

******* NOTICE *******

ONE- OR TWO-FAMILY SALE OR
RENTAL PROPERTIES

IF USING A SINGLE STATION
BATTERY OPERATED SMOKE ALARM
IT MUST BE OF THE TEN-YEAR
SEALED BATTERY TYPE, AND LISTED
BY ANSI/UL 217

EFFECTIVE JANUARY 1, 2019

(SEE REGULATIONS BELOW)

1. (No change.)

2. Doors in smoke barriers shall have a fire-resistance rating of not less than 20 minutes when tested in accordance with ASTM E152 without the hose stream and labeled by an approved agency. Double egress corridor doors shall have vision panels of one-quarter inch thick labeled wired glass mounted in approved steel frames. Such panels may also be provided in other doors in smoke barriers. The glass area of the vision panels shall be limited to 1,296 square inches for each door. The doors shall close the openings with only the clearance necessary for proper operation under self-closing or automatic closing and self-latching and shall be without undercuts, louvers or grilles. Rabbits or astragals are required at the meeting edges of double egress doors, and stops are required on the head and jambs of all doors in smoke barriers. Positive latching devices are not required on double egress corridor doors, and center mullions are prohibited.

i. (No change.)

3.-4. (No change.)

(b) (No change.)

5:70-4.17 High rise buildings

(a)-(c) (No change.)

(d) The following shall apply to mechanical systems:

1. (No change in text.)

(e)-(f) (No change.)

5:70-4.19 Smoke alarms for one- and two-family dwellings; carbon monoxide alarms; and portable fire extinguishers

(a) In one- and two-family or attached single family dwellings subject to the requirements of N.J.A.C. 5:70-2.3, smoke alarms shall be installed as follows:

1.-2. (No change.)

(b) The smoke alarms required in (a) above shall be located and maintained in accordance with NFPA 72.

1. The alarms shall not be required to be interconnected.

(c) Ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/UL 217, incorporated herein by reference. However, A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms. *The effective date of this subsection shall be January 1, 2019.*

1. A/C-powered smoke alarms shall be accepted as meeting the requirements of this section.

(d) Carbon monoxide alarms shall be installed in all dwelling units in buildings in one- and two-family or attached single family dwellings, except for units in buildings that do not contain a fuel-burning device or have an attached garage, as follows:

1.-2. (No change.)

(e) A portable fire extinguisher shall be installed in accordance with the following:

1. The extinguisher shall be within 10 feet of the kitchen and located in the path of egress;

2. The extinguisher shall be readily accessible and not obstructed from view;

3. The extinguisher shall be mounted using the manufacturer's hanging bracket so the operating instructions are clearly visible;

4. The extinguisher shall be an approved listed and labeled type with a minimum rating of 2A-10B:C and no more than 10 pounds;

5. The owner's manual or written operation instructions shall be provided during the inspection and left for the new occupant;

6. The extinguisher shall be serviced and tagged by a certified Division of Fire Safety contractor within the past 12 months or the seller must have a receipt for a recently purchased extinguisher; and

7. The top of the extinguisher shall not be more than five feet above the floor.

8. Exception: Portable fire extinguishers shall not be required for seasonal summer units. For purposes of applying this exception, "seasonal summer unit" shall mean a dwelling unit rented for a term of not more than 125 consecutive days for residential purposes by a person having a permanent residence elsewhere, but shall not include use or

rental of living quarters by migrant, temporary, or seasonal workers in connection with any work or place where work is being performed.

(a)

DIVISION OF FIRE SAFETY

Uniform Fire Code

Fire Code Enforcement

Adopted Amendments: N.J.A.C. 5:71-2.6, 2.8, 3.4, 3.7, 4.4, 4.7, 4.9, and 4.11

Adopted New Rules: N.J.A.C. 5:71-4.12 and 4.13

Proposed: August 21, 2017, at 49 N.J.R. 2624(a).

Adopted: January 9, 2018, by Charles A. Richman, Commissioner, Department of Community Affairs.

Filed: January 9, 2018, as R.2018 d.075, **without change**.

Authority: N.J.S.A. 52:27D-198.

Effective Date: February 5, 2018.

Expiration Date: June 29, 2018.

Summary of Public Comments and Agency Responses:

Comments were received from Mark Antozzeski, Fire Chief and Fire Official, Hamilton Township Fire District 9; Dennis Symons, Jr.; Robert Steel, Clerk, Cinnaminson Fire District #1; Christopher Weniger, Chief Fire Marshal, Hillsborough Township; William Gee, President, Ocean County Fire Prevention & Protection Association; and Jeffrey Betz.

1. COMMENT: Mr. Antozzeski and Mr. Symons, Jr. oppose the proposed fee increase, which increases initial application fees and three-year renewal application fees from \$45.00 to \$91.00. The commenters believe that local government budgets are subject to a two percent cap mandated by New Jersey State law and the application fees established by the Department should also be capped at two percent. Further, the commenters believe the fee increases should be offset by collection of life hazard use fees, which the Department retains for its operations. The commenters suggest a two percent increase each year.

RESPONSE: The Department respectfully disagrees with the commenters' remarks. The State property tax cap signed into law by Governor Christie in 2010, pertains to capping local property taxes assessed by local municipalities to two percent of their approved budgets. The Department does not believe that the property tax cap is material to this fee increase. The proposed application fees would only impact certified Fire Inspectors and Fire Officials, and would not pose a significant hardship upon municipal budgets to credential their fire code inspection personnel. The proposed fee increase is the first increase since 1995, and is to fund fire safety programs and continuing education programs administered through the Division of Fire Safety, Office of Training and Certification. Finally, the Department disagrees with the commenters' belief that the fee increases should be offset by the collection of life hazard use fees, as under the existing rules the Department already rebates 65 percent of collected life hazard use fees to the local enforcing agencies.

2. COMMENT: Mr. Steel writes on behalf of the Board of Fire Commissioners of the Cinnaminson Fire District #1 in support of the proposed rules by indicating that the rulemaking addresses numerous issues that the fire service, and in particular fire code enforcing agencies, have been in need of and requesting. The amendments recognize the use of current technology that will benefit fire code enforcement agencies, business owners, and taxpayers. The commenter further supports efforts to clarify the requirements to deliver, attend, and become a certified fire inspector, as well as to establish training and certification requirements for fire officials. He believes that these initiatives will ensure that future fire code enforcers and leaders will be prepared to meet the challenges that they will face.

RESPONSE: The Department appreciates the commenter's affirmative comments, and thanks the commenter for his support of the rulemaking. The Department believes that the training and credentialing