

SENATE, No. 4103

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2021

Sponsored by:

Senator SAMUEL D. THOMPSON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Requires Commissioner of Community Affairs to establish building safety inspection program for older buildings.

CURRENT VERSION OF TEXT

As introduced.



S4103 THOMPSON, SWEENEY

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1 AN ACT establishing building safety inspection program for older
2 buildings and supplementing P.L.1975, c.217 (C.52:27D-119 et
3 seq.).

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

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8 1. a. The Commissioner of Community Affairs shall establish a
9 building safety inspection program for buildings and structures that
10 have been in existence for more than 40 years. The commissioner
11 shall establish minimum requirements, guidelines, and criteria for
12 the building safety inspection program. Inspections conducted
13 under the program shall be for the purpose of: confirming the
14 structural soundness of the load bearing components of a building
15 or structure, and determining the general structural condition of a
16 building or structure and of any part, material, or assembly of a
17 building or structure which affects the safety of the building or
18 structure. The commissioner shall exempt single-family homes and
19 federal government-owned buildings from the requirements of the
20 program established pursuant to this subsection, and may also
21 exempt certain other classes of buildings and structures from the
22 program.

23 b. The Department of Community Affairs shall enforce the
24 building safety inspection program. The department shall schedule
25 initial inspections under the building safety inspection program over
26 a period of no more than five years, and may prioritize the
27 scheduling of initial inspections of buildings and structures under
28 the program established pursuant to subsection a. of this section
29 based upon relevant criteria identified by the commissioner, which
30 may include, but shall not be limited to, the age and size of a
31 building or structure, the type and number of violations previously
32 issued for a building or structure, and the receipt of complaints
33 about a building or structure. The department shall schedule
34 subsequent inspections at five-year intervals, and may conduct
35 inspections in conjunction with or independently from other
36 inspections, including but not limited to inspections otherwise
37 required by the "Hotel and Multiple Dwelling Law," P.L.1967, c.76
38 (C.55:13A-1 et seq.).

39 c. If an inspection identifies any required repairs or
40 modifications, the owner shall have a total of 150 days from the
41 date of the notice of required repairs or modifications to complete
42 the identified repairs or modifications, which shall be executed in
43 conformance with the requirements of the "State Uniform
44 Construction Code Act," P.L.1975, c. 217 (C. 52:27D-119 et seq.).

45 d. The Commissioner of Community Affairs shall promulgate
46 rules and regulations pursuant to its rule-making authority under the
47 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
48 seq.) in order to effectuate the purposes of this section.

1 2. This act shall take effect immediately.

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STATEMENT

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6 This bill would require the Commissioner of Community Affairs
7 to establish a building safety inspection program for buildings and
8 structures that have been in existence for more than 40 years. The
9 commissioner would establish minimum requirements, guidelines,
10 and criteria for the building safety inspection program for the
11 purpose of: confirming the structural soundness of the load bearing
12 components of a building or structure, and determining the general
13 structural condition of a building or structure and of any part,
14 material, or assembly of a building or structure which affects the
15 safety of the building or structure. The bill would exempt single-
16 family homes and federal government-owned buildings from this
17 program, and authorize the commissioner to exempt certain classes
18 of buildings and structures from this program.

19 The Department of Community Affairs (DCA) would be
20 responsible for enforcing the building safety inspection program.
21 The bill would require DCA to schedule initial inspections under
22 the building safety inspection program over a period of no more
23 than five years. The bill allows DCA to prioritize the scheduling of
24 initial inspections of buildings and structures under this program
25 based upon relevant criteria identified by the commissioner, which
26 may include, but shall not be limited to, the age and size of a
27 building or structure, the type and number of violations previously
28 issued for a building or structure, and the receipt of complaints
29 about a building or structure. The bill provides that subsequent
30 inspections under this program would be conducted at five-year
31 intervals.

32 If an inspection under this program identifies any required
33 repairs or modifications, the bill would require an owner to
34 complete any necessary repairs or modifications identified by a
35 program inspection within 150 days of the date of the notice of
36 required repairs or modifications.