

[N.J.A.C. 5:23-7](#)

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

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Title 5, Chapter 23, Subchapter 7 Notes

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Research References & Practice Aids

LAW REVIEW AND JOURNAL COMMENTARIES:

Disability Law: Public Accommodations and the ADA. David J. Popiel, 170 N.J.Law. 16 (Mag.) (July 1995).

Disability Law: Housing Discrimination and the Disabled. David P. Lazarus, Susan DiMaria, 170 N.J.Law. 20 (Mag.) (July 1995).

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[N.J.A.C. 5:23-7.1](#)

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§ 5:23-7.1 Barrier Free Subcode

The accessibility regulations, other than recreation, shall be found in Chapter 11 of the building subcode, as amended at [N.J.A.C. 5:23-3.14\(b\)](#).

History

HISTORY:

Repeal and New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Section was "Accessibility Standards".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Applicability".

New Rule, R.2018 d.153, effective August 20, 2018.

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

Section was "(Reserved)".

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[N.J.A.C. 5:23-7.2](#)

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§ 5:23-7.2 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.2, Recreation, recodified to [N.J.A.C. 5:23-7.15](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Amended by R.2004 d.59, effective February 2, 2004.

See: [35 N.J.R. 4631\(a\)](#), [36 N.J.R. 649\(a\)](#).

Rewrote (b).

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Added new (b)20, (b)26, and (b)29; recodified former (b)20 through (b)24 as (b)21 through (b)25, former (b)25 and (b)26 as (b)27 and (b)28, and former (b)27 through (b)38 as (b)30 through (b)41; and rewrote (b)21.

Amended by R.2009 d.254, effective August 17, 2009.

See: [41 N.J.R. 1920\(a\)](#), [41 N.J.R. 3065\(b\)](#).

In (b)24 and (b)28, inserted "the text of" and substituted "and insert the following: 'In new construction, electrical panelboards shall meet 309.2 and 309.3 only' " for "in its entirety".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Accessibility standard".

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§ 5:23-7.3 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.3, Recreation: definitions, recodified to [N.J.A.C. 5:23-7.16](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (a), rewrote the introductory paragraph, deleted (3), and recodified former (4) as (3); in (b), inserted "not" following "shall" and substituted "required to comply with" for "exempt from" in the introductory paragraph; added (c).

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (b)2, added R-5 to the list of groups.

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#); [37 N.J.R. 2201\(b\)](#).

In (b), rewrote 1i and inserted "or partywalls" following "firewalls" in 2i.

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Rewrote (b)1; and added (b)2ii.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Exceptions".

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§ 5:23-7.4 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former [N.J.A.C. 5:23-7.4](#), Recreation: exceptions, recodified to [N.J.A.C. 5:23-7.17](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Administrative correction.

See: [40 N.J.R. 4945\(a\)](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Nonresidential buildings and buildings of Use Group R-1".

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§ 5:23-7.5 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.5, Recreation: route of travel, recodified to [N.J.A.C. 5:23-7.18](#).

Amended by R.2002 d.256, effective August 5, 2002.

See: [33 N.J.R. 4184\(a\)](#), [34 N.J.R. 2787\(a\)](#).

Rewrote the section.

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Administrative correction.

See: [34 N.J.R. 4195\(a\)](#).

Amended by R.2003 d.402, effective October 20, 2003.

See: [35 N.J.R. 2797\(b\)](#), [35 N.J.R. 4861\(b\)](#).

Rewrote the section.

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (a), added R-5 to the list of groups.

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

In (c), inserted "or that does not meet any of the exemptions provided at [N.J.A.C. 5:23-7.3\(b\)](#)" preceding "all multistory dwelling" in 2; rewrote (f); added a new (g); recodified former (g) as (h).

Amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Section was "Residential buildings other than Group R-1". Rewrote the section.

Administrative correction.

See: [39 N.J.R. 3296\(a\)](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

In (a)3, inserted "required to comply with this subchapter" and inserted "one full" twice.

Amended by R.2009 d.254, effective August 17, 2009.

See: [41 N.J.R. 1920\(a\)](#), [41 N.J.R. 3065\(b\)](#).

In (e), inserted "and" following "Code" and updated the N.J.A.C. reference.

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In the introductory paragraph of (a), inserted a comma following "R-3"; rewrote (a)4 and (e); and in the introductory paragraph of (f), inserted "and shall comply with Section 1002 of ICC/ANSI A117.1-03", and substituted "elevator service" for "an elevator".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Residential buildings other than buildings of Group R-1".

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[N.J.A.C. 5:23-7.6](#)

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§ 5:23-7.6 (Reserved)

History

HISTORY:

New Rule, R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.6](#), Exterior accessible route, recodified to [N.J.A.C. 5:23-7.7](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Added (e).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Exception for accessible entrance due to site impracticality".

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§ 5:23-7.7 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.6, Recreation: pools, recodified to [N.J.A.C. 5:23-7.19](#).

Recodified from [N.J.A.C. 5:23-7.6](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.7](#), Accessible building entrances, recodified to [N.J.A.C. 5:23-7.8](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Exterior accessible route".

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§ 5:23-7.8 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.7, Recreation: swimming and skating areas, recodified to [N.J.A.C. 5:23-7.20](#).

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

In (a), inserted the last sentence in the introductory paragraph.

Recodified from [N.J.A.C. 5:23-7.7](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In the introductory paragraph of (a), substituted "Unless exempted by [N.J.A.C. 5:23-7.6](#), for" for "For".

Former [N.J.A.C. 5:23-7.8](#), Interior accessible routes, recodified to [N.J.A.C. 5:23-7.9](#).

Repealed by R.2015 d.139, effective September 8, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Accessible building entrances".

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§ 5:23-7.9 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.8, Recreation: boating areas, recodified to [N.J.A.C. 5:23-7.21](#).

Recodified from [N.J.A.C. 5:23-7.8](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.9](#), Accessible parking, repealed.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Interior accessible routes"

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[N.J.A.C. 5:23-7.10](#)

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§ 5:23-7.10 (Reserved)

History

HISTORY:

New Rule, R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.10](#), Requirements applicable to specific nonresidential Groups and Group R-1, recodified to [N.J.A.C. 5:23-7.11](#).

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

In the introductory paragraph of (a), inserted "provided", "those spaces" and "route, which shall be an", and inserted a comma following "accessible route".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Accessible parking".

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§ 5:23-7.11 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.10, Recreation: court games, recodified to [N.J.A.C. 5:23-7.23](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Amended by R.2004 d.67, effective February 17, 2004.

See: [35 N.J.R. 4627\(a\)](#), [36 N.J.R. 949\(b\)](#).

In (c)2, added R-5 to the list of groups.

Amended by R.2005 d.184, effective June 20, 2005.

See: [36 N.J.R. 5283\(a\)](#), [37 N.J.R. 2201\(b\)](#).

Rewrote (b) and (c).

Recodified from [N.J.A.C. 5:23-7.10](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In the introductory paragraph of (a), deleted "Use" preceding "Group"; in (a)6, updated the N.J.A.C. reference; and rewrote the introductory paragraph of (c) and (c)2.

Former [N.J.A.C. 5:23-7.11](#), Requirements applicable to all nonresidential use groups, including spaces other than guestrooms in Use Group R-1, recodified to [N.J.A.C. 5:23-7.12](#).

Amended by R.2007, d.384, effective December 17, 2007.

See: [39 N.J.R. 2684\(a\)](#), [39 N.J.R. 5211\(a\)](#).

In the introductory paragraph of (c), inserted a comma; and added (c)5.

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Added new (c); and recodified former (c) as (d).

Amended by R.2013 d.081, effective June 3, 2013.

See: [44 N.J.R. 1303\(a\)](#), [45 N.J.R. 1393\(a\)](#).

In the introductory paragraph of (b)6, inserted "and shall be required to comply with Section 1003 of ICC/ANSI A117.1-03,"; and rewrote (a)6i.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Requirements applicable to specific nonresidential Groups and Group R-1".

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§ 5:23-7.12 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.11, Recreation: ice rinks and roller rinks, recodified to [N.J.A.C. 5:23-7.24](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote (a), (b) and (h); in (j)3, amended the N.J.A.C. reference.

Recodified from [N.J.A.C. 5:23-7.10](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Deleted (a)2; recodified (a)3 and (a)4 as (a)2 and (a)3; in (a)3, inserted ", designed and constructed in accordance with Section 604.9 of ICC/ANSI A117.1-03,"; and in (b)2 and (j)3, updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.12](#), Existing facilities, recodified to [N.J.A.C. 5:23-7.13](#).

Amended by R.2007, d.384, effective December 17, 2007.

See: [39 N.J.R. 2684\(a\)](#), [39 N.J.R. 5211\(a\)](#).

Inserted new (b); recodified former (b) through (l) as (c) through (m); and in (i)3, substituted "(i)2" for "(h)2".

Amended by R.2009 d.60, effective February 17, 2009.

See: [40 N.J.R. 3779\(a\)](#), [41 N.J.R. 875\(a\)](#).

Section was "Requirements applicable to all nonresidential use groups, including spaces other than guestrooms in Use Group R-1". In (g)2i through (g)2iii, inserted "service" throughout.

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Requirements applicable to all nonresidential groups, including spaces other than guestrooms in Group R-1".

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§ 5:23-7.13 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.12, Recreation: playing fields, recodified to [N.J.A.C. 5:23-7.25](#).

Recodified from [N.J.A.C. 5:23-7.12](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.13](#), Variations, recodified to [N.J.A.C. 5:23-7.14](#).

Amended by R.2007, d.384, effective December 17, 2007.

See: [39 N.J.R. 2684\(a\)](#), [39 N.J.R. 5211\(a\)](#).

In (c)4, substituted "A-3, places of religious worship" for "A-4".

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Existing facilities".

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§ 5:23-7.14 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.13, Recreation: golf facilities, recodified to [N.J.A.C. 5:23-7.26](#).

Recodified from [N.J.A.C. 5:23-7.13](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.14](#), Enforcement, recodified to [N.J.A.C. 5:23-7.15](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Variations".

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§ 5:23-7.15 (Reserved)

History

HISTORY:

New Rule, R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.14, Recreation: ski lifts, aerial tramways, and conveyors, recodified to [N.J.A.C. 5:23-7.27](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Recodified from [N.J.A.C. 5:23-7.14](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.15](#), Recreation, recodified to [N.J.A.C. 5:23-7.16](#).

Amended by R.2009 d.51, effective February 2, 2009.

See: [40 N.J.R. 5325\(a\)](#), [41 N.J.R. 738\(a\)](#).

In the introductory paragraph of (a)1, (a)2 and the introductory paragraph of (a)3, substituted "2003" for "1998"; in (a)1i, deleted "and water coolers" following "fountains"; in (a)1v, substituted "1003.11.7" for "1002.11.5"; in (a)1vi, substituted "1003.11.8" for "1002.11.6"; in (a)1vii, substituted "1003.11.9" for "1002.11.7"; in (a)1viii, substituted "1003.12.4" for "1002.12.4"; in (a)3iii, inserted "and sinks" three times; in (a)3iv, substituted "bathtubs--hand shower" for "bathtub--shower unit"; in (a)3v, inserted "and hand showers", deleted "and" preceding "608.6", substituted "hand shower" for "shower unit"; and inserted "and" preceding "608.7"; and in (a)3vi, substituted "1003.11.7.1" for "1002.11.15.1", "1003.11.7.4" for "1002.11.5.3", "1003.11.7.5" for "1002.11.3.3" and "1003.12.4" for "1002.12.4".

Repealed by R.2016 d.031, effective April 4, 2016.

See: [47 N.J.R. 2323\(a\)](#), [48 N.J.R. 581\(a\)](#).

Section was "Enforcement".

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§ 5:23-7.16 Recreation

(a) All facilities, equipment, and sites or portions thereof, intended for outdoor active or passive recreation shall meet all applicable requirements of this subchapter in addition to the provisions of [N.J.A.C. 5:23-7.17](#) through [7.32](#). All support facilities and site access points required to be on an accessible route of travel shall be made accessible in accordance with the applicable provisions of this subchapter.

1. Indoor recreational facilities shall be on an accessible route of travel and shall comply with all applicable requirements of this subchapter.

(b) Compliance with the provisions of this subchapter that relate to the accessibility of recreational equipment or recreation sites shall be the responsibility of the manager of that recreational facility, of the owner of that facility, whether publicly or privately held, and of the agency responsible for the administration of that facility.

1. The facility manager and/or the facility owner or agency responsible for administration of the facility shall certify, in writing, that any work performed complies with all applicable provisions of this subchapter and shall retain this certification on file.

2. The enforcement of the accessibility features of recreational equipment notwithstanding, the construction of recreational equipment may require a construction permit if so determined by the building subcode official.

3. The enforcement of the requirements for swimming pools, including the accessibility features, shall be the responsibility of the building subcode official.

4. Complaints regarding lack of enforcement of these provisions shall be directed to the facility manager and the facility owner or agency responsible for administration of the facility. The facility manager shall respond within 30 days to any written complaint received detailing the position taken with respect to this complaint. If the facility manager fails to respond in a manner satisfactory to the party registering the complaint, then that party shall have recourse to the appeals process as set forth at [N.J.A.C. 5:23-2.38](#) and [3.11](#).

5. Any alteration, renovation and/or addition to any existing recreational facility, the cost of which meets or exceeds the limit set forth in [N.J.S.A. 40A:11-3](#), shall be performed in compliance with all applicable provisions of this subchapter. This limit shall apply to both privately- and publicly-owned recreational facilities. If it is feasible to achieve a greater degree of compliance with this subchapter with respect to the entire recreation area, then the facility manager may make alterations, renovations or additions in compliance with the applicable provisions of this subchapter to other facilities or equipment in lieu of the facility or equipment originally being altered, renovated and/or added.

i. Notwithstanding the above provisions, no alteration, renovation or addition shall be made which reduces or diminishes the degree to which any facility meets the criteria of this subchapter.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Amended by R.1996, d.274, effective June 17, 1996 (operative October 1, 1996).

See: [28 N.J.R. 1443\(a\)](#), [28 N.J.R. 3121\(a\)](#).

Amended (b), added (b)2 and 3 and recodified former (b)2 and 3 as (b)4 and 5.

Recodified from [N.J.A.C. 5:23-7.2](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (a), changed N.J.A.C. reference in the introductory paragraph. Former N.J.A.C. 5:32-7.15, Recreation: trails, recodified to [N.J.A.C. 5:23-7.28](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (b)3, deleted the N.J.A.C. reference.

Recodified from [N.J.A.C. 5:23-7.15](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In the introductory paragraph of (a), updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.16](#), Recreation: definitions, recodified to [N.J.A.C. 5:23-7.17](#).

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§ 5:23-7.17 Recreation: definitions

"Multi-functional play equipment" means play equipment designed to provide multiple play activities such as, but not limited to, swinging, jumping, sliding, and climbing.

"Park" or "recreation area" means an area set aside and designated for recreation, including either active participation, as in sports, or passive recreation, as in the observation of nature.

"Recreation equipment" means equipment and prescribed surrounding safety areas, including, but not limited to, fixed equipment, fixed manipulative play equipment (such as playground equipment), picnic tables, benches, fire places and grills, ski lifts, and aerial tramways.

"Recreation facility" means a facility, body of water, dock, court, field, location, or portion thereof, intended for active or passive recreation that is required by this subchapter to be accessible regardless of whether the facility is indoor or outdoor.

"Single function play equipment" means play equipment designed to provide a single play activity, such as, but not limited to, swinging, jumping, climbing, or sliding.

"Site access points" means entrances, waiting areas, drop-off zones, parking areas, and public transportation stops serving the recreational area or facility, except those used solely for maintenance purposes.

"Support facility" means a facility ancillary to a recreation facility including, but not limited to, toilet facilities, food services, information services, first aid stations, drinking fountains, telephones, spectator seating and shelters. Facilities primarily housing mechanical equipment or those exclusively used for storage are not included in this definition.

"Transfer platform" means a platform with a minimum dimension of 18 inches by 24 inches mounted 15 inches to 17 inches above grade as an integral part of the multi-functional play equipment to provide access.

"Transfer point" means a clear space 36 inches by 60 inches adjacent to a transfer platform.

"Undeveloped areas" means areas used for activities such as camping, hunting, fishing, the observation of nature or open space conservation and which contain no recreation equipment or recreation facilities.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

N.J.A.C. 5:23-7.17

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.3](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Former N.J.A.C. 5:32-7.16, Recreation: camping sites, recodified to [N.J.A.C. 5:23-7.29](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote "Recreational facility".

Recodified from [N.J.A.C. 5:23-7.16](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.17](#), Recreation: exceptions, recodified to [N.J.A.C. 5:23-7.18](#).

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§ 5:23-7.18 Recreation: exceptions

These recreation requirements do not apply to undeveloped areas as defined in [N.J.A.C. 5:23-7.17](#).

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.4](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Changed N.J.A.C. reference. Former N.J.A.C. 5:32-7.17, Recreation: equipment, recodified to [N.J.A.C. 5:23-7.30](#).

Recodified from [N.J.A.C. 5:23-7.17](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Updated the N.J.A.C. reference.

Former [N.J.A.C. 5:23-7.18](#), Recreation: route of travel, recodified to [N.J.A.C. 5:23-7.19](#).

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§ 5:23-7.19 Recreation: route of travel

(a) There shall be an accessible route of travel connecting the following elements: at least one site access point and all support facilities, accessible recreation facilities, and accessible recreation equipment at each park or recreation area. For purposes of applying this requirement, parks may be divided into smaller areas and an accessible route provided from one site access point at each area to all support facilities, accessible recreation facilities, and accessible recreation equipment in that area.

(b) An accessible route of travel shall meet the following criteria:

1. An accessible route of travel that connects an accessible site access point and support facilities, accessible recreation facilities, and accessible recreation equipment shall meet all of the criteria for an accessible route in the technical standard adopted as part of this subchapter, except that the following are also acceptable surfacing materials: flat surfaced pavers on concrete, flat surfaced pavers on sand, and wood decking. Crushed stone laid over a compacted subgrade and bound with sufficient cement to provide a non-shifting, firm surface shall also be acceptable.

2. A challenge level I accessible route may connect additional site access points, if provided, and support facilities, recreation equipment, and recreation facilities. A challenge level I accessible route shall meet the criteria for an accessible route in the technical standard adopted as part of this subchapter, except as follows:

i. In addition to the materials listed in (b)1 above, the following materials are acceptable as surfacing: soil cement, graded wood chips, grass, and compacted earth.

ii. An accessible route with a running slope of 1:16 or steeper shall be considered a ramp. Cross slopes shall not exceed 1:30.

iii. Landings for ramps shall be provided at the top, bottom, at all changes in direction, and after each 48 feet of projection.

iv. Materials specified in (b)1 above are acceptable ramp surfacing materials.

v. When the running slope is between 1:20 and 1:16, a level rest area at least five feet by five feet shall be provided every 200 feet.

(c) The accessible route to multi-functional play equipment shall lead onto the equipment itself, as specified at [N.J.A.C. 5:23-7.31\(c\)1](#).

(d) When a resilient safety area is specified by the manufacturer of the play equipment, an accessible route through the resilient safety area shall be provided. It shall meet the following conditions:

1. Commercially manufactured or processed materials must be certified by the manufacturer as permitting independent wheelchair passage;

2. Natural materials must be of the type and depth to meet the specifications in the Consumer Products Safety Commission Handbook on Playground Safety (Consumer Products Safety Commission, Washington, D.C. 20207) or must be one of the following:

N.J.A.C. 5:23-7.19

- i. Wood chips of relatively uniform size from hard wood without bark, leaves, twigs, or brush, or
 - ii. Double shredded bark and mulch of relatively uniform size without leaves, twigs, or brush; and
3. The accessible route and the resilient safety area shall be of the same material.

(e) The accessible route to single function play equipment shall lead to the safety area surrounding the equipment.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.5](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (c), changed N.J.A.C. reference. Former N.J.A.C. 5:32-7.18, Recreation: equestrian facilities, recodified to [N.J.A.C. 5:23-7.31](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (b), rewrote 1 and the introductory paragraph of 2; in (d), rewrote the introductory paragraph.

Recodified from [N.J.A.C. 5:23-7.18](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (c), updated the N.J.A.C. reference.

Former [N.J.A.C. 5:23-7.19](#); Recreation: pools, recodified to [N.J.A.C. 5:23-7.20](#).

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§ 5:23-7.20 (Reserved)

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1988 d.503, effective November 7, 1988.

See: 20 N.J.R. 1764(b), 20 N.J.R. 2754(a).

Added (a)2i and (a)3ii: also amended Figure 7.104b.

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.6](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Administrative Correction.

See: [38 N.J.R. 3024\(a\)](#), [38 N.J.R. 3776\(c\)](#).

Recodified from [N.J.A.C. 5:23-7.19](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.20](#), Recreation: swimming and skating areas, recodified to [N.J.A.C. 5:23-7.21](#).

Repealed by R.2015 d.139, effective September 21, 2015.

See: [47 N.J.R. 9\(a\)](#), [47 N.J.R. 2352\(b\)](#).

Section was "Recreation: pools".

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§ 5:23-7.21 Recreation: swimming and skating areas

(a) At each designated swimming and/or skating area at natural or man-made bodies of water, there shall be an accessible route or an accessible trail meeting the criteria of [N.J.A.C. 5:23-7.29](#) that connects at least one point to the water's edge to other elements at the site as required by [N.J.A.C. 5:23-7.19\(a\)](#).

1. At designated swimming and/or skating areas, the provision of access as described in (a) above at one location per site shall be deemed as satisfying the requirements of this section.
2. This provision shall not apply in those ocean front areas where wave action renders the provision of an accessible route or an accessible trail impractical from an engineering standpoint.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996.

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.7](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (a), changed N.J.A.C. references in the introductory paragraph.

Recodified from [N.J.A.C. 5:23-7.20](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (a), updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.21](#), Recreation: boating areas, recodified to [N.J.A.C. 5:23-7.22](#).

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§ 5:23-7.22 Recreation: boating areas

(a) Each boating area with docking facilities shall have one accessible docking space.

(b) Each accessible mooring space shall adjoin an accessible route of travel and shall have a minimum clear space of five feet by five feet to allow transfer to the boat. Additionally, each accessible mooring space shall be a maximum of 36 inches above the mean water level in non-tidal areas.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

Recodified from [N.J.A.C. 5:23-7.8](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (a), substituted "docking" for "mooring".

Recodified from [N.J.A.C. 5:23-7.21](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.22](#), Recreation: fishing areas, recodified to [N.J.A.C. 5:23-7.23](#).

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§ 5:23-7.23 Recreation: fishing areas

If docks are provided in a fishing area, the criteria of [N.J.A.C. 5:23-7.22](#) shall apply.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Recodified from [N.J.A.C. 5:23-7.9](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Changed N.J.A.C. reference.

Recodified from [N.J.A.C. 5:23-7.22](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Updated the N.J.A.C. reference.

Former [N.J.A.C. 5:23-7.23](#), Recreation: court games, recodified to [N.J.A.C. 5:23-7.24](#).

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[N.J.A.C. 5:23-7.24](#)

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§ 5:23-7.24 Recreation: court games

(a) The surface of at least one court must adjoin an accessible route of travel.

(b) Entrances to the courts required to be accessible shall meet the criteria for accessible doors in the technical standard adopted as part of this subchapter.

(c) On sites with more than one type of court, at least one of each type of court in each distinct area on a site shall adjoin an accessible route of travel.

1. Where there is a main or center court, this court shall be included as one of those on an accessible route of travel.

(d) All permanent spectator viewing areas seating 50 or more persons shall be on an accessible route of travel.

(e) Court surfaces shall meet the criteria for an accessible route in the technical standard adopted as part of this subchapter, except in those instances where the recognized rules of the particular game dictate another surface.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: [26 N.J.R. 2698\(a\)](#), [26 N.J.R. 3524\(a\)](#), [27 N.J.R. 1180\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.10](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Recodified from [N.J.A.C. 5:23-7.23](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.24](#), Recreation: ice rinks and roller rinks, recodified to [N.J.A.C. 5:23-7.25](#).

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[N.J.A.C. 5:23-7.25](#)

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§ 5:23-7.25 Recreation: ice rinks and roller rinks

The surface of at least one of each type of rink provided in each distinct area on a site shall adjoin an accessible route of travel.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

Recodified from [N.J.A.C. 5:23-7.11](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.24](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.25](#), Recreation: playing fields, recodified to [N.J.A.C. 5:23-7.26](#).

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§ 5:23-7.26 Recreation: playing fields

There shall be an accessible route of travel to at least one of each type of playing field provided in each distinct area on a site. For an overlay field, an accessible route of travel to the primary field shall fulfill the requirements of this section. For a complex of playing fields in a single area, an accessible route of travel to the area shall fulfill the requirements of this section. Additionally, all permanent spectator viewing areas seating 50 or more persons shall be on an accessible route of travel.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

Recodified from [N.J.A.C. 5:23-7.12](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.25](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.26](#), Recreation: golf facilities, recodified to [N.J.A.C. 5:23-7.27](#).

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[N.J.A.C. 5:23-7.27](#)

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§ 5:23-7.27 Recreation: golf facilities

(a) For golf facilities, there shall be an accessible route of travel to the area where the transfer to golf carts is made.

(b) If provided, bridges shall either be designed for use by golf carts or shall meet the criteria for a ramp in the technical standard adopted as part of this subchapter.

(c) Where curbs are provided at points where courses cross a thoroughfare, a ramp or a curb ramp that meets the criteria for ramps in the technical standard adopted as part of this subchapter shall be provided.

(d) Miniature golf facilities shall be accessible as follows:

1. The entire playing surface shall be accessible at starting points, end points, and at all points in-between where possible. In those areas where the ball cannot physically come to rest because of steep slopes, access is not required.
2. The entry and exit points shall be a minimum of 32 inches wide, with no railings, obstacles, or elevation change.
3. Each hole shall have a platform with a turn around radius of five feet.
4. When obstacles are provided, there shall be a 32 inch minimum clear width on one side of the obstacle.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.13](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote (b) and (c).

Recodified from [N.J.A.C. 5:23-7.26](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.27](#), Recreation: ski lifts, aerial tramways, and conveyors, recodified to [N.J.A.C. 5:23-7.28](#).

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§ 5:23-7.28 Recreation: ski lifts, aerial tramways, and conveyors

(a) In areas where ski lifts or other comparable mechanisms for skiing are provided, there shall be an accessible route of travel connecting site access point(s) and support facilities required to be accessible with the area where the transfer to skis is made.

(b) In areas where aerial tramways, conveyors, or other comparable mechanisms for sightseeing are provided, an accessible route of travel shall be provided to connect site access point(s) and support facilities required to be accessible with the moving seat, car or platform of the aerial tramways, conveyors, or comparable mechanisms.

1. A five feet by five feet clear, level area that meets the criteria for an accessible route in the technical standard adopted as part of this subchapter shall be provided immediately adjacent to the upper, lower, and any intermediate terminals of such mechanisms to facilitate transfer from a wheelchair to the car, seat or platform.

i. Where seats are provided, they shall be at a height of 16 inches to 18 inches above the clear, level area.

(c) There shall be a control immediately available to the operator of the ski lift, aerial tramway or conveyor to stop and restart the mechanism to allow the transfer of a disabled person on and off.

(d) The requirements of this section shall not apply to moving sidewalks or other horizontal conveyors guided by a track or tracks.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Recodified from [N.J.A.C. 5:23-7.14](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote (b).

N.J.A.C. 5:23-7.28

Recodified from [N.J.A.C. 5:23-7.27](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.28](#), Recreation: trails, recodified to [N.J.A.C. 5:23-7.29](#).

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[N.J.A.C. 5:23-7.29](#)

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§ 5:23-7.29 Recreation: trails

(a) Trails through undeveloped areas are exempted from the requirements of this subchapter.

(b) All other trails shall meet the requirements for slope and for the provision of rest areas of either (b)1 or 2 below and the surfacing requirements in (b)3 or 4 below.

1. A running slope shall not exceed 1:8 at any place and cross slopes shall not exceed 1:30. Level rest areas at least five feet by five feet shall be provided every 300 feet when the running slope is between 1:16 and 1:12. This shall be a challenge level 2 accessible trail. Level rest areas at least five feet by five feet shall be provided every 200 feet when the running slope is between 1:12 and 1:8. This shall be a challenge level 3 accessible trail.

i. If the topography of the site is such that average grade exceeds that in (b)1 above, an exception to the slope limitations may be allowed.

2. Trails may also be constructed in accordance with the requirements of [N.J.A.C. 5:23-7.19\(b\)1](#) (accessible route) or [N.J.A.C. 5:23-7.19\(b\)2](#) (challenge level 1 accessible route).

3. In addition to the materials listed at [N.J.A.C. 5:23-7.19\(b\)1](#) and 2, the following materials are acceptable as surfacing for trails: untreated, soils, compacted gravel, and ungraded wood chips.

4. Each trail shall be marked in accordance with the technical criteria for permanent signs in the technical standard adopted as part of this subchapter.

i. Each sign shall contain the following information:

(1) The international symbol of access for an accessible route or the challenge level of the accessible route or accessible trail; and

(2) The length of the accessible route or accessible trail.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

N.J.A.C. 5:23-7.29

Recodified from [N.J.A.C. 5:23-7.15](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (b), changed N.J.A.C. references in 2 and 3.

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (b)4, substituted "for permanent signs in the technical standard adopted as part of this subchapter" for "of CABO/ANSI A117.1, Section 4.28.1 through 4.28.5 and Section 4.28.6.1".

Recodified from [N.J.A.C. 5:23-7.28](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (b)2 and (b)3, updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.29](#), Recreation: camping sites, recodified to [N.J.A.C. 5:23-7.30](#).

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§ 5:23-7.30 Recreation: camping sites

(a) In camping areas in other than undeveloped areas, at least five percent (rounded off to the next higher whole number) of camp sites shall meet the following criteria:

1. There shall be an accessible route of travel connecting these accessible camp sites with site access point(s) and support facilities required to be accessible;
2. Sites and signs leading to such sites shall be marked with the International Symbol of Accessibility, which complies with the technical standard adopted as part of this subchapter;
3. Where tent platforms are provided, each of those required to be accessible shall be equipped with a ramp meeting the criteria of the technical standard adopted as part of this subchapter; and
4. The accessible camp sites shall be distributed throughout the camping area to the degree feasible as determined by the topography of the area.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: [19 N.J.R. 1270\(a\)](#), [20 N.J.R. 1873\(b\)](#).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: [26 N.J.R. 2698\(a\)](#), [26 N.J.R. 3524\(a\)](#), [27 N.J.R. 1180\(a\)](#).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.16](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (a)2, substituted "which complies with the technical standard adopted as part of this subchapter" for "displayed as specified in CABO/ANSI A117.1, Section 4.28"; in (a)3, substituted "the technical standard adopted as part of this subchapter; and" for "CABO/ANSI A117.1, Section 4.8".

Recodified from [N.J.A.C. 5:23-7.29](#) by R.2007 d.144, effective May 7, 2007.

N.J.A.C. 5:23-7.30

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

Former [N.J.A.C. 5:23-7.30](#), Recreation: equipment, recodified to [N.J.A.C. 5:23-7.31](#).

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§ 5:23-7.31 Recreation: equipment

(a) Five percent of all picnic tables, benches, fireplaces and grills provided, rounded to the next higher whole number, but not less than one, shall be on an accessible route of travel.

1. Such equipment shall be distributed throughout the picnic area to the degree feasible as determined by the topography of the area.

(b) Within each play area on a site, at least 25 percent of the single function play equipment shall be of a type identified by its manufacturer as accessible to and usable by both disabled and non-disabled persons.

(c) At least 25 percent of the play activities of all multi-functional play equipment within each play area on a site shall be of a type identified by its manufacturer as accessible to and usable by both disabled and non-disabled persons.

1. Access onto the multi-functional play equipment may include, but is not limited to, the following:

i. A ramp that complies with the technical standard adopted as part of this subchapter and that provides a landing at the top and at the bottom that has a minimum width of five feet by five feet;

ii. Transfer point(s) adjacent to transfer platform(s); and

iii. An accessible route that complies with [N.J.A.C. 5:23-7.19](#), which, because of the topography of the land, leads directly onto the equipment.

2. Accessibility features, such as ramps and transfer platforms, shall not be considered play functions. Passive activities shall not be considered play functions.

(d) Playground equipment required to be accessible in (b) and (c) above shall be on an accessible route as delineated at [N.J.A.C. 5:23-7.19](#).

(e) As existing play equipment is replaced in any play area, at least 50 percent of the replacement equipment shall be of a type identified by the manufacturer as usable by both disabled and non-disabled persons until the percentage as specified in (b) and (c) above is met.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

N.J.A.C. 5:23-7.31

Recodified from [N.J.A.C. 5:23-7.17](#) and amended by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

In (c) and (d), changed N.J.A.C. references throughout.

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

In (c), substituted "its" for "the" preceding "manufacturer" in the introductory paragraph and rewrote 1i.

Recodified from [N.J.A.C. 5:23-7.30](#) and amended by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

In (c)1iii, substituted "that" for "which", and in (c)1iii and (d), updated the N.J.A.C. references.

Former [N.J.A.C. 5:23-7.31](#), Recreation: equestrian facilities, recodified to [N.J.A.C. 5:23-7.32](#).

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§ 5:23-7.32 Recreation: equestrian facilities

(a)At each equestrian facility, at the area used for mounting, a mounting platform shall be provided for people with disabilities.

- 1.To mount a pony, the top of the platform shall be 32 inches above the surface upon which the pony stands.
- 2.To mount a horse, the top of the platform shall be 41 inches above the surface upon which the horse stands.
- 3.The mounting platform shall have a minimum dimension of five feet long and three feet wide.
- 4.Any ramp that provides access to the mounting platform shall meet the criteria for ramps in the technical standard adopted as part of this subchapter, except that a maximum slope of 1:9 shall be allowed.

History

HISTORY:

New Rule, R.1988 d.352, effective August 1, 1988.

See: 19 N.J.R. 1270(a), 20 N.J.R. 1873(b).

Amended by R.1988 d.503, effective November 7, 1988.

See: 20 N.J.R. 1764(b), 20 N.J.R. 2754(a).

Platform height changed from 42 inches to 32 inches.

Administrative Correction.

See: 22 N.J.R. 1355(b).

Amended by R.1995 d.144, effective March 20, 1995 (operative July 1, 1995).

See: 26 N.J.R. 2698(a), 26 N.J.R. 3524(a), 27 N.J.R. 1180(a).

Amended by R.1996 d.132, effective March 18, 1996 (operative July 1, 1996).

See: [27 N.J.R. 3870\(a\)](#), [28 N.J.R. 1505\(a\)](#).

Recodified from [N.J.A.C. 5:23-7.18](#) by R.1999 d.105, effective April 5, 1999.

See: [30 N.J.R. 2972\(a\)](#), [31 N.J.R. 852\(a\)](#).

Amended by R.2002 d.350, effective November 4, 2002.

See: [34 N.J.R. 626\(a\)](#), [34 N.J.R. 3772\(a\)](#).

Rewrote the section.

Recodified from [N.J.A.C. 5:23-7.31](#) by R.2007 d.144, effective May 7, 2007.

See: [38 N.J.R. 4962\(a\)](#), [39 N.J.R. 1683\(a\)](#).

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