



# NORTH PLAINFIELD FIRE DEPARTMENT

## Windowless Cover Letter

Department of Fire Prevention  
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### What is a windowless basement?

A more accurate definition of a "windowless basement" is a story below grade without openings.<sup>1</sup> Any story below the seventh floor of a building with limited access for rescue and or firefighting operations is considered windowless.

Minimum size and locations of openings are defined in the code adopted by the State of New Jersey regulating building construction. Some openings are too small and the story/basement is considered windowless.;

### What buildings are subject to the requirements?

All buildings built in New Jersey after January 1, 1977 are required to conform to the New Jersey Uniform Construction Code.<sup>2</sup>

The State Fire Safety Code is Subchapter 4 of the Uniform Fire Code. With very few exceptions this subchapter provides requirements that must be met in buildings built and occupied before January 1, 1977.<sup>3</sup>

For this reason, many refer to Subchapter 4 of the Uniform Fire Code as the "Retrofit" chapter.

### What has changed?

The State Fire Safety Code, Subchapter 4 was established in 1985 and became effective June 16, 1986.

The windowless story requirement is not new, but it has historically been misinterpreted by fire code officials and fire inspectors.

Through continuing education for fire inspectors and fire officials it has been brought back into focus.

Not being cited or identified in the past does not resolve the condition nor relieve the current property owner from responsibility to be in compliance with the fire safety code.<sup>4</sup>

### What is required?

Stories without openings require an automatic sprinkler system installed in accordance with the Uniform Construction Code.<sup>5</sup> The Fire Safety Code in New Jersey does provide an exemption from the automatic sprinkler system requirement only when the floor area or footprint is less than 3,000 square feet AND a supervised fire alarm system (monitored by a central station alarm company) is installed in accordance with the Uniform Construction Code.<sup>6</sup>

### What do I need to do next?

- Consult with a design professional to develop plans to meet the requirements of the referenced code. • Submit plans to the North Plainfield Construction Official for review. This provides an opportunity to be sure your plans satisfy the requirements of the code.
  - Apply for a Uniform Construction Code permit and have the work completed.
  - An inspection and acceptance test of your new system will be conducted in cooperation with your contractor and the Construction Official, Fire and Electric Sub Code Officials.
- Once a Certificate of Acceptance is received by the Fire Official the violation can be cleared.

<sup>1</sup> 2021 International Building Code-New Jersey Edition 903.2.11.1

<sup>2</sup> N.J.A.C. 5:23-1.5

<sup>3</sup> N.J.A.C. 5:70-4.3(a)

<sup>4</sup> N.J.A.C. 5:70-2.2 (a) (e)

<sup>5</sup> 2021 International Building Code-New Jersey Edition 903.2.11.1

<sup>6</sup> N.J.A.C. 5:70-4.7 (h) 6.

### If I disagree with the violation?

If you believe the violation was cited in error you have the right to appeal to the Somerset County Construction Board of Appeals.<sup>7</sup>

The procedure is provided in writing with your Notice of Inspection Report.

Filing an appeal is time-sensitive, within 15 days of receiving the notice.

### I plan to comply but need more time

If you accept the violation and intend to meet the requirements but need more time than provided you can submit a Request for Time Extension.

The Request for Time Extension form is provided with your Notice of Inspection Report.

An application for time extension is deemed to be an admission that the violation is factually and procedurally correct and constitutes a waiver of the right to a hearing of appeal.<sup>8</sup>

### Summary

The North Plainfield Fire Department, Division of Fire Prevention strives to provide an accurate and informative assessment of all occupancies we inspect under the New Jersey Uniform Fire Code, including the Fire Safety Code, Subchapter 4. Any citation of the code for compliance is made with safety being the highest priority; safety of the occupants, guests, owners and of course our firefighters who when called upon will risk their own lives to save others.

Fire prevention and compliance with fire codes and standards exist to minimize those risks.

Thank you for reviewing this document and contributing to public safety. If you have any questions or need further information, contact 908-769-2935.

Robert Beattie - Deputy Fire Chief / Fire Official

<sup>7</sup> N.J.A.C. 5:70-2.19

<sup>8</sup> N.J.A.C. 5:70-2.10 (d) 2.