

ADOPTIONS SECTION

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Notice of Administrative Correction

Uniform Construction Code

Rehabilitation Subcode

Change of Use

N.J.A.C. 5:23-6.31

Take notice that the Department of Community Affairs (Department) discovered an error in the text of N.J.A.C. 5:23-6.31. Effective May 1, 2017, the Department adopted amendments to Subchapter 6, including N.J.A.C. 5:23-6.31(j), to change “in accordance with the mechanical subcode. (Fire)” to “in accordance with Section 915 of the building subcode or Section 315 of the one- and two-family dwelling subcode, as applicable. (Fire)” (see 48 N.J.R. 1854(a); 49 N.J.R. 1020(a)) (Proposal 1).

In the same issue of the New Jersey Register that Proposal 1 was published in, the Department proposed concurrent amendments in a separate notice of proposal (Proposal 2). Included in Proposal 2 (see 48 N.J.R. 1851(a); 49 N.J.R. 1381(b)) were amendments to N.J.A.C. 5:23-6.31(j) that were different from the amendments in Proposal 1.

During the updating process for the 06-05-17 Code Update, the changes that were adopted effective May 1, 2017, and incorporated into the New Jersey Administrative Code on that date, were inadvertently “rolled back” to the text as it existed in Proposal 2, without the amendments from Proposal 1 that were already effective being retained. 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 6. REHABILITATION SUBCODE

5:23-6.31 Change of use

(a)-(i) (No change.)

(j) Carbon monoxide detection equipment: When the use of a building is changed and the building contains a fuel-burning appliance or has an attached garage, carbon monoxide detection equipment shall be installed in accordance with [the mechanical subcode] **Section 915 of the building subcode or Section 315 of the one- and two-family dwelling subcode, as applicable.**

(Fire)

(k)-(q) (No change.)