

Community Trends



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LEGISLATIVE UPDATE

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The legislative session that began in January 2022 ended on January 8, 2024. I would like to take a moment to reflect on important legislative and regulatory changes that occurred during that time period:

1. S2760 Structural Integrity – As you all must have heard by now, we were successful in passing critical safety legislation that will hopefully prevent a Surfside like tragedy from happening in New Jersey. As we have detailed in other articles and webinars, the bill requires periodic structural inspections for certain types of construction and mandates reserve studies and reserve funding.

This was our primary effort for the last two years, and the successful passage of this bill makes New Jersey a nationwide leader in building safety.

2. A1755 Automatic Rain Sensor – This bill, which the LAC did not oppose for various reasons, will require associations that had lawn sprinkler irrigation installed prior to September 8, 2000, to install a rain sensor.

3. Update to Radburn Regulations – Several minor updates to the Radburn Regulations were proposed and adopted by the Department of Community Affairs (DCA) in response to CAI's petition challenging the regulations. The most impactful of which provides that upon the presentation of a petition signed by 51% of association members, directors can be removed from the board with no further process.

4. S3516 Smoke Dampers – Requires periodic testing of smoke damper systems.

5. S2389 Employee Protection – In residential multi-family buildings with more than 50 units, when changing staffing companies, or when outsourcing or going in-house with building staff, the existing staff must be offered a probationary 60-day term of employment with the new staffing provider/association.

6. S2662 Police Car Parking – Association's cannot prohibit the parking of police vehicles on association property merely because they are marked police vehicles.

“...we expect movement on bills related to board member training and manager licensing...”

7. The DCA has proposed amendments to the fire code that would, among other things, prohibit combustible mulch or plants within 18 inches of a combustible structure.

Looking forward to this legislation session, the New Jersey Legislative Action Committee (NJLAC)'s major initiatives have not fully crystallized. However, we expect movement on bills related to board member training and manager licensing, and we are carefully monitoring legislation related to “accessory dwelling units” that may impact associations. In addition, we hope to gain traction on having fire hydrant maintenance covered under the Municipal Services Act or the equivalent.

Keep monitoring this space for updates! ■