

[Second Reprint]

**ASSEMBLY, No. 3278**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED SEPTEMBER 30, 2010

**Sponsored by:**

**Assemblyman JOHN S. WISNIEWSKI**

**District 19 (Middlesex)**

**Assemblyman JERRY GREEN**

**District 22 (Middlesex, Somerset and Union)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex)**

**Co-Sponsored by:**

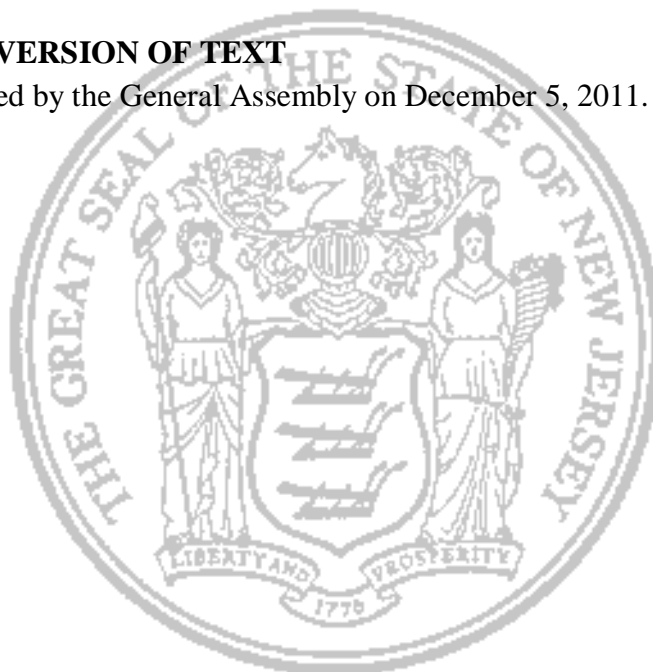
**Assemblymen Scalera, Diegnan, Giblin, Caputo, Assemblywoman Evans  
and Assemblyman Chivukula**

**SYNOPSIS**

Requires fire suppression systems in new single and two family homes.

**CURRENT VERSION OF TEXT**

As amended by the General Assembly on December 5, 2011.



**(Sponsorship Updated As Of: 12/16/2011)**

1 AN ACT concerning new home fire safety and supplementing the  
2 "State Uniform Construction Code Act," P.L.1975, c.217  
3 (C.52:27D-119 et seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. This act shall be known and may be cited as the "New Home  
9 Fire Safety Act."  
10

11 2. As used in this act:

12 "Commissioner" means the Commissioner of Community  
13 Affairs.

14 "Fire suppression system" means an engineered or pre-  
15 engineered system that suppresses a fire using an extinguishing  
16 agent distributed through fixed piping and nozzles that are activated  
17 either manually or automatically. The system may include  
18 containers, nozzles, controls, automatic detection, manual releases,  
19 equipment shut downs, and alarms. In such systems, an  
20 extinguishing agent is discharged through fixed pipes and nozzles  
21 into or over a potential fire hazard.

22 "Manufactured home" means a unit of housing manufactured in  
23 accordance with the standards promulgated for a manufactured  
24 home by the Secretary of the United States Department of Housing  
25 and Urban Development pursuant to the "National Manufactured  
26 Housing Construction and Safety Standards Act of 1974,"  
27 Pub.L.93-383 (42 U.S.C. s. 5401 et seq.).

28 "New home" means a <sup>2</sup>**[structure]** dwelling<sup>2</sup> <sup>1</sup>**[not previously**  
29 **occupied as of the]** <sup>2</sup>**[for which a construction permit has been**  
30 **issued after the<sup>1</sup>]** not previously occupied, for which a construction  
31 permit has been issued after the<sup>2</sup> effective date of P.L. , c. (C. )  
32 (pending before the Legislature as this bill) and intended for  
33 residential use by not more than two households, but shall not mean  
34 a manufactured home.  
35

36 <sup>1</sup>**[3. A certificate of occupancy shall not be issued to any new**  
37 **one- or two-family home until the officer or agency responsible for**  
38 **its issuance has determined that the new home is equipped with a**  
39 **fire suppression system that conforms to the requirements**  
40 **promulgated by the Commissioner, pursuant to the State Uniform**  
41 **Construction Code and section 4 of P.L. , c. (C. ) (pending**  
42 **before the Legislature as this bill).]**<sup>1</sup>

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AHO committee amendments adopted November 21, 2011.

<sup>2</sup>Assembly floor amendments adopted December 5, 2011.

1       <sup>1</sup>3. a. In any case where a change of occupancy of any building  
2 subject to the requirements of section 1 of P.L.1991, c.92  
3 (C.52:27D-198.1) is subject to a municipal ordinance requiring the  
4 issuance of a certificate of occupancy, certificate of inspection, or  
5 other documentary certification of compliance with laws and  
6 regulations relating to safety, healthfulness, and upkeep of the  
7 premises, no such certificate shall be issued until the municipal  
8 officer or agency responsible for its issuance has received a  
9 certification from the enforcing agency that the new home is  
10 equipped with a fire suppression system that conforms to the  
11 requirements promulgated by the commissioner, pursuant to the  
12 State Uniform Construction Code and section 4 of P.L. \_\_\_\_\_,  
13 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill).

14       b. In the case of a change of occupancy of any building subject  
15 to the requirements of section 1 of P.L.1991, c.92 (C.52:27D-198.1)  
16 to which the provisions of subsection a. of this section do not apply,  
17 no owner shall sell, lease, or otherwise permit occupancy for  
18 residential purposes within that building without first obtaining a  
19 certification from the enforcing agency that the new home is  
20 equipped with a fire suppression system that conforms to the  
21 requirements promulgated by the Commissioner, pursuant to the  
22 State Uniform Construction Code and section 4 of P.L. \_\_\_\_\_,  
23 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill).

24       c. The local governing body having jurisdiction over the  
25 enforcing agency or, where the <sup>2</sup>【Division of Fire Safety】 Division  
26 of Codes and Standards<sup>2</sup> is the enforcing agency, the commissioner,  
27 may establish a fee which covers the cost of inspection and of  
28 issuance of the certificate; however, if an inspection is being made  
29 and a certificate is being issued evidencing compliance with section  
30 2 of P.L.1991, c.92 (C.52:27D-198.2), the fee authorized therein  
31 shall cover the costs of complying with this section.<sup>1</sup>

32  
33       4. The commissioner shall <sup>1</sup>【, pursuant to the "Administrative  
34 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), promulgate  
35 rules and regulations, requiring】 modify the building subcode of the  
36 State Uniform Construction Code to require<sup>1</sup> the installation of fire  
37 suppression systems in all new one- and two family homes pursuant  
38 to P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending before the Legislature as this bill).

39 <sup>1</sup>The modification shall require all fire suppression systems to be in  
40 compliance with subchapter 10 of chapter 10 of Title 7 of the New  
41 Jersey Administrative Code regarding Physical Connections and  
42 Cross Connection Control by Containment, and shall require the  
43 installation of separate shut-off valves and a meter for measuring  
44 water usage dedicated to fire suppression.<sup>1</sup>

45  
46       5. This act shall take effect on the first day of the seventh  
47 month next following the date of enactment of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_)

**A3278 [2R] WISNIEWSKI, GREEN**

4

- 1 (pending before the Legislature as this bill) and shall not apply to
- 2 new homes built as part of a development plan or building permit
- 3 approved on or before the effective date of this act.