

ASSEMBLY, No. 456

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JOHN CATALANO

District 10 (Ocean)

Assemblyman GREGORY P. MCGUCKIN

District 10 (Ocean)

SYNOPSIS

Requires newly-constructed grocery stores to have generators.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** requiring newly-constructed grocery stores to be equipped
2 with generators and supplementing P.L.1975, c.217 (C.52:27D-
3 119 et seq.).

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

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8 1. a. Any newly-constructed grocery store, and for which an
9 application for a construction permit has not been declared
10 complete by the enforcing agency before the effective date of
11 P.L. , c. (C.) (pending before the Legislature as this bill),
12 shall be equipped with an automatic standby emergency power
13 generator.

14 b. An automatic standby emergency power generator installed
15 pursuant to this section shall provide sufficient power to a grocery
16 store to enable the store to continue to sell food and other basic
17 necessities during normal business hours, and the generator shall be
18 operated, maintained, and tested in accordance with regulations
19 adopted pursuant to subsection d. of this section.

20 c. For the purposes of this section, "grocery store" means a
21 retail business, including a supermarket or convenience store,
22 primarily engaged in the self-service sale of foods and household
23 supplies for off-premises consumption or use.

24 d. The Department of Community Affairs, in consultation with
25 the Commissioner of Environmental Protection, shall promulgate
26 rules and regulations pursuant to its rule-making authority under the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
28 seq.) in order to effectuate the purposes of this act.

29
30 2. This act shall take effect immediately.

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33 **STATEMENT**

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35 This bill would establish a requirement under the "State Uniform
36 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.),
37 that newly-constructed grocery stores, including supermarkets and
38 convenience marts, have automatic standby emergency power
39 generators. In the aftermath of Hurricane Sandy, access to food and
40 other basic necessities was greatly compromised due to the
41 widespread and lengthy power outages throughout the State. This
42 bill would require that newly-constructed grocery stores have the
43 capacity to continue operations if power is lost during an
44 emergency, to help ensure that the public has ready access to food
45 and other basic necessities.