

SENATE, No. 3342

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 20, 2024

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

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.



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

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

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

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

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

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

43 "Automatic fire sprinkler system" means an integrated system of
44 underground and overhead piping designed in accordance with fire
45 protection engineering standards and shall include a suitable water

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

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

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

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13 2. This act shall take effect immediately.

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STATEMENT

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

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

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