
**DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
MEMORANDUM**

TO: LEA FIRE OFFICIALS

FROM: DONALD M. HUBER, CHIEF OF STAFF

DATE: MARCH 5, 2007

SUBJECT: REQUIREMENTS FOR FIRE EXTINGUISHERS IN ONE-AND-TWO FAMILY DWELLINGS AT CHANGE OF OCCUPANCY

As you are aware, the Legislature amended and enacted P.L.1991, c. 92 (C.52:27D-198.1), requiring that all one-and-two family dwellings at change of occupancy be provided with at least one portable fire extinguisher, in addition to the requirements for smoke detectors 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.

It is the Division's position that this law must be enforced as enacted even though rules and regulations have not been promulgated. The statute may be cited in the absence of the regulations.

Until such time as regulations are adopted only the specific requirements contained in the statute are to be enforced. The requirements are as follows:

1. The extinguisher must be rated for residential use consisting of an A:B:C type;
2. No larger than a 10 pound rated extinguisher;
3. Mounted within 10 feet of the kitchen area, unless otherwise permitted by the enforcing agency.

Any questions concerning this matter may be referred to my office at (609) 633-6106. Thank you for you anticipated cooperation in enforcing this law. It is important that this requirement be enforced uniformly statewide.