

ASSEMBLY, No. 4458

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 3, 2024

Sponsored by:

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Co-Sponsored by:

Assemblywoman Speight

SYNOPSIS

Establishes exemptions and revises implementation timeline for requirement that newly constructed townhouses be installed with automatic fire sprinkler system.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT concerning the installation of certain fire sprinkler systems
2 for newly constructed townhouses and amending P.L.2023,
3 c.265.

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

7
8 1. Section 1 of P.L.2023, c.265 (C.52:27D-123.20) is amended
9 to read as follows:

10 1. a. **[A]** Except as provided in subsection b. of this section, a
11 newly constructed townhouse subject to the one-and two-family
12 dwelling subcode, adopted by the Commissioner of Community
13 Affairs pursuant to section 5 of P.L.1975, c.217 (C.52:27D-123),
14 adopted as N.J.A.C.5:23-3.21, or succeeding subcode, for which an
15 application for a construction permit has not been declared
16 complete by the enforcing agency before the first day of the
17 **[seventh]** 13th month next following the date of enactment of
18 P.L.2023, c.265 (C.52:27D-123.20), shall be installed with an
19 automatic fire sprinkler system.

20 b. A newly constructed townhouse subject to the one-and two-
21 family dwelling subcode, adopted by the Commissioner of
22 Community Affairs pursuant to section 5 of P.L.1975, c.217
23 (C.52:27D-123), adopted as N.J.A.C.5:23-3.21, or succeeding
24 subcode, shall not be subject to the requirement of subsection a. of
25 this section if an application for a construction permit or an
26 application for development has been submitted to a State, county,
27 or municipal agency prior to the date of enactment of
28 P.L. c. (C.) (pending before the Legislature as this bill).

29 c. On or before the first day of the **[fifth]** 12th month next
30 following the date of enactment of P.L.2023, c.265 (C.52:27D-
31 123.20), the Commissioner of Community Affairs shall adopt,
32 pursuant to section 5 of the "State Uniform Construction Code Act,"
33 P.L.1975, c.217 (C.52:27D-123) and the "Administrative Procedure
34 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to
35 amend and supplement, as necessary, the one- and two-family
36 dwelling subcode, and any other necessary components of the State
37 Uniform Construction Code, to establish standards for the design
38 and construction of townhouses to comply with P.L.2023, c.265
39 (C.52:27D-123.20). The rules and regulations shall incorporate the
40 provisions of the 2021 International Residential Code, Section
41 R313.1, or any successor model code, for the installation of an
42 automatic fire sprinkler systems.

43 **[c.]** d. As used in this section:

44 "Automatic fire sprinkler system" means an integrated system of
45 underground and overhead piping designed in accordance with fire

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 protection engineering standards and shall include a suitable water
2 supply. The portion of the system above the ground is a network of
3 specially sized or hydraulically designed piping installed in a
4 structure or area, generally overhead, and to which automatic
5 sprinklers are connected in a systematic pattern. The system is
6 generally activated by heat from a fire and discharges water over
7 the fire area.

8 "Townhouse" means a single-family dwelling unit constructed in
9 a group of three or more attached units in which each unit extends
10 from foundation to roof and with a yard or public way on not less
11 than two sides.

12 (cf: P.L.2023, c.265, s.1)

13

14 2. This act shall take effect immediately.

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STATEMENT

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19 Enacted in January 2024, P.L.2023, c.265 (C.52:27D-123.20)
20 requires the installation of an automatic fire sprinkler system in new
21 townhouses for which a construction permit application has not
22 been declared complete prior to August 1, 2024, the first day of the
23 seventh month following the statute's enactment. This bill
24 establishes exemptions to that law, and modifies this requirement so
25 that a development plan with a construction permit application that
26 has not been declared complete prior to the first day of the 13th
27 month following the enactment of that statute would be required to
28 be installed with an automatic fire sprinkler system.

29 Under the bill, a newly constructed townhouse subject to the
30 one-and two-family dwelling subcode, adopted by the
31 Commissioner of Community Affairs pursuant to section 5 of
32 P.L.1975, c.217 (C.52:27D-123), adopted as N.J.A.C.5:23-3.21, or
33 succeeding subcode, is not subject to the provisions of P.L.2023,
34 c.265 (C.52:27D-123.20) if an application for a construction permit
35 or an application for development has been submitted to a State,
36 county, or municipal agency prior to the date of enactment of this
37 bill.

38 The statute also requires the Commissioner of Community
39 Affairs to adopt rules and regulations incorporating International
40 Residential Code guidance pertaining to such installations by June
41 1, 2024, the first day of the fifth month following the date of that
42 statute's enactment. The bill would modify this requirement to
43 allow the commissioner until the first day of the 12th month
44 following the enactment of the statute to adopt these rules and
45 regulations.