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## FORMAL TECHNICAL OPINION (FTO) 14

Issued: August 2002 Code Ref. Update: October 2007  
Subject: Materials Permitted in Type III (Type 3) Construction  
Reference: N.J.A.C. 5:23-3.14, Building Subcode, Section 602.3

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The Department of Community Affairs has become aware of problems with the interpretation of the phrase “approved noncombustible materials” in Section 604.1, entitled “Type 3 Construction,” of the Building Officials and Code Administrators (BOCA) National Building Code concerning exterior wall construction. The Department has determined the phrase “approved noncombustible materials” means materials with similar structural properties to concrete (cast in place or precast) and concrete masonry units such as brick, stone, or glass block.

From 1977, with the adoption of the BOCA Basic Building Code/1975, the code language has changed a great deal. The 1975 BOCA Basic Building Code clearly stated in Section 217.0, entitled “Type 3, Exterior Masonry Wall Construction,” that Type 3 construction was where “the exterior walls ... are constructed of masonry or other approved noncombustible materials, of the required fire-resistance rating and structural properties.” In the BOCA Basic Building Code/1981, the title “Type 3, Exterior Masonry Wall Construction” was edited to “Type 3 Construction,” but the language requiring exterior walls to be masonry construction remained the same.

In the BOCA National Building Code/1993, the language was simplified, but the meaning remained the same and remained the same in the 1996 edition. However, the resulting language (“...the exterior walls are constructed of masonry or other approved noncombustible materials...”) has caused problems of interpretation. The commentary for the BOCA National Building Code/1993 refers to Type 3 construction as “ordinary” construction, and provides an example of acceptable Type 3 construction as having masonry exterior walls with wood-frame floor and roof construction. The commentary for the 1996 BOCA Building Code has the exact same text, but now includes a figure that shows brick and concrete block exterior wall construction. The commentary for Section 602.3 of the Building Subcode refers to Type III (Type 3 in previous codes) construction similarly to Type 3 construction in the BOCA commentary.

To ensure equal enforcement across the State, and mindful of the history of this language, the Department is hereby providing clarification of the phrase “other approved noncombustible materials.” This phrase allows the use of noncombustible materials with the same structural properties as concrete or concrete masonry units.

Edward M. Smith, Director  
Division of Codes and Standards

**PURSUANT TO THE AUTHORITY OF N.J.S.A. 52:27D ET SEQ.,  
AS AMENDED, THIS FORMAL TECHNICAL OPINION IS  
CONSIDERED TO BE BINDING UPON ALL CODE OFFICIALS.**