

ADOPTIONS SECTION

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Notice of Administrative Correction

Uniform Construction Code

Subcodes

Responsibilities

N.J.A.C. 5:23-3.4

Effective Date: February 23, 2021.

Take notice that the Department of Community Affairs (Department) discovered an error in the text of N.J.A.C. 5:23-3.4. Effective September 3, 2019, the Department adopted the 2018 editions of the International Mechanical Code (IMC), the International Fuel and Gas Code (IFGC), and the International Residential Code (IRC) as the mechanical subcode, the fuel gas subcode, and the one- and two-family dwelling subcode of the Uniform Construction Code (UCC), respectively (see 51 N.J.R. 1399(a)). The text at N.J.A.C. 5:23-3.4(a)5, corresponding to the mechanical subcode, delineates that at Section 918 of the IMC, Forced-Air Warm-Air Furnaces, plan review is the responsibility of building and fire protection subcode officials, and inspections are the responsibility of building subcode officials. Similarly, the text at N.J.A.C. 5:23-3.4(a)7, corresponding to the fuel gas subcode, delineates that at Section 618 of the IFGC, Forced-Air Warm-Air Furnaces, plan review is, likewise, the responsibility of building and fire protection subcode officials, and inspections are the responsibility of building subcode officials. However, the text at N.J.A.C. 5:23-3.4(a)6, corresponding to the one- and two-family dwelling subcode, incorrectly delineates that at Section G2442 of the IRC, likewise entitled Forced-Air

Warm-Air Furnaces and including a cross reference to Section 618 of the IFGC within its title, inspections are the responsibility of fire protection subcode officials. Thus, the text at N.J.A.C. 5:23-3.4(a)6 should be corrected to match the responsibilities assigned to the companion sections in the IFGC and IMC.

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 3. SUBCODES

5:23-3.4 Responsibilities

(a) (No change.)

1. - 5. (No change.)

6. One- and Two-Family Dwelling Subcode:

	Plan Review	Inspection
...		
G2442	Building/Fire	[Fire] Building
...		

7. - 9. (No change.)

(b)-(d) (No change.)

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Uniform Construction Code

Subcodes

Responsibilities

N.J.A.C. 5:23-3.4

Effective Date: March 2, 2021.

Take notice that the Department of Community Affairs (Department) discovered an error in the text of N.J.A.C. 5:23-3.4. Effective November 2, 2020, the Department adopted amendments to the Responsibilities section of the Uniform Construction Code (UCC) (see 52 N.J.R. 1999(a)). The text at N.J.A.C. 5:23-10.3(b)1 delineates plan review and inspection responsibilities pertaining to the radon hazard subcode. However, the corresponding section related to responsibilities within the radon hazard subcode, at N.J.A.C. 5:23-3.4(a)9, employs divergent language. Thus, the language used at N.J.A.C. 5:23-3.4(a)9 should be corrected to match the language used at N.J.A.C. 5:23-10.3(b)1 to ensure that the code language is consistent throughout.

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 3. SUBCODES

5:23-3.4 Responsibilities

(a) (No change.)

1. – 8. (No change.)

9. Radon Hazard Subcode: [Building subcode official, except that N.J.A.C. 5:23-10.4(b)14 shall be the responsibility of the Electrical Subcode official.] **Plan review and inspection with regard to compliance with N.J.A.C. 5:23-10.4(b) and (c) shall be the responsibility of the building subcode official, except that N.J.A.C. 5:23-10.4(b)13 and (c)14 shall be the responsibility of the electrical subcode official.**

(b)-(d) (No change.)

ADOPTIONS SECTION

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Notice of Administrative Correction

Uniform Construction Code

Recreational Park Trailers

Appeals: Local

N.J.A.C. 5:23-4D.9

Effective Date: March 4, 2021.

Take notice that the Department of Community Affairs (Department) discovered an error in the text of N.J.A.C. 5:23-4D.9. The code text contains a cross-reference to N.J.A.C. 5:23-23A; this citation is erroneous and should refer to N.J.A.C. 5:23A, “Rules Governing the Construction Board of Appeals.” The Construction Board of Appeals is referenced in many other sections of the Uniform Construction Code, and is the appropriate reference for this section, as well.

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 4D. RECREATIONAL PARK TRAILERS

5:23-4D.9 Appeals: Local

Any person, firm, or person aggrieved by a notice, order, ruling, decision of a local enforcing agency shall file an appeal in accordance with N.J.A.C. [5:23-23A] **5:23A**.