

**ASSEMBLY, No. 1418**

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**STATE OF NEW JERSEY**

**218th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblyman NICHOLAS CHIARAVALLOTI**

**District 31 (Hudson)**

**Assemblyman JAMEL C. HOLLEY**

**District 20 (Union)**

**Co-Sponsored by:**

**Assemblywoman Chaparro, Assemblyman Verrelli, Assemblywomen Reynolds-Jackson and Murphy**

**SYNOPSIS**

Requires lobby security for certain senior citizen high-rise buildings in areas with high violent crime rates.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 12/4/2018)**

1    **AN ACT** concerning senior citizen security in certain high rise  
2       buildings and amending P.L.1967, c.76 and P.L.1983, c.154.

3

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

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7       1. Section 7 of P.L.1967, c.76 (C.55:13A-7) is amended to read  
8 as follows:

9       7. The commissioner shall issue and promulgate, in the manner  
10 specified in section 8 of P.L.1967, c.76 (C.55:13A-8), such  
11 regulations as the commissioner may deem necessary to assure that  
12 any hotel or multiple dwelling will be maintained in such manner as  
13 is consistent with, and will protect, the health, safety and welfare of  
14 the occupants or intended occupants thereof, or of the public  
15 generally.

16       Any such regulations issued and promulgated by the  
17 commissioner pursuant to this section shall provide standards and  
18 specifications for such maintenance materials, methods and  
19 techniques, fire warning and extinguisher systems, elevator  
20 systems, emergency egresses, and such other protective equipment  
21 as the commissioner shall deem reasonably necessary to the health,  
22 safety and welfare of the occupants or intended occupants of any  
23 units of dwelling space in any hotel or multiple dwelling, including  
24 but not limited to:

- 25       (a) Structural adequacy ratings;  
26       (b) Methods of egress, including fire escapes, outside fireproof  
27 stairways, independent stairways, and handrails, railings, brackets,  
28 braces and landing platforms thereon, additional stairways, and  
29 treads, winders, and risers thereof, entrances and ramps;  
30       (c) Bulkheads and scuttles, partitions, walls, ceilings and floors;  
31       (d) Garbage and refuse collection and disposal, cleaning and  
32 janitorial services, repairs, and extermination services;  
33       (e) Electrical wiring and outlets, and paints and the composition  
34 thereof;  
35       (f) Doors, and the manner of opening thereof;  
36       (g) Transoms, windows, shafts and beams;  
37       (h) Chimneys, flues and central heating units;  
38       (i) Roofing and siding materials;  
39       (j) Lots, yards, courts and garages, including the size and  
40 location thereof;  
41       (k) Intakes, open ducts, offsets and recesses;  
42       (l) Windows, including the size and height thereof;  
43       (m) Rooms, including the area and height thereof, and the  
44 permissible number of occupants thereof;  
45       (n) Stairwells, skylights and alcoves;  
46       (o) Public halls, including the lighting and ventilation thereof;

**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.

- 1 (p) Accessory passages to rooms;
- 2 (q) Cellars, drainage and air space;
- 3 (r) Water-closets, bathrooms and sinks;
- 4 (s) Water connections, including the provision of drinking and
- 5 hot and cold running water;
- 6 (t) Sewer connections, privies, cesspools, and private sewers;
- 7 (u) Rain water and drainage conductors;
- 8 (v) Entrances and ramps; **[and]**
- 9 (w) Presence of lead-based paint hazards in multiple dwellings
- 10 and in single-family and two-family dwellings, exclusive of owner-
- 11 occupied dwelling units, subject to P.L.2003, c.311 (C.52:27D-
- 12 437.1 et al.). In a common interest community, any inspection fee
- 13 for and violation found within a unit which is solely related to this
- 14 subsection shall be the responsibility of the unit owner and not the
- 15 homeowners' association, unless the association is the owner of the
- 16 unit; and
- 17 (x) Security of residents in lobbies and interior common areas.
- 18 (cf: P.L.2007, c.251, s.5)

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20 2. Section 2 of P.L.1983, c.154 (C.55:13A-13.1) is amended to

21 read as follows:

- 22 2. a. Any retirement community as defined in the "Retirement
- 23 Community Full Disclosure Act," P.L.1969, c.215 (C.45:22A-1 et
- 24 seq.) shall be exempt from inclusion in the definition of multiple
- 25 dwellings contained in paragraph (k) of section 3 of P.L.1967, c.76
- 26 (C.55:13A-3), provided that the retirement community complies
- 27 with the basic standards relating directly to resident physical safety
- 28 and to fire safety which are established for its buildings by
- 29 subsection d. of this section and by rule or regulation of the
- 30 commissioner and provided further, that the retirement community
- 31 files with the commissioner, at least once every five years, as
- 32 evidence of a satisfactory self-inspection, a completed checklist,
- 33 which shall be provided by the commissioner, of items established
- 34 under the fire safety regulations. The retirement community shall
- 35 also file a certification, from the municipal fire protection subcode
- 36 official or an equally competent person selected and paid by the
- 37 municipality in which the retirement community is located, that the
- 38 self-inspection has been properly carried out. A fee schedule for
- 39 certification may be established by the municipality providing for a
- 40 charge of up to \$8.00 per dwelling unit for each of the first 100
- 41 units inspected and up to \$5.00 per unit for each unit inspected
- 42 thereafter.
- 43 b. The commissioner may require common area smoke
- 44 detectors in buildings, and the retirement community may utilize
- 45 detector units which are either (1) of the alternating current (AC)
- 46 constantly active electric circuit type, which cannot be deactivated
- 47 by the operation of any interconnected switching device and which
- 48 comply with the latest NJPA-70 (National Electrical Code)

1 requirements or (2) of the battery-powered single station type. The  
2 owners of each unit utilizing any common area shall be jointly  
3 responsible for inspecting the detector unit in the common area and  
4 for ensuring that its battery is inspected periodically and replaced at  
5 least annually.

6 c. If the municipality determines, as a result of the most recent  
7 self-inspection of any building or unit as required by this  
8 amendatory and supplementary act, that any building or unit does  
9 not comply with the provisions of this amendatory and  
10 supplementary act and regulations promulgated thereunder, then the  
11 municipality shall issue to the nonprofit corporation a written notice  
12 stating the manner in which a building or unit does not comply with  
13 this amendatory and supplementary act or regulations promulgated  
14 thereunder. The notice shall fix a date, not less than 60 days nor  
15 more **【then】** than 180 days, upon which a building or unit shall  
16 comply with the provisions of this amendatory and supplementary  
17 act and regulations promulgated, thereunder. If building or unit  
18 does not comply with the provisions of this amendatory and  
19 supplementary act and regulations promulgated, on or before the  
20 date fixed in the notice, the municipality shall notify the  
21 commissioner, who shall enforce the provisions of P.L.1967, c.76  
22 (C.55:13A-1 et seq.) against the nonprofit corporation or the unit  
23 owner thereof, based on their respective liabilities as contained in  
24 the nonprofit corporation's master deed, bylaws, and rules and  
25 regulations.

26 d. (1) In every municipality for which the violent crime rate  
27 exceeds six per 1,000 persons according to the average of the three  
28 most recent Uniform Crime Reports issued by the New Jersey State  
29 Police, the lobby of a retirement community that is a multiple  
30 dwelling consisting of at least 50 dwelling units shall have 24-hour  
31 security monitoring. In municipalities for which the violent crime  
32 rate is six or less per 1,000 persons according to the average of the  
33 three most recent Uniform Crime Reports issued by the New Jersey  
34 State Police, the commissioner may require lobby or interior  
35 common area security monitoring upon evidence of persistent  
36 criminal activity against residents in the building. The security  
37 monitoring required by this subsection shall be accomplished  
38 through the use of video surveillance cameras operated 24 hours a  
39 day, trained on and recording all building exits and entrances, as  
40 well as any common areas, including parking lots, where criminal  
41 incidents have occurred within the past 12 months. If the multiple  
42 dwelling consists of 75 dwelling units or more, then the building  
43 shall also be monitored 24 hours a day by the on-site security guard  
44 or guards. The recordings of the video surveillance cameras shall  
45 be maintained for at least 60 days. A licensed security guard shall  
46 be a uniformed employee of a licensed security officer company or  
47 a uniformed special police officer of the municipality, and shall  
48 comply with the requirements as set forth in the "Security Officer

1 Registration Act," P.L.2004, c.134 (C.45:19A-1 et seq.) when  
2 applicable.

3 The security standards set forth in this subsection are minimum  
4 standards, and shall not prevent any municipality from enacting  
5 greater security standards.

6 (2) The Commissioner of Community Affairs, in consultation  
7 with the Attorney General, shall annually notify each retirement  
8 community that is a multiple dwelling and is located in a  
9 municipality for which the violent crime rate exceeds six per 1,000  
10 persons according to the three most recent Uniform Crime Reports  
11 issued by the New Jersey State Police, of its lobby security  
12 requirement pursuant to this subsection.

13 (cf: P.L.1983, c.154, s.2)

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15 3. This act shall take effect immediately, but, except for the  
16 promulgation of rules, regulations, and notices, shall remain  
17 inoperative until the first day of the seventh month next following  
18 enactment.

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#### STATEMENT

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23 This bill requires the owners of senior citizen high-rise  
24 buildings having 50 units or more to provide 24-hour security if the  
25 building is located in a municipality with a violent crime rate  
26 exceeding six per 1,000 persons, according to the average of the  
27 three most recent Uniform Crime Reports issued by the New Jersey  
28 State Police.

29 The Commissioner of Community Affairs, in consultation with  
30 the Attorney General, would be responsible for annually notifying  
31 the owners of those buildings of their security obligations under the  
32 law. If the building consists of 75 dwelling units or more, the  
33 security obligation must be met through 24-hour monitoring by on-  
34 site security guards. If the building consists of at least 50, but  
35 fewer than 75 dwelling units, then the security obligation may be  
36 satisfied though the use of video surveillance cameras operated 24  
37 hours a day, recording all building exits and entrances, as well as  
38 any common areas, including parking lots, where criminal incidents  
39 have occurred within the past 12 months. The Commissioner of  
40 Community Affairs could order a building owner in a municipality  
41 with a violent crime rate of six or less per 1,000 persons to provide  
42 security in the lobby or other common area upon evidence of  
43 persistent criminal activity against residents in the building.

44 The bill also gives the commissioner the power to issue  
45 regulations concerning the security of residents in lobbies and  
46 interior common areas of hotels and multiple dwellings in general.  
47 The bill has a delayed operative date of about six months to allow  
48 time for the promulgation of rules, regulations, and notices.