
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
MEMORANDUM

TO: ALL LOCAL ENFORCING AGENCIES
FROM: LOUIS KILMER, CHIEF - BUREAU OF FIRE CODE ENFORCEMENT *LK*
SUBJECT: REQUIREMENTS FOR FIRE EXTINGUISHERS IN ONE- AND TWO-FAMILY DWELLINGS
DATE: NOVEMBER 15, 2005

The Legislature amended and enacted P.L.1991, c. 92 (C.52:27D-198.1), requiring that all one- and two-family dwellings at a change of occupancy be provided with a portable fire extinguisher, in addition to the requirements for smoke and carbon monoxide detectors. This provision does not apply to seasonal rental units. This act was signed into law on April 14, 2005 with an effective date of November 1, 2005.

The regulations were recently made available for public comment. The comment period has ended and the final adoption of the regulations will appear in the New Jersey Register in the near future. The Division of Fire Safety is advising all local enforcing agencies to enforce the regulations; using the guidelines below.

The requirements for the type and placement of the extinguishers are as follows:

5:70-4.19 Smoke detectors and portable fire extinguishers for one-and two- family dwellings; carbon monoxide detectors

(a)-(d) (No change.)

(e) At least one portable fire extinguisher shall be installed in all one-and two-family detached dwellings upon change of occupancy. For purposes of this section, "portable fire extinguisher" shall mean a portable device, carried and operated by hand, containing an extinguishing agent that can be expelled under pressure for the purpose of suppressing or extinguishing fire, and which is:

1. Listed, labeled, charged and operable;

2. No smaller than a 2 ½ -pound or larger than a 10-pound rated extinguisher;

3. Rated for residential use consisting of an ABC type;

4. On hangers, or in brackets supplied by the manufacturer;

5. Within 10 feet of the kitchen area, unless otherwise permitted by an enforcing agency;

6. Located with the top of the extinguisher not more than five feet (1.53 meters) above the floor;

7. Visible and in a readily-accessible spot, free from blocking by furniture, storage, equipment and other items,

8. Near a room exit or travel way that provides an escape route to the exterior;

9. Accompanied by an owner's manual or written information regarding the operation, inspection and maintenance of the extinguisher; and

10. Installed so the operating instructions shall be clearly visible.

(f) Exception: Portable fire extinguishers shall not be required for seasonal summer units. For purposes of applying this exception, "seasonal summer unit" shall mean a dwelling unit rented for a term of not more than 125 consecutive days for residential purposes by a person having a permanent residence elsewhere, but shall not include use or rental of living quarters by migrant, temporary or seasonal workers in connection with any work or place where work is being performed.

WHERE TO LOCATE SMOKE DETECTORS:

Detectors are to be located on every level of a residence, (basement, first floor, second floor) and in every separate sleeping area, between sleeping areas such as the kitchen, garage, basement or utility room. In homes with only one sleeping area on one floor, a detector is to be placed in the hallway outside the bedroom as shown in Figure 1. In single floor homes with two separate sleeping areas, two detectors are required outside each sleeping area as shown in Figure 2. In multi-level homes, detectors are to be located outside sleeping areas and at every finished level of the home as shown in Figure 3. Basement level detectors are to be located in close proximity to the bottom of basement stairwells as shown in Figure 4.

WHERE NOT TO LOCATE SMOKE DETECTORS:

To avoid false alarms and/or improper operations, avoid installation of smoke detectors in the following areas:

- Kitchens - smoke from cooking may cause a nuisance alarm.
- Bathroom - excessive steam from a shower may cause a nuisance alarm.
- Near forced air ducts used for heating or air conditioning - air movement may prevent smoke from reaching detector.
- Near furnace of any type - air and dust movement and normal combustion products may cause a nuisance alarm.
- The 4 inch "Dead Air" space where the ceiling meets the wall as shown in Figure 5.
- The peak of an "A" frame type ceiling - "Dead Air" at the top may prevent smoke from reaching the detector.

CARBON MONOXIDE ALARMS are to be located in every separate sleeping area per NFPA 720 and manufacturer's recommendations.

FURTHER INFORMATION ON DETECTOR PLACEMENT:

For further information about smoke detector placement, consult National Fire Protection Association's Standard No. 74-1984, titled "Household Fire Warning Equipment". For carbon monoxide alarms, their publication is Recommended Practice No. 720. These publications may be obtained by writing to the Publication Sales Department, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

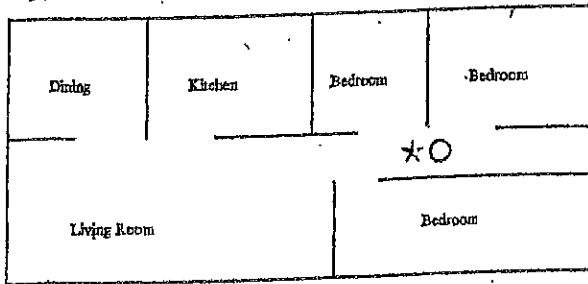


Figure 1
 ☆ SMOKE DETECTOR
 ○ CARBON MONOXIDE ALARM

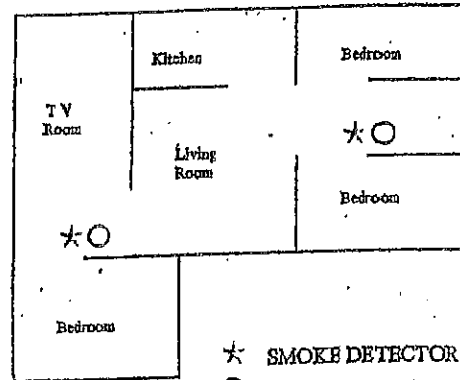


Figure 2
 ☆ SMOKE DETECTOR
 ○ CARBON MONOXIDE ALARM

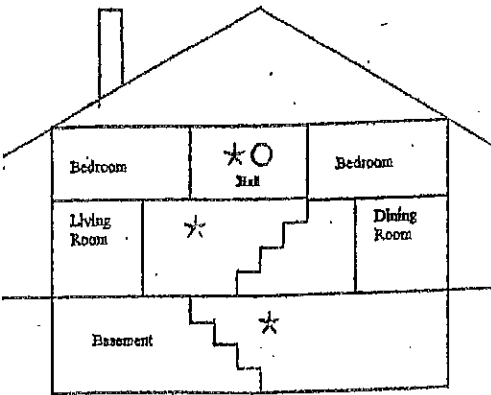


Figure 3
 ☆ SMOKE DETECTOR
 ○ CARBON MONOXIDE ALARM

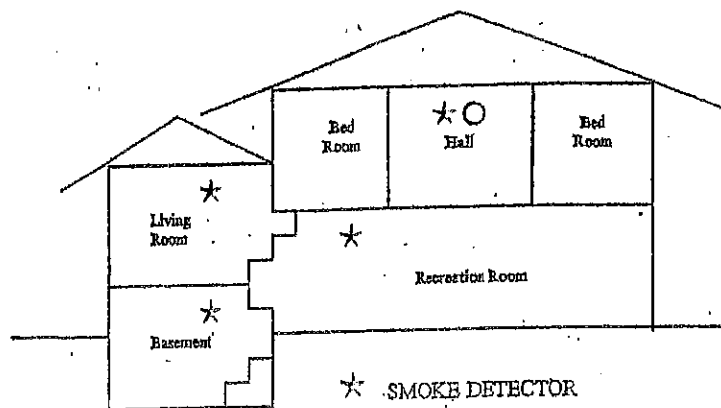


Figure 4
 ☆ SMOKE DETECTOR
 ○ CARBON MONOXIDE ALARM

