

CONSTRUCTION PERMITS - WHEN REQUIRED?

(a) It shall be unlawful to construct, enlarge, alter or demolish a structure, or change the occupancy of a building or structure requiring greater strength, exit way or sanitary provisions, or to change a different use group, or to install or alter any equipment for which provision is made or the installation of which is regulated by this chapter, or to undertake a project involving lead abatement in accordance with 5:17, without first filing an application with the construction official or the appropriate sub code official where the construction involves only one trade or in writing and obtaining the required permit therefore.

(b) The following are exceptions from (a) above:

1. Ordinary repairs as defined by NJAC 5:23-2.7 shall not require a permit or notice to the enforcing agency;
2. Minor work as defined by NJAC 5:23-2.17A shall require a permit. However, work may proceed upon notice to the enforcing agency, before the permit is issued;
3. Emergency work not involving lead abatement, except that a permit shall be applied for or notice given as soon thereafter as is practicable, but not later than 72 hours thereafter.
4. Permit requirements for tents and membraned structures shall be as set forth in NJAC 5:23-3.14(b)16i. A temporary greenhouse meeting the criteria set forth in NJAC 5:23-3.14(b) shall not require a permit except as otherwise provided in NJAC 5:23-3.14(b)16i(5).
5. Gas utility company shall not be required to obtain a permit or give notice to the enforcing agency for replacement of interior gas utility company-owned metering (meter and related appurtenances) by exterior gas utility company owned-metering if the work is performed by qualified employees of the gas utility company.

WHAT IS ORDINARY REPAIR? NJAC 5:23 - 9.3

Interpretation - Ordinary Repairs

(a) The following items are ordinary repairs and shall be treated as such by every enforcing agency. No permits for, inspections of, or notice to the enforcing agency of ordinary repairs shall be required. This is not an all-inclusive listing of ordinary repairs.

1. Ordinary building repairs include:

i. Exterior and 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 one- or two-family dwelling. This shall include plastering and drywall installation.

(1) Vinyl wall covering of any amount is an ordinary repair.

(2) Paneling shall not be considered an ordinary repair.

iii. Wall papering at any location;

- iv. The replacement of 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. The installation or replacement of any window or door, including garage doors, in the same opening without altering the dimensions or framing of the original opening. This shall include storm windows and storm doors. "(Any new window or door shall be of the same type and operation as the existing window or door and conform to the requirements of the code regarding means of egress and emergency escape)" "The installation and replacement of 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 of any nonstructural member such as a "(railing)" "partition railing or kitchen cabinet";
- vii. The repair or replacement of any interior or exterior trim, decoration or moldings;
- viii. The replacement or installation of any flooring material, except carpeting, with a new material. However, installation of carpeting in one- and two-family dwellings will be permitted under ordinary repairs.
- ix. The repair of existing roofing material not exceeding 25% of the total roof area within any period.
- x. The repair of existing siding with like material not exceeding 25% of the total building exterior wall area within any period.
- xi. The repair or replacement of any part of a porch or stoop which does not structurally support a roof above.
- xii. The replacement or installation of screens.
- xiii. The replacement of any roll or batt insulation when installed adjacent to or not more than one and a half inches from an interior finish, and;
- xiv. Replacement of exterior rain water gutters and leaders.

2. Ordinary plumbing repairs include:

- i. Replacement of hose bib valves in single-family dwellings. Replacement hose bib valves shall be provided with an approved atmospheric vacuum breaker;
- ii. Re finishing of existing fixtures. Relining of fixtures shall not be considered an ordinary repair;
- iii. Replacement of ball cocks. Replacement ball cocks must be an approved anti-siphon type.
- iv. Repairs of leaks involving the replacement of piping between two adjacent joints only;
- v. Clearance of stoppages;

- vi. Replacements of faucets or working parts of faucets;
- vii. Replacements of working parts of valves;
- viii. Replacements of traps except for traps on culinary sinks in food-handling establishments "(and)"
- ix. Replacement of a water closet or lavatory or kitchen sink in a single-family dwelling with an approved similar fixture provided that no change in the piping arrangement is made. "Replacement water closets bearing a date of July 1, 1991, or later, must use an average of 1.6 gallons or less of water per flushing cycle; and
- x. Replacement of domestic clothes washers and dishwashers."

3. Ordinary electrical repairs include:

- i. The replacement of any receptacle, switch, or lighting fixture rated at 20 amps or less and operating at less than 150 volts to ground with a like or similar item. Replacement of receptacles in locations where circuit interrupter protection is required in the electrical subcode, shall not be considered ordinary electrical repairs;
- ii. Repairs to any installed electrically-operated equipment such as doorbells, communication systems, and any motor operated device. Provided, however, that if fire-protection systems are interrupted for repairs, the fire official shall be notified in accordance with the building subcode; "(and)"
- iii. Installation of communications wiring as covered by article 800 of the electrical subcode in one- and two-family dwellings, or the alteration/rearrangement of existing communications wiring in other occupancies provided, however, that the rearrangement does not involve penetration of a fire-rated assembly and is not in a hazardous location as defined in chapter 5 of the electrical subcode "(.)" "; and
- iv. Replacement of domestic dishwashers and
- v. Replacement of kitchen range hoods in single-family dwellings."

4. Ordinary fire protection repairs include:

- i. The replacement of any sprinkler or smoke detector or heat detector head with a like device and
- ii. The repair or replacement of any component of a fire-alarm or smoke- and heat-detection equipment.

5. Ordinary heating ventilation and air conditioning repairs shall include:

- i. Replacement of motors, pumps and fans of the same capacity;
- ii. Repair and replacement of heating, supply and return piping and radiation elements which does not require rearrangement of the piping system.

- iii. Repair and replacement of duct work;
- iv. Repair of air conditioning equipment and systems, and
- v. Repair or replacement of control devices for heating and air conditioning equipment "(.)" "and
- vi. Replacement of kitchen range hoods in single-family dwellings."

WHAT IS MINOR WORK? NJAC 5:23 - 2.17A(c)

(c) Minor Work:

1. Minor work shall mean and include the construction or total replacement of any porch or stoop which does not provide structural support for any roof or portion of a building; the construction or alteration of any rooms within an existing one- or two-family dwelling, provided that no structural members are altered in any way; the removal and replacement of more than 25% of the exterior siding of a one- or two-family dwelling.
2. Minor work shall also mean and include the replacement of any existing plumbing piping work with new and approved material of like capacity; the installation of drinking fountains and condensate drains in existing structures; the replacement of existing low-pressure hot water heaters with new ones of like capacity; and the new installation of lavatories, water closets, tubs, showers, washers or dishwashers, and garbage disposers in existing space of one- and two-family dwellings where the new installation of additional fixtures can be accommodated with no increase in the size of the water distribution system, water service or house drain;
3. Minor work shall also mean and include new electrical work incidental to the installation of air conditioning, equipment, clothes dryers, and ranges or ovens in one- and two-family dwellings; the installation of five or less 110 or 220 volt receptacles or fixtures where existing circuits and/or available space circuits and service are adequate to support the load; the replacement of existing wiring with new wiring of the same capacity provided that the new wiring shall be of a type approved for the use by the code;
4. Minor work shall also mean and include the installation of any fire detection or suppression device in any one- or two-family dwelling; installation of a radon mitigation system in an existing detached one- or two-family dwelling; the installation of a burglar alarm or security system in any structure and the installation of a low voltage communication system in any structure other than a one- or two-family dwelling.
5. Minor work shall not include lead abatement.