

SENATE, No. 2469

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED FEBRUARY 5, 2024

Sponsored by:
Senator LINDA R. GREENSTEIN
District 14 (Mercer and Middlesex)

SYNOPSIS

Concerns implementation of fire sprinkler system requirements in newly constructed townhouses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the implementation of fire sprinkler system
2 requirements in newly constructed townhouses and amending
3 P.L.2023, 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.) is amended to read as
9 follows:

10 1. a. A **newly constructed** construction permit application for
11 a new townhouse subject to the one-and two-family dwelling
12 subcode, adopted by the Commissioner of Community Affairs
13 pursuant to section 5 of P.L.1975, c.217 (C.52:27D-123), adopted as
14 N.J.A.C.5:23-3.21, or succeeding subcode, **for which an application**
15 **for a construction permit has not been** shall not be declared
16 complete by the enforcing agency **before** on or after the first day
17 of the **seventh** 25th month next following the date of enactment of
18 P.L.2023, c.265 (C.), **shall be installed with** unless the
19 construction permit application for the new townhouse contains
20 provisions for the installation of an automatic fire sprinkler system
21 in accordance with the requirements of P.L.2023, c.265 (C.).

22 b. On or before the first day of the **fifth** 13th month next
23 following the date of enactment of **P.L.2023, c.265 (C.)**
24 P.L. , c. (C.) (pending before the Legislature as this bill, the
25 Commissioner of Community Affairs shall adopt, pursuant to section
26 5 of the "State Uniform Construction Code Act," P.L.1975, c.217
27 (C.52:27D-123) and the "Administrative Procedure Act," P.L.1968,
28 c.410 (C.52:14B-1 et seq.), rules and regulations to amend and
29 supplement, as necessary, the one- and two-family dwelling subcode,
30 and any other necessary components of the State Uniform
31 Construction Code, to establish standards for the design and
32 construction of townhouses to comply with P.L.2023, c.265 (C.).
33 The rules and regulations shall incorporate the provisions of the 2021
34 International Residential Code, Section R313.1, or any successor
35 model code, for the installation of an automatic fire sprinkler
36 systems.

37 c. A development shall not be subject to the provisions of this
38 section if, prior to the first day of the 25th month next following the
39 date of enactment of P.L.2023, c.265 (C.), a development plan
40 or subdivision application has been submitted that pertains to the
41 development, which, for the purposes of this section, includes but
42 shall not be limited to:

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 enacted statute, P.L.2023, c.265, this bill would extend and modify
2 certain implementation-related timelines and requirements in that
3 statute.

4 Enacted in January 2024, P.L.2023, c.265 requires the installation
5 of an automatic fire sprinkler system in new townhouses for which a
6 construction permit application has not been declared complete prior
7 to August 1, 2024, the first day of the seventh month following the
8 statute's enactment. This bill would modify this requirement so that
9 a construction permit application for a new townhouse subject to the
10 one-and two-family dwelling subcode, adopted by the Commissioner
11 of Community Affairs pursuant to section 5 of P.L.1975, c.217
12 (C.52:27D-123), would not be declared complete by the enforcing
13 agency on or after the first day of the 25th month next following the
14 date of enactment of P.L.2023, c.265, unless the construction permit
15 application for the new townhouse contains provisions for the
16 installation of an automatic fire sprinkler system in accordance with
17 the requirements of P.L.2023, c.265.

18 The bill also specifies that the provisions of P.L.2023, c.265 would
19 not apply to a development for which a developmental site plan or
20 subdivision application has been submitted prior to the first day of
21 the 25th month following the enactment of P.L.2023, c.265,
22 including:

- 23 ▪ a preliminary or final approval from a municipal planning or
24 zoning board memorialized by a resolution of approval;
- 25 ▪ developer's agreement;
- 26 ▪ a redevelopment agreement;
- 27 ▪ a payment in lieu of tax agreement;
- 28 ▪ a fair share plan or housing element that provides for the
29 development, and is subject to a judgment of repose or
30 compliance, an affordable housing settlement agreement, or
31 other approval provided under the "Fair Housing Act" or
32 Mount Laurel doctrine; or
- 33 ▪ a building permit.

34 P.L.2023, c.265 also requires the Commissioner of Community
35 Affairs to adopt rules and regulations incorporating International
36 Residential Code guidance pertaining to such installations by June 1,
37 2024, the first day of the fifth month following the date of that
38 statute's enactment. The bill would modify this requirement to allow
39 the commissioner until the first day of the 13th month following the
40 enactment of this bill, instead of the enactment of P.L.2023, c.265, to
41 adopt these rules and regulations.