

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1261

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 10, 2018

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1261, with committee amendments.

As amended, 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, and a fire warden requirement for all light frame construction.

Under the amended 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 excluding any pedestals or podiums; (3) the fire partitions and horizontal separations have a fire-resistance rating of at least two hours; (4) the fire partitions extend from the foundation to the attic; (5) the fire walls are resistant to moisture and capable of passing the hose stream test in accordance with the construction code; and (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 85 feet above grade plane.

In addition, for all new construction projects, this amended bill would require the owner or developer to hire a fire watch warden to provide monitoring of the construction project during non-working hours, or install comparable technology. A fire watch warden must be present from the time the construction project begins until the final sprinkler inspection is completed or a temporary certificate of occupancy is 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 amended bill.

The amended 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 amended 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.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Clarify that the fire safety construction standards it establishes apply to structures classified as Residential Group R occupancies under the International Building Code.
- Provide that the number of stories permitted in a covered residential structure be measured from grade plane excluding any pedestal or podium, instead of including them.
- Delete the requirement that fire partitions, horizontal assemblies, and fire walls be constructed of noncombustible materials.
- Require that fire partitions extend from the foundation to the attic instead of the roof.
- Provide that if all light framing of the structure is protected, the covered residential structure cannot exceed 85 feet above grade plane, instead of 70 feet above grade plane.
- Delete the requirement that if a covered residential structure has five or more dwelling or sleeping units, a horizontal assembly cannot be considered to create separate and distinct structures for the purposes of determining area limitations, continuity of fire walls, limitation of number of stories, and type of construction.
- Require that all new construction utilizing light frame construction, including residential and commercial, have a fire watch warden present during non-working hours. Originally the bill only required a fire watch warden for certain residential construction projects, but required them to be present 24 hours a day, seven days a week.
- Allow more professionals to serve as a fire watch warden.
- Provide that a fire watch warden be present during non-working hours, starting at the time of framing throughout the construction project, and continue to monitor the construction project until the final sprinkler inspection is completed or a temporary certificate of occupancy is issued. Originally the bill required the fire watch warden to be present and continue to monitor the project, from the very beginning of construction

until both the final sprinkler inspection is completed and a final certificate of occupancy is issued.

- Provide that monitoring technology may be used in lieu of a fire watch warden, provided that the technology provides comparable monitoring capabilities.
- Require that any contractor or subcontractor employed in the construction of a covered residential structure certify compliance with all applicable labor laws.
- Require that any contractor or subcontractor employed in the construction of a covered residential structure be registered pursuant to "The Public Works Contractor Registration Act."
- Require the Commissioner of Community Affairs to review the implementation of the bill and, within one year of its effective date, provide a report to the Governor and the Legislature on its effectiveness and any challenges related to its implementation.
- Revise the effective date to provide that the bill only applies to covered construction that commences after the date of enactment, except that a grace period of six months from the date of enactment is given to construction projects for which plans are not yet completed and are in the process of plan development.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.