

**52:27D-132.1; 52:27D-124; 52:27D-132; 40A:11-4.1**

**LEGISLATIVE HISTORY CHECKLIST**

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**LAWS OF:** 2022                    **CHAPTER:** 139

**NJSA:** 52:27D-132.1; 52:27D-124; 52:27D-132; 40A:11-4.1  
(Provides for expedited construction inspections.)

**BILL NO:** A573                    (Substituted for S3014 (SCS))

**SPONSOR(S)** Robert J. Karabinchak and others

**DATE INTRODUCED:** 1/11/2022

**COMMITTEE:**                    **ASSEMBLY:** Commerce and Economic Development  
Community Development and Affairs

**SENATE:** ---

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE: ASSEMBLY:** 12/15/2022

**SENATE:** 12/19/2022

**DATE OF APPROVAL:** 1/5/2023

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (First Reprint enacted)                    Yes

**A573**

**INTRODUCED BILL:** (Includes sponsor(s) statement)                    Yes

**COMMITTEE STATEMENT: ASSEMBLY:**                    Yes                    Commerce & Economic Devel.  
Community Devel. & Affairs

**SENATE:**                    No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    No

**S3014 (SCS)**

**INTRODUCED BILL:** (Includes sponsor(s) statement)                    Yes

**COMMITTEE STATEMENT: ASSEMBLY:**                    No

**SENATE:**                    Yes                    Community & Urban Aff.

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

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P.L. 2022, CHAPTER 139, *approved January 5, 2023*  
Assembly Committee Substitute (*First Reprint*) for  
Assembly, No. 573

1 AN ACT concerning inspections under the construction code and  
2 amending P.L.1975, c.217 and P.L.1999, c.440.

3

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

6

7 1. Section 6 of P.L.1975, c.217 (C.52:27D-124) is amended to  
8 read as follows:

9 6. The commissioner shall have all the powers necessary or  
10 convenient to effectuate the purposes of **[this act]** P.L.1975, c.217  
11 (C.52:27D-119 et seq.), including, but not limited to, the following  
12 powers in addition to all others granted by **[this act]** P.L.1975,  
13 c.217 (C.52:27D-119 et seq.):

14 a. To adopt, amend and repeal, after consultation with the code  
15 advisory board, rules: (1) relating to the administration and  
16 enforcement of **[this act]** P.L.1975, c.217 (C.52:27D-119 et  
17 seq.) and (2) the qualifications or licensing, or both, of all persons  
18 employed by enforcing agencies of the State to enforce **[this**  
19 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.) or the code, except  
20 that, plumbing inspectors shall be subject to the rules adopted by  
21 the commissioner only insofar as such rules are compatible with  
22 such rules and regulations, regarding health and plumbing for  
23 public and private buildings, as may be promulgated by the Public  
24 Health Council in accordance with Title 26 of the Revised Statutes.

25 b. To enter into agreements with federal and State of New Jersey  
26 agencies, after consultation with the code advisory board, to  
27 provide insofar as practicable (1) single-agency review of  
28 construction plans and inspection of construction and (2)  
29 intergovernmental acceptance of such review and inspection to  
30 avoid unnecessary duplication of effort and fees. The commissioner  
31 shall have the power to enter into such agreements although the  
32 federal standards are not identical with State standards; provided  
33 that the same basic objectives are met. The commissioner shall  
34 have the power through such agreements to bind the State of New  
35 Jersey and all governmental entities deriving authority therefrom.

**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:

<sup>1</sup>Assembly ACD committee amendments adopted December 5, 2022.

1 c. To take testimony and hold hearings relating to any aspect of  
2 or matter relating to the administration or enforcement of **[this**  
3 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.), including but not  
4 limited to prospective interpretation of the code so as to resolve  
5 inconsistent or conflicting code interpretations, and, in connection  
6 therewith, issue **[subpena]** subpoenas to compel the attendance of  
7 witnesses and the production of evidence. The commissioner may  
8 designate one or more hearing examiners to hold public hearings  
9 and report on such hearings to the commissioner.

10 d. To encourage, support or conduct, after consultation with the  
11 code advisory board, educational and training programs for  
12 employees, agents and inspectors of enforcing agencies, either  
13 through the Department of Community Affairs or in cooperation  
14 with other departments of State government, enforcing agencies,  
15 educational institutions, or associations of code officials.

16 e. To study the effect of **[this act]** P.L.1975, c.217 (C.52:27D-  
17 119 et seq.) and the code to ascertain their effect upon the cost of  
18 building construction and maintenance, and the effectiveness of  
19 their provisions for insuring the health, safety, and welfare of the  
20 people of the State of New Jersey.

21 f. To make, establish and amend, after consultation with the  
22 code advisory board, such rules as may be necessary, desirable or  
23 proper to carry out his powers and duties under **[this act]** P.L.1975,  
24 c.217 (C.52:27D-119 et seq.).

25 g. To adopt, amend, and repeal rules and regulations providing  
26 for the charging of and setting the amount of fees for the following  
27 code enforcement services, licenses or approvals performed or  
28 issued by the department, pursuant to the "State Uniform  
29 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.):

30 (1) Plan review, construction permits, certificates of occupancy,  
31 demolition permits, moving of building permits, elevator permits  
32 and sign permits; and

33 (2) Review of applications for and the issuance of licenses  
34 certifying an individual's qualifications to act as a construction code  
35 official, subcode official or assistant under **[this act]** P.L.1975,  
36 c.217 (C.52:27D-119 et seq.).

37 (3) (Deleted by amendment, P.L.1983, c.338) **'[.]'**

38 h. To adopt, amend and repeal rules and regulations providing  
39 for the charging of and setting the amount of construction permit  
40 surcharge fees to be collected by the enforcing agency and remitted  
41 to the department to support those activities which may be  
42 undertaken with moneys credited to the Uniform Construction Code  
43 Revolving Fund.

44 i. To adopt, amend and repeal rules and regulations providing  
45 for:

46 (1) Setting the amount of and the charging of fees to be paid to  
47 the department by a private agency for the review of applications

1 for and the issuance of approvals authorizing a private agency to act  
2 as an on-site inspection and plan review agency, a private on-site  
3 inspection agency, including a supplemental private on-site  
4 inspection agency, or an in-plant inspection agency;

5 (2) (Deleted by amendment, P.L.2005, c.212)<sup>1</sup>**【.】**<sup>1</sup>

6 (3) (Deleted by amendment, P.L.2005, c.212)<sup>1</sup>**【.】**<sup>1</sup>

7 j. To enforce and administer the provisions of the "State  
8 Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119  
9 et seq.) and the code promulgated thereunder, and to prosecute or  
10 cause to be prosecuted violators of the provisions of that act or the  
11 code promulgated thereunder in administrative hearings and in civil  
12 proceedings in State and local courts.

13 k. To monitor the compliance of local enforcing agencies with  
14 the provisions of the "State Uniform Construction Code Act,"  
15 P.L.1975, c.217 (C.52:27D-119 et seq.), to order corrective action ,  
16 or issue penalties, as may be necessary where a local enforcing  
17 agency is found to be failing to carry out its responsibilities under  
18 that act, to supplant or replace the local enforcing agency for a  
19 specific project, and to order it dissolved and replaced by the  
20 department where the local enforcing agency repeatedly or  
21 habitually fails to enforce the provisions of the "State Uniform  
22 Construction Code Act." This shall include the power to compel an  
23 enforcing agency to <sup>1</sup>, within 15 business days,<sup>1</sup> notify the  
24 department of any instance where the enforcing agency is unable to  
25 meet a deadline or other obligation imposed by law or regulation,  
26 and the power to order corrective action or issue penalties as may  
27 be necessary where an enforcing agency is unable to meet its  
28 obligations under P.L.1975, c.217 (C.52:27D-119 et seq.).

29 l. To adopt, amend, and repeal rules and regulations  
30 implementing the provisions of P.L.1999, c.15, P.L.2003, c.44, and  
31 section 1 of P.L.2015, c.146 (C.52:27D-123f) concerning the  
32 installation and maintenance of carbon monoxide sensors.  
33 (cf: P.L.2015, c.146, s.2)

34  
35 2. Section 14 of P.L.1975, c.217 (C.52:27D-132) is amended to  
36 read as follows:

37 14. a. The enforcing agency shall periodically inspect all  
38 construction undertaken pursuant to a construction permit issued by  
39 it to **【insure】** ensure that the construction or alteration is performed  
40 in accordance with the conditions of the construction permit and  
41 consistent with the requirements of the code and any ordinance  
42 implementing said code.

43 b. The owner of any premises upon which a building or structure  
44 is being constructed shall be deemed to have consented to the  
45 inspection by the enforcing agency and the department, of the entire  
46 premises and of any and all construction being performed on it until  
47 a certificate of occupancy has been issued. An inspector, or team of  
48 inspectors, on presentation of proper credentials, shall have the

1 right to enter and inspect such premises, and any and all  
2 construction thereon, for purposes of ensuring compliance with the  
3 provisions of the applicable construction permit, the code, and other  
4 applicable laws and regulations. All inspection pursuant to **[this**  
5 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.) shall be between the  
6 hours of 9 a.m. and 5 p.m. on business days or at another time that  
7 has been agreed upon by the owner and the relevant inspecting  
8 entity, whether the enforcing agency, department, or private on-site  
9 inspection agency, or when construction is actually being  
10 undertaken, provided, however, that inspections may be conducted  
11 at other times if the enforcing agency has reasonable cause to  
12 believe that an immediate danger to life, limb or property exists, or  
13 if permission is given by an owner, or **[his]** the owner's agent,  
14 architect, engineer or builder. No person shall accompany an  
15 inspector or team of inspectors on any inspection pursuant to **[this**  
16 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.), unless **[his]** the  
17 person's presence is necessary for the enforcement of **[this**  
18 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.), or the code, or unless  
19 consent is given by an owner or **[his]** the owner's agent, architect,  
20 engineer or builder.

21 c. If the construction of a structure or building is being  
22 undertaken contrary to the provisions of a construction permit, **[this**  
23 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.), the code, or other  
24 applicable laws or ordinances, the enforcing agency may issue a  
25 stop construction order in writing which shall state the conditions  
26 upon which construction may be resumed and which shall be given  
27 to the owner or the holder of the construction permit or to the  
28 person performing the construction. If the person doing the  
29 construction is not known, or cannot be located with reasonable  
30 effort, the notice may be delivered to the person in charge of, or  
31 apparently in charge of, the construction. No person shall continue,  
32 or cause or allow to be continued, the construction of a building or  
33 structure in violation of a stop construction order, except with the  
34 permission of the enforcing agency to abate a dangerous condition  
35 or remove a violation, or except by court order. If an order to stop  
36 construction is not obeyed, the enforcing agency may apply to the  
37 appropriate court as otherwise established by law for an order  
38 enjoining the violation of the stop construction order. The remedy  
39 for violation of such an order provided in this subsection shall be in  
40 addition to, and not in limitation of, any other remedies provided by  
41 law or ordinance.

42 d. When an inspector or team of inspectors finds a violation of  
43 the provisions of a construction permit, the code, or other applicable  
44 laws and regulations at an owner-occupied single-family residence,  
45 and issues a notice of violation and an order to terminate the  
46 violation, the enforcing agency shall require the same inspector or  
47 team of inspectors who found the violation to undertake any

1 subsequent reinspection thereof at the premises. When the same  
2 inspector or team of inspectors cannot be assigned to undertake the  
3 reinspection, the enforcing agency may assign an available  
4 inspector provided the scope of the reinspection shall be limited to  
5 the violation for which the reinspection is required. The  
6 requirements of this subsection shall not apply to violations of the  
7 plumbing or electrical subcodes, or to fire safety code violations, or  
8 to any violation of any other subcode that the Department of  
9 Community Affairs determines to be a health or safety  
10 violation. Nothing in this subsection shall be construed to infringe  
11 upon the right of a property owner to request a different inspector,  
12 team of inspectors, or supervisor, to perform any required  
13 reinspection.

14 e. The owner, agent, or other responsible person in charge of  
15 work shall notify the enforcing agency when the work is ready for  
16 any required inspection under the code. This notice shall be given  
17 in writing at least 24 hours prior to the date and time requested for  
18 the inspection. The enforcing agency shall perform an inspection  
19 within three business days of the date for which the inspection is  
20 requested. The owner, agent, or other responsible person in charge  
21 of work may provide oral notice for inspections of minor work  
22 projects, as defined by the code.

23 (1) The owner, agent, or other responsible person in charge of  
24 work shall be present and prepared at the time of any inspection that  
25 has been scheduled upon the owner, agent, or other responsible  
26 person's request. A failure by the owner, agent, or other  
27 responsible person in charge of work to be present and prepared for  
28 '[such]' inspection shall be considered a failed inspection.

29 (2) If the enforcing agency is unable to perform a requested  
30 inspection within three business days of the date for which the  
31 inspection is requested, the enforcing agency shall inform the  
32 owner, agent, or other responsible person in charge of work in  
33 writing within 24 hours of receiving the request, at which time the  
34 enforcing agency and the owner, agent, or other responsible person  
35 in charge of work may agree to a different date and time for  
36 inspection. The enforcing agency shall commit the agreed upon  
37 inspection date to writing and provide a copy to the owner, agent, or  
38 other responsible person in charge of work.

39 (3) If the enforcing agency is unable to perform the requested  
40 inspection within three business days of the date for which the  
41 inspection is requested and the enforcing agency and the owner,  
42 agent, or responsible person in charge of work are unable to come  
43 to an agreement pursuant to paragraph (2) of this subsection, the  
44 owner, agent, or other responsible person in charge of work may  
45 choose to contract with a private on-site inspection agency  
46 authorized by the department to conduct on-site inspections  
47 pursuant to paragraph i. of section 6 of P.L.1975, c.217 (C.52:27D-

1 124) to perform the <sup>1</sup>[required] requested<sup>1</sup> inspection or  
2 inspections.

3 (a) The owner, agent, or other responsible person in charge of  
4 work shall notify the enforcing agency in writing of any choice to  
5 utilize an authorized private on-site inspection agency to conduct  
6 the <sup>1</sup>[required] requested<sup>1</sup> inspection or inspections.

7 (b) The owner, agent, or other responsible person in charge of  
8 work may elect to utilize the private on-site inspection agency to  
9 conduct all <sup>1</sup>[required] subsequent associated<sup>1</sup> inspections <sup>1</sup>[on  
10 associated blocks and lots]<sup>1</sup>. In the event of a project with multiple  
11 units in one building, this <sup>1</sup>[authorization] provision<sup>1</sup> shall apply to  
12 <sup>1</sup>[all units encompassed in the project] the specific unit or units  
13 affected by the inspection delay<sup>1</sup>.

14 (c) The use of a private on-site inspection agency by an owner,  
15 agent, or other responsible person for on-site inspections shall be  
16 subject to the conflict-of-interest provisions in the code. In addition  
17 to those requirements, no private on-site inspection agency shall  
18 perform an inspection for any owner, agent, or other responsible  
19 person in charge of work, if an owner, agent, or other responsible  
20 person is currently employed by or affiliated with any individual  
21 affiliated with the private on-site inspection agency or has  
22 employed or was associated with an individual affiliated with the  
23 private on-site inspection agency within a timeframe established by  
24 the commissioner by regulation.

25 (d) The enforcing agency shall, if warranted, provide a fee  
26 reconciliation to the owner for an inspection completed by a private  
27 on-site inspection agency as a result of a missed inspection. The  
28 enforcing agency shall perform the reconciliation at the conclusion  
29 of the project. This reconciliation shall be based on the fees  
30 <sup>1</sup>already paid less administrative costs for the enforcing agency and  
31 shall not exceed the amount already paid for the project, nor shall it  
32 exceed the amount<sup>1</sup> that the enforcing agency is authorized to  
33 impose for inspections, and shall take into account the  
34 administrative costs of the enforcing agency.

35 <sup>1</sup>(4) If the owner, agent, or other responsible person in charge of  
36 work believes an enforcing agency has demonstrated a repeated  
37 inability to conduct inspections for a construction project within the  
38 timelines required by this section, as established by the  
39 commissioner by regulation, the owner, agent, or other responsible  
40 person in charge of work may notify the department in writing to  
41 request authorization to utilize an authorized private on-site  
42 inspection agency. Within 15 business days of receiving a  
43 notification under this paragraph, the department shall determine  
44 whether the enforcing agency has demonstrated repeated inability,  
45 and, if the department determines, shall authorize the owner, agent,  
46 or other responsible person in charge of work to utilize an



1 authorized private on-site inspection agency for all or a portion of  
2 the necessary inspections for the remainder of the project.<sup>1</sup>

3 f. Each enforcing agency shall establish a process for ensuring  
4 inspections are performed within three business days of a requested  
5 inspection date, as required by subsection e. of this section.  
6 Authorized processes include, but are not limited to, the use of  
7 supplemental shared services agreements with other municipalities  
8 or enforcing agencies or the use of contracted private on-site  
9 inspection agencies, including supplemental private on-site  
10 inspection agencies<sup>1</sup>].<sup>1</sup>

11 g. <sup>1</sup>[In accordance with the "Administrative Procedure Act,"  
12 P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt  
13 rules and regulations to effectuate the provisions of P.L. \_\_\_\_\_,  
14 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill), including  
15 rules which provide for: the use of supplemental shared services  
16 agreements, the authorization of private on-site inspection agencies  
17 by the department to conduct on-site inspections, and the use of  
18 private on-site inspection agencies by municipalities and enforcing  
19 agencies. In addition to the activity described in subparagraph (b)  
20 of paragraph (3) of subsection e. of this section, the rules and  
21 regulations shall allow an enforcing agency to:

22 (1) enter into supplemental shared service agreements or  
23 contracts with a supplemental private on-site inspection agency to  
24 conduct on-site inspections for the purpose of meeting all required  
25 inspection timeframes;

26 (2) enter into agreements with private on-site inspection  
27 agencies to conduct on-site inspections on a project-specific basis;  
28 and

29 (3) authorize the owner, agent, or other authorized person in  
30 charge of work to directly contract with an authorized private on-  
31 site inspection agency to perform all inspections on a project-  
32 specific basis.

33 h.]<sup>1</sup> (1) At timeframes established by the commissioner by  
34 regulation, adopted in accordance with the "Administrative  
35 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the  
36 municipal construction official shall submit an annual report  
37 detailing compliance with the code. The report shall include, at a  
38 minimum information related to the staffing, staff titles, and  
39 expenses of the enforcing agency, in addition to any other  
40 information required by the commissioner. The annual report shall  
41 take into account projected work and agency resource needs for the  
42 next budget year.

43 (2) A municipality that enters into a contract for supplemental  
44 services<sup>1</sup>[utilized]<sup>1</sup> pursuant to subsection f. of this section shall  
45 provide a copy of the contract to the department upon entering into  
46 the contract.

1       (3) The information required by paragraphs (1) and (2) of this  
2 subsection, in addition to the inspection log, the municipal monthly  
3 activity reports, and the fee schedule shall be maintained by the  
4 municipal construction official or enforcing agency, and the  
5 municipal construction official or enforcing agency shall make the  
6 information and documents described in this paragraph available to  
7 the department upon request.

8       (4) The department may utilize the information provided  
9 pursuant to this subsection to determine appropriate staffing levels  
10 for the enforcing agency. If the department determines that an  
11 enforcing agency has not maintained appropriate staffing levels, the  
12 department may require the municipality to take corrective actions  
13 to ensure that the enforcing agency's staffing needs are met.

14       (5) The department may take corrective action, including the  
15 issuance of penalties, pursuant to subsection k. of section 6 of  
16 P.L.1975, c.217 (C.52:27D-124), if <sup>1</sup>[a] an<sup>1</sup> enforcing agency fails  
17 to maintain or provide the information required by this subsection  
18 or maintain appropriate staffing levels, as determined by the  
19 department pursuant to paragraph (4) of this subsection.

20       <sup>1</sup>[i.] h.<sup>1</sup> If an enforcing agency is unable to meet its obligations  
21 under P.L.1975, c.217 (C.52:27D-119 et seq.), the enforcing agency  
22 shall promptly notify the department <sup>1</sup>within 15 business days<sup>1</sup>.  
23 The department may take corrective action, including the issuance  
24 of penalties, pursuant to subsection k. of section 6 of P.L.1975,  
25 c.217 (C.52:27D-124) if an enforcing agency fails to meet its  
26 obligations under P.L.1975, c.217 (C.52:27D-119 et seq.).

27 (cf: P.L.2007, c.149, s.1)

28  
29       3. Section 1 of P.L.1999, c.440 (C.40A:11-4.1) is amended to  
30 read as follows:

31       1. Notwithstanding the provisions of any law, rule, or  
32 regulation to the contrary, competitive contracting may be used by  
33 local contracting units in lieu of public bidding for procurement of  
34 specialized goods and services the price of which exceeds the bid  
35 threshold, for the following purposes:

36       a. The purchase or licensing of proprietary computer software  
37 designed for contracting unit purposes, which may include  
38 hardware intended for use with the proprietary software. This  
39 subsection shall not be utilized for the purpose of acquiring general  
40 purpose computer hardware or software;

41       b. The hiring of a for-profit entity or a not-for-profit entity  
42 incorporated under Title 15A of the New Jersey Statutes for the  
43 purpose of:

44       (1) the operation and management of a wastewater treatment  
45 system, a stormwater management system, or a water supply or  
46 distribution facility of the type described in subsection (37) of  
47 section 15 of P.L.1971, c.198 (C.40A:11-15), provided that  
48 competitive contracting shall not be used as a means of awarding

1 contracts pursuant to P.L.1985, c.37 (C.58:26-1 et al.) and  
2 P.L.1985, c.72 (C.58:27-1 et al.);

3 (2) the operation, management or administration of recreation or  
4 social service facilities or programs, which shall not include the  
5 administration of benefits under the Work First New Jersey  
6 program established pursuant to P.L.1997, c.38 (C.44:10-55 et  
7 seq.), or under General Assistance;

8 (3) the operation, management or administration of data  
9 processing services; or

10 (4) the operation and management of a county hospital pursuant  
11 to the "Local Hospital Authority Law," P.L.2006, c.46 (C.30:9-  
12 23.15 et al.);

13 c. (Deleted by amendment, P.L.2009, c.4)<sup>1</sup>**[.]**<sup>1</sup>

14 d. Homemaker--home health services;

15 e. Laboratory testing services;

16 f. Emergency medical services;

17 g. Contracted food services;

18 h. Performance of patient care services by contracted medical  
19 staff at county hospitals, correctional facilities and long-term care  
20 facilities;

21 i. At the option of the governing body of the contracting unit,  
22 any good or service that is exempt from bidding pursuant to section  
23 5 of P.L.1971, c.198 (C.40A:11-5);

24 j. Concessions;

25 k. The operation, management or administration of other  
26 services, with the approval of the Director of the Division of Local  
27 Government Services;

28 l. Maintenance, custodial, and groundskeeping services;

29 m. Consulting services;

30 n. Emergency medical billing services;

31 o. Property appraisal services;

32 p. Reassessment or revaluation services;

33 q. Grant writing services;

34 r. Animal control services ;

35 s. Private on-site inspection agency services, as may be  
36 authorized by rules and regulations adopted by the Department of  
37 Community Affairs.

38 Any purpose included herein shall not be considered by a  
39 contracting unit as an extraordinary unspecifiable service pursuant  
40 to subparagraph (ii) of paragraph (a) of subsection (1) of section 5  
41 of P.L.1971, c.198 (C.40A:11-5).

42 As used in this section, "stormwater management system" means  
43 the same as that term is defined in section 3 of P.L.2019, c.42  
44 (C.40A:26B-3).

45 (cf: P.L.2019, c.42, s.21)

46

47 <sup>14.</sup> (New section) In accordance with the "Administrative  
48 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the

1 commissioner shall propose within six months and adopt within  
2 nine months rules and regulations to effectuate the provisions of  
3 P.L. , c. (C. ) (pending before the Legislature as this bill),  
4 including rules that provide for: the use of supplemental shared  
5 services agreements; the authorization of private on-site inspection  
6 agencies by the department to conduct on-site inspections; and the  
7 use of private on-site inspection agencies by municipalities and  
8 enforcing agencies. In addition to the activity described in  
9 subparagraph (b) of paragraph (3) of subsection e. of section 14 of  
10 P.L.1975, c.217 (C.52:27D-132), the rules and regulations shall  
11 allow an enforcing agency to:

12 a. enter into a supplemental shared service agreement or  
13 contract with a supplemental private on-site inspection agency to  
14 conduct an on-site inspection for the purpose of meeting all  
15 required inspection timeframes;

16 b. enter into an agreement with a private on-site inspection  
17 agencies to conduct an on-site inspection on a project-specific  
18 basis; and

19 c. authorize the owner, agent, or other authorized person in  
20 charge of work to directly contract with an authorized private on-  
21 site inspection agency to perform all inspections on a project-  
22 specific basis.<sup>1</sup>

23

24 <sup>1</sup>~~4~~ 5.<sup>1</sup> <sup>1</sup>~~This~~ Sections 1 through 3 of this<sup>1</sup> act shall take  
25 effect <sup>1</sup>~~on the first day of the fourth month next following the date~~  
26 of enactment, however, the commissioner shall immediately  
27 commence the process of promulgating rules and regulations to  
28 effectuate the provisions of this act <sup>1</sup>~~immediately upon the adoption~~  
29 of the rules and regulations by the Department of Community  
30 Affairs to effectuate the provisions of this act, provided, however,  
31 that the Department of Community Affairs shall take anticipatory  
32 action as necessary to prepare for the implementation of the  
33 provisions of this act. Section 4 of this act shall take effect  
34 immediately<sup>1</sup>.

35

36

37

38

39

Provides for expedited construction inspections.

**ASSEMBLY, No. 573**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**Assemblyman ROY FREIMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

**Assemblymen DiMaio, McClellan, Simonsen, Wirths, Space,**  
**Assemblywoman Timberlake and Assemblyman Benson**

**SYNOPSIS**

Establishes expedited construction inspection program.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 10/11/2022)**

1 AN ACT concerning inspections under the construction code, and  
2 supplementing and amending P.L.1975, c.217.

3

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

6

7 1. (New section) a. (1) The commissioner, in consultation  
8 with the code advisory board, shall promulgate rules and  
9 regulations, pursuant to the "Administrative Procedure Act,"  
10 P.L.1968, c.410 (C.52:14B-1 et seq.), establishing standards,  
11 procedures, and other requirements for an optional program  
12 providing expedited inspections of construction undertaken  
13 pursuant to a construction permit.

14 (2) The expedited inspection program shall provide that:

15 (a) a municipal governing body may participate in the program  
16 by requiring its enforcing agency to conduct expedited inspections  
17 within two calendar days of an owner's request for an inspection;

18 (b) an owner of a project located in a municipality that is not  
19 requiring its enforcing agency to conduct expedited inspections may  
20 select a private inspection agency to conduct expedited inspections;

21 (c) a business entity shall not conduct expedited inspections  
22 unless licensed and authorized to do so by the department;

23 (d) an owner may opt to participate in the expedited inspection  
24 program at the time of submission of an application for a  
25 construction permit pursuant to section 12 of P.L.1975, c.217  
26 (C.52:27D-130);

27 (e) an owner participating in the expedited inspection program  
28 shall pay a premium in addition to all otherwise applicable fees;

29 (f) each expedited inspection shall be completed within two  
30 calendar days of an owner's request for an inspection;

31 (g) if a local enforcing agency or a private inspection agency  
32 fails to complete an expedited inspection within two calendar days  
33 of an owner's request for an inspection, the agency shall complete  
34 the inspection within the following 24 hours and shall refund the  
35 premium for that expedited inspection to the owner. If a local  
36 enforcing agency or a private inspection agency fails to complete an  
37 expedited inspection within the following 24 hours, the owner may  
38 elect to retain a different private inspection agency, in a manner  
39 consistent with subsection b. of section 19 of P.L.1975, c.217  
40 (C.52:27D-137), to perform the remainder of inspections required  
41 for the project.

42 b. (1) A municipal governing body, in consultation with the  
43 construction official of its enforcing agency, shall determine  
44 whether the enforcing agency shall conduct expedited inspections or  
45 whether an owner may retain a private inspection agency to conduct

**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 expedited inspections. Regardless of whether expedited inspections  
2 are conducted by an enforcing agency or a private inspection  
3 agency, the enforcing agency shall retain the power and  
4 responsibility over issuance of the certificate of occupancy under  
5 section 15 of P.L.1975, c.217 (C.52:27D-133).

6 (a) An enforcing agency that conducts expedited inspections  
7 may conduct those inspections outside of the hours specified in  
8 section 14 of P.L.1975, c.217 (C.52:27D-132).

9 (b) The enforcing agency shall observe the progress of a  
10 construction project receiving expedited inspections by a private  
11 inspection agency and shall retain jurisdiction over the project in  
12 order to be responsive to inquiries from the general public and from  
13 special interests, to the needs of the owner and the private  
14 inspection agency, and to the obligations and requirements imposed  
15 by the code.

16 (2) An owner applying to participate in the expedited inspection  
17 program shall submit payment of all applicable fees, together with  
18 an expedited inspection premium fee of \$100 per inspection, to the  
19 enforcing agency together with the application for a construction  
20 permit, unless the municipality establishes an alternative premium  
21 fee price, or variety of alternative prices depending on the size and  
22 complexity of the application. If the enforcing agency does not  
23 conduct expedited inspections, at the time of submission of an  
24 application for a construction permit, the owner shall identify the  
25 private inspection agency the owner has selected to conduct  
26 expedited inspections. The enforcing agency shall deliver payment  
27 of the expedited inspection premium fee to the private inspection  
28 agency selected to conduct expedited inspections.

29 c. (1) The department shall establish a program for the  
30 licensure and authorization of business entities as private inspection  
31 agencies for the purpose of contracting with owners to conduct  
32 expedited inspections pursuant to this section or to perform  
33 inspections pursuant to section 19 of P.L.1975, c.217 (C.52:27D-  
34 137). No business entity shall conduct inspections under a  
35 construction permit or enter into any contract to do so without first  
36 receiving the licensure and authorization of the department. The  
37 department may impose and collect fees from applicants for  
38 licensure and authorization under this section.

39 (2) Licensure and authorization of a business entity as a private  
40 inspection agency shall include, but not be limited to, consideration  
41 of the qualifications of the management and technical personnel of  
42 the business entity, the fiscal integrity of the business entity, and  
43 the ability of the business entity to perform expedited inspections  
44 within the requisite time frames in a manner sufficient to ensure  
45 that the construction is performed in accordance with the conditions  
46 of the construction permit and the requirements of the code.

- 1 (3) A private inspection agency shall not employ a person as an  
2 officer or inspector unless the person is certified by the department  
3 in the appropriate subcode.
- 4 (4) A private inspection agency shall be subject to the orders  
5 and directives of the municipal construction official and the  
6 department in matters relating to the enforcement of the code.
- 7 (5) A private inspection agency shall maintain records of all  
8 inspections and any other information that may be required by the  
9 municipal construction official or the department. These records  
10 shall be open to department audit and shall not be destroyed or  
11 removed from the offices of the private inspection agency without  
12 the permission of the department.
- 13 (6) A private inspection agency shall not directly collect fees  
14 from the owner, or any agent or employee of the owner. The  
15 enforcing agency shall be the sole agent for the collection and  
16 delivery of an expedited inspection premium fee to a private  
17 inspection agency.
- 18 d. (1) Except as otherwise provided in this section, a private  
19 inspection agency that has contracted to perform expedited  
20 inspections for a project shall carry out its obligations under the  
21 contract and applicable provisions of law until full completion of  
22 the project, as evidenced by the enforcing agency's issuance of a  
23 certificate of occupancy.
- 24 (2) A private inspection agency conducting expedited  
25 inspections shall have all of the powers, and shall be subject to all  
26 of the requirements, applicable to an enforcing agency with regard  
27 to conducting inspections under P.L.1975, c.217 (C.52:27D-119 et  
28 seq.), however, the private inspection agency shall be obligated to  
29 conduct inspections in an expedited timeframe.
- 30 (3) A private inspection agency conducting expedited  
31 inspections shall:
- 32 (a) maintain all inspection records applicable to each  
33 construction permit;
- 34 (b) maintain an adequate number of certified staff to conduct  
35 expedited inspections for all classes of structure consistent with the  
36 private inspection agency's licensure and certification;
- 37 (c) provide adequate supervision of employees and ensure that  
38 an employee is properly licensed and certified before conducting an  
39 inspection;
- 40 (d) carry insurance as may be required by the department; and
- 41 (e) prepare and submit all required reports to the department and  
42 the enforcing agency.
- 43 e. An owner and a private inspection agency may agree to the  
44 performance of expedited inspections outside of the hours specified  
45 in section 14 of P.L.1975, c.217 (C.52:27D-132).



1       2. Section 6 of P.L.1975, c.217 (C.52:27D-124) is amended to  
2 read as follows:

3       6. The commissioner shall have all the powers necessary or  
4 convenient to effectuate the purposes of **【this act】** P.L.1975, c.217  
5 (C.52:27D-119 et seq.), including, but not limited to, the following  
6 powers in addition to all others granted by **【this act】** P.L.1975,  
7 c.217 (C.52:27D-119 et seq.):

8       a. To adopt, amend and repeal, after consultation with the code  
9 advisory board, rules: (1) relating to the administration and  
10 enforcement of **【this act】** P.L.1975, c.217 (C.52:27D-119 et seq.)  
11 and (2) the qualifications or licensing, or both, of all persons  
12 employed by enforcing agencies of the State to enforce **【this act】**  
13 P.L.1975, c.217 (C.52:27D-119 et seq.) or the code, except that,  
14 plumbing inspectors shall be subject to the rules adopted by the  
15 commissioner only insofar as such rules are compatible with such  
16 rules and regulations, regarding health and plumbing for public and  
17 private buildings, as may be promulgated by the Public Health  
18 Council in accordance with Title 26 of the Revised Statutes.

19       b. To enter into agreements with federal and State of New  
20 Jersey agencies, after consultation with the code advisory board, to  
21 provide insofar as practicable (1) single-agency review of  
22 construction plans and inspection of construction and (2)  
23 intergovernmental acceptance of such review and inspection to  
24 avoid unnecessary duplication of effort and fees. The commissioner  
25 shall have the power to enter into such agreements although the  
26 federal standards are not identical with State standards; provided  
27 that the same basic objectives are met. The commissioner shall  
28 have the power through such agreements to bind the State of New  
29 Jersey and all governmental entities deriving authority therefrom.

30       c. To take testimony and hold hearings relating to any aspect of  
31 or matter relating to the administration or enforcement of **【this act】**  
32 P.L.1975, c.217 (C.52:27D-119 et seq.), including but not limited to  
33 prospective interpretation of the code so as to resolve inconsistent  
34 or conflicting code interpretations, and, in connection therewith,  
35 issue subpoena to compel the attendance of witnesses and the  
36 production of evidence. The commissioner may designate one or  
37 more hearing examiners to hold public hearings and report on such  
38 hearings to the commissioner.

39       d. To encourage, support or conduct, after consultation with the  
40 code advisory board, educational and training programs for  
41 employees, agents and inspectors of enforcing agencies, either  
42 through the Department of Community Affairs or in cooperation  
43 with other departments of State government, enforcing agencies,  
44 educational institutions, or associations of code officials.

45       e. To study the effect of **【this act】** P.L.1975, c.217 (C.52:27D-  
46 119 et seq.) and the code to ascertain their effect upon the cost of  
47 building construction and maintenance, and the effectiveness of

- 1 their provisions for insuring the health, safety, and welfare of the  
2 people of the State of New Jersey.
- 3 f. To make, establish and amend, after consultation with the  
4 code advisory board, such rules as may be necessary, desirable or  
5 proper to carry out his powers and duties under **[this act]** P.L.1975,  
6 c.217 (C.52:27D-119 et seq.).
- 7 g. To adopt, amend, and repeal rules and regulations providing  
8 for the charging of and setting the amount of fees for the following  
9 code enforcement services, licenses or approvals performed or  
10 issued by the department, pursuant to the "State Uniform  
11 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.):
- 12 (1) Plan review, construction permits, certificates of occupancy,  
13 demolition permits, moving of building permits, elevator permits  
14 and sign permits; and
- 15 (2) Review of applications for and the issuance of licenses  
16 certifying an individual's qualifications to act as a construction code  
17 official, subcode official or assistant under **[this act]** P.L.1975,  
18 c.217 (C.52:27D-119 et seq.).
- 19 (3) (Deleted by amendment, P.L.1983, c.338).
- 20 h. To adopt, amend and repeal rules and regulations providing  
21 for the charging of and setting the amount of construction permit  
22 surcharge fees to be collected by the enforcing agency and remitted  
23 to the department to support those activities which may be  
24 undertaken with moneys credited to the Uniform Construction Code  
25 Revolving Fund.
- 26 i. To adopt, amend and repeal rules and regulations providing  
27 for:
- 28 (1) Setting the amount of and the charging of fees to be paid to  
29 the department by a **[private agency]** business entity for the review  
30 of applications for and the issuance of approvals authorizing a  
31 **[private agency]** business entity to act as a private inspection  
32 agency, an on-site inspection and plan review agency, or an in-plant  
33 inspection agency;
- 34 (2) (Deleted by amendment, P.L.2005, c.212).
- 35 (3) (Deleted by amendment, P.L.2005, c.212).
- 36 j. To enforce and administer the provisions of the "State  
37 Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119  
38 et seq.) and the code promulgated thereunder, and to prosecute or  
39 cause to be prosecuted violators of the provisions of that act or the  
40 code promulgated thereunder in administrative hearings and in civil  
41 proceedings in State and local courts.
- 42 k. To monitor the compliance of local enforcing agencies with  
43 the provisions of the "State Uniform Construction Code Act,"  
44 P.L.1975, c.217 (C.52:27D-119 et seq.), to order corrective action  
45 as may be necessary where a local enforcing agency is found to be  
46 failing to carry out its responsibilities under that act, to supplant or  
47 replace the local enforcing agency for a specific project, and to  
48 order it dissolved and replaced by the department where the local

1 enforcing agency repeatedly or habitually fails to enforce the  
2 provisions of the "State Uniform Construction Code Act."

3 1. To adopt, amend, and repeal rules and regulations  
4 implementing the provisions of P.L.1999, c.15, P.L.2003, c.44, and  
5 section 1 of P.L.2015, c.146 (C.52:27D-123f) concerning the  
6 installation and maintenance of carbon monoxide sensors.  
7 (cf: P.L.2015, c.146, s.2)

8

9 3. Section 14 of P.L.1975, c.217 (C.52:27D-132) is amended to  
10 read as follows:

11 14. a. The enforcing agency shall periodically inspect all  
12 construction undertaken pursuant to a construction permit issued by  
13 it to insure that the construction or alteration is performed in  
14 accordance with the conditions of the construction permit and  
15 consistent with the requirements of the code and any ordinance  
16 implementing said code.

17 b. The owner of any premises upon which a building or  
18 structure is being constructed shall be deemed to have consented to  
19 the inspection by the enforcing agency and the department, of the  
20 entire premises and of any and all construction being performed on  
21 it until a certificate of occupancy has been issued. An inspector, or  
22 team of inspectors, on presentation of proper credentials, shall have  
23 the right to enter and inspect such premises, and any and all  
24 construction thereon, for purposes of ensuring compliance with the  
25 provisions of the applicable construction permit, the code, and other  
26 applicable laws and regulations. All inspection pursuant to **[this**  
27 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.) shall be between the  
28 hours of 9 a.m. and 5 p.m. on business days, or when construction is  
29 actually being undertaken, provided, however, that inspections may  
30 be conducted at other times if the enforcing agency has reasonable  
31 cause to believe that an immediate danger to life, limb or property  
32 exists, or if permission is given by an owner, or his agent, architect,  
33 engineer or builder. No person shall accompany an inspector or  
34 team of inspectors on any inspection pursuant to **[this act]**  
35 P.L.1975, c.217 (C.52:27D-119 et seq.), unless his presence is  
36 necessary for the enforcement of **[this act]** P.L.1975, c.217  
37 (C.52:27D-119 et seq.), or the code, or unless consent is given by  
38 an owner or his agent, architect, engineer or builder.

39 c. If the construction of a structure or building is being  
40 undertaken contrary to the provisions of a construction permit, **[this**  
41 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.), the code, or other  
42 applicable laws or ordinances, the enforcing agency may issue a  
43 stop construction order in writing which shall state the conditions  
44 upon which construction may be resumed and which shall be given  
45 to the owner or the holder of the construction permit or to the  
46 person performing the construction. If the person doing the  
47 construction is not known, or cannot be located with reasonable

1 effort, the notice may be delivered to the person in charge of, or  
2 apparently in charge of, the construction. No person shall continue,  
3 or cause or allow to be continued, the construction of a building or  
4 structure in violation of a stop construction order, except with the  
5 permission of the enforcing agency to abate a dangerous condition  
6 or remove a violation, or except by court order. If an order to stop  
7 construction is not obeyed, the enforcing agency may apply to the  
8 appropriate court as otherwise established by law for an order  
9 enjoining the violation of the stop construction order. The remedy  
10 for violation of such an order provided in this subsection shall be in  
11 addition to, and not in limitation of, any other remedies provided by  
12 law or ordinance.

13 d. When an inspector or team of inspectors finds a violation of  
14 the provisions of a construction permit, the code, or other applicable  
15 laws and regulations at an owner-occupied single-family residence,  
16 and issues a notice of violation and an order to terminate the  
17 violation, the enforcing agency shall require the same inspector or  
18 team of inspectors who found the violation to undertake any  
19 subsequent reinspection thereof at the premises. When the same  
20 inspector or team of inspectors cannot be assigned to undertake the  
21 reinspection, the enforcing agency may assign an available  
22 inspector provided the scope of the reinspection shall be limited to  
23 the violation for which the reinspection is required. The  
24 requirements of this subsection shall not apply to violations of the  
25 plumbing or electrical subcodes, or to fire safety code violations, or  
26 to any violation of any other subcode that the Department of  
27 Community Affairs determines to be a health or safety violation.  
28 Nothing in this subsection shall be construed to infringe upon the  
29 right of a property owner to request a different inspector, team of  
30 inspectors, or supervisor, to perform any required reinspection.

31 e. The owner or other responsible person in charge of work  
32 shall notify the enforcing agency when the work is ready for any  
33 required inspection under the code. This notice shall be given at  
34 least 24 hours prior to the time the inspection is desired. Except for  
35 an expedited inspection performed pursuant to section 1 of P.L. ,  
36 c. (C. ) (pending before the Legislature as this bill), the  
37 enforcing agency shall perform an inspection within three business  
38 days of the time for which it was requested.

39 (cf: P.L.2007, c.149, s.1)

40

41 4. Section 19 of P.L.1975, c.217 (C.52:27D-137) is amended to  
42 read as follows:

43 19. a. At the request of an enforcing agency, the department or  
44 an agency approved by the commissioner may assist an enforcing  
45 agency in the inspection of any construction of buildings or  
46 structures, provided that the enforcing agency has submitted the  
47 plans and specifications for such construction to the department or  
48 such agency, as the case may be, for review as to compliance with

1 the code and **[this act]** P.L.1975, c.217 (C.52:27D-119 et seq.). In  
2 such cases the commissioner shall provide by regulation for fees to  
3 the department or an agency to cover the cost of providing such  
4 services, to be borne ultimately by applicants for construction  
5 permits. The commissioner shall also provide guidance for the  
6 readjustment of municipal fees in accordance with the cost of  
7 services performed by the department or an agency.

8 b. (1) If a local enforcing agency fails to perform an inspection  
9 within three business days of the time for which it was requested, as  
10 required by subsection e. of section 14 of P.L.1975, c.217  
11 (C.52:27D-132), the owner may elect to retain a private inspection  
12 agency, authorized by the department to perform inspection  
13 services, to perform the remainder of inspections required for the  
14 project. The owner shall notify the local enforcing agency in  
15 writing that the owner has retained a private inspection agency to  
16 perform the remaining inspections, and shall identify the private  
17 inspection agency the owner has selected to conduct inspections.  
18 The local enforcing agency shall immediately provide the private  
19 inspection agency a copy of the plans and specifications for the  
20 construction and all other materials relevant to inspection of work  
21 on the project to facilitate the transfer of responsibility for  
22 inspections to the private agency. The local enforcing agency shall  
23 return to the owner a proportional amount of the fees paid by the  
24 owner to the local enforcing agency, consistent with the  
25 commissioner's guidance for the readjustment of fees, provided  
26 pursuant to subsection a. of this section, in order to reflect the  
27 transfer of responsibility to perform the remaining inspections from  
28 the local enforcing agency to a private inspection agency, however,  
29 the local enforcing agency may retain a portion of the fees to cover  
30 its costs associated with its continued responsibilities related to the  
31 project.

32 (2) A private inspection agency that is authorized by the  
33 department to perform inspection services may contract with an  
34 owner to perform the remainder of inspections required for a  
35 construction project, if a local enforcing agency has failed to  
36 perform an inspection within three business days of the time for  
37 which it was requested. A private inspection agency may charge  
38 the owner fees to cover the cost of providing inspection services. A  
39 private inspection agency shall maintain records of all inspections  
40 and any other information that may be required by the department  
41 and shall submit a report to the local enforcing agency after each  
42 inspection. A private inspection agency shall have all of the  
43 powers, and shall be subject to all of the requirements, applicable to  
44 a local enforcing agency with regard to conducting inspections  
45 under P.L.1975, c.217 (C.52:27D-119 et seq.).

46 (3) The local enforcing agency shall observe the progress of a  
47 construction project receiving inspections by a private agency under  
48 this subsection, and shall retain oversight jurisdiction of the project

1 in order to be responsive to inquiries from the general public and  
2 from special interests, to the needs of the owner and the private  
3 agency, and to the obligations and requirements imposed by the  
4 code.

5 (cf: P.L.1975, c.217, s.19)

6  
7 5. This act shall take effect on the first day of the fourth month  
8 next following the date of enactment, however, the commissioner  
9 shall immediately commence the process of promulgating rules and  
10 regulations to effectuate the provisions of this act.

11

12

13

### STATEMENT

14

15 This bill would establish an alternate inspection process, under the  
16 State Uniform Construction Code Act, for property owners willing to  
17 pay a premium fee to expedite inspections. The bill would also  
18 authorize a property owner to retain a private agency to perform  
19 construction code inspections if the local code enforcing agency is  
20 unable to complete an inspection within three business days of the  
21 time the owner requests the inspection to be performed.

22 Under the bill, an applicant for a construction permit may opt to  
23 pay a premium fee to have inspections under the permit performed on  
24 an expedited basis, i.e., within two calendar days of the time requested  
25 for an inspection. The premium fee would be \$100 per inspection  
26 unless the municipality establishes an alternative price, or variety of  
27 alternative prices depending on application size and other relevant  
28 factors. The bill would allow an applicant to exercise this option at the  
29 time of submitting an application for a construction permit.

30 The expedited inspection program would provide that:

- 31 • a municipal governing body may participate in the program by  
32 requiring its enforcing agency to conduct expedited inspections  
33 or by allowing an applicant to have a private agency perform  
34 expedited inspections ;
- 35 • an owner of a project located in a municipality that is not  
36 requiring its enforcing agency to conduct expedited inspections  
37 may select a private inspection agency to conduct expedited  
38 inspections;
- 39 • to conduct expedited inspections under the bill a private  
40 inspection agency must be licensed and authorized to perform  
41 inspections by the Department of Community Affairs (DCA);
- 42 • an owner may opt to participate in the expedited inspection  
43 program at the time of submission of an application for a  
44 construction permit ;
- 45 • an owner participating in the expedited inspection program  
46 would pay a premium in addition to all otherwise applicable  
47 fees;

- 1 • each expedited inspection would be completed within two
- 2 calendar days of an owner's request for an inspection;
- 3 • if a local enforcing agency or a private inspection agency fails
- 4 to complete an expedited inspection within two calendar days
- 5 of an owner's request for an inspection, the agency must
- 6 complete the inspection within the following 24 hours and
- 7 must refund the premium for that expedited inspection to the
- 8 owner.

9 The bill provides that regardless of whether the local enforcing  
10 agency or a private inspection agency are conducting expedited  
11 inspections, the enforcing agency would retain the power and  
12 responsibility over issuance of the certificate of occupancy for the  
13 construction project. The enforcing agency would observe the  
14 progress of a construction project receiving expedited inspections by a  
15 private inspection agency, and would retain jurisdiction over the  
16 project in order to be responsive to inquiries from the general public  
17 and from special interests, to the needs of the owner and the private  
18 inspection agency, and to the obligations and requirements imposed by  
19 the construction code.

20 The bill would require DCA to establish a program to license and  
21 authorize business entities as private inspection agencies for the  
22 purpose of contracting with owners to conduct expedited inspections  
23 or to perform inspections when an enforcing agency is unable to  
24 complete inspection within the time required by law. The bill specifies  
25 requirements for a business to be licensed and authorized as a private  
26 inspection agency.

27 Additionally, the bill would codify that a local enforcing agency  
28 must perform a construction code inspection within three business  
29 days of the time the owner requests it to be performed. If a local  
30 enforcing agency fails to perform an inspection within that timeframe,  
31 the bill would authorize the owner to retain a private inspection agency  
32 to perform the remainder of inspections required for the project.  
33 Under the bill, the owner would be required to notify the local  
34 enforcing agency in writing, that the owner has retained a private  
35 inspection agency to perform the remaining inspections. The bill  
36 would require the local enforcing agency to provide the private  
37 inspection agency a copy of the plans and specifications for the  
38 construction and all other materials relevant to inspecting the  
39 construction project. Under the bill, the local enforcing agency must  
40 return to the owner a proportional amount of the fees paid by the  
41 owner to the local enforcing agency, however, the local enforcing  
42 agency may retain a portion of the fees to cover its costs associated  
43 with its continued responsibilities related to the project. The bill  
44 would allow a private inspection agency to charge the owner fees to  
45 cover the cost of providing inspection services. Despite the transfer  
46 of control over the inspection function to a private agency, the bill  
47 would require the local enforcing agency to observe the progress of  
48 a construction project, and to retain oversight jurisdiction of the

1 project in order to be responsive to inquiries from the general public  
2 and from special interests, to the needs of the owner and the private  
3 agency, and to the obligations and requirements imposed by the  
4 code.



ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 573**

**STATE OF NEW JERSEY**

DATED: OCTOBER 20, 2022

The Assembly Commerce and Economic Development Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 573.

This Assembly Committee Substitute would modify certain standards for inspection processes under the "State Uniform Construction Code Act."

Under the bill, the owner, agent, or other responsible person in charge of work is required to notify an enforcing agency, in writing, when the work is ready for a required inspection under the Uniform Construction Code ("code"), at least 24 hours prior to the date and time the inspection is requested. The enforcing agency is then required to perform an inspection within three business days of the date for which the inspection is requested. The bill further specifies that the owner, agent, or other responsible person in charge of work may provide oral notice for inspections of minor work projects.

The bill requires the owner, agent, or other responsible person in charge of work to be present and prepared at the time of any scheduled inspection, and specifies that absence at the time of inspection is to be considered a failed inspection. The bill requires an enforcing agency to inform, in writing, the owner, agent, or other responsible person in charge of work if the enforcing agency is unable to meet the required timeframe. The enforcing agency and the owner, agent, or other responsible person in charge of work may agree to a date and time for a required inspection. The bill requires the enforcing agency to commit the agreed upon inspection date to writing and provide a copy of the written documentation to the owner, agent, or other responsible person in charge of work. The bill specifies that if the enforcing agency is unable to meet the required timeframe and the local enforcing agency and the owner, agent, or other responsible person in charge of work are unable to agree to a different inspection date, the owner, agent, or other responsible person in charge of work may contract with a private on-site inspection agency, authorized by the Department of Community Affairs ("DCA") to conduct on-site inspections, to perform the required inspection or inspections. The bill specifies that this includes a supplemental private on-site inspection agency.

If the owner, agent, or other responsible person elects to utilize an authorized private on-site inspection agency, the bill requires that the owner, agent, or other responsible person notify the enforcing agency in writing of the decision. The bill specifies that the owner, agent, or other responsible person in charge of work may elect to utilize the private on-site inspection agency to conduct all inspections on associated blocks and lots, and all units encompassed in the project. The bill also establishes certain conflict-of-interest requirements. If the enforcing agency is required to provide any fee reconciliation to the owner as a result of an inspection being completed by a private on-site inspection agency, the bill requires that enforcing agency to perform the reconciliation at the conclusion of the project.

The bill requires an enforcing agency to establish a process for ensuring inspections are performed within three business days of a requested inspection date, and specifies authorization of the use of supplemental shared services agreements or the use of contracted private on-site inspection agencies, including supplemental private on-site inspection agencies.

The bill requires the Commissioner of Community Affairs ("commissioner") to adopt rules and regulations to effectuate the provisions of the bill, including rules which provide for: the use of supplemental shared services agreements, the authorization of private on-site inspection agency by the DCA to conduct on-site inspections, and the use of private on-site inspection agencies by municipalities and enforcing agencies. The bill requires that the rules and regulations allow an enforcing agency to:

(1) enter into supplemental shared service agreements or contracts with a supplemental private on-site inspection agency to conduct on-site inspections for the purpose of meeting all required inspection timeframes.

(2) enter into agreements with private on-site inspection agencies to conduct on-site inspections on a project-specific basis.

(3) authorize the owner, agent, or other authorized person in charge of work to directly contract with an authorized private on-site inspection agency to perform all inspections on a project-specific basis.

The bill requires municipal construction officials to submit an annual report detailing compliance with the code. The report is required to include, at a minimum information related to the staffing, staff titles, and expenses of the enforcing agency, in addition to any other information required by the commissioner. The annual report is also required to take into account projected work and agency resource needs for the next budget year. The bill requires a municipality that enters into a contract for supplemental services to provide a copy of the contract to DCA upon entering into the contract. The bill requires that the municipal construction official or enforcing agency maintain the above information, in addition to the inspection log, municipal monthly

activity reports, and the fee schedule and make that information and documents available to DCA upon request.

The bill specifies that DCA may utilize the information to determine appropriate staffing levels for the enforcing agency, and if DCA determines that an enforcing agency has not maintained appropriate staffing levels, DCA may require the municipality to take corrective actions to ensure that the enforcing agency's staffing needs are met. DCA may also take corrective action, including the issuance of penalties, if a local enforcing agency fails to maintain or provide the information or maintain appropriate staffing levels.

The bill specifically allows the commissioner to compel an enforcing agency to notify DCA of any instance where the enforcing agency is unable to meet a deadline or other obligation, and to order corrective action or issue penalties as necessary where an enforcing agency is unable to meet its obligations under the "State Uniform Construction Code Act." The bill also requires an enforcing agency that is unable to meet its obligations under the "State Uniform Construction Code Act," to promptly notify DCA, and allows DCA to take corrective action, including the issuance of penalties, if an enforcing agency fails to meet its obligations.

The bill further permits inspections to be conducted at times other than between the hours of 9 a.m. and 5 p.m. on business days, if agreed upon by the owner and the relevant inspecting entity, whether the enforcing agency, department, or private on-site inspection agency. Additionally, the bill allows local contracting units to utilize competitive contracting for the purpose of private on-site inspection agency services, as may be authorized by rules and regulations adopted by DCA.

ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS  
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 573**

with committee amendments

**STATE OF NEW JERSEY**

DATED: DECEMBER 5, 2022

The Assembly Community Development and Affairs Committee reports favorably and with committee amendments Assembly Bill No. 573 ACS.

As amended, this Assembly Committee Substitute would modify certain standards for inspection processes under the "State Uniform Construction Code Act."

Under the bill, the owner, agent, or other responsible person in charge of work is required to notify an enforcing agency, in writing, when the work is ready for a required inspection under the Uniform Construction Code (code), at least 24 hours prior to the date and time the inspection is requested. The enforcing agency is then required to perform an inspection within three business days of the date for which the inspection is requested. The bill further specifies that the owner, agent, or other responsible person in charge of work may provide oral notice for inspections of minor work projects.

The bill requires the owner, agent, or other responsible person in charge of work to be present and prepared at the time of any scheduled inspection, and specifies that absence at the time of inspection is to be considered a failed inspection. The bill requires an enforcing agency to inform, in writing, the owner, agent, or other responsible person in charge of work if the enforcing agency is unable to meet the requested inspection date. The enforcing agency and the owner, agent, or other responsible person in charge of work may agree to a date and time for a required inspection. The bill requires the enforcing agency to commit the agreed upon inspection date to writing and provide a copy of the written documentation to the owner, agent, or other responsible person in charge of work. The bill specifies that if the enforcing agency is unable to meet the required timeframe and the local enforcing agency and the owner, agent, or other responsible person in charge of work are unable to agree to a different inspection date, the owner, agent, or other responsible person in charge of work may contract with a private on-site inspection agency, authorized by the Department of Community Affairs (DCA) to conduct on-site

inspections, to perform the required inspection or inspections. The bill specifies that this includes a supplemental private on-site inspection agency.

If the owner, agent, or other responsible person elects to utilize an authorized private on-site inspection agency, the bill requires that the owner, agent, or other responsible person notify the enforcing agency in writing of the decision. The bill specifies that the owner, agent, or other responsible person in charge of work may elect to utilize the private on-site inspection agency to conduct all inspections on the specific unit or units affected by the inspection delay. The bill also establishes certain conflict-of-interest requirements. If the enforcing agency is required to provide any fee reconciliation to the owner as a result of an inspection being completed by a private on-site inspection agency, the bill requires that enforcing agency to perform the reconciliation at the conclusion of the project.

The bill provides that if the owner, agent, or other responsible person in charge of work believes an enforcing agency has demonstrated a repeated inability to conduct inspections for a construction project within the timelines required by the bill, the owner, agent, or other responsible person in charge of work may notify the DCA in writing to request authorization to utilize an authorized private on-site inspection agency. Within 15 business days of receiving a notification, the DCA is to determine whether the enforcing agency has demonstrated repeated inability, and, if the DCA determines, is to authorize the owner, agent, or other responsible person in charge of work to utilize an authorized private on-site inspection agency for all or a portion of the necessary inspections for the remainder of the project.

The bill requires an enforcing agency to establish a process for ensuring inspections are performed within three business days of a requested inspection date, and specifies authorization of the use of supplemental shared services agreements or the use of contracted private on-site inspection agencies, including supplemental private on-site inspection agencies.

The bill requires municipal construction officials to submit an annual report detailing compliance with the code. The report is required to include, at a minimum information related to the staffing, staff titles, and expenses of the enforcing agency, in addition to any other information required by the Commissioner of Community Affairs (commissioner). The annual report is also required to take into account projected work and agency resource needs for the next budget year. The bill requires a municipality that enters into a contract for supplemental services to provide a copy of the contract to the DCA upon entering into the contract. The bill requires that the municipal construction official or enforcing agency maintain the above information, in addition to the inspection log, municipal monthly

activity reports, and the fee schedule and make that information and documents available to the DCA upon request.

The bill specifies that the DCA may utilize the information to determine appropriate staffing levels for the enforcing agency, and if the DCA determines that an enforcing agency has not maintained appropriate staffing levels, the DCA may require the municipality to take corrective actions to ensure that the enforcing agency's staffing needs are met. The DCA may also take corrective action, including the issuance of penalties, if a local enforcing agency fails to maintain or provide the information or maintain appropriate staffing levels.

The bill requires an enforcing agency that is unable to meet its obligations under the "State Uniform Construction Code Act," to promptly notify the DCA within 15 business days, and allows the DCA to take corrective action, including the issuance of penalties, if an enforcing agency fails to meet its obligations.

The bill further permits inspections to be conducted at times other than between the hours of 9 a.m. and 5 p.m. on business days, or at another time that has been agreed upon by the owner and the relevant inspecting entity, whether the enforcing agency, department, or private on-site inspection agency. Additionally, the bill allows local contracting units to utilize competitive contracting for the purpose of private on-site inspection agency services, as may be authorized by rules and regulations adopted by DCA.

The bill requires the commissioner to propose within six months and adopt within nine months rules and regulations to effectuate the provisions of the bill, including rules that provide for: the use of supplemental shared services agreements; the authorization of private on-site inspection agencies by the department to conduct on-site inspections; and the use of private on-site inspection agencies by municipalities and enforcing agencies. The rules and regulations are to allow an enforcing agency to perform other tasks as enumerated in the bill.

#### COMMITTEE AMENDMENTS:

The committee amendments to the bill:

- (1) clarify certain timelines concerning notifications to DCA;
- (2) clarify language concerning requested inspections and fee reconciliation;
- (3) establish a process authorizing utilization of certain private on-site inspection agency if an enforcing agency has demonstrated a repeated inability to conduct inspections within specified timelines;
- (4) require the enforcing agency to notify the department within 15 business days if the enforcing agency is unable to meet its obligations pursuant to law;
- (5) require the commissioner to propose within six months and adopt within nine months rules and regulations to effectuate the provisions of the bill;

- (6) provide that sections 1 through 3 of the bill will take effect upon adoption of the rules and regulations; and
- (7) make additional technical changes.

# SENATE, No. 3014

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

**Sponsored by:**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Co-Sponsored by:**

**Senator Gopal**

**SYNOPSIS**

Establishes expedited construction inspection program.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/6/2022)**



1 AN ACT concerning inspections under the construction code, and  
2 supplementing and amending P.L.1975, c.217.

3

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

6

7 1. (New section) a. (1) The commissioner, in consultation  
8 with the code advisory board, shall promulgate rules and  
9 regulations, pursuant to the "Administrative Procedure Act,"  
10 P.L.1968, c.410 (C.52:14B-1 et seq.), establishing standards,  
11 procedures, and other requirements for an optional program  
12 providing expedited inspections of construction undertaken  
13 pursuant to a construction permit.

14 (2) The expedited inspection program shall provide that:

15 (a) a municipal governing body may participate in the program  
16 by requiring its enforcing agency to conduct expedited inspections  
17 within two calendar days of an owner's request for an inspection;

18 (b) an owner of a project located in a municipality that is not  
19 requiring its enforcing agency to conduct expedited inspections may  
20 select a private inspection agency to conduct expedited inspections;

21 (c) a business entity shall not conduct expedited inspections  
22 unless licensed and authorized to do so by the department;

23 (d) an owner may opt to participate in the expedited inspection  
24 program at the time of submission of an application for a  
25 construction permit pursuant to section 12 of P.L.1975, c.217  
26 (C.52:27D-130);

27 (e) an owner participating in the expedited inspection program  
28 shall pay a premium in addition to all otherwise applicable fees;

29 (f) each expedited inspection shall be completed within two  
30 calendar days of an owner's request for an inspection;

31 (g) if a local enforcing agency or a private inspection agency  
32 fails to complete an expedited inspection within two calendar days  
33 of an owner's request for an inspection, the agency shall complete  
34 the inspection within the following 24 hours and shall refund the  
35 premium for that expedited inspection to the owner. If a local  
36 enforcing agency or a private inspection agency fails to complete an  
37 expedited inspection within the following 24 hours, the owner may  
38 elect to retain a different private inspection agency, in a manner  
39 consistent with subsection b. of section 19 of P.L.1975, c.217  
40 (C.52:27D-137), to perform the remainder of inspections required  
41 for the project.

42 b. (1) A municipal governing body, in consultation with the  
43 construction official of its enforcing agency, shall determine  
44 whether the enforcing agency shall conduct expedited inspections or  
45 whether an owner may retain a private inspection agency to conduct  
46 expedited inspections. Regardless of whether expedited inspections

**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 are conducted by an enforcing agency or a private inspection  
2 agency, the enforcing agency shall retain the power and  
3 responsibility over issuance of the certificate of occupancy under  
4 section 15 of P.L.1975, c.217 (C.52:27D-133).

5 (a) An enforcing agency that conducts expedited inspections  
6 may conduct those inspections outside of the hours specified in  
7 section 14 of P.L.1975, c.217 (C.52:27D-132).

8 (b) The enforcing agency shall observe the progress of a  
9 construction project receiving expedited inspections by a private  
10 inspection agency and shall retain jurisdiction over the project in  
11 order to be responsive to inquiries from the general public and from  
12 special interests, to the needs of the owner and the private  
13 inspection agency, and to the obligations and requirements imposed  
14 by the code.

15 (2) An owner applying to participate in the expedited inspection  
16 program shall submit payment of all applicable fees, together with  
17 an expedited inspection premium fee of \$100 per inspection, to the  
18 enforcing agency together with the application for a construction  
19 permit, unless the municipality establishes an alternative premium  
20 fee price, or variety of alternative prices depending on the size and  
21 complexity of the application. If the enforcing agency does not  
22 conduct expedited inspections, at the time of submission of an  
23 application for a construction permit, the owner shall identify the  
24 private inspection agency the owner has selected to conduct  
25 expedited inspections. The enforcing agency shall deliver payment  
26 of the expedited inspection premium fee to the private inspection  
27 agency selected to conduct expedited inspections.

28 c. (1) The department shall establish a program for the  
29 licensure and authorization of business entities as private inspection  
30 agencies for the purpose of contracting with owners to conduct  
31 expedited inspections pursuant to this section or to perform  
32 inspections pursuant to section 19 of P.L.1975, c.217 (C.52:27D-  
33 137). No business entity shall conduct inspections under a  
34 construction permit or enter into any contract to do so without first  
35 receiving the licensure and authorization of the department. The  
36 department may impose and collect fees from applicants for  
37 licensure and authorization under this section.

38 (2) Licensure and authorization of a business entity as a private  
39 inspection agency shall include, but not be limited to, consideration  
40 of the qualifications of the management and technical personnel of  
41 the business entity, the fiscal integrity of the business entity, and  
42 the ability of the business entity to perform expedited inspections  
43 within the requisite time frames in a manner sufficient to ensure  
44 that the construction is performed in accordance with the conditions  
45 of the construction permit and the requirements of the code.

46 (3) A private inspection agency shall not employ a person as an  
47 officer or inspector unless the person is certified by the department  
48 in the appropriate subcode.

1 (4) A private inspection agency shall be subject to the orders  
2 and directives of the municipal construction official and the  
3 department in matters relating to the enforcement of the code.

4 (5) A private inspection agency shall maintain records of all  
5 inspections and any other information that may be required by the  
6 municipal construction official or the department. These records  
7 shall be open to department audit and shall not be destroyed or  
8 removed from the offices of the private inspection agency without  
9 the permission of the department.

10 (6) A private inspection agency shall not directly collect fees  
11 from the owner, or any agent or employee of the owner. The  
12 enforcing agency shall be the sole agent for the collection and  
13 delivery of an expedited inspection premium fee to a private  
14 inspection agency.

15 d. (1) Except as otherwise provided in this section, a private  
16 inspection agency that has contracted to perform expedited  
17 inspections for a project shall carry out its obligations under the  
18 contract and applicable provisions of law until full completion of  
19 the project, as evidenced by the enforcing agency's issuance of a  
20 certificate of occupancy.

21 (2) A private inspection agency conducting expedited  
22 inspections shall have all of the powers, and shall be subject to all  
23 of the requirements, applicable to an enforcing agency with regard  
24 to conducting inspections under P.L.1975, c.217 (C.52:27D-119 et  
25 seq.), however, the private inspection agency shall be obligated to  
26 conduct inspections in an expedited timeframe.

27 (3) A private inspection agency conducting expedited  
28 inspections shall:

29 (a) maintain all inspection records applicable to each  
30 construction permit;

31 (b) maintain an adequate number of certified staff to conduct  
32 expedited inspections for all classes of structure consistent with the  
33 private inspection agency's licensure and certification;

34 (c) provide adequate supervision of employees and ensure that  
35 an employee is properly licensed and certified before conducting an  
36 inspection;

37 (d) carry insurance as may be required by the department; and

38 (e) prepare and submit all required reports to the department and  
39 the enforcing agency.

40 e. An owner and a private inspection agency may agree to the  
41 performance of expedited inspections outside of the hours specified  
42 in section 14 of P.L.1975, c.217 (C.52:27D-132).

43

44 2. Section 6 of P.L.1975, c.217 (C.52:27D-124) is amended to  
45 read as follows:

46 6. The commissioner shall have all the powers necessary or  
47 convenient to effectuate the purposes of **[this act]** P.L.1975, c.217  
48 (C.52:27D-119 et seq.), including, but not limited to, the following

1 powers in addition to all others granted by **【this act】** P.L.1975,  
2 c.217 (C.52:27D-119 et seq.):

3 a. To adopt, amend and repeal, after consultation with the code  
4 advisory board, rules: (1) relating to the administration and  
5 enforcement of **【this act】** P.L.1975, c.217 (C.52:27D-119 et seq.)  
6 and (2) the qualifications or licensing, or both, of all persons  
7 employed by enforcing agencies of the State to enforce **【this act】**  
8 P.L.1975, c.217 (C.52:27D-119 et seq.) or the code, except that,  
9 plumbing inspectors shall be subject to the rules adopted by the  
10 commissioner only insofar as such rules are compatible with such  
11 rules and regulations, regarding health and plumbing for public and  
12 private buildings, as may be promulgated by the Public Health  
13 Council in accordance with Title 26 of the Revised Statutes.

14 b. To enter into agreements with federal and State of New  
15 Jersey agencies, after consultation with the code advisory board, to  
16 provide insofar as practicable (1) single-agency review of  
17 construction plans and inspection of construction and (2)  
18 intergovernmental acceptance of such review and inspection to  
19 avoid unnecessary duplication of effort and fees. The commissioner  
20 shall have the power to enter into such agreements although the  
21 federal standards are not identical with State standards; provided  
22 that the same basic objectives are met. The commissioner shall  
23 have the power through such agreements to bind the State of New  
24 Jersey and all governmental entities deriving authority therefrom.

25 c. To take testimony and hold hearings relating to any aspect of  
26 or matter relating to the administration or enforcement of **【this act】**  
27 P.L.1975, c.217 (C.52:27D-119 et seq.), including but not limited to  
28 prospective interpretation of the code so as to resolve inconsistent  
29 or conflicting code interpretations, and, in connection therewith,  
30 issue subpoena to compel the attendance of witnesses and the  
31 production of evidence. The commissioner may designate one or  
32 more hearing examiners to hold public hearings and report on such  
33 hearings to the commissioner.

34 d. To encourage, support or conduct, after consultation with the  
35 code advisory board, educational and training programs for  
36 employees, agents and inspectors of enforcing agencies, either  
37 through the Department of Community Affairs or in cooperation  
38 with other departments of State government, enforcing agencies,  
39 educational institutions, or associations of code officials.

40 e. To study the effect of **【this act】** P.L.1975, c.217 (C.52:27D-  
41 119 et seq.) and the code to ascertain their effect upon the cost of  
42 building construction and maintenance, and the effectiveness of  
43 their provisions for insuring the health, safety, and welfare of the  
44 people of the State of New Jersey.

45 f. To make, establish and amend, after consultation with the  
46 code advisory board, such rules as may be necessary, desirable or

- 1 proper to carry out his powers and duties under **【this act】** P.L.1975,  
2 c.217 (C.52:27D-119 et seq.).
- 3 g. To adopt, amend, and repeal rules and regulations providing  
4 for the charging of and setting the amount of fees for the following  
5 code enforcement services, licenses or approvals performed or  
6 issued by the department, pursuant to the "State Uniform  
7 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.):
- 8 (1) Plan review, construction permits, certificates of occupancy,  
9 demolition permits, moving of building permits, elevator permits  
10 and sign permits; and
- 11 (2) Review of applications for and the issuance of licenses  
12 certifying an individual's qualifications to act as a construction code  
13 official, subcode official or assistant under **【this act】** P.L.1975,  
14 c.217 (C.52:27D-119 et seq.).
- 15 (3) (Deleted by amendment, P.L.1983, c.338).
- 16 h. To adopt, amend and repeal rules and regulations providing  
17 for the charging of and setting the amount of construction permit  
18 surcharge fees to be collected by the enforcing agency and remitted  
19 to the department to support those activities which may be  
20 undertaken with moneys credited to the Uniform Construction Code  
21 Revolving Fund.
- 22 i. To adopt, amend and repeal rules and regulations providing  
23 for:
- 24 (1) Setting the amount of and the charging of fees to be paid to  
25 the department by a **【private agency】** business entity for the review  
26 of applications for and the issuance of approvals authorizing a  
27 **【private agency】** business entity to act as a private inspection  
28 agency, an on-site inspection and plan review agency, or an in-plant  
29 inspection agency;
- 30 (2) (Deleted by amendment, P.L.2005, c.212).
- 31 (3) (Deleted by amendment, P.L.2005, c.212).
- 32 j. To enforce and administer the provisions of the "State  
33 Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119  
34 et seq.) and the code promulgated thereunder, and to prosecute or  
35 cause to be prosecuted violators of the provisions of that act or the  
36 code promulgated thereunder in administrative hearings and in civil  
37 proceedings in State and local courts.
- 38 k. To monitor the compliance of local enforcing agencies with  
39 the provisions of the "State Uniform Construction Code Act,"  
40 P.L.1975, c.217 (C.52:27D-119 et seq.), to order corrective action  
41 as may be necessary where a local enforcing agency is found to be  
42 failing to carry out its responsibilities under that act, to supplant or  
43 replace the local enforcing agency for a specific project, and to  
44 order it dissolved and replaced by the department where the local  
45 enforcing agency repeatedly or habitually fails to enforce the  
46 provisions of the "State Uniform Construction Code Act."
- 47 l. To adopt, amend, and repeal rules and regulations  
48 implementing the provisions of P.L.1999, c.15, P.L.2003, c.44, and

1 section 1 of P.L.2015, c.146 (C.52:27D-123f) concerning the  
2 installation and maintenance of carbon monoxide sensors.

3 (cf: P.L.2015, c.146, s.2)

4

5 3. Section 14 of P.L.1975, c.217 (C.52:27D-132) is amended to  
6 read as follows:

7 14. a. The enforcing agency shall periodically inspect all  
8 construction undertaken pursuant to a construction permit issued by  
9 it to insure that the construction or alteration is performed in  
10 accordance with the conditions of the construction permit and  
11 consistent with the requirements of the code and any ordinance  
12 implementing said code.

13 b. The owner of any premises upon which a building or  
14 structure is being constructed shall be deemed to have consented to  
15 the inspection by the enforcing agency and the department, of the  
16 entire premises and of any and all construction being performed on  
17 it until a certificate of occupancy has been issued. An inspector, or  
18 team of inspectors, on presentation of proper credentials, shall have  
19 the right to enter and inspect such premises, and any and all  
20 construction thereon, for purposes of ensuring compliance with the  
21 provisions of the applicable construction permit, the code, and other  
22 applicable laws and regulations. All inspection pursuant to **[this**  
23 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.) shall be between the  
24 hours of 9 a.m. and 5 p.m. on business days, or when construction is  
25 actually being undertaken, provided, however, that inspections may  
26 be conducted at other times if the enforcing agency has reasonable  
27 cause to believe that an immediate danger to life, limb or property  
28 exists, or if permission is given by an owner, or his agent, architect,  
29 engineer or builder. No person shall accompany an inspector or  
30 team of inspectors on any inspection pursuant to **[this act]**  
31 P.L.1975, c.217 (C.52:27D-119 et seq.), unless his presence is  
32 necessary for the enforcement of **[this act]** P.L.1975, c.217  
33 (C.52:27D-119 et seq.), or the code, or unless consent is given by  
34 an owner or his agent, architect, engineer or builder.

35 c. If the construction of a structure or building is being  
36 undertaken contrary to the provisions of a construction permit, **[this**  
37 **act]** P.L.1975, c.217 (C.52:27D-119 et seq.), the code, or other  
38 applicable laws or ordinances, the enforcing agency may issue a  
39 stop construction order in writing which shall state the conditions  
40 upon which construction may be resumed and which shall be given  
41 to the owner or the holder of the construction permit or to the  
42 person performing the construction. If the person doing the  
43 construction is not known, or cannot be located with reasonable  
44 effort, the notice may be delivered to the person in charge of, or  
45 apparently in charge of, the construction. No person shall continue,  
46 or cause or allow to be continued, the construction of a building or  
47 structure in violation of a stop construction order, except with the

1 permission of the enforcing agency to abate a dangerous condition  
2 or remove a violation, or except by court order. If an order to stop  
3 construction is not obeyed, the enforcing agency may apply to the  
4 appropriate court as otherwise established by law for an order  
5 enjoining the violation of the stop construction order. The remedy  
6 for violation of such an order provided in this subsection shall be in  
7 addition to, and not in limitation of, any other remedies provided by  
8 law or ordinance.

9 d. When an inspector or team of inspectors finds a violation of  
10 the provisions of a construction permit, the code, or other applicable  
11 laws and regulations at an owner-occupied single-family residence,  
12 and issues a notice of violation and an order to terminate the  
13 violation, the enforcing agency shall require the same inspector or  
14 team of inspectors who found the violation to undertake any  
15 subsequent reinspection thereof at the premises. When the same  
16 inspector or team of inspectors cannot be assigned to undertake the  
17 reinspection, the enforcing agency may assign an available  
18 inspector provided the scope of the reinspection shall be limited to  
19 the violation for which the reinspection is required. The  
20 requirements of this subsection shall not apply to violations of the  
21 plumbing or electrical subcodes, or to fire safety code violations, or  
22 to any violation of any other subcode that the Department of  
23 Community Affairs determines to be a health or safety violation.  
24 Nothing in this subsection shall be construed to infringe upon the  
25 right of a property owner to request a different inspector, team of  
26 inspectors, or supervisor, to perform any required reinspection.

27 e. The owner or other responsible person in charge of work  
28 shall notify the enforcing agency when the work is ready for any  
29 required inspection under the code. This notice shall be given at  
30 least 24 hours prior to the time the inspection is desired. Except for  
31 an expedited inspection performed pursuant to section 1 of P.L. ,  
32 c. (C. ) (pending before the Legislature as this bill), the  
33 enforcing agency shall perform an inspection within three business  
34 days of the time for which it was requested.

35 (cf: P.L.2007, c.149, s.1)

36

37 4. Section 19 of P.L.1975, c.217 (C.) is amended to read as  
38 follows:

39 19. a. At the request of an enforcing agency, the department or  
40 an agency approved by the commissioner may assist an enforcing  
41 agency in the inspection of any construction of buildings or  
42 structures, provided that the enforcing agency has submitted the  
43 plans and specifications for such construction to the department or  
44 such agency, as the case may be, for review as to compliance with  
45 the code and **[this act]** P.L.1975, c.217 (C.52:27D-119 et seq.). In  
46 such cases the commissioner shall provide by regulation for fees to  
47 the department or an agency to cover the cost of providing such  
48 services, to be borne ultimately by applicants for construction

1 permits. The commissioner shall also provide guidance for the  
2 readjustment of municipal fees in accordance with the cost of  
3 services performed by the department or an agency.

4 b. (1) If a local enforcing agency fails to perform an inspection  
5 within three business days of the time for which it was requested, as  
6 required by subsection e. of section 14 of P.L.1975, c.217  
7 (C.52:27D-132), the owner may elect to retain a private inspection  
8 agency, authorized by the department to perform inspection  
9 services, to perform the remainder of inspections required for the  
10 project. The owner shall notify the local enforcing agency in  
11 writing that the owner has retained a private inspection agency to  
12 perform the remaining inspections, and shall identify the private  
13 inspection agency the owner has selected to conduct inspections.  
14 The local enforcing agency shall immediately provide the private  
15 inspection agency a copy of the plans and specifications for the  
16 construction and all other materials relevant to inspection of work  
17 on the project to facilitate the transfer of responsibility for  
18 inspections to the private agency. The local enforcing agency shall  
19 return to the owner a proportional amount of the fees paid by the  
20 owner to the local enforcing agency, consistent with the  
21 commissioner's guidance for the readjustment of fees, provided  
22 pursuant to subsection a. of this section, in order to reflect the  
23 transfer of responsibility to perform the remaining inspections from  
24 the local enforcing agency to a private inspection agency, however,  
25 the local enforcing agency may retain a portion of the fees to cover  
26 its costs associated with its continued responsibilities related to the  
27 project.

28 (2) A private inspection agency that is authorized by the  
29 department to perform inspection services may contract with an  
30 owner to perform the remainder of inspections required for a  
31 construction project, if a local enforcing agency has failed to  
32 perform an inspection within three business days of the time for  
33 which it was requested. A private inspection agency may charge  
34 the owner fees to cover the cost of providing inspection services. A  
35 private inspection agency shall maintain records of all inspections  
36 and any other information that may be required by the department  
37 and shall submit a report to the local enforcing agency after each  
38 inspection. A private inspection agency shall have all of the  
39 powers, and shall be subject to all of the requirements, applicable to  
40 a local enforcing agency with regard to conducting inspections  
41 under P.L.1975, c.217 (C.52:27D-119 et seq.).

42 (3) The local enforcing agency shall observe the progress of a  
43 construction project receiving inspections by a private agency under  
44 this subsection, and shall retain oversight jurisdiction of the project  
45 in order to be responsive to inquiries from the general public and  
46 from special interests, to the needs of the owner and the private  
47 agency, and to the obligations and requirements imposed by the



1 code.

2 (cf: P.L.1975, c.217, s.19)

3

4 5. This act shall take effect on the first day of the fourth month  
5 next following the date of enactment, however, the commissioner  
6 shall immediately commence the process of promulgating rules and  
7 regulations to effectuate the provisions of this act.

8

9

10 STATEMENT

11

12 This bill would establish an alternate inspection process, under the  
13 State Uniform Construction Code Act, for property owners willing to  
14 pay a premium fee to expedite inspections. The bill would also  
15 authorize a property owner to retain a private agency to perform  
16 construction code inspections if the local code enforcing agency is  
17 unable to complete an inspection within three business days of the  
18 time the owner requests the inspection to be performed.

19 Under the bill, an applicant for a construction permit may opt to  
20 pay a premium fee to have inspections under the permit performed on  
21 an expedited basis, i.e., within two calendar days of the time requested  
22 for an inspection. The premium fee would be \$100 per inspection  
23 unless the municipality establishes an alternative price, or variety of  
24 alternative prices depending on application size and other relevant  
25 factors. The bill would allow an applicant to exercise this option at the  
26 time of submitting an application for a construction permit.

27 The expedited inspection program would provide that:

- 28 • a municipal governing body may participate in the program by  
29 requiring its enforcing agency to conduct expedited inspections  
30 or by allowing an applicant to have a private agency perform  
31 expedited inspections ;
- 32 • an owner of a project located in a municipality that is not  
33 requiring its enforcing agency to conduct expedited inspections  
34 may select a private inspection agency to conduct expedited  
35 inspections;
- 36 • to conduct expedited inspections under the bill a private  
37 inspection agency must be licensed and authorized to perform  
38 inspections by the Department of Community Affairs (DCA);
- 39 • an owner may opt to participate in the expedited inspection  
40 program at the time of submission of an application for a  
41 construction permit ;
- 42 • an owner participating in the expedited inspection program  
43 would pay a premium in addition to all otherwise applicable  
44 fees;
- 45 • each expedited inspection would be completed within two  
46 calendar days of an owner's request for an inspection;
- 47 • if a local enforcing agency or a private inspection agency fails  
48 to complete an expedited inspection within two calendar days

1 of an owner's request for an inspection, the agency must  
2 complete the inspection within the following 24 hours and  
3 must refund the premium for that expedited inspection to the  
4 owner.

5 The bill provides that regardless of whether the local enforcing  
6 agency or a private inspection agency are conducting expedited  
7 inspections, the enforcing agency would retain the power and  
8 responsibility over issuance of the certificate of occupancy for the  
9 construction project. The enforcing agency would observe the  
10 progress of a construction project receiving expedited inspections by a  
11 private inspection agency, and would retain jurisdiction over the  
12 project in order to be responsive to inquiries from the general public  
13 and from special interests, to the needs of the owner and the private  
14 inspection agency, and to the obligations and requirements imposed by  
15 the construction code.

16 The bill would require DCA to establish a program to license and  
17 authorize business entities as private inspection agencies for the  
18 purpose of contracting with owners to conduct expedited inspections  
19 or to perform inspections when an enforcing agency is unable to  
20 complete inspection within the time required by law. The bill specifies  
21 requirements for a business to be licensed and authorized as a private  
22 inspection agency.

23 Additionally, the bill would codify that a local enforcing agency  
24 must perform a construction code inspection within three business  
25 days of the time the owner requests it to be performed. If a local  
26 enforcing agency fails to perform an inspection within that timeframe,  
27 the bill would authorize the owner to retain a private inspection agency  
28 to perform the remainder of inspections required for the project.  
29 Under the bill, the owner would be required to notify the local  
30 enforcing agency in writing, that the owner has retained a private  
31 inspection agency to perform the remaining inspections. The bill  
32 would require the local enforcing agency to provide the private  
33 inspection agency a copy of the plans and specifications for the  
34 construction and all other materials relevant to inspecting the  
35 construction project. Under the bill, the local enforcing agency must  
36 return to the owner a proportional amount of the fees paid by the  
37 owner to the local enforcing agency, however, the local enforcing  
38 agency may retain a portion of the fees to cover its costs associated  
39 with its continued responsibilities related to the project. The bill  
40 would allow a private inspection agency to charge the owner fees to  
41 cover the cost of providing inspection services. Despite the transfer  
42 of control over the inspection function to a private agency, the bill  
43 would require the local enforcing agency to observe the progress of  
44 a construction project, and to retain oversight jurisdiction of the  
45 project in order to be responsive to inquiries from the general public  
46 and from special interests, to the needs of the owner and the private  
47 agency, and to the obligations and requirements imposed by the  
48 code.

# SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 3014

# STATE OF NEW JERSEY

DATED: DECEMBER 1, 2022

The Senate Community and Urban Affairs Committee reports favorably a Senate Committee Substitute for Senate Bill No. 3014.

This committee substitute would modify certain standards for inspection processes under the "State Uniform Construction Code Act."

Under the bill, the owner, agent, or other responsible person in charge of work is required to notify an enforcing agency, in writing, when the work is ready for a required inspection under the Uniform Construction Code (code), at least 24 hours prior to the date and time the inspection is requested. The enforcing agency is then required to perform an inspection within three business days of the date for which the inspection is requested. The bill further specifies that the owner, agent, or other responsible person in charge of work may provide oral notice for inspections of minor work projects.

The bill requires the owner, agent, or other responsible person in charge of work to be present and prepared at the time of any scheduled inspection, and specifies that absence at the time of inspection is to be considered a failed inspection. The bill requires an enforcing agency to inform, in writing, the owner, agent, or other responsible person in charge of work if the enforcing agency is unable to meet the requested inspection date. The enforcing agency and the owner, agent, or other responsible person in charge of work may agree to a date and time for a required inspection. The bill requires the enforcing agency to commit the agreed upon inspection date to writing and provide a copy of the written documentation to the owner, agent, or other responsible person in charge of work. The bill specifies that if the enforcing agency is unable to meet the required timeframe and the local enforcing agency and the owner, agent, or other responsible person in charge of work are unable to agree to a different inspection date, the owner, agent, or other responsible person in charge of work may contract with a private on-site inspection agency, authorized by the Department of Community Affairs (DCA) to conduct on-site inspections, to perform the required inspection or inspections. The bill specifies that this includes a supplemental private on-site inspection agency.

If the owner, agent, or other responsible person elects to utilize an authorized private on-site inspection agency, the bill requires that the owner, agent, or other responsible person notify the enforcing agency in writing of the decision. The bill specifies that the owner, agent, or other responsible person in charge of work may elect to utilize the private on-site inspection agency to conduct all inspections on the specific unit or units affected by the inspection delay. The bill also establishes certain conflict-of-interest requirements. If the enforcing agency is required to provide any fee reconciliation to the owner as a result of an inspection being completed by a private on-site inspection agency, the bill requires that enforcing agency to perform the reconciliation at the conclusion of the project.

The bill provides that if the owner, agent, or other responsible person in charge of work believes an enforcing agency has demonstrated a repeated inability to conduct inspections for a construction project within the timelines required by the bill, the owner, agent, or other responsible person in charge of work may notify the DCA in writing to request authorization to utilize an authorized private on-site inspection agency. Within 15 business days of receiving a notification, the DCA is to determine whether the enforcing agency has demonstrated repeated inability, and, if the DCA determines, is to authorize the owner, agent, or other responsible person in charge of work to utilize an authorized private on-site inspection agency for all or a portion of the necessary inspections for the remainder of the project.

The bill requires an enforcing agency to establish a process for ensuring inspections are performed within three business days of a requested inspection date, and specifies authorization of the use of supplemental shared services agreements or the use of contracted private on-site inspection agencies, including supplemental private on-site inspection agencies.

The bill requires municipal construction officials to submit an annual report detailing compliance with the code. The report is required to include, at a minimum information related to the staffing, staff titles, and expenses of the enforcing agency, in addition to any other information required by the Commissioner of Community Affairs (commissioner). The annual report is also required to take into account projected work and agency resource needs for the next budget year. The bill requires a municipality that enters into a contract for supplemental services to provide a copy of the contract to the DCA upon entering into the contract. The bill requires that the municipal construction official or enforcing agency maintain the above information, in addition to the inspection log, municipal monthly activity reports, and the fee schedule and make that information and documents available to the DCA upon request.

The bill specifies that the DCA may utilize the information to determine appropriate staffing levels for the enforcing agency, and if

the DCA determines that an enforcing agency has not maintained appropriate staffing levels, the DCA may require the municipality to take corrective actions to ensure that the enforcing agency's staffing needs are met. The DCA may also take corrective action, including the issuance of penalties, if a local enforcing agency fails to maintain or provide the information or maintain appropriate staffing levels.

The bill requires an enforcing agency that is unable to meet its obligations under the "State Uniform Construction Code Act," to promptly notify the DCA within 15 business days, and allows the DCA to take corrective action, including the issuance of penalties, if an enforcing agency fails to meet its obligations.

The bill further permits inspections to be conducted at times other than between the hours of 9 a.m. and 5 p.m. on business days, or at another time that has been agreed upon by the owner and the relevant inspecting entity, whether the enforcing agency, department, or private on-site inspection agency. Additionally, the bill allows local contracting units to utilize competitive contracting for the purpose of private on-site inspection agency services, as may be authorized by rules and regulations adopted by DCA.

The bill requires the commissioner to propose within six months and adopt within nine months rules and regulations to effectuate the provisions of the bill, including rules that provide for: the use of supplemental shared services agreements; the authorization of private on-site inspection agencies by the department to conduct on-site inspections; and the use of private on-site inspection agencies by municipalities and enforcing agencies. The rules and regulations are to allow an enforcing agency to perform other tasks as enumerated in the bill.

# Governor Murphy Signs Bill to Speed Up Construction Permitting Process, Makes Progress on Efforts to Build More Affordable Housing in New Jersey

01/5/2023

## ***Announces More than \$19 Million in Additional Spending for Nearly 80 Affordable Housing Units Across the State***

**ELIZABETH** – Governor Phil Murphy today signed A573, which makes several changes to the Uniform Construction Code (UCC) Act designed to speed up the construction permitting process. The bill codifies a three-day construction inspection turnaround from the date of the requested inspection and allows for developers to contract with private on-site inspection agencies if local construction officials cannot complete the inspection within three days of the requested date. The bill brings New Jersey in line with several other states where private sector inspections supplement government inspections. The ultimate approval and sign-off on a certificate of occupancy will still come from local construction officials.

The bill also provides local governments with several avenues to improve their ability to conduct inspections in a timely manner, including a more streamlined bidding process to contract with private inspection agencies to conduct inspections for them or enter into shared services agreements to consolidate work among multiple municipalities.

In addition to the bill signing, Governor Murphy, along with Lt. Governor Sheila Oliver, announced the award of more than \$19 million to organizations across the state through the Affordable Housing Trust Fund (AHTF), National Housing Trust Fund (NHTF), and the HOME Community Housing Development Organizations (CHDO) Production Program.

“As we enter a new year, this Administration’s mission remains the same; we will continue to make New Jersey stronger, fairer, and more affordable for all of our residents,” **said Governor Murphy**. “Today’s bill signing will speed up the construction permitting process, making sure that developers are able to complete their projects without delay. The over \$19 million investment will aid in the completion of 79 affordable housing units across our state. These steps will bring us closer to providing quality and affordable homes to our residents.”

Today’s funding is administered by the New Jersey Department of Community Affairs (DCA) and provides financial assistance for the development of different types of affordable housing projects to create housing that New Jersey residents can afford in communities around the state. The federal funding that DCA receives from the National Housing Trust Fund and the HOME CHDO Program comes from the U.S. Department of Housing and Urban Development (HUD).

“Governor Murphy and I are committed to addressing the shortage of affordable housing in New Jersey,” **said Lt. Governor Sheila Y. Oliver, who serves as DCA Commissioner**. “We are contributing significant funding for these projects, which will create decent, stable housing throughout the state that is affordable and accessible. Through this investment, we will strengthen neighborhoods, create more diverse communities, and stimulate economic development.”

All the awards were given to smaller rental and homeownership housing projects sized at 25 or fewer units, which often have difficulty obtaining financing. These projects will fill the gaps within the existing affordable housing framework, build on current assets and investments, and add value to neighborhoods. The projects are also being developed by community-based organizations that have a strong connection to the housing equity issues in their communities.

A total of 17 developers were awarded these funds totaling a \$19,082,545 investment towards 79 units. The award recipients include:

### **Affordable Housing Trust Fund Awards**

- SJCS Rehab, LLC - \$1,552,731 for 10 units in Camden City
- Garden State Episcopal CDC - \$1,454,911 for 6 units in East Orange City
- Magill Real Estate Holdings, LLC - \$3,813,526 for 20 units in the City of Elizabeth

## HOME Community Housing Development Organizations (CHDO) Program

- Saint Joseph's Carpenter Society - \$270,600 for 1 unit in Woodbury City

## National Housing Trust Fund (HTF)

- GFM Properties, Inc - \$1,000,000 for 4 units in Midland park Borough
- Nouvelle Housing Solutions, Inc. - \$1,000,000 for 4 units in Franklin Lakes Borough
- The Salt & Light Company, Inc. - \$651,900 for 4 units in Pemberton Borough
- LUA Homes LLP - \$1,000,000 for 2 units in the City of Newark
- BES Homes LLC - \$1,000,000 for 2 units in the City of Newark
- Homes By TLC, Inc. - \$866,000 for 2 units in Ewing Township
- Reformed Church of Highland Park - \$1,000,000 for 4 units in Highland Park
- Perth Amboy YMCA - \$1,000,000 for 7 units in Perth Amboy
- Triple C Housing, Inc. - \$1,000,000 for 2 units in North Brunswick Township
- Affordable Housing Alliance, Inc. - \$1,000,000 for 3 units in Millstone Township
- HABcore, Inc. - \$805,120 for 2 units in the City of Asbury Park
- Triple C Housing, Inc. - \$667,757 for 2 units in Berkeley Township
- Nouvelle Housing Solutions, Inc. - \$1,000,000 for 4 units in Wayne Township

"This common sense legislation will help ordinary citizens cut through bureaucratic red tape and expedite important inspections which will help spur the economy," **said Senate President Nick Scutari**. "We are also making important investments in affordable housing that will help make homes more affordable for families who face financial obstacles in finding places to live. These efforts will make housing more affordable and improve the quality of life for residents in diverse communities."

"Helping New Jersey's small business community grow and thrive was one of the essential priorities we identified at the outset of this session," **said Assembly Speaker Craig J. Coughlin**. "Providing a more efficient construction inspection process will enable businesses in New Jersey to open their doors to serve their communities faster, eliminating barriers that lengthen the costly construction process."

"In New Jersey, applying for and receiving a building permit can be a lengthy and costly process. This law will establish a means to simplify and expedite the process to shorten the time it takes to get a new construction permit," **said Senator Patrick J. Diegnan**. "I am grateful to my colleagues, and the Governor for providing residents with an alternative option for contractors, businesses, and homeowners who wish to take a quicker route to getting an inspection done."

"Construction inspections are an important part of the process of building a small business, ensuring both customers and staff are safe. Yet too often the process is cumbersome and lengthy, adding unnecessary costs for small business owners," **said Assemblyman Louis D. Greenwald**. "This legislation will make the current construction inspection process more efficient and timely for small businesses, allowing them to realize their dreams and get to work."

"By codifying the required three-day inspection turnaround, we ensure things can move along expeditiously," **said Assemblyman Rob Karabinchak**. "Right now three days is the standard but because it's not set in stone it's often ignored and at the expense of a business or contractor experiencing costly delays."

"Affordable housing should be a basic right for everyone and today, Governor Murphy signed a bill to expedite that process," **said City of Elizabeth Mayor J. Christian Bollwage**. "This initiative is not only a major step forward for our city, but a solution for an ongoing problem."

"The bill signed today will foster a more efficient system of handling building code inspections that will result in a more affordable housing market, revitalized economic strength and additional career and business opportunities in the construction industry," **said Jeff Kolakowski, CEO, New Jersey Builders Association**. "I applaud Governor Murphy, Lt. Governor Oliver, legislative sponsors and coalition partners for a truly collaborative process that allowed us to find a sensible solution to a problem that has quietly plagued the state's residents and its development and business communities for years. This is prime example of good governance and how the public and private sectors can come together to better meet the needs of our state."

"NJBIA thanks Governor Murphy for signing this bill into the law and the sponsors and Legislature for their full support. We greatly appreciate both working with the business community and construction industry on this legislation," **said NJBIA President and CEO Michele Siekerka**. "This law provides a more expeditious process for obtaining construction inspections, which is greatly needed to avoid unnecessary delays for certificates of occupancy."