

RULE ADOPTIONS

COMMUNITY AFFAIRS

(a)

DIVISION OF CODES AND STANDARDS

Notice of Readoption

Proprietary Campground Facility Health and Safety Standards

Readoption: N.J.A.C. 5:10A

Authority: N.J.S.A. 45:22A-52.

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Effective Date: August 8, 2017.

New Expiration Date: August 8, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:10A were scheduled to expire on September 15, 2017. These rules address the health and safety standards of proprietary campground facilities pursuant to N.J.S.A. 45:22A-52.

This chapter contains two subchapters. Subchapter 1 provides for administrative provisions, including the registration guidelines, necessary inspections, and enforcement practices relating to proprietary campground facilities. Subchapter 2 contains minimum maintenance standards for such facilities.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF CODES AND STANDARDS

Notice of Readoption

Lead Hazard Evaluation and Abatement Code

Readoption: N.J.A.C. 5:17

Authority: N.J.S.A. 52:27D-427.

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Effective Date: August 8, 2017.

New Expiration Date: August 8, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:17 were scheduled to expire on September 15, 2017. These rules control the abatement of lead-based paint hazards and the certification of lead-based paint hazard evaluation or abatement contractors pursuant to N.J.S.A. 52:27D-427.

These rules contain 11 subchapters. Subchapter 1 contains definitions and general provisions and Subchapter 2 contains the requirements for contractor certification. Subchapters 3 through 6 contain the requirements for evaluation and testing and lead hazard abatement, including paint removal, encapsulation, and enclosure. Subchapter 7 includes the interim controls and abatement for soil. Subchapters 8, 9, and 10 detail the requirements for abatement cleanup, waste disposal, final inspections, and clearance testing; and Subchapter 11 maintains standards for steel structures or other superstructures.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A.

52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

(c)

DIVISION OF CODES AND STANDARDS

Notice of Readoption

Liquefied Petroleum Gas

Readoption: N.J.A.C. 5:18

Authority: N.J.S.A. 21:1B-2 and 52:27D-509.

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Effective Date: August 1, 2017.

New Expiration Date: August 1, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:18 were scheduled to expire on September 2, 2017. These rules are intended to protect public health, safety, and welfare by providing minimum standards for the design, construction, location, installation, and operation of liquefied petroleum gas (LPG) systems, as well as requirements regarding licensing of LPG marketers, audits, quality control, and consumer protection pursuant to N.J.S.A. 21:1B-2 and 52:27D-509, the Propane Gas Customer Protection Act.

This chapter contains 11 subchapters. Subchapters 1 and 2 contain general provisions and definitions. Subchapters 3, 4, and 5 adopt NFPA and API standards by reference. Subchapter 6 contains rules for the release of plans or submittal of notice of LPG installation and approval of new LPG systems. Subchapter 7 contains violations, administrative penalties, and hearings. Subchapters 8 and 9 contain the rules for inspections and quality control maintenance audits. Subchapter 10 contains the licensing requirements and Subchapter 11 lists additional required information. Note that a proposed amendment to N.J.A.C. 5:18-1.6 is currently out for public comment (see 49 N.J.R. 2326(a)).

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

(d)

DIVISION OF CODES AND STANDARDS

Notice of Readoption

Condominium, Fee Simple, and Cooperative

Conversion and Mobile Home Park Retirement

Readoption: N.J.A.C. 5:24

Authority: N.J.S.A. 2A:18-61.12, 2A:18-61.38, and 2A:18-61.59.

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Effective Date: August 8, 2017.

New Expiration Date: August 8, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:24 were scheduled to expire on September 15, 2017. These rules extend certain protections to tenants of rental units being converted to a condominium, cooperative, or fee simple forms of ownership and protect owners of mobile home parks being permanently retired from the rental market pursuant to N.J.S.A. 2A:18-61.12, 2A:18-61.38, and 2A:18-61.59.

This chapter contains three subchapters: Subchapter 1 includes general provisions. Subchapters 2 and 3 contain the requirements for senior citizenship and disability protected tenancy, as well as protected tenancy in qualified counties.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

(a)

DIVISION OF CODES AND STANDARDS**Notice of Readoption****Rooming and Boarding Homes****Readoption: N.J.A.C. 5:27-1 through 12 and 14**

Authority: N.J.S.A. 55:13B-4, 6, and 6.1.

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Effective Date: August 1, 2017.

New Expiration Date: August 1, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:27 were scheduled to expire on September 2, 2017. These rules are intended to protect the health, safety, and welfare of residents of rooming and boarding houses. A rooming house is a residential property in which two or more individuals living independently of each other occupy rooming units and do not have their own cooking and sanitary facilities. If the facility provides meals or personal or financial services as a rooming unit, it is a boarding house. (See N.J.S.A. 55:13B-3.a and h, respectively.)

The chapter includes the following subchapters: administration and enforcement; definitions; rights of residents; general building requirements (including two appendices related to lead-safe maintenance); security; residents' comfort; maintenance of records; food and laundry services; other personal services; financial services; fire safety loans; additional rules regarding persons with Alzheimer's disease or other forms of dementia; and carbon monoxide alarms. Subchapter 13, Additional rules regarding persons with Alzheimer's disease or related disorders or other forms of dementia, is not being readopted as jurisdiction over facilities serving persons with Alzheimer's disease or other forms of dementia was transferred to the Department of Health, pursuant to P.L. 2015, c. 125. Note that the comment period for proposed amendments to the rules regarding cooperative sober living residences expired on August 4, 2017 (see 49 N.J.R. 1276(a)).

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF CODES AND STANDARDS**Notice of Readoption****New Jersey State Housing Code****Readoption: N.J.A.C. 5:28**

Authority: N.J.S.A. 2A:42-76.

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Effective Date: August 9, 2017.

New Expiration Date: August 9, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:28 were scheduled to expire on September 15, 2017. These rules create the standards to guide the public officer, or his or her agents, in determining the fitness of a building for human habitation, use, or occupancy pursuant to N.J.S.A. 2A:42-76.

This rule has two subchapters. Subchapter 1 contains the minimum requirements for the fitness of a building for human habitation, use, and occupancy including water supply, facilities, lighting, heating, ventilation, egress, responsibilities of owners and occupants, garbage storage, and general maintenance requirements. Subchapter 2 and its appendices include the requirements for lead-safe maintenance.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1, these rules are readopted and shall continue in effect for a seven-year period.

ENVIRONMENTAL PROTECTION

(c)

OFFICE OF THE COMMISSIONER**Department Organization****Readoption with Amendments: N.J.A.C. 7:1**

Adopted: August 8, 2017, by Bob Martin, Commissioner,

Department of Environmental Protection.

Filed: August 10, 2017, as R.2017 d.164.

Authority: N.J.S.A. 13:1B-3.d, 13:1B-3.e, 13:1B-5.a, and 52:14B-3 and 4.b.

DEP Docket Number: 14-17-08.

Effective Date: August 10, 2017.

Expiration Date: August 10, 2024.

The New Jersey Department of Environmental Protection is readopting N.J.A.C. 7:1, Department Organization, with amendments that reflect the current structure of the Department, and update contact information. These rules became effective upon filing with the Office of Administrative Law, pursuant to N.J.S.A. 52:14B-4.b and N.J.A.C. 1:30-6.6(a)3.

Federal Standards Statement

N.J.A.C. 7:1 was not promulgated under the authority of or in order to implement, comply with, or participate in any program established under Federal law, or under a State statute that incorporates or refers to Federal law, Federal standards, or Federal requirements. Accordingly, Executive Order No. 27 (1994) and N.J.S.A. 52:14B-23 do not require a comparison with Federal law.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 7:1.

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

SUBCHAPTER 1. GENERAL PROVISIONS**7:1-1.3 Organization of the Department**

(a) (No change.)

(b) The following organizational units are established under the Commissioner:

1.-2. (No change.)

3. Chief Advisor to the Commissioner; [and]

4. [Office of] Communications[,] **and Public Affairs; and**

5. Strategic Communications.

(c) The following organizational units are established under the Commissioner and are headed by Assistant Commissioners: