

New Jersey Fire Inspector Certification Program

**New
Jersey
Uniform
Fire Code**

**Fire
Inspector
Training
Program**

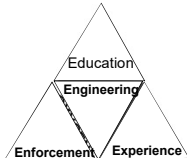
Based on the ICC IFC-
2015 Edition with NJ
adopted changes



Fire Inspector Certification Program

New Jersey Uniform Fire Code Inspector Training Program

Module 3 Fire Code Administration



Welcome

Instructor introduction

- Before we get started
 - Has everyone signed in?
 - Anyone have any questions?

Code Administration

In this Module we will:

- Review the adoption date and application of the Uniform Fire Safety Act (U.F.S.A.)
- Review the scope and application of Subchapter 1 of the UFC.
- Review the application and enforcement of Subchapter 2 of the UFC.

Code Administration

We will:

- Define what a 'Life Hazard Use'
- Contrast 'Use Group' to Life Hazard Use.
- Apply use group and life hazard use designations.

Back to the roots!

- NJ Fire Safety Study Commission
 - Created March 27, 1981
 - Followed multiple death fires in Keansburg & Bradley Beach winter of 1980-1981
 - Final Report issued November 22, 1982
 - NJ Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. was approved on November 12, 1983

NJ Uniform Fire Safety Act

- N.J.S.A. 52:27D-193
 - Liberal construction
- N.J.S.A. 52:27D-194
 - Findings and declarations
- N.J.S.A. 52:27D-195
 - Purpose

NJ Uniform Fire Code

- New Jersey Administrative Code (N.J.A.C.)
- N.J.A.C. Title 5, Chapter 70
- Four Subchapters
 - Subchapter 1, General Provisions
 - Subchapter 2, Administration & Enforcement
 - Subchapter 3, State Fire Prevention Code
 - Subchapter 4, Fire Safety Code (retrofit)

N.J.A.C. 5:70-1 Subchapter 1

N.J.A.C. 5:70-1
(March 1985 effective date)

- N.J.A.C. 5:70-1.2 Authority
- N.J.A.C. 5:70-1.3 Intent and purpose
- N.J.A.C. 5:70-1.4 Applicability
- N.J.A.C. 5:70-1.5 Definitions
- N.J.A.C. 5:70-1.6 (Reserved)
- N.J.A.C. 5:70-1.7 Severability

N.J.A.C. 5:70-1.3 Intent and purpose

‘...safeguarding to a reasonable degree of life and property ...’

- ‘... from hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices,..’

‘...and...’

N.J.A.C. 5:70-1.3 Intent and purpose

- ‘...from conditions hazardous to life or property in the use or occupancy of buildings or premises.’

Two distinct concepts, one specific to fire and explosion, and one very general applying to any hazardous condition.

Applicability

- Applies to new and existing buildings, uses and conditions.
- The UFC applies to buildings, structures or premises, including premises without buildings.

N.J.A.C. 5:70-1.4(e)

- This section emphasizes the relationship the UFC has with the NJ Uniform Construction Code (UCC).
- The relationship is intended to be one where the two codes compliment each other.

Uniform Construction Code

- Effective **January 1, 1977**
- Currently based upon the **2018** edition of the IBC International Building Code.
- Applies to new construction and additions, renovations, alterations to existing structures.
- Contains maintenance requirements for elevators, sprinklers and backflow preventers.
- Does not regulate process equipment.

UCC vs. UFC

- Where the UCC is primarily a construction code....
- The UFC is primarily a **maintenance code**.
- Once the structure is built the UFC seeks to maintain it in a safe condition.
- In addition to UFC provisions, a basic premise is that structures must be maintained in accordance with the UCC requirements at the time of construction or establishment of the activity regulated.

UCC vs. UFC

- The UFC can be applied at construction sites to control fire or health and safety hazards.
- The methods and materials of construction are strictly the purview of the UCC.
- If a fire inspector believes there is a problem with a construction code issue, the only recourse is to refer that item to the construction official.

UCC vs. UFC

If.....

- the building department does their best to enforce the UCC requirements....
- and the fire safety LEA does their best to enforce the UFC requirements....

Communities will be built and maintained with a high degree of safety afforded to building occupants.

Subchapter 2

Administration

And

Enforcement

Subchapter 2

- N.J.A.C. 5:70-2.1 Enforcement Authority
 - This section defines that the code applies everywhere except Owner occupied one and two family or attached single family dwellings
 - It provides for process for inspection
- N.J.A.C. 5:70-2.2 Responsibility for compliance
 - This section assigns the for responsibility for compliance
- N.J.A.C. 5:70-2.3 CSACMAPFEC
 - This section provides for the statutory requirement to conduct an inspection for smoke alarms, carbon monoxide alarms and portable fire extinguishers to assure the property complies with the minimum level of protection prior to change of residence

Subchapter 2

- N.J.A.C. 5:70-2.4 LHU
 - This section identifies uses that by their nature pose a significant hazard to the public
 - These uses will be reviewed in detail later in this section under 2.4A, 2.4B, 2.4C and 2.4D
- N.J.A.C. 5:70-2.5 Required Inspections
 - This section dictates the inspection frequency ranging from annual to quarterly based on the use.
- N.J.A.C. 5:70-2.6 Registration of Buildings & Uses
 - This section requires the owner to complete and return a registration application within 30 days of opening

Subchapter 2

- N.J.A.C. 5:70-2.7 Permits required
 - This section provides for four different permits, Type 1 to 4, to be issued prior to the permitted activity
 - Exclusions are detailed for E Use and farms
- N.J.A.C. 5:70-2.8 (Reserved)
- N.J.A.C. 5:70-2.9 Fees
 - This section details the fees for all permits, Life Hazard Uses. All Life Hazard Uses are registered and all fees charged
 - When more that 1 LHU exists at a facility the highest fee is charged 100 % and all others are charged at 50 %

Subchapter 2

- N.J.A.C. 5:70-2.10 Enforcement procedures
 - Issuance of violations
 - Provides minimum time frames to abate by subchapter
 - All other Administrative procedures for violations
- N.J.A.C. 5:70-2.11 Service of notice and orders
 - Provided for approved methods for issuing the violations identified in 2.10 above
- N.J.A.C. 5:70-2.12 Penalties
 - Provides for issuance of penalties once the identified cure period has been exceeded without resolution

Subchapter 2

- N.J.A.C. 5:70-2.12A Dedicated penalties
 - This section provides that any initial penalty amount issued under 2.12 also have a like amount issued as a dedicated penalty
 - The dedicated penalty is only assessed on the initial penalty
 - Monies paid or deposited in a trust account with specific requirements and can only be used to purchase new firefighting equipment or train firefighters

Subchapter 2

- N.J.A.C. 5:70-2.13 Compensatory penalties
 - This section provides for additional penalties to be assessed when a fire occurs where a previously issued and unabated violation exists
 - The penalty is the smaller of \$ 150,000 or the cost to suppress and extinguish the fire
 - The violation need not be the cause but rather causes the fire intensity to increase

Subchapter 2

- N.J.A.C. 5:70-2.14 Variances
 - Fire official may grant so long as the end result is equivalent protection
 - The section provides for written application
 - The variance shall be approved within 30 days or is automatically denied.
- N.J.A.C. 5:70-2.15 Injunctive relief
 - The LEA may file a petition with superior court to require compliance with lawfully issued violations under the code.

Subchapter 2

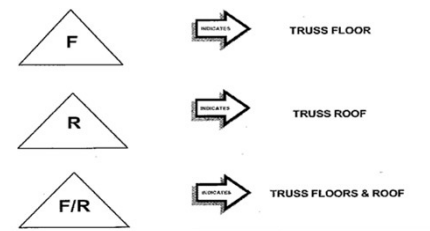
- N.J.A.C. 5:70-2.16 Imminent hazards
 - This section defines five cases where violations are deemed imminent
 - By nature these violations must be abated immediately to no more than 24 hours
 - Abatement is determined by the Fire Official and may include alternatives such as "fire watch" to supplement a deficiency in the automatic detection system, evacuation of the use.....
 - There is no linkage to Subchapter 3 violations under IFC NJ Edition

Subchapter 2

- N.J.A.C. 5:70-2.17 Evacuation of unsafe premises
 - Specifies how to proceed in the case of 5:70-2.16
- N.J.A.C. 5:70-2.18 Punitive closing
 - Specifies procedures to close a property for up to 60 days for willful or gross negligence.
- N.J.A.C. 5:70-2.19 Appeals
 - Defines the process to appeal any enforcement action
 - Appeal must be initiated within 15 days of the notice

Subchapter 2

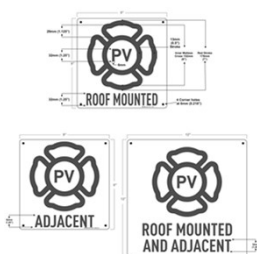
- N.J.A.C. 5:70-2.20 Identifying emblems for structures with truss construction



Subchapter 2

- N.J.A.C. 5:70-2.21
Identifying emblems for structures with solar panels

(a) Identifying emblems shall be permanently affixed to the front of structures hosting or being powered by photovoltaic electrical power either on the roof or adjacent to the building. Commercial buildings only.



Subchapter 2

- N.J.A.C. 5:70-2.22 Registration of carnivals

"Carnival" means a traveling circus or other traveling amusement show having one or more of the following uses:

1. Mobile enclosed structures used for human occupancy;
2. Tents or temporary membrane structures requiring a permit in accordance with the UCC.
3. Any use involving open flame or flame producing device(s). (N.J.A.C. 5:70-1.5 Definitions)

Subchapter 2

- N.J.A.C. 5:70-2.23 Elevator Key lock boxes
- N.J.A.C. 5:70-2.24 Inspection of educational occupancies
- N.J.A.C. 5:70-2.25 Mattresses
- N.J.A.C. 5:70-2.26 Removal of snow from fire hydrants; Installation of fire hydrant markers

Use Groups vs. Life Hazard Uses

- Use Group –
 - "Use" or "Use Group" means the use to which a building, portion of a building, or premises, is used.
- Life Hazard Use –
 - "Life hazard use" means a building or structure, or part thereof, classified in any of the use groups in the building subcode of the New Jersey Uniform Construction Code and defined as a Life Hazard in subchapter 2 of this chapter. "Life hazard use" shall also mean and include high rise structures as defined in N.J.A.C. 5:70-1.5.

Use Group Example 1

Auto body Shop

Use Group _____

High School

Use Group _____

WAWA

Use Group _____

AMC Movie Theater

Use Group _____

A	Assembly	A-1, A-2, A-3, A-4, A-5
B	Business	
E	Educational	
F	Factory	F-1, F-2
H	High Hazard	H-1, H-2, H-3, H-4, H-5
I	Institutional	I-1, I-2, I-3
M	Mercantile	
S	Storage	S-1, S-2
R	Residential	R-1, R-2, R-3, R-4, R-5
U	Utility	

Subchapter 2

- N.J.A.C. 5:70-2.4A Type Aa through Aj
– Page 70-10 to 70-11
- N.J.A.C. 5:70-2.4B Type Ba through Bq
– Page 70-11 to 70-16.
- N.J.A.C. 5:70-2.4C Type Ca through Ci
– Page 70-17 to 70-18
- N.J.A.C. 5:70-2.4B Type Da through Dc
– Page 70-18 – 70-19

Life Hazard Use Example 1

A day nursery with a maximum permitted occupancy of 35

Life Hazard Use Aa01

Life Hazard Use Example 2

A crop ripening process in a 115,000 square foot building .

Life Hazard Use BJ08

Use Group/Life Hazard Use Example 1

A 45,000 square foot tire recapping plant.

1. Use Group F-1

2. LHU Bf10

**Use Group/Life Hazard Use Example
2**

A two story college dormitory with 36 dwelling units.

1. Use Group R-2

2. LHU AF05

Summary

In this Module we have discussed:

- Review the adoption date and application of the Uniform Fire Safety Act.
- Review the scope and application of Subchapter 1 of the UFC.
- Review the application and enforcement of Subchapter 2 of the UFC.

Summary

In this Module we have discussed:

- Review what a 'Use Group' is as compared to a 'Life Hazard Use'.
- Assign use group and life hazard use designations.
- Review the application of the NJ UCC vs. the NJ UFC.

Summary

In this module will have discussed...

- How buildings are classified under the UCC-NJ and UFC-NJ,
- How the different codes are applied,
- Defined life hazard uses
- Use Group classification.

Review Questions

- See Student Manual for Review Questions – Module 3

Each student or group of students from the same agency shall obtain a copy of their local ordinance that provides for enforcement of the Uniform Fire Safety Act in their municipality and bring it to class for discussion during Module 4.

Class work

- Class assignment:
- Taking the list you prepared of building and structures, and utilizing the LHU found in your code books, classify the LHU for each of you buildings you listed.
- Be prepared to defend your response.

Review Questions

- See student manual
 - Module 3 - Module review questions

Use Group/Life Hazard Use Homework

Refer to the pages in your student handout

Exercise #2

Next Lesson

Module 4

Legal Aspects of Code Enforcement

Date/time

- END OF MODULE
