

- An odorant has been added to your LP-Gas so you can detect if your system develops a leak. Learn what LP-Gas smells like. Your marketer has scratch-and-sniff pamphlets to help your family recognize its distinctive odor.
- Learn how to turn off your gas supply. Some gas valves require the use of a wrench to operate them. Ask your marketer for assistance if you do not know how to turn off your gas supply.
- Check www.propanesafety.com, www.npga.org, the propane marketer’s website or call your marketer for additional safety information.
- Ask your marketer whether all installations and services provided are in conformance with New Jersey Department of Community Affairs regulations.
- If you find an underground container dome or any other LP-Gas container completely submerged in water, turn off the container supply valve and notify your marketer.
- Keep underground container domes clear when it snows in case a delivery is needed.
- Notify your marketer prior to the installation of air conditioning or making any modifications to your home that are within ten feet of the container.

If You Smell Gas

1. Exit the building, without using the telephone or cell phone, operating any electrical switches or lighting any matches or smoking materials.
 2. If possible, turn off the gas at the container or meter valve.
 3. Call 911 from a neighbors home.
 4. Do not re-enter the building until the emergency responder tells you it is safe to do so.
- Your marketer is required to respond to your request for assistance in an emergency.

(a)

DIVISION OF CODES AND STANDARDS

**Notice of Administrative Correction
Uniform Construction Code**

N.J.A.C. 5:23-2.35

Effective Date: October 17, 2023.

Take notice that the Department of Community Affairs (Department) discovered an error in the text at N.J.A.C. 5:23-2.35, Enforcement actions after issuance of certificate(s) of occupancy. Specifically, the error is located at N.J.A.C. 5:23-2.35(a)1ii(5), and is a missing number in the reference to a section within the building subcode. The error occurred due to the inclusion of the incorrect section reference number within the adoption of amendments at N.J.A.C. 5:23-2.35, dated March 6, 2023. For accuracy, this notice of administrative correction inserts the correct section reference number at N.J.A.C. 5:23-2.35(a)1ii(5).

The Department has requested, and the Office of Administrative Law has agreed to, such correction be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rule follows (addition indicated in boldface **thus**; deletion indicated in brackets [thus]):

SUBCHAPTER 2. ADMINISTRATION AND ENFORCEMENT;
PROCESS

5:23-2.35 Enforcement actions after issuance of certificate(s) of occupancy

(a) Subsequent to the issuance of a certificate of occupancy, the construction official shall issue a notice of violation for any violation of the provisions of the Code in effect at the time of permit application that comes to his or her attention. Pursuant to N.J.S.A. 2A:14-1.1, no notice of violation may be issued to the developer or to any contractor more than 10 years after issuance of the certificate of occupancy.

1. If violations of any of the following provisions of the Code in effect at the time of permit application are found in a residential structure in a development, other than Group R-1, subsequent to the issuance of a certificate of occupancy, the construction official shall issue such notices and orders as may be necessary to ensure that all units within the development that might have similar violations are inspected for such violations and that any such violations found are cited and abated:

- i. (No change.)
 - ii. The following provisions of the building subcode:
 - (1)-(4) (No change.)
 - (5) Chapter 10, Means of Egress, except for Sections [011.5.4] **1011.5.4**, 1011.5.5, 1011.11, 1011.12, 1030.14, 1030.16, and 1030.17;
 - iii.-vi. (No change.)
2. (No change.)

(b)

DIVISION OF CODES AND STANDARDS

**Notice of Administrative Corrections
Uniform Construction Code**

N.J.A.C. 5:23-3.14, 3.15, and 3.21

Effective Date: October 25, 2023.

Take notice that the Department of Community Affairs (Department) discovered administrative errors in the text at N.J.A.C. 5:23-3.14, Building subcode, 3.15, Plumbing subcode, and 3.21, One- and two-family dwelling subcode. The following summarizes the administrative corrections:

1. N.J.A.C. 5:23-3.14(b)2vi is recodified as N.J.A.C. 5:23-3.14(b)2iv for consistency with the alphabetical listing of definitions.
2. N.J.A.C. 5:23-3.14(b)8xiii is changed to correct the misspelled word, fire.
3. N.J.A.C. 5:23-3.14(b)9i is recodified as N.J.A.C. 5:23-3.14(b)9xiii for consistency with the numeric listing of sections within the UCC.
4. N.J.A.C. 5:23-3.14(b)9xxxii is changed to include a missing item from a list, correct grammar, and remove the renumbering of exceptions. These changes are made for accuracy and to help clarify the amendment of the section.
5. N.J.A.C. 5:23-3.14(b)10xii is changed to remove the unnecessary usage of the word, unit, in multiple places.
6. N.J.A.C. 5:23-3.14(b)26i is changed to remove and replace an incorrect section reference with the proper section reference (by removing a period).
7. N.J.A.C. 5:23-3.15(b)7vi is changed to remove and replace an incorrect section number to the 2021 International Building Code with the proper section number.
8. N.J.A.C. 5:23-3.21(c)3vi is changed to remove and replace a misspelled word in the title with the correct spelling, “distributed.” Additionally, a quotation mark is added to the reference to exterior balconies.
9. N.J.A.C. 5:23-3.21(c)3xiv is changed to include the appropriate cross-reference to the plumbing subcode, N.J.A.C. 5:23-3.15.
10. N.J.A.C. 5:23-3.21(c)3xvi is changed to delete the word “Section” in two places, as it improperly refers to a section instead of a table.
11. N.J.A.C. 5:23-3.21(c)3xxxix is changed to remove and replace an incorrect numeric section reference with the correct reference. Additionally, the word “and” is removed to aid in clarification.
12. N.J.A.C. 5:23-3.21(c)3xlxiii is changed to remove redundant language from Chapter 6 of the inserted amendments.

13. N.J.A.C. 5:23-3.21(c)4viii is changed to include the missing word “plane” in the defined term, story above grade plane. Additionally, a change is made to include the appropriate cross-reference to the plumbing subcode, N.J.A.C. 5:23-3.15.

14. N.J.A.C. 5:23-3.21(c)6ii is changed for consistency with N.J.A.C. 5:23-3.21(c)6i.

15. N.J.A.C. 5:23-3.21(c)24viii is changed to include a missing word in the title, 3D-Printed “Building” Construction. Additionally, changes are made at N.J.A.C. 5:23-3.21(c)24viii(1), to insert a missing letter in a section reference and to include the appropriate cross-reference to the administrative provisions of the Uniform Construction Code.

The Department has requested, and the Office of Administrative Law has agreed to, such corrections be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. SUBCODES

5:23-3.14 Building subcode

(a) (No change.)

(b) The following chapters of the building subcode are modified as follows:

1. (No change.)

2. Chapter 2, Definitions, shall be amended as follows:

i.-iii. (No change.)

iv. The definition of “ambulatory care facility” shall be amended as follows: the phrase, “who are rendered incapable of self-preservation by the services provided or staff has accepted the responsibility for care recipients already incapable” shall be deleted and “where evacuation is impractical” shall be inserted.

Recodify existing iv.-v. as v.-vi. (No change in text.)

[vi. The definition of “ambulatory care facility” shall be amended as follows: the phrase, “who are rendered incapable of self-preservation by the services provided or staff has accepted the responsibility for care recipients already incapable” shall be deleted and “where evacuation is impractical” shall be inserted.]

vii.-xxxix. (No change.)

3.-7. (No change.)

8. Chapter 9, Fire Protection Systems, shall be amended as follows:

i.-xii. (No change.)

xiii. In Section 903.3.6, Hose threads, “[ire] **fire** code official” shall be deleted and “fire protection subcode official” shall be inserted.

xiv.-xc. (No change.)

9. Chapter 10, Means of Egress, shall be amended as follows:

[i. The term “or Type B unit” shall be deleted and “or” shall be inserted between “Accessible units” and “Type A units” in the following sections: Section 1010.1.1, Exceptions 1, 7, and 8; Section 1010.1.4, Exception 3; Section 1010.1.6, Exception 1.3; Section 1012.6.3, Exception 1; and Section 1012.6.4, Exception.]

Recodify existing ii.-xiii. as i.-xii. (No change in text.)

xiii. The term “or Type B unit” shall be deleted and “or” shall be inserted between “Accessible units” and “Type A units” in the following sections: Section 1010.1.1, Exceptions 1, 7, and 8; Section 1010.1.4, Exception 3; Section 1010.1.6, Exception 1.3; Section 1012.6.3, Exception 1; and Section 1012.6.4, Exception.

xiv.-xxx. (No change.)

xxxii. Section 1031.2, Where required, shall be amended as follows: In the second paragraph, “Basements and” shall be deleted and “sleeping” shall be capitalized. In the same section, Exception 1 shall be deleted in its entirety. In Exception 2, “basements or” shall be deleted. In addition, Exceptions 3 and 4 shall be deleted in [its] **their** entirety. [Finally, Exception 2 shall be renumbered as Exception 1 and Exception 4 shall be renumbered as Exception 2.]

10. Chapter 11, Accessibility, shall be amended as follows:

i.-xi. (No change.)

xii. In Section 1106.3, Groups I-1, R-1, R-2, R-3, and R-4, in item 1, “or Type B [unit]” shall be deleted and “or” shall be inserted between “Accessible [unit]” and “Type A [unit].” Additionally, insert the following at the end of item number 1: “Where additional parking spaces or parking lots are provided for visitors, the number of required accessible parking spaces shall comply with the Table 1106.2.” Lastly, item number 3 shall be deleted.

xiii.-lix. (No change.)

11.-25. (No change.)

26. Chapter 35, Referenced Standards, shall be amended as follows:

i. In the User notes, under About This Chapter, “Section [1024] **102.4**” shall be deleted and “the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)” shall be inserted in its place.

ii. (No change.)

27. (No change.)

5:23-3.15 Plumbing subcode

(a) (No change.)

(b) The following pages, chapters, sections, or appendices of the plumbing subcode shall be amended as follows:

1.-6. (No change)

7. Chapter 7 of the plumbing subcode, entitled “Plumbing Fixtures, Fixture Fittings and Plumbing Appliances,” shall be amended as follows:

i.-v. (No change.)

vi. In Section 7.11.4, Service Sinks and Mop Receptors, b. is amended to delete the following after “surface,” “at least one foot in front of the sink or receptor, at least one foot on each side, and up to a point one foot above the faucet height,” and insert, “refer to the International Building Code, Section [1209.2.2] **1210.2.2**.”

vii.-ix. (No change.)

8.-19. (No change.)

(c) (No change.)

5:23-3.21 One- and two-family dwelling subcode

(a)-(b) (No change.)

(c) The following chapters or sections of the IRC/2021 shall be modified as follows:

1.-2. (No change.)

3. Chapter 3, Building Planning, shall be amended as follows:

i.-v. (No change.)

vi. In Table R301.5, Minimum Uniformly [Distributed] **Distributed Live Loads**, delete “Balconies (exterior) and” from the fourth row. Insert a new row below “Decks” with “Exterior Balconies” in the “Use” column and “60” in the “Uniform Load” column.

vii.-xiii. (No change.)

xiv. In Section R307.1, Space required, “Figure R307.1, and in accordance with the requirements of Section P2705.1” shall be deleted and “Figure 7.3.2 of the plumbing subcode (N.J.A.C. 5:23-3.15), entitled ‘Minimum Fixture Clearances’ shall be inserted. In addition, Figure R307.1 shall be deleted.

xv. (No change.)

xvi. In Section R310.4.3, Drainage, “[Section] R405.1” shall be deleted in the body of the general text and again in the exception and “[Section] R406.1” shall be inserted for each deletion.

xvii.-xxxviii. (No change.)

xxxix. In Section R322.3, Coastal high-hazard areas (including V Zones and Coastal A Zones, where designated), “Sections R322.3.1 through R322.3.10” shall be deleted and “[and] ASCE 24” shall be inserted in its place. Additionally, the subsections that follow the text of [R322.3.1] **R322.3**, Sections R322.3.1 through R322.3.10, shall be deleted.

xl.-xlii. (No change.)
 xliii. A new Section R327.2, Amendments to the International Swimming Pool and Spa Code, shall be inserted as follows:

5. [Amendments to] Chapter 6, Aquatic recreation facilities, shall be amended as follows:

5.1 In Section 601.1, Scope, the following sentence shall be added to the end of the paragraph, "For purposes of enforcement, Class D-2 and Class D-6 public pools shall be regulated by this chapter and N.J.A.C. 5:23; all other Class D public pools shall be regulated by N.J.A.C. 5:14A."

5.2 In Section 609.1, General, "International Building Code and International Plumbing Code and Section 609.2 through 609.9" shall be deleted and "the plumbing subcode (N.J.A.C. 5:23-3.15)" shall be inserted.

5.3 Sections 609.2, Number of fixtures, 609.3, Showers, 609.4, Soap dispensers, 609.5, Toilet tissue holder, 609.6, Lavatory mirror, 609.7, Sanitary napkin receptacles, 609.8, Sanitary napkin dispensers, and 609.9, Infant Care, shall be deleted.

xliv.-xlv. (No change.)

4. Chapter 4, Foundations, shall be amended as follows:

i.-vii. (No change.)

viii. Sections R405, Foundation Drainage, with the exception of Table R405.1, which shall be renumbered as "Table R406.1", and R406, Foundation Waterproofing and Dampproofing, shall be deleted and the text of Section 1805, Dampproofing and Waterproofing from the building subcode shall be inserted as follows:

R406.1.1 Story above grade plane. Where a basement is considered a story above grade **plane** and the finished ground level adjacent to the basement wall is below the basement floor elevation for 25 percent or more of the perimeter, the floor and walls shall be dampproofed in accordance with Section R406.2 and a foundation drain shall be installed in accordance with Section R406.4.1. The foundation drain shall be installed around the portion of the perimeter where the basement floor is below ground level. The provisions of Sections R406.3 and R406.4.1 shall not apply in this case.

R406.4.3 Drainage discharge. The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the plumbing subcode (N.J.A.C. 5:23-3.15).

Exception: Where a site is located in well-drained gravel or sand/gravel mixture soils, a dedicated drainage system is not required."

ix. (No change.)

5. (No change.)

6. Chapter 6, Wall Construction, shall be amended as follows:

i. (No change.)

ii. In Section R602.6.1, Drilling and notching of top plate, "eight 10d (0.148 inch diameter)" shall be deleted and ["three-8d"] "**3-8d**" shall be inserted.

iii.-iv. (No change.)

7.-23. (No change.)

24. The Appendices shall be amended as follows:

i.-vii. (No change.)

viii. Appendix AW, 3D-Printed **Building** Construction, shall be adopted as part of this subcode. The Appendix shall be amended as follows:

(1) In Section AW103.2, Design approval, in the last line, "Section [104.11] **R104.11**" shall be deleted, and "the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)" shall be inserted in its place.

(a)

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

**Notice of Administrative Change
 Maximum Attorney Services Fees**

N.J.A.C. 5:80-31.3

Effective Date: October 18, 2023.

Operative Date: January 1, 2024.

Take notice that the New Jersey Housing and Mortgage Finance Agency (Agency), pursuant to N.J.A.C. 5:80-31.3(f), has determined the annual increase in the overall Consumer Price Index for New York-Newark-Jersey City, as published by the United States Department of Labor, Bureau of Labor Statistics, as of September 30, 2023, to be 3.7 percent. Accordingly, the Agency is hereby changing, operative January 1, 2024, the maximum fees that can be paid from project funds for Agency-approved attorney services, as set forth at N.J.A.C. 5:80-31.3(a).

Full text of the changed rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 31. ATTORNEY SERVICES

5:80-31.3 Maximum fees

(a) The maximum fees that can be paid from project funds for Agency-approved attorney services are as follows:

1. General legal matters . . . up to [\$232.00] **\$241.00**/hour;

2. Tenancy actions, as follows:

i. For each of the first two cases (requiring court appearance) on the same day . . . up to [\$183.00] **\$190.00**;

ii. For each additional case presented on the same day . . . up to [\$136.00] **\$141.00**; and

iii. For each case prepared for trial but resolved prior to actual court appearance . . . up to [\$93.00] **\$96.00**; and

3. General litigation, as follows:

i. Non-trial hours . . . up to [\$322.00/hour] **\$334.00/hour**; and

ii. Trial hours . . . up to [\$370.00/hour] **\$384.00/hour**.

(b)-(f) (No change.)

ENVIRONMENTAL PROTECTION

(b)

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

Regulations of the New Jersey Site Remediation Professional Licensing Board

Adopted Amendments: N.J.A.C. 7:261-1.3, 2.3, 2.4, 2.5, 2.11, 2.12, 2.13, 2.14, 2.15, 3.3, 3.4, 3.5, 3.7, 4.3, 4.4, 4.5, 5.1, 5.2, 5.4, 5.5, 6.3, 6.5, 6.7, 6.8, 6.9, 6.10, 6.15, 6.16, 6.18, 6.21, 6.24, 6.27, 7.1, 7.3, 7.5, 7.7, 7.8, 8.3, 9.1, and 9.2

Proposed: November 7, 2022, at 54 N.J.R. 1998(a).

Adopted: October 2, 2023, by A. Paul Stofa, Chairperson, Site Remediation Professional Licensing Board.

Filed: October 23, 2023, as R.2023 d.131, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 58:10C-1 et seq.

DEP Docket Number: 06-22-09.

Effective Date: November 20, 2023.

Expiration Date: September 21, 2029.

The Site Remediation Reform Act (SRRA), N.J.S.A. 58:10C-1 et seq., established the New Jersey Site Remediation Professional Licensing