



# NJ FIRE CODE UPDATE

## EFFECTIVE APRIL 15, 2025



### NEW NJ MULCH REGULATION OVERVIEW

**Scope:** This rule applies to all buildings; however, it is limited to the scope of the State Fire Prevention Code. As such, the landscaping provisions do not apply to owner-occupied, one- and two-family or attached single family dwellings used exclusively for dwelling purposes. All other uses, however, would be covered by the provision.

**Noncombustible construction:** Noncombustible construction, e.g. building construction of type I or type II, are exempt, provided there are no combustible components or trim with less than 3 feet of clearance from grade.

**Noncombustible exteriors:** Similarly, structure exteriors that have no combustible components or trim with less than 3 feet clearance from grade are also exempt. As such, a building with a masonry exterior, but wood trimming around the windows, should be exempt provided that the windows are more than three feet from grade and there are no other combustible components with less than three feet of clearance from grade.

**Noncombustible materials:** Materials that pass the criteria in ASTM E136 when tested in accordance with either ASTM E136 or ASTM E2652 are considered **noncombustible**. Also, any inherently noncombustible materials can be considered noncombustible without having to be tested. Although the standard doesn't explicitly say exactly what is inherently noncombustible the associated annex material goes on to suggest that it consists of materials such as concrete, masonry, glass and steel.

**Live Vegetation:** The original proposal would have treated trees, shrubs, bushes, etc., the same as mulch. The adopted language does not impact live plants as long as they are not underneath a combustible overhang with less than 6 feet of clearance.

**Fire Resistant Mulch:** The proposal prohibits "combustible landscape materials," such as mulch, except for live vegetation. It specifically allows "fire resistant mulch," but while there are fire-retardant wood products available, the DFS is not aware of any that are listed for exposure to rain/water. As such, the best practice would be to pull the mulch forward 18 inches, leaving exposed dirt, or replacing mulch entirely with a noncombustible alternative, such as pebbles.