

SENATE, No. 1314

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires lobby security for certain senior citizen high-rise buildings in areas with high violent crime rates.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning senior citizen security in certain high rise
2 buildings and amending P.L.1967, c.76 and P.L.1983, c.154.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 7 of P.L.1967, c.76 (C.55:13A-7) is amended to read
8 as follows:

9 7. The commissioner shall issue and promulgate, in the manner
10 specified in section 8 of P.L.1967, c.76 (C.55:13A-8), such
11 regulations as the commissioner may deem necessary to assure that
12 any hotel or multiple dwelling will be maintained in such manner as
13 is consistent with, and will protect, the health, safety and welfare of
14 the occupants or intended occupants thereof, or of the public
15 generally.

16 Any such regulations issued and promulgated by the
17 commissioner pursuant to this section shall provide standards and
18 specifications for such maintenance materials, methods and
19 techniques, fire warning and extinguisher systems, elevator
20 systems, emergency egresses, and such other protective equipment
21 as the commissioner shall deem reasonably necessary to the health,
22 safety and welfare of the occupants or intended occupants of any
23 units of dwelling space in any hotel or multiple dwelling, including
24 but not limited to:

- 25 (a) Structural adequacy ratings;
26 (b) Methods of egress, including fire escapes, outside fireproof
27 stairways, independent stairways, and handrails, railings, brackets,
28 braces and landing platforms thereon, additional stairways, and
29 treads, winders, and risers thereof, entrances and ramps;
30 (c) Bulkheads and scuttles, partitions, walls, ceilings and floors;
31 (d) Garbage and refuse collection and disposal, cleaning and
32 janitorial services, repairs, and extermination services;
33 (e) Electrical wiring and outlets, and paints and the composition
34 thereof;
35 (f) Doors, and the manner of opening thereof;
36 (g) Transoms, windows, shafts and beams;
37 (h) Chimneys, flues and central heating units;
38 (i) Roofing and siding materials;
39 (j) Lots, yards, courts and garages, including the size and
40 location thereof;
41 (k) Intakes, open ducts, offsets and recesses;
42 (l) Windows, including the size and height thereof;
43 (m) Rooms, including the area and height thereof, and the
44 permissible number of occupants thereof;

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 (n) Stairwells, skylights and alcoves;
2 (o) Public halls, including the lighting and ventilation thereof;
3 (p) Accessory passages to rooms;
4 (q) Cellars, drainage and air space;
5 (r) Water-closets, bathrooms and sinks;
6 (s) Water connections, including the provision of drinking and
7 hot and cold running water;
8 (t) Sewer connections, privies, cesspools, and private sewers;
9 (u) Rain water and drainage conductors;
10 (v) Entrances and ramps; **【and】**
11 (w) Presence of lead-based paint hazards in multiple dwellings
12 and in single-family and two-family dwellings, exclusive of owner-
13 occupied dwelling units, subject to P.L.2003, c.311 (C.52:27D-
14 437.1 et al.). In a common interest community, any inspection fee
15 for and violation found within a unit which is solely related to this
16 subsection shall be the responsibility of the unit owner and not the
17 homeowners' association, unless the association is the owner of the
18 unit; and
19 (x) Security of residents in lobbies and interior common areas.
20 (cf: P.L.2007, c.251, s.5)

21
22 2. Section 2 of P.L.1983, c.154 (C.55:13A-13.1) is amended to
23 read as follows:

24 2. a. Any retirement community as defined in the "Retirement
25 Community Full Disclosure Act," P.L.1969, c.215 (C.45:22A-1 et
26 seq.) shall be exempt from inclusion in the definition of multiple
27 dwellings contained in paragraph (k) of section 3 of P.L.1967, c.76
28 (C.55:13A-3), provided that the retirement community complies
29 with the basic standards relating directly to resident physical safety
30 and to fire safety which are established for its buildings by
31 subsection d. of this section and by rule or regulation of the
32 commissioner and provided further, that the retirement community
33 files with the commissioner, at least once every five years, as
34 evidence of a satisfactory self-inspection, a completed checklist,
35 which shall be provided by the commissioner, of items established
36 under the fire safety regulations. The retirement community shall
37 also file a certification, from the municipal fire protection subcode
38 official or an equally competent person selected and paid by the
39 municipality in which the retirement community is located, that the
40 self-inspection has been properly carried out. A fee schedule for
41 certification may be established by the municipality providing for a
42 charge of up to \$8.00 per dwelling unit for each of the first 100
43 units inspected and up to \$5.00 per unit for each unit inspected
44 thereafter.

45 b. The commissioner may require common area smoke
46 detectors in buildings, and the retirement community may utilize
47 detector units which are either (1) of the alternating current (AC)
48 constantly active electric circuit type, which cannot be deactivated

1 by the operation of any interconnected switching device and which
2 comply with the latest NJPA-70 (National Electrical Code)
3 requirements or (2) of the battery-powered single station type. The
4 owners of each unit utilizing any common area shall be jointly
5 responsible for inspecting the detector unit in the common area and
6 for ensuring that its battery is inspected periodically and replaced at
7 least annually.

8 c. If the municipality determines, as a result of the most recent
9 self-inspection of any building or unit as required by this
10 amendatory and supplementary act, that any building or unit does
11 not comply with the provisions of this amendatory and
12 supplementary act and regulations promulgated thereunder, then the
13 municipality shall issue to the nonprofit corporation a written notice
14 stating the manner in which a building or unit does not comply with
15 this amendatory and supplementary act or regulations promulgated
16 thereunder. The notice shall fix a date, not less than 60 days nor
17 more **【then】** than 180 days, upon which a building or unit shall
18 comply with the provisions of this amendatory and supplementary
19 act and regulations promulgated, thereunder. If building or unit
20 does not comply with the provisions of this amendatory and
21 supplementary act and regulations promulgated, on or before the
22 date fixed in the notice, the municipality shall notify the
23 commissioner, who shall enforce the provisions of P.L.1967, c.76
24 (C.55:13A-1 et seq.) against the nonprofit corporation or the unit
25 owner thereof, based on their respective liabilities as contained in
26 the nonprofit corporation's master deed, bylaws, and rules and
27 regulations.

28 d. (1) In every municipality for which the violent crime rate
29 exceeds six per 1,000 persons according to the average of the three
30 most recent Uniform Crime Reports issued by the Division of State
31 Police in the Department of Law and Public Safety, the lobby of a
32 retirement community that is a multiple dwelling consisting of at
33 least 50 dwelling units shall have 24-hour security monitoring. In
34 municipalities for which the violent crime rate is six or less per
35 1,000 persons according to the average of the three most recent
36 Uniform Crime Reports issued by the Division of State Police, the
37 commissioner may require lobby or interior common area security
38 monitoring upon evidence of persistent criminal activity against
39 residents in the building. The security monitoring required by this
40 subsection shall be accomplished through the use of video
41 surveillance cameras operated 24 hours a day, trained on and
42 recording all building exits and entrances, as well as any common
43 areas, including parking lots, where criminal incidents have
44 occurred within the past 12 months. If the multiple dwelling
45 consists of 75 dwelling units or more, then the building shall also be
46 monitored 24 hours a day by the on-site security guard or guards.
47 The recordings of the video surveillance cameras shall be
48 maintained for at least 60 days. A licensed security guard shall be a

1 uniformed employee of a licensed security officer company or a
2 uniformed special police officer of the municipality, and shall
3 comply with the requirements as set forth in the "Security Officer
4 Registration Act," P.L.2004, c.134 (C.45:19A-1 et seq.) when
5 applicable.

6 The security standards set forth in this subsection are minimum
7 standards, and shall not prevent any municipality from enacting
8 greater security standards.

9 (2) The Commissioner of Community Affairs, in consultation
10 with the Attorney General, shall annually notify each retirement
11 community that is a multiple dwelling and is located in a
12 municipality for which the violent crime rate exceeds six per 1,000
13 persons according to the three most recent Uniform Crime Reports
14 issued by the Division of State Police, of its lobby security
15 requirement pursuant to this subsection.

16 (cf: P.L.1983, c.154, s.2)

17
18 3. This act shall take effect immediately, but, except for the
19 promulgation of rules, regulations, and notices, shall remain
20 inoperative until the first day of the seventh month next following
21 enactment.

22 23 24 STATEMENT

25
26 This bill requires the owners of senior citizen high-rise
27 buildings having 50 units or more to provide 24-hour security if the
28 building is located in a municipality with a violent crime rate
29 exceeding six per 1,000 persons, according to the average of the
30 three most recent Uniform Crime Reports issued by the New Jersey
31 State Police.

32 The Commissioner of Community Affairs, in consultation with
33 the Attorney General, would be responsible for annually notifying
34 the owners of those buildings of their security obligations under the
35 law. If the building consists of 75 dwelling units or more, the
36 security obligation must be met through 24-hour monitoring by on-
37 site security guards. If the building consists of at least 50, but
38 fewer than 75 dwelling units, then the security obligation may be
39 satisfied though the use of video surveillance cameras operated 24
40 hours a day, recording all building exits and entrances, as well as
41 any common areas, including parking lots, where criminal incidents
42 have occurred within the past 12 months. The Commissioner of
43 Community Affairs could order a building owner in a municipality
44 with a violent crime rate of six or less per 1,000 persons to provide
45 security in the lobby or other common area upon evidence of
46 persistent criminal activity against residents in the building.

47 The bill also gives the commissioner the power to issue
48 regulations concerning the security of residents in lobbies and

- 1 interior common areas of hotels and multiple dwellings in general.
- 2 The bill has a delayed operative date of about six months to allow
- 3 time for the promulgation of rules, regulations, and notices.