



Borough of Oakland  
Bergen County, New Jersey

**Resolution 17-334**

Oppose Amendments to Uniform Construction Code

---

WHEREAS, in a memo dated November 13, 2017, the Construction Official advises that the New Jersey Department of Community Affairs (NJDCa) has proposed impactful amendments to the Uniform Construction Code (UCC) regulations that will have adverse consequences on the Borough of Oakland and statewide; and

WHEREAS, the Construction Official believes the prior approvals are a necessary step that insures work performed is not in conflict with County, State or Federal regulations and insures the safety of residents and occupants of the Borough of Oakland and has set forth the following concerns with the NJDCa proposal:

1. The proposal would remove “prior approvals” as a restriction from considering a project as minor work, which would eliminate review from agencies such as the Department of Environmental Protection, Board of Health, Zoning and any Assessments that are made by the municipality. Without Building Department enforcement as prior approvals, the Borough will not have jurisdiction over projects that requires these approvals such as compliance in flood zones.
2. Flooring, bathroom alterations, electrical outlets, water heaters, furnaces and insulation are all repairs that may result in a substantial damage designation to homes which would require homes to be elevated under the National Flood Insurance Program (NFIP) standards and which we are required to enforce as a participating Community Rating System (CRS) municipality. Not enforcing NFIP regulations can result in the Borough being downgraded under the CRS resulting in higher insurance rates for residents.
3. Eliminating water heaters and furnaces from permits will endanger residents to potential carbon dioxide exposure if the appliance is improperly installed.

4. Eliminating permit requirements for siding raises safety concerns regarding proper electrical service reconnections to a home.

WHEREAS, the Construction Official further advises, if the proposal is adopted, that it would become a prevailing rule for all municipalities in the state.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Mayor and Council of the Borough of Oakland as follows:

1. The Borough of Oakland objects to the proposed rule changes and urges that they be modified to address the Borough's concerns noted herein.
2. That a copy of this resolution be sent to Charles Richman, Commissioner of the New Jersey Department of Community Affairs, Representatives of the 39<sup>th</sup> Legislative District and our sister municipalities.

---

LINDA H. SCHWAGER, MAYOR

ATTEST:

---

LISA M. DUNCAN, BOROUGH CLERK

---

DATE ADOPTED

	Motion	Second	Ayes	Nays	Abstain	Absent
Biale						
Coira						
Knapp						
Kulmala						
Levy						
Talamini						
Mayor Schwager						