

[N.J.A.C. 5:23-4D.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 51 No. 15, August 5, 2019

NJ - New Jersey Administrative Code > TITLE 5. COMMUNITY AFFAIRS > CHAPTER 23. UNIFORM CONSTRUCTION CODE > SUBCHAPTER 4D. RECREATIONAL PARK TRAILERS

§ 5:23-4D.1 Scope

(a) This subchapter shall govern the design, manufacture and installation of recreational park trailers intended for installation in this State.

1. Recreational park trailers shall be installed on site using the anchoring system specified in the recreational park trailer subcode adopted in this subchapter. The recreational park trailer shall be anchored to withstand the local design wind load.

2. Any additions, decks, porches, roofs or modifications to a recreational park trailer shall be subject to the permit requirements of [N.J.A.C. 5:23-2.14](#) and to the applicable requirements of the adopted subcodes. No addition or modification shall impose any additional structural loads on the recreational park trailer unless the plans and specifications, submitted pursuant to [N.J.A.C. 5:23-2.14](#), demonstrate that the recreational park trailer is capable of accepting those additional loads. Additionally, no site-built construction shall have a roof height higher than that of the recreational park trailer unless the plans and specifications document that the recreational park trailer is capable of accepting any additional snow load.

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§ 5:23-4D.2 Definition of "recreational park trailer"

(a)"Recreational park trailer" means a trailer type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use, that meets the following criteria:

- 1.Is built on a single chassis mounted on wheels;
- 2.Has a gross trailer area not exceeding 400 square feet (37.15 square meters) in set-up mode, and, if less than 320 square feet (29.72 square meters) in the setup mode, would require a special movement permit for highway transit; and
- 3.Is certified by the manufacturer as complying with ANSI A119.5.

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Department of Community Affairs' interpretive regulation, [N.J.A.C. 5:23-9.3](#), which determined that recreational park trailers are subject to the Uniform Construction Code, [N.J.S.A. 52:27D-119](#) to -141, is valid. The Department's regulation of recreational park trailers under the Code is not preempted by the National Manufactured Housing Construction and Safety Standards Act, [42 U.S.C.S. §§ 5401-5426](#), because the Department of Housing and Urban Development has not yet adopted regulations establishing safety standards for such trailers. [Tall Timbers Prop. Owners Ass'n v. New Jersey Dep't of Cmty. Affairs, 413 N.J. Super. 54, 992 A.2d 811, 2010 N.J. Super. LEXIS 67 \(App.Div. 2010\)](#).

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§ 5:23-4D.3 Standards

(a) Regulations concerning recreational park trailers are follows:

1. Pursuant to authority of P.L. 1975 c. 217, as supplemented by P.L. 1991, c. 457, the Commissioner hereby adopts the standard of the American National Standard Institute A119.5 Standard for Park Model Recreational Vehicles, 2015 edition, known as "ANSI A119.5." This standard is hereby adopted by reference as the recreational park trailer subcode for New Jersey subject to the modifications stated in (c) below.

i. Copies of this standard may be obtained from the Recreational Park Trailer Industry Association, 30 Greenville Street, 2nd Floor, Newnan, GA 30263.

ii. The ANSI A119.5, 2015 edition, may be known and cited as the "recreational park trailer subcode."

(b) The provisions of this subcode shall apply to the construction, alteration, repair or increase in size of recreational park trailers.

(c) The following chapters, sections or pages of "ANSI A119.5 Standard for Park Model Recreational Vehicles, 2015 Edition" are amended as follows:

1. Chapter 1, General, shall be amended as follows:

i. In Section 1-3, delete the definition of "Porch."

ii. In Section 1-5, "Electrical Requirements," delete "NFPA 70, *National Electrical Code*," and insert "the electrical subcode of the Uniform Construction Code, [N.J.A.C. 5:23-3.16](#)."

2. Chapter 3, Health, Fire and Life Safety Special Provisions, shall be amended as follows:

i. Delete text of section 3-6 entitled "Carbon Monoxide" and insert the following in its place. "Single station carbon monoxide alarms shall be installed and maintained in full operating condition in the immediate vicinity of each sleeping area in any dwelling unit if the dwelling unit contains a fuel-burning appliance or has an attached garage.

Carbon monoxide alarms shall be manufactured, listed and labeled in accordance with UL 2034 and shall be installed in accordance with the requirements of this section and NFPA 720. Carbon monoxide alarms shall be battery operated, hard-wired or of the plug-in type."

3. Chapter 5, Construction Requirements, shall be amended as follows:

i. Delete the text of section 5-1 entitled "General Requirements" and insert the following in its place: "Park model recreational vehicles shall be constructed in accordance with the requirements of this chapter."

ii. In Section 5-2.4, delete the second sentence.

iii. In Section 5-2.5, delete the second sentence.

iv. In Section 5-3.1, in the first sentence, delete the words "exceeding eight feet, six inches (8'-6" (25.908m) in width while in the travel mode."

v. In Section 5-3.5.2, delete the second sentence.

vi. In Section 5-3.5.3, delete the third sentence.

vii. In Section 5-3.5.4, delete the fourth sentence.

viii. In Section 5-3.6.1, delete the third sentence.

ix. In Section 5-3.6.2, delete the second sentence.

x. In Section 5-4.4, delete the second sentence.

xi. In Section 5-5.1, entitled "General," in the first sentence insert the words "and lateral" after the word "vertical."

xii. Delete the text of Section 5-8.4 and insert the following: "The park model recreational vehicle shall be anchored to withstand the design wind load for the location."

xiii. In Section 5-9 delete the second sentence.

4. Appendix C, Referenced Publications, shall be amended to delete the references to NFPA 70.

History

HISTORY:

Amended by R.2018 d.153, effective August 20, 2018.

See: [49 N.J.R. 2332\(a\)](#), 50 N.J.R. 1888(a).

Rewrote the section.

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§ 5:23-4D.4 Certification

(a) A Recreational Vehicle Industry Association (RVIA) label or an approved equivalent label or certification for each recreational park trailer indicating that the unit has been manufactured in compliance with the adopted recreational park trailer subcode shall be permanently attached thereto in an accessible and visible location. The location of the label shall be indicated on the approved building system documentation.

(b) An approved label for a recreational park trailer shall bear the following information:

1. The name and seal of the Recreational Vehicle Industry Association or such other organization with a quality assurance program as may be approved by the Department; and
2. The label serial number.

History

HISTORY:

Amended by R.2018 d.153, effective August 20, 2018.

See: [49 N.J.R. 2332\(a\)](#), 50 N.J.R. 1888(a).

In (a) and (b)1, substituted "Recreational Vehicle Industry Association" for "Recreational Park Trailer Industry Association" twice; and in (a), substituted "(RVIA)" for "(RPTIA)".

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§ 5:23-4D.5 (Reserved)

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§ 5:23-4D.6 Approval of compliance assurance documents

(a) The manufacturer shall not start production of any recreational park trailer unless the building systems documents, compliance assurance program and on-site installation instructions have been approved by the Department or an approved evaluation and inspection agency.

(b) Approved evaluation agencies shall be permitted to approve building systems documents, compliance assurance programs and the on-site installation instructions for the recreational park trailers provided that documents, programs, and instructions conform to the standards established at [N.J.A.C. 5:23-4A.9](#).

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§ 5:23-4D.7 Enforcement

(a) The Department shall enforce the design and manufacture provisions of this subchapter.

(b) The Department shall monitor the activities of the evaluation and inspection agencies for the purpose of ensuring conformance to the provisions of this subchapter and shall take appropriate enforcement actions whenever necessary.

(c) The installation of recreational park trailers shall be the responsibility of the local enforcing agencies established pursuant to the Code. Construction permits shall be required for installation and for the construction of appurtenances.

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§ 5:23-4D.8 Appeals: State

(a) Any person, firm or person aggrieved by a notice, order, ruling, decision or action of any evaluation and inspection agency or of the Commissioner may file an appeal.

(b) An application for a hearing must be filed within 20 business days of receipt by the applicant of the notice, order, ruling, decision or action complained of.

(c) The notice of appeal may be filed either in person or by mail and shall be addressed to the Hearing Coordinator, Division of Codes and Standards, PO Box 802, Trenton, NJ 08625.

(d) The application shall be in writing and shall set forth the rule under which the appeal is being brought and the facts and circumstances of the case.

(e) The application shall include, where appropriate, the following information and documentation:

1. A copy of the notice, order, ruling, decision or action that is the subject of the appeal;
2. A copy of the building system, compliance assurance program or other document involved;
3. A description of the recreational park trailer(s) affected;
4. A statement of the relief sought by the appellant; and
5. In the event of an appeal from an action or decision of an evaluation and inspection agency, the application shall contain a copy or, if that is unavailable, a written statement, of the prior decision or other action of the agency being appealed.

(f) Conduct of hearings: Hearings in contested cases shall be conducted by the Office of Administrative Law pursuant to the Administrative Procedure Act, [N.J.S.A. 52:14B-1](#) et seq., and the Uniform Administrative Procedure Rules, [N.J.A.C. 1:1](#).

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§ 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.

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