Appx G).

As always, attention should be given to the requirements that go to safety, including:

- Entrapment hazards (APSP/ICC 7)
- Pool barriers (Section 305/ISPSC)
- Bonding and grounding (Art 680/NEC).

For plan review purposes, a general note indicating that the pool or spa will conform to the 2018 ISPSC should be accepted. It is not necessary to require plans that show every detail of the pool or spa to be installed. The pressure testing of piping, which has been required since adoption of the 2009 codes, should be included as part of the inspection as this is not easily addressed after concrete has been poured. And again, the inspection should focus on safety: entrapment hazards (plumbing,) pool barriers (building) and bonding and grounding (electrical.)

All of us are trying to get the job done with scarce resources. Focusing on the requirements of the ISPSC that go to safety, rather than giving equal import to every detail, will enable local code enforcement agencies to fulfill their responsibility to the public they serve without devoting a disproportionate amount of time to ISPSC enforcement.

Should you have any questions, please feel free to contact the Code Assistance Unit at codeassist@dca.nj.gov or 609-984-7609.

Source: Edward M. Smith
Director, Division of Codes and Standards

Bureau of Housing Inspection Responsibilities for UCC Officials

(Reprint from Volume 28, Summer 2016)

If you are appointed as a Uniform Construction Code (UCC) Construction Official, did you know you are also an agent of the Department of Community Affairs, Bureau of Housing Inspection? Yes, N.J.A.C. 5:23-2.18(g) gives you or your subcode officials the responsibility to ensure newly-constructed and altered hotels/multiple dwellings comply with the provisions of the regulations for the maintenance of hotels and multiple dwellings (N.J.A.C. 5:10).

The Construction Official has a responsibility to ensure that certain properties are properly registered with the Bureau of Housing Inspection prior to issuance of a UCC Certificate of Occupancy. There are also technical provisions for which the Construction Official is responsible; see UCC Bulletin 79-6 <http://www.nj.gov/dca/divisions/codes/resources/bulletins.html>.

N.J.A.C. 5:10-1.11 requires the owner of each hotel or multiple dwelling to file with the Bureau of Housing Inspection for a Certificate of Registration. Prior to issuance of a Certificate of Occupancy, N.J.A.C. 5:23-2.24(e) requires a photocopy of a Bureau of Housing Inspection, Certificate of Registration be submitted to the UCC Construction Official. However, the UCC Construction Official may utilize UCC Bulletin No. 01-2 which states that a Temporary Certificate of Occupancy may be issued without a Hotel and Multiple Dwelling Certificate of Registration.

Sometimes, there is confusion as to what constitutes a multiple dwelling. A multiple dwelling is defined as a building or structure in which three or more dwelling units that are occupied or intended to be occupied, any group of ten or more buildings on a single/contiguous parcel(s) of land each with two dwelling units occupied or intended to be occupied, all condominiums, co-ops, non-owner occupied mutual housing corporations, townhouse communities and retirement communities.

NJ Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A(k)2, exempts certain condominiums, co-ops and non-owner occupied mutual housing corporations from the multiple dwelling definition. These properties must still register with the Bureau of Housing Inspection and apply for exemption from the Bureau's inspection process.

Townhouse communities may not have to register with the Bureau however, they must apply for exemption from the registration process through the Bureau's Code Administration Unit.

If you have any questions related to the registration requirements/status of a property, please feel free to contact the Bureau of Housing Inspection's Code Administration Unit at (609) 633-6219.

Source: Carmine Giangeruso, Supervisor of Enforcement, Code Administration Unit, Bureau of Housing Inspection

2019 Proposals/Adoptions

The following is a list of the 2019 proposals/adoptions. This list, with previous years included, can be found at <http://www.nj.gov/dca/divisions/codes/codereg/> by scrolling to "Rule Proposals and Adoptions."

Posted in NJ Register	Subject	Submit Comments by:	Adoption Date*
Dec 02, 2019	Carnival-Amusement Rides & Uniform Construction Code Electrical Systems for Carnivals and Fairs Proposed Amendments: N.J.A.C. 5:14A-9.2 and 9.7; and 5:23-2.14 and 2.20 Proposed New Rule: N.J.A.C. 5:23-2.18D	Jan 31, 2020	
Nov 04, 2019	Notice of Action on Petition for Rulemaking Uniform Construction Code - Ordinary Maintenance and Minor Work NJAC 5:23-2.7 and 2.17A (see related at Aug 05, 2019 below)	N/A	N/A
Aug 05, 2019	Public Notice - Receipt of Petition for Rulemaking Uniform Construction Code - Ordinary Maintenance and Minor Work N.J.A.C. 5:23-2.7 and 2.17A	N/A	N/A
Aug 05, 2019	Uniform Construction Code - Heating, Ventilation, Air Conditioning, and Refrigeration Contractors Proposed Amendments: N.J.A.C. 5:23-2.15 and 2.15A	Oct 04, 2019	
June 03, 2019	Planned Real Estate Development Full Disclosure Act Regulations Proposed Amendments: N.J.A.C. 5:26-1.3, 8.1, 8.2, and 8.4 Proposed New Rules: N.J.A.C. 5:26-8.8 through 8.14 Proposed Repeals: N.J.A.C. 5:20 and 5:26-8.3	Aug 02, 2019	
May 20, 2019	Liquefied Petroleum Gas - Adoption of NFPA 58–2017; Filling Fleet Vehicles; Department Reorganization Proposed Amendments: N.J.A.C. 5:18-1.1, 1.2, 1.3, 1.4, 1.5, 1.7, 2.1, 3.1, 3.3, 3.6, 3.7, 4.1, 4.3, 5.1, 6.1, 6.2, 6.3, 6.4, 8.2, 9.1, 9.2, 9.4, 10.1, 10.2, 10.4, 10.5, 11.1, 11.6, and 5:18 Appendix A	July 19, 2019	
Mar 04, 2019	Uniform Construction Code - Building, Plumbing, Electrical, Fire Protection, Energy, Mechanical, One- and Two-family and Fuel Gas Subcodes Proposed Amendments: N.J.A.C. 5:23-3.14, 3.15, 3.16, 3.17, 3.18, 3.20, 3.21 and 3.22	May 03, 2019	Sept 03, 2019 NSC
Jan 07, 2019	Uniform Construction Code - Manufactured Homes Proposed Amendments: N.J.A.C. 5:23-1.1, 2.2, 2.22, 3.21, and 6.8 Proposed Repeals: N.J.A.C. 5:23-3.19, 4B, and 4C	Mar 08, 2019	Aug 05, 2019 NSC

May I Do a Plan Review Without All the Prior Approvals?

(Updated reprint from Volume 10, Fall 1998)

Members of the Code Assistance Unit have been asked whether a construction office may review a set of plans prior to the issuance of all the prior approvals. The quick answer to this question is, Yes.** In fact, the Department encourages code officials to review plans and specifications in these cases.

** The exception to the Yes above can be found at NJAC 5:23-2.15(f)4ii(1)(A). Here it states that permit applicants applying for plan review of individual owner-occupied one- or two-family home addition or alteration projects must have zoning approval in place before plan review shall proceed.

Some projects are "fast tracked," so that construction documents are completed at the same time as the prior approval process. If the permit applicant wants to take the risk associated with this process, code officials should provide the service of reviewing the plans. The original purpose of the non-refundable fee for plan review was to allow the applicant to go through the plan review process and the prior approval process at the same time. The code enforcement agency does not lose anything by doing this. The permit applicant must pay the plan review fee, therefore, even if the building is not built, the code enforcement agency is paid for its review.

One advantage of reviewing plans during the prior approval process is that there is more time for the review of complex projects. Because the time limit for the code enforcement agency to take action on the application begins when the application is complete, the plan review "clock" starts on these projects when all prior approvals have been granted. In some cases, this is reason enough to provide this service.

This does not affect the issuance of the permits. Permits may not be issued until all the prior approvals have been granted.

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

2018 I-Code Flood Hazard Construction – DEP Revisions

(Updated reprint from Volume 29, Fall 2017)

The 2018 edition of the International Building Code and Residential Code (IBC and IRC, respectively) were adopted by New Jersey on September 3, 2019. In regard to the title of this article, previous editions of the IBC and IRC differed in flood resistant standards regarding Coastal A flood zones. With the adoption of the 2015 edition of these codes (September 21, 2015), the Coastal A flood zone became one and the same regardless of whether the project is under the IBC or the IRC. The 2015 IRC aligned its Coastal A flood zone requirements with the V flood zone requirements (this was already the case in previous editions of the IBC before it). In short, this meant whether using the 2015 IBC or IRC, a foundation in a Coastal A flood zone is required to meet the same requirements as a V zone. This remains the same for the 2018 codes, along with their reference the ASCE 24, the 2014 edition.

The rule applies to new construction and those property owners whose properties were “substantially damaged/improved.” A structure is considered substantially damaged if the cost of restoration equals or exceeds 50 percent of the market value of the structure prior to the damage; this determination is made by the local floodplain administrator. Substantially improved means improvement(s) of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement.

Keeping in mind that DEP’s existing rules already contain a mandatory 1-foot freeboard*, which is maintained within NJAC 7:13, and applies to the lowest floor of the home or building, the question remains, how does this interface with the Uniform Construction Code (UCC), NJAC 5:23? The quick answer is to see your local floodplain administrator as he or she will let you know the elevation and the flood zone applicable to the home or building in question. Under the UCC, this is handled through the prior approval process. Previously, the DEP rules only used “lowest floor” and the UCC, by means of referenced model codes and standards, used this term and “lowest supporting horizontal structural member”. This has been remedied with DEP’s July 17, 2017 adoption of revisions to the Flood Hazard Area Control Act rules. “Lowest floor” now includes a reference to lowest horizontal structural member (see NJAC 7:13-1.2 at http://www.nj.gov/dep/rules/rules/njac7_13.pdf for definition of Lowest Floor). In short, the revisions harmonize NJAC 7:13 and the Uniform Construction Code, NJAC 5:23, regarding this issue and should minimize confusion when applying the two sets of rules. Provided below is the boiled-down version of the interaction between the rules.

* Note – Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. (<http://www.fema.gov/freeboard>)

Combining DEP’s newly-revised rules and the UCC’s existing requirements allows for the determination of the Design Flood Elevation (DFE). The breakdown of the elevation requirements in a flood zone per the 2018 IBC and IRC is as below.

		IRC ^a	IBC ^b			
			Cat 1	Cat 2	Cat 3	Cat 4
A zone	Elevation of the lowest floor ^c	BFE +1 ft	BFE +1 ft	BFE +1 ft	BFE +1 ft	BFE +2 ft
Coastal A zone and V zone	Elevation of the bottom of lowest supporting horizontal structural member of lowest floor ^c	BFE +1 ft	BFE +1 ft	BFE +1 ft	BFE +2 ft	BFE +2 ft

a – Per Sections R309.3/IRC and R322.2.2/IRC and Section 1.5.2/ASCE 24, attached and detached enclosed areas used solely for parking of vehicles, building access or storage may be below the BFE.

b – Category classifications are from Table 1-1 of the ASCE 24-14 (see attached).

c – Minimum elevations are based on the model codes adopted by NJAC 5:23, in combination with NJAC 7:13; municipalities may adopt local ordinances for greater freeboard which increases the DFE.

There actually are three entities involved in the enforcement of requirements for elevation of structures in identified flood hazard areas:

- The local floodplain administrator is responsible for the enforcement of the municipal flood ordinance. These ordinances are adopted as a condition of the municipality’s participation in the National Flood Insurance Program. (It should be noted that municipalities may choose to adopt requirements for higher elevations.) DEP provides a model flood ordinance at: <http://www.nj.gov/dep/floodcontrol/modelord.htm>.
- DEP is responsible for enforcement of the State’s Flood Hazard Area Control Act rules, NJAC 7:13. Under NJAC 7:13, if a home or building is being raised or reconstructed in the original footprint, DEP’s “permit by rule” allows construction to proceed without a separate review or approval from DEP. This same rule allows for an increase in the footprint of up to 300 square feet under the permit by rule provisions, which is helpful in terms of additional steps or ramps necessary to access elevated buildings. Other construction in a flood hazard area requires approval from DEP.
- The local construction official is responsible for enforcement of the UCC, including the elevation requirements described above

(Continued on next page)

(2018 I-Code Flood Hazard Construction – DEP Revisions)

ASCE 24-14 Table 1-1, Flood Design Class of Buildings and Structures	
Category	Use or Occupancy of Buildings and Structures
1	Buildings and structures that normally are unoccupied and pose minimal risk to the public or minimal disruption to the community should they be damaged or fail due to flooding. Flood Design Class 1 includes: (1) temporary structures that are in place for less than 180 days; (2) accessory storage buildings and minor storage facilities (does not include commercial storage facilities); (3) small structures used for parking of vehicles; and (4) certain agricultural structures. [Note (a)]
2	Buildings and structures that pose a moderate risk to the public or moderate disruption to the community should they be damaged or fail due to flooding, except those listed as Flood Design Classes 1, 3, and 4. Flood Design Class 2 includes the vast majority of buildings and structures that are not specifically assigned another Flood Design Class, including most residential, commercial, and industrial buildings
3	Buildings and structures that pose a high risk to the public or significant disruption to the community should they be damaged, be unable to perform their intended functions after flooding, or fail due to flooding. Flood Design Class 3 includes: (1) buildings and structures in which a large number of persons may assemble in one place, such as theaters, lecture halls, concert halls, and religious institutions with large areas used for worship; (2) museums; (3) community centers and other recreational facilities; (4) athletic facilities with seating for spectators; (5) elementary schools, secondary schools, and buildings with college or adult education classrooms; (6) jails, correctional facilities, and detention facilities; (7) healthcare facilities not having surgery or emergency treatment capabilities; (8) care facilities where residents have limited mobility or ability, including nursing homes but not including care facilities for five or fewer persons; (9) preschool and child care facilities not located in one- and two-family dwellings; (10) buildings and structures associated with power generating stations, water and sewage treatment plants, telecommunication facilities, and other utilities which, if their operations were interrupted by a flood, would cause significant disruption in day-to-day life or significant economic losses in a community; and (11) buildings and other structures not included in Flood Design Class 4 (including but not limited to facilities that manufacture, process, handle, store, use, or dispose of such substances as hazardous fuels, hazardous chemicals, hazardous waste, or explosives) containing toxic or explosive substances where the quantity of the material exceeds a threshold quantity established by the authority having jurisdiction and is sufficient to pose a threat to the public if released. [Note (b)]
4	Buildings and structures that contain essential facilities and services necessary for emergency response and recovery, or that pose a substantial risk to the community at large in the event of failure, disruption of function, or damage by flooding. Flood Design Class 4 includes: (1) hospitals and health care facilities having surgery or emergency treatment facilities; (2) fire, rescue, ambulance, and police stations and emergency vehicle garages; (3) designated emergency shelters; (4) designated emergency preparedness, communication, and operation centers and other facilities required for emergency response; (5) power generating stations and other public utility facilities required in emergencies; (6) critical aviation facilities such as control towers, air traffic control centers, and hangars for aircraft used in emergency response; (7) ancillary structures such as communication towers, electrical substations, fuel or water storage tanks, or other structures necessary to allow continued functioning of a Flood Design Class 4 facility during and after an emergency; and (8) buildings and other structures (including, but not limited to, facilities that manufacture, process, handle, store, use, or dispose of such substances as hazardous fuels, hazardous chemicals, or hazardous waste) containing sufficient quantities of highly toxic substances where the quantity of the material exceeds a threshold quantity established by the authority having jurisdiction and is sufficient to pose a threat to the public if released. [Note (b)]

Note (a) - Certain agricultural structures may be exempt from some of the provisions of this standard; see ASCE 24-14 Section C1.4.3.
 Note (b) - Buildings and other structures containing toxic, highly toxic, or explosive substances shall be eligible for assignment to a lower Flood Design Class if it can be demonstrated to the satisfaction of the authority having jurisdiction by a hazard assessment as described in ASCE 7-10 Section 1.5.3 of Minimum Design Loads for Buildings and Other Structures that a release of the substances is commensurate with the risk associated with that Flood Design Class.

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.

Shop Drawings -- Do You Really Need Them?

(Updated reprint from Volume 6, Winter 1994)

How many times have you had a discussion with a design professional about the need for shop drawings? Do these documents need to be submitted? Do they need to be signed and sealed? Where in the UCC does it say I can require them?

These are some of the questions that have been posed to the Code Assistance Unit. Let us see if we can clear up this issue a little.

As per N.J.A.C. 5:23-2.15(f)1, the Construction Official or the appropriate Subcode Official may require adequate details on a plan submittal to determine Code compliance. This code citation does not specify the form in which the information must be submitted, be it in the form of design drawings or shop drawings. It just states that the Official can require whatever is necessary to verify that the design meets the minimum standards of the Code. If the design professional provides sufficient detail in the original design drawings such that it can be determined that the design is Code complying, it is not necessary for shop drawings to be submitted. If however the design professional does not provide adequate details, the Official may require additional information be submitted. This additional information may be provided by means of a design drawing modification or by means of a shop drawing. If there is a need for shop drawings to be submitted due to the fact that they are an integral part of the design document, then they should be signed and sealed by a design professional. In some cases, it is the preference of the original designer to have shop drawings submitted by the contractors' design professional for the specialty item in question.

A Brief Example:

An owner submits signed and sealed documents which utilize pre-stressed concrete planks. The design drawings provide sufficient information including calculations and details such that Code compliance can be verified. It is not necessary for shop drawings to be submitted.

The same owner submits the same plans only this time "Pre-stressed concrete planks by others" appears on the design documents. You, as the Official, should require additional information to determine if the design meets the minimum requirements of the Code. These documents may be in the form of shop drawings or design drawings, of course signed and sealed by a design professional.

This applies to all phases of plan review where shop drawings are regularly submitted.

Source: Code Assistance Unit
(609) 984-7609

September 2019 Highlights of the New Jersey Construction Reporter

The following information is from the September 2019 Highlights. The New Jersey Construction Reporter is published on a monthly basis and includes highlights and summary data on building permits from local construction offices throughout the state. To view full reports, please visit <https://www.nj.gov/dca/divisions/codes/reporter/>.

Source: John Lago, Division of Codes and Standards
(609) 984-7609

September 2019

- \$1.594 billion of construction was authorized by building permits in September.
- New houses and home renovations accounted for \$949.8 million, or 59.6 percent of authorized work.
- Office, retail, and other nonresidential work totaled \$644.5 million (40.4 percent).
- Jersey City, Wayne, and Hackensack had the most construction in September.

Year to Date

- Between January and September 2019, \$12.612 billion of construction was authorized by building permits. This was a billion dollars more than last year at this time.
- The number of new houses authorized by building permits between January and September 2019 totaled 21,997. This was 3,023 more than the same nine-month period last year.

(continued on next page)

(September 2019 Highlights of the New Jersey Construction Reporter)

Dollar Amount of Construction Authorized by Building Permits by Use Group, January - September 2019						
Source: New Jersey Department of Community Affairs, 11/7/19						
Use Group	Permits	September		Year-to-Date		
		Estimated Construction Costs	Square Feet	Permits	Estimated Construction Costs	Square Feet
RESIDENTIAL	25,170	\$949,777,649	6,357,365	234,753	\$6,267,551,723	41,910,986
1 & 2 Family	23,413	433,586,075	2,665,038	218,967	3,828,792,551	24,213,263
Multifamily	1,757	516,191,574	3,692,327	15,786	2,438,759,172	17,697,723
NONRESIDENTIAL	5,056	644,516,515	4,211,215	50,033	6,344,128,620	30,915,140
Hotels, motels, guest houses	69	22,496,343	165,010	1,095	101,105,475	1,038,425
Assembly	357	48,146,306	188,617	3,814	471,698,703	1,583,720
Business / Office	1,825	187,051,383	883,200	18,535	2,322,083,725	4,859,705
Education	125	51,319,917	495,641	1,947	669,369,598	1,341,938
Hazardous uses	6	286,824	0	65	15,184,023	38,333
Industrial	47	26,399,845	29,410	498	325,831,000	1,690,137
Institutional	63	71,529,174	265,980	896	569,149,705	1,987,616
Retail	403	71,552,665	265,090	2,482	469,885,525	1,008,090
Storage	153	94,867,934	1,663,195	1,537	900,339,349	15,724,739
Signs, fences, miscellaneous	2,008	70,866,124	255,072	19,164	499,481,517	1,642,437
New Jersey	30,226	\$1,594,294,164	10,568,580	284,786	\$12,611,680,343	72,826,126
Sept 2018	30,053	1,231,879,415	8,847,278	300,067	11,607,759,213	68,318,914

New Jersey Department of Community Affairs
 Division of Codes and Standards
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