

# Construction Code Communicator



State of New Jersey  
 Chris Christie, Governor  
 Kim Guadagno, Lt. Governor

Department of Community Affairs  
 Lori Grifa, Commissioner

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## Energy Subcode Compliance – Continuation

The Fall 2010 *Construction Code Communicator* (Volume 22, Number 3) contained a lot of information about energy subcode compliance with regard to the 2009 International Energy Conservation Code (IECC/2009) and the American Society of Heating, Refrigeration, Air-Conditioning Engineers (ASHRAE) Standard 90.1-2007. That article referenced a soon-to-be published checklist that was being developed for code enforcement officials and independent (from the installer of the insulation) inspectors to use when verifying building thermal envelope tightness. Well, the checklist has been published as part of Bulletin 11-1, on pages 7-8; it applies to low-rise residential buildings. (NOTE: There is a forthcoming rule proposal to make this checklist a standard form). The following is a summary of what is required and the role the checklist plays in providing for thorough inspections and accurate records.

In accordance with N.J.A.C. 5:23-2.18(b)1 and (b)2, in all buildings, work must stop for the insulation inspection, which will take place after the rough inspections for compliance with the other subcodes and

See *Energy Subcode Compliance* - page 2

## Electric Vehicle Charging Stations – Installation and Permit Requirements


















The growing need to offer drivers relief from the increasingly high cost of gasoline has produced various models of vehicles powered by alternate sources, i.e. natural gas, hybrid and electric, to name just a few. The purpose of this article is to provide you with technical and administrative guidance on the installation of electric vehicle (EV) charging stations.

An EV charging station supplies electricity to recharge electric or plug-in hybrid vehicles at voltages and currents that minimize the charging time. Even though most electric cars can be recharged from a typical 120 volt/15 amp wall receptacle (NEMA 5-15R), the charging time for a fully depleted battery can take longer than the typical eight-hour overnight charge. This makes EV charging stations a practical means of faster charging.

The Society of Automotive Engineers (SAE) classify EV charging stations in three categories: Level 1 - 120 volt alternating current (AC) charging; Level 2 - 240 volt AC charging; and Level 3 - 500 volt direct current (DC) high-

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before the installation of any interior finish material. The Uniform Construction Code (UCC) inspector will complete the insulation portion of the checklist, which is separated into verification of the "insulation" and the "air barrier" requirements in Section 402.4.2 of the IECC/2009.

Section 402.4.2 of the IECC/2009 provides the permit holder with two options for verifying building thermal envelope tightness: (1) testing in accordance with Section 402.4.2.1, or (2) visual inspection in accordance with Section 402.4.2.2. Because the insulation inspection is a UCC-required inspection, the visual inspection (option #2) will have already been partially completed; the remaining inspection issues for envelope tightness relate to the air barrier.

If the permit holder chooses a visual inspection, the code official will field-verify that the building thermal envelope tightness complies with Table 402.4.2. The air barrier inspection may be performed by a person other than the local code official, but that person must be independent of the installer and approved by the code official. The IECC/2009 does not establish credentials for persons performing these inspections. In all cases where the inspection option is used to document compliance, the Air Barrier and Insulation Checklist must be completed.

If the permit holder chooses testing, the documentation showing the results of the blower door test will be part of the permit file. If the permit holder chooses a visual inspection, the code official will field-verify that the building thermal envelope tightness complies with Table 402.4.2. The air barrier inspection may be performed by a person other than the local code official, but that person must be independent of the installer and approved by the code official. The IECC/2009 does not establish credentials for persons performing these inspections. In all cases where the inspection option is used to document compliance, the Air Barrier and Insulation Checklist must be completed. Once completed, checklists documenting visual inspection(s), as described below, are to be retained in the file.

- UCC inspector(s) – One checklist documenting both insulation and air barrier requirements have been met is filed.
- UCC inspector(s) and independent inspector(s) – In this case, two checklists would be filed, one for the insulation completed by the UCC inspector(s), and one for the air barrier completed by the independent inspector(s).
- UCC inspector(s) and blower door test – One checklist, for insulation, that was completed by the UCC inspector(s) is filed; in addition, the documentation of a passing blower door test is appended to the checklist.

Bulletin 11-1 and the checklist can be found at the

*See Energy Subcode Compliance at right*

**Energy Subcode Compliance***Continued from left*

following direct link:

[http://www.nj.gov/dca/divisions/codes/publications/pdf\\_bulletins/11-1.pdf](http://www.nj.gov/dca/divisions/codes/publications/pdf_bulletins/11-1.pdf). Alternatively, you may go to our main page, <http://www.nj.gov/dca/divisions/codes>, click on "Publications," scroll to the bottom of that page and click on "Bulletins" under the title of "Uniform Construction Code." This will take you to the entire list of current bulletins. Scroll down to Bulletin 11-1, which is at the bottom. Click on it to open it.

Finally, since this article deals with a portion of the "Air Leakage" section of the IECC/2009, I would also like to remind you that a general article was published in the *Construction Code Communicator*, Spring/Summer 2009. It included figures that showed the areas that must be caulked, gasketed, weatherstripped, or otherwise sealed to make the building thermal envelope tightness effective.

If you have questions on this matter, please contact me at (609) 984-7609.

Source: Rob Austin  
Code Assistance Unit

## ASME Requirement for Pressure Vessels

In the National Standard Plumbing Code (NSPC), Section 3.3.8, Pressure Tanks and Vessels, states: "Hot water storage tanks shall meet construction requirements of ASME, CSA, or UL, as appropriate." At N.J.A.C. 5:23-3.15(b)4vi, Section 3.3.8a has been amended to add the following phrase: "Pressure vessels shall be designed and constructed in accordance with the requirements of the American Society of Mechanical Engineers (ASME), Rules for the Construction of Pressure Vessels, Section VIII/2004. Any pressure vessel that exceeds any of the following shall meet the requirements of ASME and shall be stamped ASME:

- A heat input rating of 200,000 BTU per hour; or
- water temperature of 200 degrees Fahrenheit; or
- nominal water capacity of 120 gallons or any other thresholds of ASME that apply."

Any hot water storage tank or water storage heater exceeding any of these thresholds is required to be constructed in accordance with ASME and must be stamped "ASME."

It is critical that, prior to issuing a permit for a new or replacement water heater that is required to meet the ASME standard, the contractor must be made aware that the water heater must be ASME stamped.

Should you have any questions, you may contact me at 609-984-7609.

Source: Thomas C. Pitcherello  
Code Assistance Unit

**Electric Vehicle Charging Stations**

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current charging. To speed up the charging process electric vehicle owners will probably opt to install a level 2 charging station at home, while businesses and local government may provide level 2 and level 3 public charging stations. It is important to note that SAE standards have been developed for Levels 1 and 2, but DC Level 3 Fast Charge standards are still under development.

Just like any other electrical installation, the charging systems for electric vehicles are required to comply with the subcodes adopted by the State of New Jersey in the Uniform Construction Code (UCC). In fact, the installation of the electric vehicle charging systems are addressed in Article 625 of in the 2008 National Electrical Code (NEC) as adopted in the UCC.

The most common question about electric vehicle charging stations is about listing and labeling requirements. Most electrical equipment is listed and labeled per Section 625.5; this makes the approval of the equipment for the installation and use a “no brainer”. However, what does one do when there is no clear listing or labeling? N.J.A.C. 5:23-3.7, Municipal approvals of alternative materials, equipment, or methods of construction, provides regulations to assist in the approval of equipment that does not have the standard listing and labeling. A testing agency may verify the installation and the intended use, which means that the equipment complies with Section 625.5. Note that, per Sections 625.29(C) and (D), indoor charging stations may require special ventilation per their listing and labeling or testing.

Another common question: When are permits required for the installation of the charging systems for electric vehicles? At N.J.A.C. 5:23-2.14, Construction permits, when required, the UCC does not require a permit for cord-and-plug-connected electrical equipment. This includes equipment that is capable of being plugged in to an existing receptacle, no matter what the voltage rating of the equipment is. If the existing receptacle has the proper voltage rating, but the configuration is not compatible with the plug on the equipment, the replacement of the receptacle to one with the proper configuration would be considered Ordinary Electrical Maintenance (N.J.A.C. 5:23-2.7(c)3.i.) and no permit for, inspection, or notice to the enforcing agency of Ordinary Maintenance, is required. However, there are exceptions to this rule. For example: if there is an existing 120 volt receptacle on a 15 amp circuit that is to be replaced by a higher current 120 volt receptacle that requires a 20 amp circuit (NEMA 5-20R), the upgrade of the circuit would be considered Minor Work (N.J.A.C. 5:23-2.17A(c)3).

When a vehicle charging system is being installed that

**Electric Vehicle Charging Stations**

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requires a new 120 or 240 volt receptacle or an electrical line that will be directly connected the system, it also is subject to the Minor Work provisions. As with all Minor Work, the issuance of a permit is not required before the work may proceed. However, the owner or contractor acting on behalf of the owner must provide notice to the enforcing agency before the work begins. Also, a permit application must be filed and must be delivered in person or by mail within five business days from the date of oral notice. The inspection of Minor Work must be performed within 30 days of the request for inspection and is based upon what is visible at the time of the inspection with the certificate of approval stating so.

Recognizing that electric vehicles and their charging stations are not yet the norm in most communities, here are some examples that describe the different charging needs of vehicles that you may encounter:

- With the launch of the 2011 Chevrolet Volt and the 2011 Nissan Leaf, 240volt (level 2) EV charging stations are being hardwired in homes to reduce charging times. Chevrolet states that their 240 volt EV charging station will take about 4 hours to recharge the Volt’s batteries. Nissan states that their 240 volt EV charging station will take about 7 hours to recharge the Leaf’s batteries with the option of a 480 volt (level 3) “quick-charge” EV charging station to further reduce charging time. However, due to their high cost and the lack of an adopted SAE standard, it is highly unlikely that level 3 charging stations will be installed in homes at this time. Why the difference in charging times for Chevrolet and Nissan? This is because the Volt can go approximately 40 miles before recharge and the Leaf can go approximately 100.
- Owners of the high end Tesla Roadster, are offered similar charging stations as described above. However, they also have the option of a “universal mobile connector” which provides multiple adapters, such as one that works with an electric dryer receptacle (NEMA 14-50R) and 10 additional adapters. Therefore, dependent on adapter, there may be more issues to look at along with the example given above where the 120 volt receptacle is upgraded from 15 amps to 20 amps.

Although home charging of electric vehicles will likely necessitate the installation of an EV charging station, it should not be a deterrent to considering these cars.

If you have any questions on this matter, you may reach us at (609) 984-7609.

Source: Suzanne Borek and Rob Austin  
Code Assistance Unit

## Accessible and Adaptable Dwelling Units Revisited



Once again, the rumor seems to be traveling around that the Barrier Free Subcode (BFSC) of the Uniform Construction Code (UCC) requires a percentage of dwelling units in multifamily dwellings to be fully accessible. Sometimes the rumor is two percent accessible; sometimes it is four percent accessible. This is not true. These percentages were eliminated in 1990 because they did not meet the requirements of the Federal Fair Housing Amendments Act. Let me take this opportunity to straighten out the requirements for accessible and adaptable dwelling units.

*What is the difference between accessible and adaptable?*

An adaptable dwelling unit is a Type A dwelling unit that meets Section 1003 of the ICC/ANSI A117.1-2003 (ICC/ANSI-2003). Essentially, this unit is a dwelling unit with an accessible entrance, accessible clear floor space, and accessible route into and through the dwelling unit, and adaptable features in the kitchen and bathroom. The BFSC specifies that an adaptable dwelling unit must have (1) an accessible entrance, (2) an accessible interior route throughout the dwelling unit, (3) one full adaptable bath on an accessible route, (4) maneuvering space at all doors, and (5) adaptable features in the kitchen and bathroom.

An accessible dwelling unit is a dwelling unit that meets Section 1002 of ICC/ANSI A117.1-2003. As with an adaptable dwelling unit, an accessible dwelling unit must have an accessible entrance and an accessible route into and throughout the dwelling unit. In an accessible dwelling unit, however, the toilet and bathing facilities must comply with general requirements for toilet room and bathing facilities that are in ICC/ANSI A117.1-2003, Section 603 through Section 610 inclusive. Similarly, kitchens are required to comply with the general requirements in ICC/ANSI A117.1-2003 at Section 804, kitchens and kitchenettes, and must also provide one 30-inch long work surface that meets the requirements of Section 902, dining surfaces and work surfaces, regarding clear floor space and height. Finally, storage facilities must also meet the general requirements in ICC/ANSI A117.1-2003, which are at Section 905, for clear floor space, height, and operable controls, and must meet the requirement of Section 804.5 that 50 percent of the shelves in cabinets must comply with Section 905.

*Which dwelling units are required to be adaptable?*

1. In a building with four or more dwelling units, if the building has an elevator, all (100 percent) of the dwelling units must be adaptable. [N.J.A.C. 5:23-7.5(b)]

*See Accessible and Adaptable at right*

### Accessible and Adaptable

*Continued from left*

2. In a building with four or more dwelling units, if there is no elevator, all (100 percent) of the ground-floor dwelling units must be adaptable. [N.J.A.C. 5:23-7.5(c)]

3. Ground-floor dwelling units: In a building with dwelling units, the first floor containing dwelling units must be accessible and must contain adaptable dwelling units, regardless of whether that floor is at grade. [N.J.A.C. 5:23-7.5(c)1] Keep in mind, a building may have more than one ground floor due to sloping grade.

4. Generally speaking, townhouses are exempt from the Barrier-Free Subcode. There is one exception: Townhouses for which credit as a low or moderate income unit (COAH credit) is awarded are required to comply—and are discussed below. A townhouse is a single dwelling unit with two or more stories of dwelling space, exclusive of basement or attic, where each dwelling unit extends from foundation to roof. This dwelling unit is to have an independent entrance that serves one dwelling unit only and that is at or near grade; most or all of the sleeping rooms are on one story; and most or all of the remaining habitable space, such as kitchen, living, and dining areas, are on another story. [N.J.A.C. 5:23-7.3(b)1]

5. What level of accessibility is required for a townhouse that has “COAH credit?” When a townhouse, or a multistory dwelling with fewer than four dwelling units in a single structure, is being constructed with credit as low or moderate income housing, the dwelling unit must comply with the Barrier Free Subcode. There are two unique requirements that apply to these buildings: each dwelling unit must have a room that could be used as a bedroom on the entry level; and they may have either an accessible or an adaptable entrance. If an adaptable entrance is provided, the plans for making the adaptation to an accessible dwelling unit must be submitted and released through the standard plan review process. The funds to effect the adaptation of 10% of the entrances that are not accessible must be escrowed with the municipality.

*What features in the kitchen may be adaptable?*

1. Adaptable work surface: There must be a 30-inch length of counter that is either set at 34 inches or that can be adjusted to an accessible height. The base cabinets in this section must be removable and the floor must be finished all the way to the wall. The 30-inch section of the counter does not have to be pre-cut; it can be “replaceable as a unit.” This means that it must be able to be cut and either lowered or replaced. [ANSI/2003, Sections 1003.12.3.1 and 1003.12.3.2, as amended at N.J.A.C. 5:23-7.2(b)33 and 34, respectively]

*See Accessible and Adaptable - page 6*

## NSPC Code Change Hearings Will be Held in New Jersey - Again

The public hearing for the code changes for the 2012 edition of the National Standard Plumbing Code (NSPC) will be held again in New Jersey. It will be held on Thursday, June 9, 2011 at the Tropicana Casino and Resort at Brighton and the Boardwalk and will begin at 8:30 a.m.

Information is available on the web site for the National Association of Plumbing, Heating, and Cooling Contractors (NAPHCC), [www.PHCCweb.org](http://www.PHCCweb.org). Information will also be provided on the Division's web site, [www.nj.gov/dca/codes](http://www.nj.gov/dca/codes).

This will be the third time the public hearing for the NSPC code changes will be held in New Jersey. The previous two hearings, which were held in 2008 and 2010, were very well attended by code officials, master plumbers, union representatives, engineers, architects, manufacturers' representatives, and the general public. This hearing is open to the public, so you do not have to pre-register to attend. If you have not attended in the past, please come and see how the NSPC's code change process works.

Any interested party may comment in support of -- or against -- any of the proposed code changes before the code change committee votes on the changes.

Let's have a great turnout and keep the NSPC's public hearing on proposed code changes here in New Jersey!

Should you have any questions, you may contact me at 609-984-7609.

Source: Thomas C. Pitcherello  
Code Assistance Unit

## Exterior Balconies and Decks - Defined

When the International Residential Code (IRC)/2009 was adopted in New Jersey, it was amended to retain the IRC/2006's 60 psf loading requirements for exterior balconies (N.J.A.C. 5:23-3.21(c)3vi/Table R301.5). Because the unamended IRC/2009 had the same loading requirements for exterior balconies as for decks, there was no need in the code to define the terms. Yes, we should have put the definitions of "exterior balconies" and "deck" back into the Uniform Construction Code (UCC) regulations, but we forgot. In the meantime, until we correct this error, use Section R201.4 of the IRC/2009. Where terms are not defined through the methods authorized by the code, such terms shall have ordinary accepted meanings as the

*See Exterior Balconies and Decks at right*

## Highlights of Changes to Lateral Wind Bracing in the International Residential Code/2009

There have been a number of changes to the International Residential Code (IRC)/2009 for wind bracing requirements.

1. The IRC/2009 allows for the mixing of bracing methods - intermittent bracing methods and the continuous sheathing methods -- in Section R602.10.1.1.
  - a. Mixing of bracing methods is permitted from story to story. That is, you can have one type of bracing on the first story and a different type of bracing on the second story.
  - b. Mixing of bracing methods is permitted within a story. Example: On the north wall you may have method Diagonal Wood Boards (DWB) on a braced wall line and on the east wall you may have method Portland Cement Plaster (PCP) on a braced wall line.
  - c. Mixing of bracing methods within a braced wall line is permitted, but you must provide the greatest required bracing length of the methods chosen. If you choose one method that requires a minimum length of 4 feet of braced wall line and another method that requires a minimum length of 8 feet of braced wall line, the minimum length of bracing of 8 feet of braced wall line must be provided.
2. Bracing methods are no longer referred to by number as per the 2006 International Residential Code (IRC/2006). Instead, in the IRC/2009, the methods are identified by abbreviations of the name of the bracing method. Bracing methods are separated into two distinct classifications, intermittent and continuous.

*See Lateral Wind Bracing - page 15*

### **Exterior Balconies and Decks**

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context implies. The NJ IRC/2006 contained the following definitions and they are considered accepted meanings:

**BALCONY, EXTERIOR.** An exterior floor projecting from and supported by a structure without additional independent supports.

**DECK.** An exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

If you have any questions, please contact the Code Assistance Unit at (609) 984-7609.

Source: John N. Terry  
Manager, Construction Code Enforcement

Accessible and Adaptable

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2. Kitchen cabinets: Upper kitchen cabinets may be installed at the standard height as long as they are attached in such a manner that they can be lowered without damaging the wall. [ANSI/2003, Section 1003.12.5, as amended at N.J.A.C. 5:23-7.2(b)38]

3. Kitchen sink: This is almost a combination of the above two. The cabinets below the sink must be removable and the floor must be finished all the way to the wall. Also, the sink and the counter are required to be adjustable or replaceable as a unit to an accessible height provided; rough-in plumbing that allows connections of supply and drain piping for sinks mounted at heights of 29 inches must be provided. [ANSI/2003, Sections 1003.12.4.1 and 1003.12.4.2, as amended at N.J.A.C. 5:23-7.2(b)35 and 36, respectively]

What features in the bathroom may be adaptable?

1. Grab bars do not have to be installed, but the wall must be reinforced to permit their later installation. [ANSI/2003, Sections 607.4, 1003.11.4 and 1003.11.8]

2. The threshold in a transfer shower may be adaptable as long as the adaptation can be made easily without undertaking a construction project. [ANSI/2003, Sections 1003.11, as amended at N.J.A.C. 5:23-7.2(b)32]

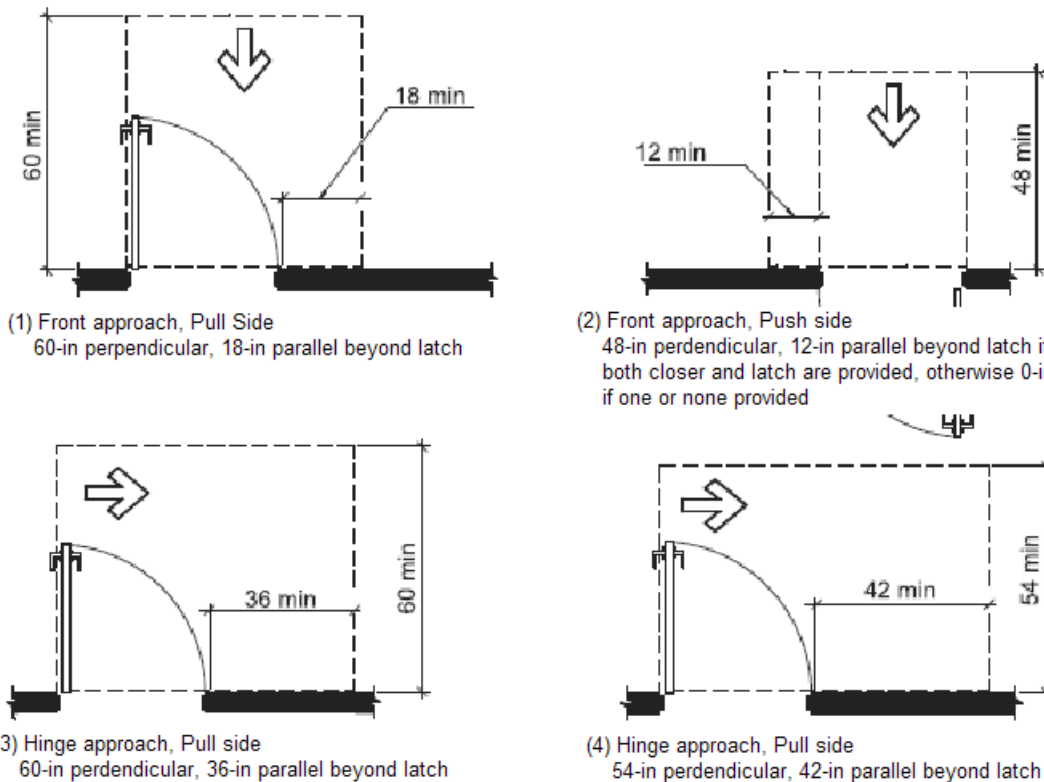
3. The mirror may be installed at a standard height as long as it is attached in such a way that it can be lowered without damaging the wall. [ANSI/2003, Section 1003.11.6, as amended at N.J.A.C. 5:23-7.2(b)31]

4. A vanity may be installed underneath the lavatory as long as it can be removed without requiring the removal or replacement of the lavatory. [ANSI/2003, Section 1003.11.5]

Maneuvering Space at Doors

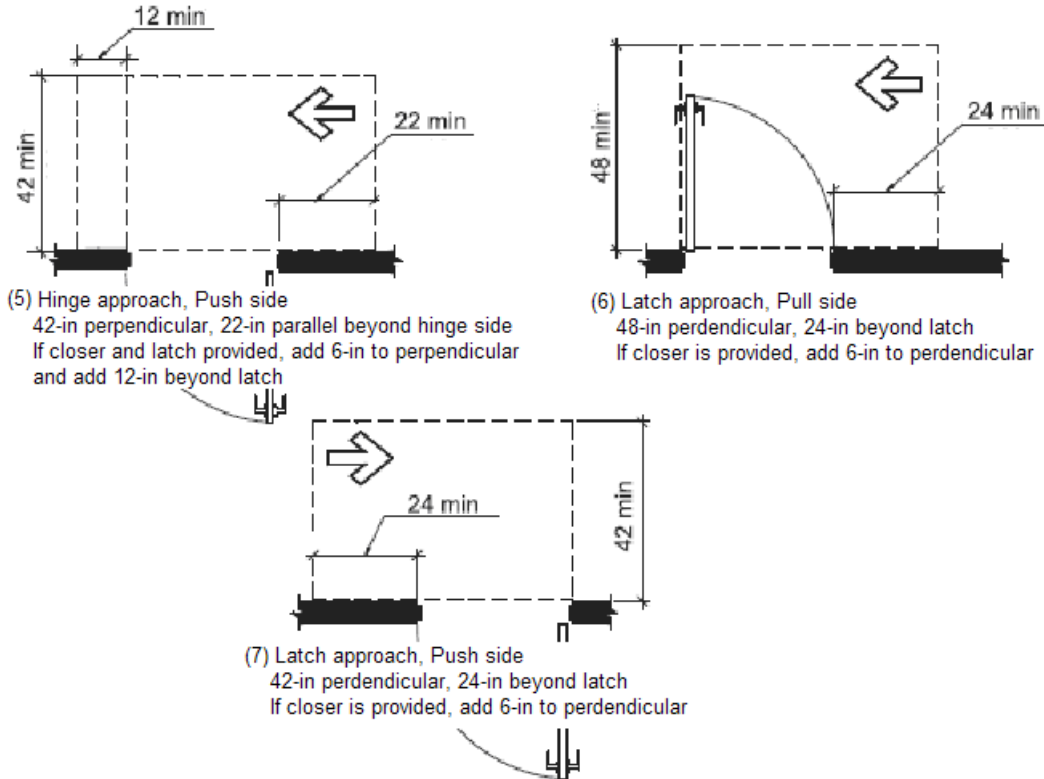
There have been some projects that have been brought to the Department of Community Affairs' attention in which no maneuvering space has been provided at doors. Maneuvering space is critical to the usability of the dwelling unit. The requirements can be found in Section/Table 404.2.3.1 dependent on approach.

The following are the maneuvering spaces with dimensions as noted based on the door location:



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A wider door is not better. The Barrier Free Subcode requires that a wheelchair user be able to *maneuver* the wheelchair. Maneuvering space is critical and, therefore, is required in both dwelling units and commercial buildings. This is one of those items that must be checked in plan review and checked again at the framing inspection. It is nearly impossible to fix once the building is built.

If you have any questions on accessibility, please contact the Code Assistance Unit at (609) 984-7609.

Source Rob Austin  
Code Assistance Unit

## Ordinary Maintenance – Shower Valves



### IRC Errata

The purpose of this article is to make you aware of an error that was made in the printing of the IRC (New Jersey edition and unamended version).

In Chapter 44, entitled “Referenced Standards”, under the American Forest and Paper Association heading, the 2008 edition of the *Wood Frame Construction Manual (WFCM) for One- and Two-Family Dwellings* is listed. This is an error!! The correct edition of this manual is the 2001. In fact, the next version of the *WFCM* is tentatively slated as the 2012 Edition to coincide with the 2012 *IRC*.

This error, as well as all of the I-Code errata, is available on-line at ICC Errata Central (<http://www.iccsafe.org/cs/codes/Pages/errata.aspx>)

Source: John N. Terry  
Manager, Construction Code Enforcement

At N.J.A.C. 5:23-2.7(c)2vii, the section on ordinary maintenance includes the “replacement of valves (including shower or combination bath/shower valves in a single family dwelling).”

The question is: Is the replacement of a two-handle and diverter bath/shower valve by a combination single bath/shower valve in a single-family dwelling ordinary maintenance? If not, is a permit required?

The answer is that it is ordinary maintenance and, therefore, no permit is required. Whether the valve is replaced with like-for-like or with another type of valve where minor piping modifications would be needed, the replacement would be ordinary maintenance and would not require a permit.

Should you have any questions, you may contact me at 609-984-7609.

Source: Thomas C. Pitcherello  
Code Assistance Unit

## Private Garages Below Dwelling Units – Fire Separation

There has been some confusion in the reference to FTO-13 from Section 406.1.4 of the International Building Code (IBC)/2009 and Section R302.6 of the International Residential Code (IRC)/2009. Both sections require a 1-hour fire-resistance-rated horizontal assembly, with the option of using FTO-13, when a private garage is below a Group R-3 or R-5 dwelling unit(s). It appears the way the code references FTO-13 may be the problem as it states “see FTO-13” after the 1-hour rating requirement. If you were to go to the FTO, you will see that it states “The text that follows provides examples of construction practices that meet the intent of the code requirements and should be considered as acceptable methods of providing a one-hour, fire-resistance-rated assembly when there is living space above an attached, private garage in homes in Group R-3 or R-5.” This is why we say “see FTO-13” as it is an acceptable way to achieve the 1-hour rating. Please keep in mind, penetrations are treated separately based on the one-hour rating option. This means, if a 1-hour rated assembly is chosen from a nationally recognized testing laboratory, penetrations are to be dealt with via the allowances in the testing report/documentation. However, if FTO-13 is chosen, then the bulletin specifically spells out how to deal with penetrations (see Section 712 of the IBC/2009).

If you have any questions on this matter, please contact the Code Assistance Unit at (609) 984-7609.

Source: Rob Austin  
Code Assistance Unit

## Americans with Disabilities Act: Recent Revisions are under Review

On September 15, 2010, the US Department of Justice published revisions to the Americans with Disabilities Act Accessibility Guidelines (ADAAG). The Department of Community Affairs is currently reviewing, but has not yet completed its review of, these revised Federal standards. However, questions about how to address differences between State and Federal accessibility laws are coming into the Code Assistance Unit.

When the Americans with Disabilities Act (ADA) was passed in 1990 and the ADAAG were first promulgated in 1991, the Department faced the same

See ADA: Recent Revisions Under Review - page 9

## Prototypes and the Permit Extension Act

Prototype releases that might otherwise have expired are still valid. Why? As you may recall, the Permit Extension Act (PEA) extends all permits that were open and valid as of January 1, 2007. This Act overrides the rules of the Uniform Construction Code (at N.J.A.C. 5:23-2.16(b)) regarding the suspension of a construction permit. (As a reminder, the UCC provides that a permit lapses if (1) no work is done for a year or (2) work, having been started, is discontinued for six months.) However, every beginning must have an ending and the PEA ends December 31, 2012, with exceptions that may allow the permit to continue to June 30, 2013.

In general, the PEA provided that a UCC permit issued before January 1, 2007 would be valid for an additional six months beyond December 31, 2012 or for the time that would have remained on January 1, 2007, *whichever is shorter*. Any permit issued during the extension period (between January 1, 2007 and December 31, 2012) would be valid until June 30, 2013 (six months beyond the end of the extension period,) or until the date when it would have expired if the PEA had not been passed, *whichever is longer*.

The Department has provided guidance on this issue (September 23, 2008 and January 25, 2010 correspondence to code officials). However, another question has arisen: How does the PEA affect prototype plans? The answer is: **If a prototype plan release was valid on January 1, 2007, it remains valid until June 30, 2013.** The reasoning is provided below:

The PEA stopped the clock for releases that were in place on January 1, 2007. It also extended the “useful life” of any releases issued between January 1, 2007 and December 31, 2012. This means that the adoption of subsequent editions of the model codes, and the ending of their associated grace periods, does not affect the validity of prototype releases issued during timeframe delineated in the PERA. All of these prototype releases remain valid until June 30, 2013. NOTE: Prototype plan releases based on the 2009 editions of the national model codes will remain valid until the end of the grace period following the adoption of a subsequent edition(s) of the model code(s). Remember that the PEA says June 30, 2013 or the date when the release would otherwise expire, *whichever is longer*.

If you have any questions, please contact the Code Assistance Unit at (609) 984-7609.

Source: John N. Terry  
Manager, Construction Code Enforcement



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problem: design professionals and building owners might want to comply with the Federal standards, but code enforcement officials are licensed to enforce the Uniform Construction Code, State, not Federal, law. In the Spring, 1992 *Construction Code Communicator*, Assistant Director Charles M. Decker provided guidance to code enforcement officials and design professionals with regard to the enforcement relationship between the new Federal requirements and the Barrier Free Subcode (BFSC). Grounded in logic, his guidance applies today:

- When the Federal requirements exceed those of the BFSC, upon request, code enforcement officials should allow compliance with Federal law. Because this deals with an exceedence, providing more than the BFSC requires, there is no need for a variation.
- When the BFSC exceeds the Federal standards, code enforcement officials must enforce the BFSC.
- For dimensional differences that are not a question of stringency, but where both dimensions cannot be met, code enforcement officials should allow compliance with Federal law, upon request. Code enforcement officials should verify that, in fact, the dimensions are different. Then, to ensure that a valid legal record is created, the variation process of the Uniform Construction Code (UCC) should be used.

These rules of thumb that worked so well 19 years ago can be used again in this interim period during which Departmental staff is reviewing the recently published Federal standards for accessible construction and preparing amendments to the BFSC to ensure that it is, once again, at least as stringent as Federal law in each particular.

It is helpful to remember that the UCC is enforced by licensed code enforcement officials through plan review, permits, and inspections; its enforcement takes place on the “front end” of construction. As civil rights laws, the Americans with Disabilities Act and, for multifamily residences with four or more dwelling units, the Federal Fair Housing Amendments Act (FFHAA) are enforced by civil lawsuit alleging discrimination against people with disabilities; their enforcement is on the “back end” of construction. In some cases, defending against such a lawsuit and altering a completed building to meet the Federal standards can cost more than compliance would have cost at the time of construction. Because of this enforcement mechanism, there is a strong incentive to comply with Federal design standards.

Municipal code enforcement officials can allow, but cannot -- and will not -- require, compliance with Federal law; New Jersey’s code enforcement professionals are licensed to enforce the State UCC. The ADA and the FFHAA are enforced at the Federal level and do not provide for the delegation of enforcement authority to State or municipal code enforcement professionals.

*See ADA: Recent Revisions Under Review at right*

*ADA: Recent Revisions Under Review* continued from left

Therefore, code officials will not ask whether a permit applicant wants to comply with the newly amended ADAAG; the request that one of the three options above be exercised is the responsibility of the permit applicant or the applicant’s agent.

Bottom Line: Code officials must continue to enforce the BFSC by making sure that plans/projects meet or exceed it. For dimensional differences where both dimensions cannot be met, a variation should be allowed.

I trust this provides all code users with a framework in which to make a decision concerning the application of any differences that you have identified between the ADAAG/1991, the BFSC, and the ADAAG/2010.

If you have any questions, please do not hesitate to contact me at (609) 984-7609.

Source: Emily W. Templeton  
Division of Codes and Standards

## Ordinary Maintenance -- Application

This article is a follow-up to the one published in the Fall 2010 *Construction Code Communicator*. It is a response to continuing questions regarding the application of the Uniform Construction Code (UCC) provisions for ordinary maintenance.

At N.J.A.C. 5:23-2.7(a), the UCC states that the ordinary maintenance of structures may be made without filing a permit application with, or giving notice to, the construction official. The question that has arisen is whether this applies only to existing buildings. Common sense dictates that ordinary maintenance does not apply to new construction, but, as with anything else in the UCC, when in doubt, look for a definition. At N.J.A.C. 5:23-1.4, “ordinary maintenance” is defined as the “restoration or improvement of a routine or usual nature which is done by replacing a part of, or putting together, something that is worn or broken in a building, electrical, plumbing, heating, ventilation or air conditioning system and meeting the definition set forth in N.J.A.C. 5:23-2.7.”

This definition makes it clear that ordinary maintenance applies to existing structures. It addresses the repair or replacement of a building element. Ordinary maintenance also applies to the initial installation of certain items, such as batt insulation or communication wiring, in an existing building. As was emphasized in the Fall 2010 *Construction Code Communicator* article, it is important to remember that, although there is no

*See Ordinary Maintenance- page 12*

# Guard Heights in the IRC/2009 – Correcting An Error

The International Residential Code (IRC)/2009 was adopted as the one- and two-family dwelling subcode (N.J.A.C. 5:23-3.21) on September 7, 2010. In the adoption, the minimum height requirement for a guard (within the exception of Section R312.2) was unintentionally modified to 30 inches in height. Obviously, allowing a 30-inch high guard in new construction was not the intent. To correct this, the Department has proposed a correction in the *New Jersey Register*. The revised text of R312.2 is provided below and is to be enforced.

### R312.2 Height.

Required guards at open-sided walking surfaces, including stairs, porches, balconies or landings, shall be not less than 36 inches high measured vertically

*See Guard Heights at right*

# Electrical Bonding of CSST Gas Piping Systems

There has been some confusion as to whether Section 310.1.1 of the International Fuel Gas Code (IFGC)/2009 and Section G2411.1.1 of the International Residential Code (IRC)/2009 are in direct conflict with Section 309.1 and Section G2410.1, respectively, of the same codes, along with Section 250.104(B) of the National Electrical Code (NEC)/2008. We believe the confusion lies in the words of Section 309.1 (IRC)/G2410.1 (IFGC) as follows: “Gas piping shall not be used as a grounding electrode.” In short, bonding the gas CSST piping system does, by default, make it part of the electrical service grounding electrode system, it however is not being *USED* as the grounding electrode.

The IRC/2009 and IFGC/2009 state:  
“G2411.1.1 (310.1.1) CSST.

Corrugated stainless steel tubing (CSST) gas piping systems shall be bonded to the electrical service grounding electrode system at the point where the gas service enters the building. The bonding jumper shall be not smaller than 6 AWG copper wire or equivalent.”

The purpose of the bonding jumper required by these sections is to reduce the likelihood of damage to the CSST caused by the electrical energy from an indirect

*See Electrical Bonding at right*

### Guard Heights

*continued from left*

above the adjacent walking surface, adjacent fixed seating or the line connecting the leading edges of the treads.

#### Exceptions:

1. Guards on the open sides of stairs shall have a height not less than 34 inches measured vertically from a line connecting the leading edges of the treads.
2. Where the top of the guard also serves as a handrail on the open sides of stairs, the top of the guard shall not be not less than 34 inches (864 mm) and not more than 38 inches measured vertically from a line connecting the leading edges of the treads.

If you have any questions on this matter, please contact the Code Assistance Unit at (609) 984-7609.

Source: Rob Austin  
Code Assistance Unit



### Electrical Bonding

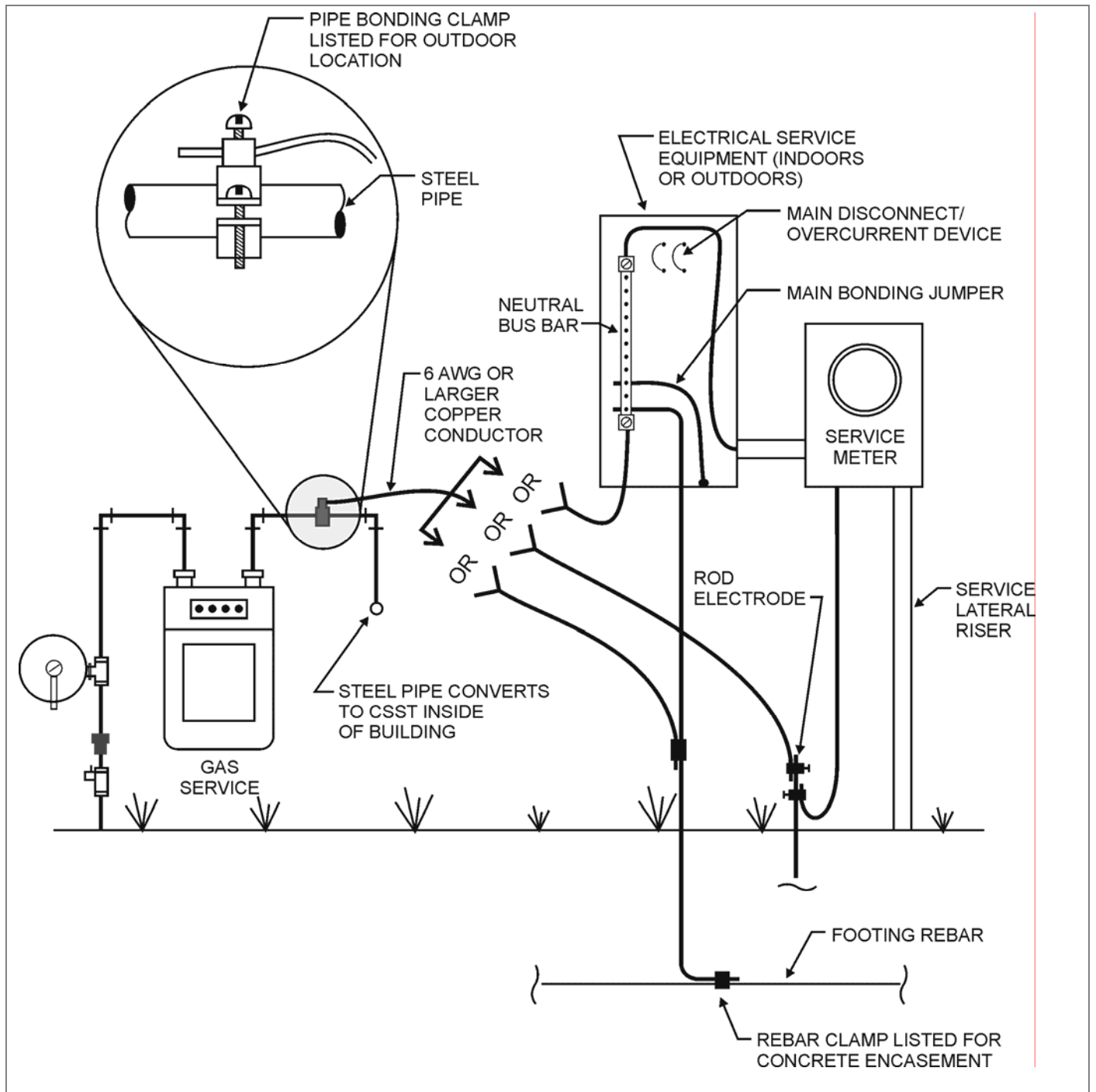
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lightning strike. As you know, NOTHING is capable of protecting ANYTHING from a direct lightning strike. In the case of an indirect strike, the electrical energy could travel along metal piping and tubing and “jump” off to other metal components in the building. This causes an arcing that could burn and perforate the wall of CSST tubing due to the lack of thickness of its exterior wall thus causing a gas leak. Per the IRC/2009 Commentary, the bonding of the CSST directly to the electrical service grounding electrode system has been shown in laboratory testing to greatly reduce this risk. Remember that the bonding clamp must connect to the rigid steel piping at the point where the gas service enters the building and may be located either inside or outside the building. The bonding conductor must be continuous with the other end connected to the steel enclosure of the electrical service equipment or the grounded conductor at the electrical service or the grounding electrode conductor (if od sufficient size) between the service equipment and the grounding electrode(s) or one or more of the grounding electrodes for the electrical system. The bonding jumper may be connected as per the diagram below. The diagram is a reprint, with permission from the International Code Council (ICC), from the IRC/2009 Commentary. As you can see, ICC Commentaries provide wonderful insight into the intent of the code provisions and are a useful tool in any code official’s library.

*See Electrical Bonding - page 11*

Electrical Bonding

continued from page 10



Source: Rob Austin, Suzanne Borek, Tom Pitcherello  
Code Assistance Unit

\* \* \* \* \*

**Ordinary Maintenance**

continued from page 9

permit required for work categorized as ordinary maintenance, all work is required to meet the UCC.

For those who would like to review what items are specified as ordinary maintenance, please see N.J.A.C. 5:23-2.7(c). Again, keep in mind that these are not all-inclusive listings for ordinary maintenance items.

If you have any questions on this matter, please contact the Code Assistance Unit at (609) 984-7609.

Source: Rob Austin  
Code Assistance Unit

## Accessible Parking Serving Multifamily Dwellings: How to Calculate

It has come to the Department's attention that there may be confusion about how to calculate accessible parking when multiple multifamily residential buildings that are required to comply with the Barrier Free Subcode share a common parking lot. In the Fall, 2009 *Construction Code Communicator*, the Department provided guidance on the application of the accessible parking requirements in a commercial application, specifically at health care centers and offices where people with mobility impairments receive health care services. This article is intended to provide similar, clear guidance for a site with more than one multifamily residential building that is required to comply with the Barrier Free Subcode where parking is provided and, therefore, where some of the parking must be accessible.

At N.J.A.C. 5:23-7.10(d), the Barrier Free Subcode requires that two percent (2%) of the parking spaces for multifamily residential buildings with accessible/adaptable dwelling units be accessible. The Barrier Free Subcode itself provides some clarity because N.J.A.C. 5:23-7.10(d) also states that "two percent of the parking spaces *servicing the dwelling units* be accessible" (emphasis added). The Department has long considered that, where there is a project with multiple buildings served by a common parking lot, the Barrier Free Subcode be applied so that those "parking spaces *servicing the dwelling units* "are accessible." This means that there will be accessible parking serving each building.

An example might help. Consider a project with five multifamily residential buildings that are required to comply with the Barrier Free Subcode are served by 200 parking spaces in a single, common parking lot. In

## Construction Data: Dummy Dates

We receive a lot of building permits with bad dates. Some construction officials and technical assistants intentionally report the wrong month, day, and year. They do so to get a jump on work customers submit but are not ready to pay for. Some use a dummy year, say 1953 or 2050. Others enter 11/11/11, or another made-up date as a temporary placeholder until the customer is ready to pay for the inspections and the real date is known.

### Don't do this.

You need to understand two things about construction data in New Jersey. First, what you enter in your computer is transmitted to the Department of Community Affairs (DCA) on a regular basis. This means monthly and weekly. Second, there's a firewall between us. Once your data are sent, it blocks changes made on your side from going through to our side. We allow you to report additional work on existing permits. These are permit updates. But edits, corrections, and other changes to existing permits are blocked by the firewall. If you need to make corrections, you must let us know. This is the only way to scale the firewall. You must call and report any corrections to either Charlie Pierson, Jr. or me at (609) 292-7898.

If you enter a bad permit date, transmit the record, and then go back and re-enter the right date, we won't get this change. Again, don't do it. There are ways to get a jump on your work or keep it from piling up without sending bad data. We can help with that, too. Some reporting software may have an "issue permit" function. It allows you to enter the permit, without issuing it to the applicant or sending it to us. **PermitsNJ** uses an application or control number. This switches to a formal permit number when you are ready to issue the permit and transmit the information. Both approaches allow users to enter a building permit on one day and formally issue it and report it on another. If your software does not do this, talk to your vendor or contact us. That's where the solution is, not bad dates.

Building permits are one of the few sources of information available from every town, every month. They provide key insights on settlement patterns and development trends, as well as vital indicators on New Jersey's construction industry and the health of the State's economy. Many people rely on this information. It is important to get it right.

If you have any questions, please call Charlie Pierson or me at (609) 292-7898.

Source: John Lago  
Division of Codes and Standards

**Accessible Parking***continued from page 12*

the absence of a specific number of parking spaces for each building, assume that the parking spaces are equally allocated among the five buildings. This would mean that there would be 40 parking spaces "serving the dwelling units" of each building. Of those 40 parking spaces, 2% (or 1) would be required to be accessible, so there would be one accessible parking space serving each multifamily residential building. At N.J.A.C. 5:23-7.10(a)2, the Barrier Free Subcode also requires that "for every eight accessible parking spaces, or fraction thereof, at least one shall be a van accessible parking space." Therefore, the one accessible parking space that serves each building would be required to be van accessible. In addition, each accessible parking space must be the "closest parking space provided and must be on the shortest route, which must be an accessible route, to an accessible entrance." (N.J.A.C. 5:23-7.10(a)).

If the calculation were erroneously based on the total number of parking spaces without regard for the number of buildings served, a total of four accessible parking spaces ( $200 \times .02 = 4$ ) would be required. This would mean that one building with accessible/adaptable dwelling units and with parking serving the building (and, in the language of the Barrier Free Subcode, "serving the dwelling units") would have no accessible parking at all, and, therefore, would not be in compliance.

It is important to remember that the Barrier Free Subcode exists to ensure access for people with disabilities. That over-arching charge would not be met if a commonly provided parking lot were allowed to have no direct relationship to the accessible entrance of, or the accessible dwelling units in, the buildings the parking spaces serve.

In sum, where multifamily buildings are required to comply with the Barrier Free Subcode and, therefore, the multifamily buildings have (each multifamily building has) accessible dwelling units; and the multifamily buildings are served by (each multifamily building is served by) parking, two percent of the parking spaces serving the dwelling units in each building are required to be accessible. This means that the accessible parking must be the closest parking spaces provided to the accessible entrance. They must also be on the shortest route, which must be an accessible route, to the accessible entrance for each building. It also means that each grouping of accessible parking spaces must comply with the requirements for van accessible parking spaces.

If you have questions about these requirements, please contact the Code Assistance Unit at (609) 984-7609.

Source: Emily W. Templeton  
Division of Codes and Standards

## Deferred Submittals

The Code Assistance Unit has been receiving multiple questions on whether the design professional of record is required to sign and seal deferred submittals prepared by other design professionals. The simple answer is, no.

However, the design professional of record is required to review all documents that are not submitted with the initial application and that are prepared by others. Furthermore, the design professional of record must submit a letter indicating that he has reviewed and found the construction documents to be in conformance with the regulations of the design for the building. In lieu of a letter, the design professional of record may stamp and signed on each page that the construction documents have been reviewed and found to be in conformance with the regulations of the design for the building.

The applicable regulations are found at N.J.A.C. 5:23-2.15(f)1.xi(1), which states, "All documents prepared by people other than the design professional shall be reviewed by the design professional and submitted with a letter indicating that they have been reviewed and found to be in conformance with the regulations for the design of the building."

Two examples that illustrate the application of the requirement follow:

1. A New Jersey State licensed architect has prepared all of the construction documents for the project; however the roof trusses are being designed by others. The trusses have been designed by the truss manufacturer based upon the design criteria provided by the architect of record. The architect of record must review the truss documents for compliance with the regulations for the design of the building before submitting them to the authority having jurisdiction. The construction documents submitted to the authority having jurisdiction must be accompanied by a letter signed and sealed by the architect of record acknowledging this.
2. Another example is a building that contains an automatic fire suppression system. Typically, the design of a suppression system is prepared by a sprinkler manufacturer and construction documents are prepared accordingly. In this case, the design professional of record must review the construction documents for compliance with the project design requirements. The construction documents must be accompanied by a signed and sealed letter acknowledging this.

I cannot stress enough that the design professional of record is not "sealing" the design of another design professional; the design professional of record must verify that the construction documents have been reviewed and state that they comply with the design parameters of the

*See Deferred Submittals -page 14*

Deferred Submittals

continued from page 13

project.

The two examples above are not all-inclusive. There are a multitude of situations to which the above referenced section can be applied. These examples are intended to illustrate instances when the design professional of record's review is required.

This issue was discussed in a previous *Construction Code Communicator* article by Rob Austin of our staff (Winter of 2006, Volume 18, number 3, page 2).

If you have any questions on this, please direct your calls to me at (609) 984-7609.

Source: Marcel Iglesias  
Code Assistance Unit

## Fire Department Connections & Large Diameter Hose STORZ Connections for Automatic Fire Sprinkler and Standpipe Systems



Over the past year, the Department has received questions about using STORZ type threadless adaptors as a Fire Department Connection (FDC). Some Fire Subcode Officials and Fire Officials have informed the Department that the fire company has required the adaptor to be installed as a FDC. Some sprinkler contractors and designers have asked if this can be done. The answer is yes. The Building Officials and Code Administrators (BOCA) National Building Code/1990 had an exception allowing the installation of a single connection with the approval of the local fire department. This exception has been retained in the building subcode of the Uniform Construction Code (UCC), including the adoption of the current New Jersey edition of the International Building Code (IBC)/2009. The National Fire Protection Association (NFPA) standard is referenced in the charging text in the FDC section.

NFPA 13 prohibits the use of a large diameter threadless adaptor unless it has been listed for use as a FDC. In NFPA 13-2002, Section 6.8.3 specifically states that the use of threadless couplings is permitted where required by the authority having jurisdiction and where listed for that use. Thus, when the fire department requires the FDC to be of the threadless

Fire Department Connections

continued from left

type, the building subcode allows it. The exception in the building subcode supersedes the requirement in the standard. In the legal hierarchy, the code trumps the referenced standard. This means that, where the provisions of the adopted building subcode differ from those in the referenced standard, the requirements in the building subcode govern. I have checked with some threadless adaptor manufacturers and they are in the process of getting their adaptors listed. This will help in other states that have not amended the current national model building code and that require the strict compliance of the NFPA standards for the system being installed.

There have been other issues with using the single adaptor as the FDC. First, the Department has learned that these large diameter adaptors have been installed on some small residential systems where a single 1 1/2- or 2 1/2- inch connection could provide the required additional water supply. There is no reason to require a large adaptor for this application; it can be detrimental to the sprinkler system when a firefighter over-supplies the system. The second issue is dealing with the high zone on high rise buildings. Many fire departments purchase only large diameter supply or relay fire hose. Supplying a high zone on a high rise building cannot be accomplished with standard supply or relay hose. If a fire department is requiring the single adaptors for high rise buildings, ask whether it has large diameter attack hose. Make sure the fire department knows what they are asking for.

It should also be noted that hose lines between the pumper and the fire department connection are considered attack, rather than supply, hose. This is supported by the definition of supply hose in NFPA 1961, the Standard on Fire Hose. A dual-inlet connection has the benefit of allowing an immediate changeover to the alternate inlet without shutting down should debris obstruct the first inlet or should the hose at the first inlet become damaged and unusable. This not only aids in extinguishing the fire, but also increases the safety of firefighters involved with interior attack lines. When a single large diameter line breaks or is damaged, the supplemental water supply is lost. So, when these adaptors are installed on any system, the question that needs to be asked is: Does the Fire Department have the proper hose?

If you have any questions, please feel free to contact me at (609) 984-7609.

Source: Michael Whalen  
Code Assistance Unit



See Fire Department Connections at right

**Intermittent Bracing Methods**

<b>2006 International Residential Code –Section R602.10.3</b>	<b>2009 International Residential Code –Table R602.10.2</b>
Method 1	LIB – Let-in-bracing
Method 2	DWB – Diagonal wood boards
Method 3	WSP – Wood structural panel, see Section R604
Method 4	SFB – Structural Fiberboard sheathing
Method 5	GB – Gypsum board
Method 6	PBS – Particleboard sheathing
Method 7	PCP – Portland cement plaster
Method 8	HPS – Hardboard panel siding
Alternate braced wall panel – Section R602.10.6.1	ABW – Alternate braced wall, see Section R602.10.3.2
Alternate braced wall panel adjacent to a door or window opening, see Section R602.10.6.2	PFH – Intermittent portal frame Portal frame with hold-downs, see Section R602.10.3.3
-	PFG- Intermittent portal frame at garage At garage door openings in Seismic Design Category A, B and C, see Section R602.10.3.4

**Continuous Sheathing Bracing Methods**

<b>2006 International Residential Code</b>	<b>2009 International Residential Code –Table R602.10.4.1</b>
Continuous wood structural panel sheathing – see Section R602.10.5 and Length requirements for braced wall panels in a continuously sheathed wall – see Table R602.10.5	CS – WSP - Wood structural panel see Section R602.10.4 and Table R602.10.4.2
Length requirements for braced wall panels in a continuously sheathed wall – see Table R602.10.5 note b	CS – G – Wood structural panel adjacent to the garage openings and supporting roof loads only see Section R602.10.4 and Table R602.10.4.2
Length requirements for braced wall panels in a continuously sheathed wall – see Table R602.10.5 note c	CS – PF – Continuous portal frame see Section R602.10.4.1.1 and Table R602.10.4.2

The following reference is not part of the Table, but is discussed in R602.10.5 and is provided here for completeness and convenience.

-	CS – SFB – Continuously sheathed braced wall line Section R602.10.5
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The IRC/2009 allows the continuously sheathed braced wall line to be applied to each wall line individually, but the IRC/2006 required that if this method was chosen, it then applies to all walls on all stories.

**Lateral Wind Bracing**

*continued from page 15*

- 3. There are now two separate tables in the IRC/2009 to calculate the amount of bracing required. Table R602.10.1.2(1) provides the bracing requirements for wind loading and Table R602.10.1.2(2) provides the bracing requirements for seismic loading. **Note** that the seismic requirements in the IRC/2009 have been deleted as per N.J.A.C. 5:23-3.21(c)3.v and Table No. 301.2(1). Therefore, Table R602.10.1.2(2) is not applicable and bracing length is designed only in accordance with Table R602.10.1.2(1).

In the previous editions of the IRC, there was one bracing table for wind and seismic. The table was based on the seismic loads, which increased the amount of bracing required as the wall length increased. The wind tables are based on engineering principles.

- 4. The amount of required bracing is now provided in feet (IRC/2009) instead of a percentage of braced wall line length (IRC/2006). This eliminates the need to calculate the length of bracing necessary as a percentage of the braced wall line.
- 5. The number of narrow wall bracing alternatives increased from two to five.
- 6. The definitions for "braced wall line" and "braced wall panel" have been revised and a new term "continuously sheathed braced wall line" has been added. All of these terms are defined in Chapter 2 of the IRC/2009.

A good source of information is "A Guide to the 2009 IRC Wood Wall Bracing Provisions" published by the International Code Council (ICC).

If you have any questions, please direct your calls to me at (609) 984-7609.

Source: Marcel Iglesias  
Code Assistance Unit

## Typo in Bulletin 11-1

With the adoption of the 2009 International Energy Conservation Code, the Prescriptive Packages no longer have window-to-wall percentage ratios. Please note that on page "2 of 8" in Bulletin 11-1, there are some words (three, to be exact) that were not supposed to make it to publishing.

Please strike the words "window percentages and" in the 4<sup>th</sup> sentence or 7<sup>th</sup> line in item #4, Compliance with Prescriptive Packages and retain your corrected copy. A corrected copy is also available on the Division's web site, [www.nj.gov/dca/codes](http://www.nj.gov/dca/codes).

If you have any questions, please contact the Code Assistance Unit at (609) 984-7609.

Source: Robert Austin  
Code Assistance Unit



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