

43 N.J.R. 281(d)
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RULE ADOPTIONS

COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
43 N.J.R. 281(d)

Adopted Amendment: N.J.A.C. 5:70-3.2

Adopted New Rule: N.J.A.C. 5:70-2.24

Uniform Fire Code

School Fire Drills

Proposed: October 18, 2010 at 42 N.J.R. 2349(a).

Adopted: January 3, 2011 by Lori Grifa, Commissioner, Department of Community Affairs.

Filed: January 11, 2011 as R.2011 d.049, without change.

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

Effective Date: February 7, 2011.

Expiration Date: September 15, 2015.

Summary of Public Comment and Agency Response:

A comment was submitted by Tom Anderson, Fire Official of the Borough of Bernardsville.

COMMENT: Requiring the initial inspection of schools prior to June 1 is not in the best interest of public safety due to interference with the free, unimpeded access to all parts of the school that is necessary for site inspection. The presence of students and faculty creates a situation that is chaotic at best. Most school systems are extremely busy at this time of year and the availability of personnel to accompany the inspector is minimal. Since most school systems schedule yearly testing of alarms, sprinklers, cooking suppression systems, elevators and generators after school is out for the summer, testing prior to June 1 would not be productive. An August 1 date would work better because it is then possible to work with school staff to ensure a proper and complete fire inspection and have any necessary remediation completed before the start of the school year. That is the date that the commenter has established with his schools and he finds that it works very well.

RESPONSE: As stated in the proposal, the purpose of the new scheduling requirement for initial inspections is to allow fire officials to [page=282] observe the school while in session. Some fire safety issues may be more apparent when the building is occupied than they would be otherwise. This requirement does not preclude inspection of alarms, suppression systems, elevators and generators at times that may be more convenient for school staff.

Federal Standards Statement

No Federal standards analysis is required because the amendment and new rule are not being adopted under the authority of, or in order to implement, or participate in, any program established under, Federal law or a State statute that refers to Federal law, standards, or requirements.

Full text of the adoption follows:

5: 70-2.24 Inspection of educational occupancies

The initial annual inspection of educational occupancies required by N.J.A.C. 5: 70-2.5 must be conducted prior to June 1st of each calendar year.

5: 70-3.2 Modifications

(a) The following articles or sections of the State Fire Prevention Code are modified as follows:

1.-3. (No change.)

4. Chapter 4, Emergency Planning and Preparedness, shall be amended as follows:

i.-ix. (No change.)

x. Table 405.2, Fire and Evacuation Drill Frequency and Participation, shall be amended as follows:

Insert "Monthly to include" under Frequency column, row 4, and insert "All occupants<e>" under Participation column

Delete Group R-4 under Group or Occupancy column, row 7, and insert "Therapeutic Residences"

Insert "Monthly to include" in the Frequency column, row 7, before "Quarterly on each shift"

Delete "Employee" in the Participation column row 7 and insert "All occupants"

Delete "Employee" in the Participation column row 8 and insert "All occupants"

Add new rows as follows: under Group or occupancy, add "Casino" in row 9, "Flammable Liquid Terminals" in row 10 and "Group overnight Stays" in row 11.

Under Frequency, add "Twice per year" in row 9, "Twice per year" in row 10, and "At the start of each night's activities" in row 11.

Under participation, add "Employees" in row 9, "Employees" in row 10 and "All occupants" in row 11.

The table should appear as follows:

TABLE 405.2

FIRE AND EVACUATION DRILL

FREQUENCY AND PARTICIPATION

(No change to text of Table and footnotes.)

xi.-xxiv. (No change.)

5.-46. (No change.)