

# ASSEMBLY, No. 2124

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 11, 2010

**Sponsored by:**

**Assemblyman UPENDRA J. CHIVUKULA**  
**District 17 (Middlesex and Somerset)**

**Co-Sponsored by:**

**Assemblywoman N.Munoz**

**SYNOPSIS**

Requires installation of automatic rain sensors on lawn sprinklers on commercial, retail and industrial property.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/8/2010)**

1 AN ACT concerning the installation of automatic rain sensor  
2 devices, and supplementing P.L.1975, c.217 (C.52:27D-119 et  
3 seq.).

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. a. An automatic lawn sprinkler system installed after  
9 September 8, 2000 on any commercial, retail or industrial property  
10 shall be equipped with an automatic rain sensor device or switch  
11 that will override the irrigation cycle of the automatic lawn  
12 sprinkler system when adequate rainfall has occurred.

13 b. (1) Every contract of sale of commercial, retail or industrial  
14 property, upon which a lawn sprinkler system was installed prior to  
15 September 8, 2000 shall include a provision requiring, as a  
16 condition of the sale, the installation of an automatic rain sensor  
17 device or switch that will override the irrigation cycle of the  
18 automatic lawn sprinkler system when adequate rainfall has  
19 occurred.

20 (2) Closing of title on the sale of the commercial, retail or  
21 industrial property shall not occur unless documentation is provided  
22 demonstrating the installation of an automatic rain sensor device or  
23 switch as required by paragraph (1) of this subsection. At closing,  
24 the buyer and seller both shall certify in writing that the  
25 requirements of this subsection have been met.

26  
27 2. In any case where a change of occupancy of any real property  
28 subject to the requirements of section 1 of  
29 P.L. , c. (C. )(pending before the Legislature as this bill)  
30 is subject to a municipal ordinance requiring the issuance of a  
31 certificate of occupancy, certificate of inspection or other  
32 documentary certification of compliance with laws and regulations  
33 relating to safety, healthfulness and upkeep of the premises, no such  
34 certificate shall be issued until the municipal officer or agency  
35 responsible for its issuance has determined that the lawn sprinkler  
36 system installed upon the real property is equipped with an  
37 automatic rain sensor device or switch that will override the  
38 irrigation cycle of the automatic lawn sprinkler system when  
39 adequate rainfall has occurred as required by section 1 of  
40 P.L. , c. (C. )(pending before the Legislature as this  
41 bill).

42  
43 3. An owner who sells, leases, rents or otherwise permits to be  
44 utilized or occupied for commercial, retail or industrial purposes  
45 any premises subject to the provisions of section 1 of  
46 P.L. , c. (C. )(pending before the Legislature as this bill)  
47 when the premises do not comply with the requirements of section 1  
48 of P.L. , c. (C. )(pending before the Legislature as this

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1 bill), or without complying with the inspection and certification  
2 requirements of section 2 of P.L. , c. (C. )(pending  
3 before the Legislature as this bill), shall be subject to a fine of not  
4 more than \$500 to be collected in a civil action by a summary  
5 proceeding pursuant to the "Penalty Enforcement Law of 1999,"  
6 P.L.1999, c.274 (C.2A:58-10 et seq.).

7  
8 4. Within 12 months of the effective date of  
9 P.L. , c. (C. )(pending before the Legislature as this bill),  
10 an automatic lawn sprinkler system installed prior to September 8,  
11 2000 on any commercial, retail or industrial property shall be  
12 retrofitted with an automatic rain sensor device or switch that will  
13 override the irrigation cycle of the automatic lawn sprinkler system  
14 when adequate rainfall has occurred.

15  
16 5. This act shall take effect immediately.

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**STATEMENT**

21 This bill requires that every contract of sale of real property to be  
22 utilized for commercial, retail or industrial purposes, upon which a  
23 lawn sprinkler system was installed prior to September 8, 2000 shall  
24 include a provision requiring, as a condition of the sale, the  
25 installation of an automatic rain sensor device or switch that will  
26 override the irrigation cycle of the automatic lawn sprinkler system  
27 when adequate rainfall has occurred.

28 The bill also requires municipal certification that the lawn  
29 sprinkler system installed upon the commercial, retail or industrial  
30 property is equipped with an automatic rain sensor device or switch  
31 as a condition of transfer of the property.

32 This bill also requires that, within 12 months of the bill's  
33 effective date, any automatic lawn sprinkler system which was  
34 installed prior to September 8, 2000 upon commercial, retail or  
35 industrial property must be retrofitted with an automatic rain sensor  
36 device or switch.