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end

P.L.2015, CHAPTER 159, *approved December 2, 2015*
Senate, No. 1336 (*First Reprint*)

1 AN ACT concerning construction permits for the installation of
2 wheelchair ramps on residential real property and amending
3 P.L.1975, c.217.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 13 of P.L.1975, c.217 (C.52:27D-131) is amended to
9 read as follows:

10 13. a. The enforcing agency shall examine each application for
11 a construction permit. If the application conforms with this act, the
12 code, and the requirements of other applicable laws and ordinances,
13 the enforcing agency shall approve the application and shall issue a
14 construction permit to the applicant. Every application for a
15 construction permit shall be granted, in whole or in part, or denied
16 within 20 business days, unless the application is limited to the
17 construction of a ramp designed to provide wheelchair access to a
18 one or two-unit dwelling, and required for such access by a resident
19 of the dwelling, in which case the permit shall be granted or denied
20 within ¹~~three~~ ¹five¹ business days. If application is denied in
21 whole or in part, the enforcing agency shall set forth the reasons
22 therefor in writing. If an enforcing agency fails to grant, in whole
23 or in part, or deny an application for a construction permit within
24 the period of time prescribed herein, such failure shall be deemed a
25 denial of the application for purposes of an appeal to the
26 construction board of appeals unless such period of time has been
27 extended with the consent of the applicant. The enforcing agency
28 may approve changes in plans and specifications previously
29 approved by it, if the plans and specifications when so changed
30 remain in conformity with law. Except as otherwise provided in
31 this act or the code, the construction or alteration of a building or
32 structure shall not be commenced until a construction permit has
33 been issued. The construction of a building or structure shall be in
34 compliance with the approved application for a construction permit;
35 and the enforcing agency shall insure such compliance in the
36 manner set forth in section 14 of this act.

37 The commissioner, after consultation with the code advisory
38 board, may, for certain classes or types of occupancy posing special
39 or unusual hazards to public safety, establish regulations
40 designating the department as the enforcing agency for purposes of
41 approving plans and specifications. A municipal enforcing agency
42 shall not grant an occupancy permit for any such class or type of
43 construction unless the applicant submits appropriate plans and
44 specifications certified or approved by the department. Upon
45 submission by an applicant of such certified approved plans and
46 specifications, the enforcing agency shall recognize the approval

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHO committee amendments adopted June 1, 2015.

1 when deciding whether to approve the application for a construction
2 permit.

3 b. A construction permit, issued in accordance with the
4 foregoing provisions, pursuant to which no construction has been
5 undertaken above the foundation walls within one year from the
6 time of issuance, shall expire.

7 c. The enforcing agency may revoke or cancel a construction
8 permit in the event the project for which the permit is obtained is
9 not completed by the third anniversary of the date of issuance of the
10 construction permit. Notwithstanding the provisions of any other
11 law, rule or regulation to the contrary, the enforcing agency may
12 revoke or cancel a construction permit in effect on the effective date
13 of P.L.2001, c.457 (C.52:27D-131.1 et al.), if the project for which
14 the construction permit was obtained is not completed by the third
15 anniversary of the effective date of P.L.2001, c.457 (C.52:27D-
16 131.1 et al.).

17 d. If the project for which the permit is obtained is not
18 completed by a deadline set forth in this section, the permittee may
19 submit a request for an extension of the permit to the enforcing
20 agency for review. The enforcing agency may extend the permit for
21 a period of one year. Approval of the extension shall not be
22 unreasonably withheld. Denial of a request for an extension may be
23 appealed to the county construction board of appeals established
24 pursuant to section 9 of P.L.1975, c.217 (C.52:27D-127). If a
25 project is not completed within the deadline set forth in this section,
26 the enforcing agency shall take all appropriate action up to and
27 including demolition of the uncompleted structure.

28 The provisions of this subsection shall not apply to a permit
29 obtained: (1) to construct improvements to the interior of a
30 residential property in which the permittee is currently residing that
31 are not visible from the outside of the residential property, (2) for
32 any building of which the exterior and all required site
33 improvements have been fully constructed, or (3) for a project while
34 that project is under the control of a mortgagee in possession.

35 The enforcing agency may suspend, revoke or cancel a
36 construction permit in case of neglect or failure to comply with the
37 provisions of this act or the code, or upon a finding by it that a false
38 statement or representation has been made in the application for the
39 construction permit.

40 (cf: P.L.2001, c.457, s.1)

41

42 2. This act shall take effect immediately.

43

44

45

46 Requires issuance of construction permits for installation of
47 wheelchair ramps on residential real property within 5 business
48 days of application.

SENATE, No. 1336

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED FEBRUARY 27, 2014

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Senator Stack

SYNOPSIS

Requires issuance of construction permits for installation of wheelchair ramps on residential real property within 3 business days of application.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/19/2015)

S1336 VAN DREW, SCUTARI

2

1 AN ACT concerning construction permits for the installation of
2 wheelchair ramps on residential real property and amending
3 P.L.1975, c.217.

4

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

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14 construction permit to the applicant. Every application for a
15 construction permit shall be granted, in whole or in part, or denied
16 within 20 business days, unless the application is limited to the
17 construction of a ramp designed to provide wheelchair access to a
18 one or two-unit dwelling, and required for such access by a resident
19 of the dwelling, in which case the permit shall be granted or denied
20 within three business days. If application is denied in whole or in
21 part, the enforcing agency shall set forth the reasons therefor in
22 writing. If an enforcing agency fails to grant, in whole or in part, or
23 deny an application for a construction permit within the period of
24 time prescribed herein, such failure shall be deemed a denial of the
25 application for purposes of an appeal to the construction board of
26 appeals unless such period of time has been extended with the
27 consent of the applicant. The enforcing agency may approve
28 changes in plans and specifications previously approved by it, if the
29 plans and specifications when so changed remain in conformity
30 with law. Except as otherwise provided in this act or the code, the
31 construction or alteration of a building or structure shall not be
32 commenced until a construction permit has been issued. The
33 construction of a building or structure shall be in compliance with
34 the approved application for a construction permit; and the
35 enforcing agency shall insure such compliance in the manner set
36 forth in section 14 of this act.

37 The commissioner, after consultation with the code advisory
38 board, may, for certain classes or types of occupancy posing special
39 or unusual hazards to public safety, establish regulations
40 designating the department as the enforcing agency for purposes of
41 approving plans and specifications. A municipal enforcing agency
42 shall not grant an occupancy permit for any such class or type of
43 construction unless the applicant submits appropriate plans and
44 specifications certified or approved by the department. Upon
45 submission by an applicant of such certified approved plans and

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not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 specifications, the enforcing agency shall recognize the approval
2 when deciding whether to approve the application for a construction
3 permit.

4 b. A construction permit, issued in accordance with the
5 foregoing provisions, pursuant to which no construction has been
6 undertaken above the foundation walls within one year from the
7 time of issuance, shall expire.

8 c. The enforcing agency may revoke or cancel a construction
9 permit in the event the project for which the permit is obtained is
10 not completed by the third anniversary of the date of issuance of the
11 construction permit. Notwithstanding the provisions of any other
12 law, rule or regulation to the contrary, the enforcing agency may
13 revoke or cancel a construction permit in effect on the effective date
14 of P.L.2001, c.457 (C.52:27D-131.1 et al.), if the project for which
15 the construction permit was obtained is not completed by the third
16 anniversary of the effective date of P.L.2001, c.457 (C.52:27D-
17 131.1 et al.).

18 d. If the project for which the permit is obtained is not
19 completed by a deadline set forth in this section, the permittee may
20 submit a request for an extension of the permit to the enforcing
21 agency for review. The enforcing agency may extend the permit for
22 a period of one year. Approval of the extension shall not be
23 unreasonably withheld. Denial of a request for an extension may be
24 appealed to the county construction board of appeals established
25 pursuant to section 9 of P.L.1975, c.217 (C.52:27D-127). If a
26 project is not completed within the deadline set forth in this section,
27 the enforcing agency shall take all appropriate action up to and
28 including demolition of the uncompleted structure.

29 The provisions of this subsection shall not apply to a permit
30 obtained: (1) to construct improvements to the interior of a
31 residential property in which the permittee is currently residing that
32 are not visible from the outside of the residential property, (2) for
33 any building of which the exterior and all required site
34 improvements have been fully constructed, or (3) for a project while
35 that project is under the control of a mortgagee in possession.

36 The enforcing agency may suspend, revoke or cancel a
37 construction permit in case of neglect or failure to comply with the
38 provisions of this act or the code, or upon a finding by it that a false
39 statement or representation has been made in the application for the
40 construction permit.

41 (cf: P.L. 2001, c.457, s.1)

42

43 2. This act shall take effect immediately.

S1336 VAN DREW, SCUTARI

4

1 STATEMENT

2

3 This bill would require enforcing agencies to issue, or deny, a
4 construction permit within three business days if the application is
5 solely for construction of a wheelchair ramp to allow a resident of a
6 one or two unit residential dwelling access to the person's dwelling.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1336

STATE OF NEW JERSEY

DATED: MARCH 9, 2015

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 1336.

This bill would require enforcing agencies to issue, or deny, a construction permit within three business days if the application is solely for construction of a wheelchair ramp to allow a resident of a one or two unit residential dwelling access to the person's dwelling.

ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1336

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2015

The Assembly Housing and Community Development Committee reports favorably Assembly Bill No. 1336 with committee amendments.

As amended by the committee, this bill requires enforcing agencies to issue, or deny, a construction permit within five business days if the application is solely for construction of a wheelchair ramp to allow a resident of a one or two unit residential dwelling access to the person's dwelling.

COMMITTEE AMENDMENTS

The amendments change section 1 and the synopsis to allow enforcing agencies five business days, instead of three, to issue or deny construction permits for certain wheelchair ramps.

ASSEMBLY, No. 996

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Requires issuance of construction permits for installation of wheelchair ramps on residential real property within 3 business days of application.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



A996 ANDRZEJCZAK

2

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ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 996

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 2015

The Assembly Housing and Community Development Committee reports favorably Assembly Bill No. 996 with committee amendments.

As amended by the committee, this bill requires enforcing agencies to issue, or deny, a construction permit within five business days if the application is solely for construction of a wheelchair ramp to allow a resident of a one or two unit residential dwelling access to the person's dwelling.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The amendments change section 1 and the synopsis to allow enforcing agencies five business days, instead of three, to issue or deny construction permits for certain wheelchair ramps.

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Governor Christie Takes Action On Pending Legislation

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BILL SIGNINGS:

S-1336/A-996 (Van Drew, Scutari/Andrzejczak) - Requires issuance of construction permits for installation of wheelchair ramps on residential real property within 5 business days of application

S-1341/A-2961 (Van Drew, Madden/Andrzejczak, Gusciora, Spencer) - Establishes penalty for failure to include bittering agent in antifreeze

S-1946/A-3441 (Sacco, Pennacchio/Jimenez, Prieto, Sumter, Pintor Marin) - Permits school district to request and receive from MVC name and address of student's parent or guardian to verify student's eligibility for enrollment in school district

A-2327/S-2965 (DeAngelo, Quijano, Wilson, Pinkin/Beach, Doherty) - Requires Secretary of State create e-mail notification system alerting when US and State flags flown at half-staff

ACS for A-3502/S-2281 (Russo, Rumana/O'Toole) - Exempts guide dogs and service dogs temporarily placed in foster homes from dog licensing and registration tag requirements

A-3851/ SCS for S-2468 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer) - Imposes contract standards between customers and third-party electric power and gas suppliers

A-4156/S-2812 (Vainieri Huttie, Lampitt, Lagana, Mukherji, Quijano, Danielsen, Wimberly/Barnes, Cunningham) - Establishes task force to study issues related to sexual assault on college campuses

A-4307/S-2919 (McKeon, Quijano, Schaer/Greenstein, Bateman) - Increases required public notice from 30 days to 60 days for settlements entered into by DEP pursuant to Spill Compensation and Control Act

A-4413/S-2896 (Eustace, Benson, Webber, Singleton/Scutari, Turner) - Prohibits awarding of economic development subsidy to business if business is in default on previously awarded subsidy that was loan or loan guarantee

###

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Nicole Sizemore
609-777-2600



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