Sponsored by:
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)

SYNOPSIS
Establishes fire safety standards and protocols for certain light frame residential construction; requires placards identifying primary structural systems of buildings.

CURRENT VERSION OF TEXT
As introduced.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. (New section) a. A new residential use structure containing more than two dwelling or sleeping units may only be constructed utilizing light frame construction if the following requirements are satisfied:

   (1) An automatic sprinkler system shall be installed throughout the structure in accordance with the requirements of National Fire Protection Association (NFPA) 13, Standard for the Installation of Sprinkler Systems.

   (2) The number of stories permitted in the structure shall be measured from grade plane and includes any pedestal or podium.

   (3) Each fire partition shall:

      (a) be constructed of noncombustible materials;
      (b) be constructed as a fire barrier with a fire-resistance rating of at least two hours;
      (c) extend from the foundation to the roof; and
      (d) comply with all other requirements for fire barriers under the code.

   (4) Each horizontal separation installed between floors separating dwelling or sleeping units shall:

      (a) be constructed of noncombustible materials;
      (b) be constructed as a horizontal assembly with a fire-resistance rating of at least two hours; and
      (c) comply with all other requirements for horizontal assemblies under the code.

   (5) Each fire wall shall:

      (a) be constructed of noncombustible materials;
      (b) not be adversely affected by moisture; and
      (c) be capable of passing the hose stream test in accordance with the code.

   (6) (a) If any light framing of the structure is unprotected, the structure shall not have more than three stories and shall not exceed 60 feet above grade plane.

      (b) If all light framing of the structure is protected, the structure shall not have more than four stories and shall not exceed 70 feet above grade plane.

   (7) If the structure has five or more dwelling or sleeping units, a horizontal assembly shall not be considered to create separate and distinct structures for the purposes of determining area limitations,

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.
continuity of fire walls, limitation of number of stories, and type of
construction as provided under this subsection and the code.

b. The construction of a new residential use structure
containing more than two dwelling or sleeping units utilizing light
frame construction shall not commence unless a fire watch warden
who meets the requirements of paragraph (1) of this subsection is
present 24 hours a day to monitor the construction and alert
firefighters, medical, rescue, or law enforcement personnel if a fire
or other emergency occurs.

(1) A person shall be eligible to be a fire watch warden if the
person is qualified pursuant to N.J.S.40A:14-9 and is an active or
retired firefighter, or is a fire inspector who is certified pursuant to

(2) A developer or owner of a construction project subject to the
provisions of this subsection shall be responsible for hiring,
training, and compensating the fire watch wardens, and any expense
to ensure that they are on site, including inspection by the
department or the local enforcing agency.

(3) A fire watch warden shall make regular inspections and
patrols of the area assigned to the fire watch warden for supervision
by the developer or owner. A fire watch warden shall not be
assigned any other responsibilities that would interfere with or
prevent the fire watch warden from carrying out the fire watch
warden’s responsibilities under this subsection.

(4) A fire watch warden shall maintain a record of activities
performed in connection with the construction project that
constitute a potential threat to fire safety. The records shall be
submitted to the Division of Fire Safety in the department on a
weekly basis and the division may, in its discretion, take any action
appropriate to abate any fire safety issues, including, but not limited
to, requesting that the local enforcing agency revoke the
construction permit for the project.

(5) A fire watch warden shall be present throughout the
construction project and shall continue to monitor the construction
project until the final sprinkler inspection is completed and a
certificate of occupancy is issued.

(6) The Division of Fire Safety in the department may assess a
developer or owner of a construction project, utilizing a fire watch
warden pursuant to this subsection, reasonable administrative fees
incurred by the division in performing its duties as set forth in this
subsection.

c. The commissioner shall, pursuant to the “Administrative
Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), adopt
regulations necessary to effectuate the provisions of this section,
and shall revise the code accordingly.

d. As used in this section:

“Dwelling unit” means a single unit providing complete,
independent living facilities for one or more persons living as a
single housekeeping unit, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

“Fire barrier” means a fire-resistance rated wall assembly of materials designed to restrict the spread of fire in which continuity is maintained.

“Fire partition” means a vertical assembly of materials designed to restrict the spread of fire in which openings are protected.

“Fire wall” means a fire-resistance rated wall having protected openings, which restricts the spread of fire and extends continuously from the foundation to or through the roof, with sufficient structural stability under fire conditions to allow collapse of construction on either side without collapse of the wall.

“Fire watch warden” means an individual hired to monitor new residential use structure construction projects that utilize light frame construction.

“Horizontal assembly” means a fire-resistance rated floor or roof assembly of materials designed to restrict the spread of fire in which continuity is maintained.

“Horizontal separation” means a floor assembly separating dwelling units in the same structure, a floor assembly separating sleeping units in the same structure, and a floor assembly separating dwelling or sleeping units from other occupancies contiguous to them in the same structure.

“Light frame construction” means a type or construction the vertical and horizontal structural elements of which are primarily formed by a system of repetitive wood framing members or that utilizes metal-plate-connected wood trusses, metal-plate-connected metal-web wood trusses, pin-end connected steel-web wood trusses, wooden I-joists, solid-sawn wood joists, composite wood joists as floor or roof system structural elements, or load bearing elements made of combustible materials.

“Residential use structure” means a hotel or multiple dwelling, as those terms are defined in section 3 of P.L.1967, c.76 (C.55:13A-3), or a boarding house or rooming house, as those terms are defined in section 3 of P.L.1979, c.496 (C.55:13B-3).

“Sleeping unit” means a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both, but does not include such a room or space that is also part of a dwelling unit.

2. Section 1 of P.L.1991, c.188 (C.52:27D-198.4) is amended to read as follows:

1. a. The Commissioner of Community Affairs shall, pursuant to the authority under the “Uniform Fire Safety Act,” P.L.1983, c.383 (C.52:27D-192 et seq.), promulgate rules and regulations to require that an identifying emblem be affixed to the front of each exterior entrance of structures with light frame or truss construction
to clearly communicate that the structure in the affected area is combustible and known to the State to pose a fire hazard.

The emblem shall be of a bright and reflective color, or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be 12 inches horizontally by 6 inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem: "LF" to signify light frame construction; "F" to signify a floor with truss construction; "R" to signify a roof with truss construction; or "F/R" to signify both a floor and roof with truss construction.

The emblem shall be permanently affixed to the left of the main entrance door at a height between four to six feet above the ground and shall be installed and maintained by the owner of the building.

The act shall be enforced in accordance with enforcement procedures set forth in P.L.1983, c.383 (C.52:27D-192 et seq.).

As used in this subsection, “light frame construction” means the same as that term is defined in section 1 of P.L. , c. (C. ) (pending before the Legislature as this bill).

b. Detached one and two family residential structures with truss construction which are not part of a planned real estate development shall be exempt from the provisions of this act; however, the governing body of a municipality may require by ordinance that emblems be affixed on structures with truss construction.

Individual structures and dwelling units with truss construction which are part of a planned real estate development as defined in section 3 of P.L.1977, c.419 (C.45:22A-23) shall not be required to have an identifying emblem if there is an emblem affixed at each entranceway to the development.

c. The Commissioner of Community Affairs shall, pursuant to the authority under the "Uniform Fire Safety Act," P.L.1983, c.383 (C.52:27D-192 et seq.), adopt regulations to require that placards identifying the primary structural system of a structure are affixed adjacent to the fire alarm control panel and to an exterior wall within 10 feet of the main entrance to the structure.

The placards shall be eight inches vertically by 11 inches horizontally and shall have a white background, black letters, and a black border. The letters shall be in at least 72-point boldface type. The letters and border shall be visible and readable from at 10 feet. One of the following descriptions shall be printed on a placard, as appropriate:

(1) “Load-bearing concrete walls”;
(2) “Load-bearing masonry walls”;
(3) “Load-bearing steel stud walls”;
(4) “Load-bearing light-framed combustible walls”;
(5) “Structural concrete frame”;
(6) “Structural steel frame”;
(7) “Timber or cross-laminated timber”; or
(8) if the primary structural system of the structure is not one of
the foregoing, a description approved by the enforcing agency shall
be printed instead.

The following language shall be printed on each placard
following the description of the structural system: “serves as the
primary structural system of this structure”.
(cf: P.L.1991, c.188, s.1)

3. This act shall take effect immediately.

STATEMENT

This bill would establish a number of fire safety standards for
light frame construction of new multiple dwellings, hotels, and
rooming and boarding houses with more than two dwelling or
sleeping units. The massive fire that quickly spread through and
destroyed much of a large light frame construction apartment
building in Edgewater in 2015, and which displaced about 1,000
people, demonstrated that the State’s construction code needs to be
strengthened to improve fire safety. This bill would establish
several construction code requirements and a fire watch requirement
to help limit the spread of fires in larger light frame construction
residential buildings, to protect both residents and first responders.

Under the bill, covered residential buildings may only be newly
constructed utilizing light frame construction if: (1) an automatic
sprinkler system is installed throughout the building in accordance
with National Fire Protection Association (NFPA) 13; (2) the
number of stories permitted is measured from grade plane and
includes any pedestals or podiums; (3) the fire partitions and
horizontal separations are constructed of noncombustible materials
and have a fire-resistance rating of at least two hours; (4) the fire
partitions extend from the foundation to the roof; (5) the fire walls
are resistant to moisture and capable of passing the hose stream test
in accordance with the construction code; (6) if any light framing is
unprotected, the building is limited to three stories and does not
exceed 60 feet above grade plane or, if all light framing is
protected, the building is limited to four stories and does not exceed
70 feet above grade plane; and (7) a horizontal assembly is not used
to permit the stacking of separate buildings for purposes of
exceeding the height, area, and other limitations of the bill and the
code, if the structure has five or more dwelling or sleeping units.

In addition, for a covered residential light frame construction
project, this bill would require the owner or developer to hire a fire
watch warden to provide 24 hour a day monitoring of construction.
A fire watch warden must be present from the time the construction
project begins until the final sprinkler inspection is completed and a
certificate of occupancy has issued. In the event of a fire or other
emergency, the fire watch warden must alert local first responders. The fire watch warden must also report fire safety issues to the Division of Fire Safety in the Department of Community Affairs, which may request that the local construction code official revoke construction permits for projects posing fire safety risks. The Division of Fire Safety may assess owners and developers of covered construction projects reasonable fees to cover the costs incurred by the division for carrying out its responsibilities under the bill.

The bill also requires that an identifying emblem be affixed to each exterior entrance of a structure with light frame or truss construction to warn firefighters and the general public of the existence of light frame and truss-type construction in the structure. Under current law, an identifying emblem must be affixed to the front of a structure utilizing truss construction only.

Lastly, the bill requires that placards identifying the primary structural system of a structure be placed adjacent to the fire alarm control panel and on an exterior wall within 10 feet of the main entrance to the structure.