

WHAT NEEDS A PERMIT ?

Title 5. Community Affairs. Chapter 23. Uniform Construction Code.

Subchapter 2. Administration and Enforcement; Process

N.J.A.C. 5:23-2 (2015)

5:23-2.1 Title: Scope; Intent (excerpts - FOR FULL CODE REQUIREMENTS SEE UCC NJAC 5:23)
<http://www.nj.gov/dca/divisions/codes>

5:23-2.2 Matter covered

1.b)no permit shall be required for ordinary maintenance as herein provided.....

5:23-2.4 Alterations, replacements, and damages

- a) Existing structures, when repaired, renovated, altered, reconstructed, shall conform to the requirements of NJAC 5:23-6 Rehabilitation Subcode
- b) If an existing structure is **damaged by fire**, or any other cause, the requirements of NJAC 5:23-6, Rehabilitation Subcode, shall apply to the restoration of such building or structure

5:23-2.5 If the structure is increased in floor area or height, then the increased portion of the structure shall conform to the requirements of this chapter applicable to new construction, while any related work within the existing structure shall conform to the requirements of 5:23-6, Rehabilitation Subcode.

5:23-2.7 Ordinary Maintenance

- a) Ordinary maintenance to structures may be made **without** filing a permit application or giving notice to the Construction Official.
- b) **Ordinary maintenance shall NOT include any of the following:**
 - 1. the cutting away of any wall, partition, or portion thereof;
 - 2. the removal or cutting of any structural beam or bearing support;
 - 3. the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements;
 - 4. any work affecting structural or fire safety;
 - 5. any work that will increase the non-conformity of any existing building or structure with the requirements of the regulations;
 - 6. addition to , or replacement or relocation of:
 - i. any standpipe
 - ii. **Water** supply, sewer, drainage, gas, soil, waste, vent or similar piping;
 - iii. **Electrical** wiring, except that the following shall be considered ordinary electrical maintenance:
 - 1. Communications wiring.....
 - 7.Lead abatement.

- c) The following items are **ordinary maintenance** and shall be treated as such by every enforcing agency. No permit for inspections of, or notice to the enforcing agency of ordinary maintenance shall be required.

1. Ordinary MAINTENANCE shall include:

- i. ordinary & interior painting
- ii. installation, repair or replacement of any interior finishes of less than 25% of the wall area in any given room in a 1 or 2 family dwelling, including plastering & drywall installation
 - (1) vinyl wall covering of any amount is ordinary maintenance
 - (2) paneling shall **not** be considered ordinary maintenance
- iii. wall papering at any location
- iv. replacement of any glass in any window or door. However, the replacement glass shall be of a type and quality that complies with the minimum requirements of the code
- v. installation of any window or door , including garage doors, in the same opening without altering the dimensions or framing of the original opening. This includes storm windows and storm doors.

The installation & replacement of a means of egress and emergency escape windows and doors may be made in the same opening without altering the dimensions or framing of the original opening, and shall not reduce the required height, width, or net clear opening of the previous window or door assembly.
- vi. the repair or replacement of any non-structural member, such as a partition railing or kitchen cabinet
- vii. the repair or replacement of any exterior or interior trim, decoration or molding
- viii. the replacement or installation of any flooring material with a new material
- ix. Repair of existing roof material not exceeding 25% of the total roof area within any month period
- x. repair of existing siding with like material, not exceeding 25% of the total building exterior wall area, within any 12 month period
- xi. Repair or replacement of any part of a porch or stoop which does not structurally support a roof above
- xii. Replacement or installation of screens
- xiii. Installation of any roll or batt insulation, when installed adjacent to or not more than 1-1/2" from an interior finish
- xiv. Replacement of exterior rain gutters and leaders

2. Ordinary PLUMBING maintenance shall include:

- i. replacement of hose bib valves in single family dwellings. Replacement of hose bib valves shall be provided with an approved atmospheric vacuum breaker
- ii. Refinishing of existing fixtures. Relining of existing fixtures shall NOT be considered ordinary maintenance
- iii. Replacement of ball cocks. Replacement ball cocks must be an approved anti-siphon type
- iv. Repair of leaks involving the replacement of piping between 2 adjacent joints only
- v. clearance of stoppages
- vi. Replacement of faucets or working parts of faucets
- vii. Replacement of valves (including shower or combination bath/shower valves in a single family dwelling)
- viii. Replacements of working parts of valves, including, but not limited to shower or combination bath/shower valves
- ix. Replacement of traps, except on culinary sinks in food establishments
- x. replacement of a water closet (room w/ a toilet), lavatory, bathtub, shower or kitchen sink in a single family dwelling, provided no change in piping arrangement is made
- ix. Replacement of domestic clothes washers and dishwashers

3. Ordinary ELECTRICAL maintenance shall include:

- i. replacement of any receptacle, switch, light fixture rated 20amps or less & less than 150 volts
- ii. Repairs to any installed doorbells, communications systems, or motor operated device, provided fire systems are not interrupted
- iii. Installation of communication wiring.....such as telephone, radio antenna, coaxial cable, and data circuits between computers
- iv. Replacement of domestic dishwashers
- v. replacement of kitchen range hoods in single family dwelling

4. Ordinary FIRE PROTECTION maintenance shall include:

- i. replacement of any sprinkler, smoke detector, heat detector head w/ like device
- ii. Repair or replacement of components of fire, smoke and heat detection equipment
- iii. Installation of battery powered smoke detectors
- iv. Installation of battery powered or plug-in carbon monoxide detectors

5. Ordinary HEATING, VENTILATION, AND AIR CONDITIONING maintenance shall include:

- i. replacement of pumps, motors, fans of the same capacity
- ii. Repair or replacement of heating, supply and return piping & radiation elements.....
- iii. Repair or replacement of duct work
- iv. Repair of air conditioning equipment & systems
- v. repair or replacement of control devices for heating & air conditioning equipment
- vi. Replacement of kitchen range hoods in single family dwellings
- vii. Replacement of clothes dryers.....
- viii. Replacement of stoves and ovens

5:23-2.9 Variations & Exceptions

(a) no variation or exception may be made except:

1. that strict compliance with any specific subcode provision would result in practical difficulty to the owner; and
2. that the exception, if granted, will not jeopardize the health , safety, welfare of occupants and the public generally.....