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**DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF FIRE SAFETY  
LOCAL ASSISTANCE UNIT**

**MEMORANDUM**

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**TO:** Fire Officials/Local Enforcing Agencies

**FROM:** Paul Allen, Supervisor of Local Assistance *P.A.*

**DATE:** September 30, 2011

**SUBJECT:** Special Amusement Buildings – Haunted Houses

Once again, it is the season when many individuals and organizations are creating temporary haunted houses. As you are well aware, these uses present unique life safety hazards and it is important that everyone be aware of their roles in ensuring that these special amusement buildings comply with all applicable requirements.

For your convenience, I have compiled the applicable provisions of the Code, and a practical tent, canopy and outdoor maze matrix.

**N.J.A.C. 5:70-2.7(a) “Permits”**

xiii. The use as a place of public assembly, for a total of not more than 15 days in a calendar year, of a building classified as a commercial farm building under the Uniform Construction Code.

xiv. The temporary use of any building or portion thereof as a special amusement building for a total of not more than 15 days in a calendar year.

(1) Use of a building or portion thereof as a special amusement building for a longer period shall require the issuance of a certificate of occupancy, pursuant to the Uniform Construction Code ([5:23](#)), for the new use.

(2) Permits issued pursuant to this section shall require compliance with the requirements for special amusement buildings at [5:70-4.16](#).

xv. The erection, operation, or maintenance of any tent, tensioned membrane structure, or canopy, excluding those used for recreational camping purposes, that meets the criteria in (a)3xv(1) or (2) below shall require a Type 1 permit. Tents, tensioned membrane structures, or canopies greater than 16,800 square feet in area and greater than 140 feet in any dimension, whether one unit or composed of multiple units; remaining in place for more than 180 days; used or occupied between December 1 and March 31; having a permanent anchoring system or foundation; or containing platforms or bleachers greater than 11 feet in height shall be subject to the permitting requirements of the Uniform Construction Code ([5:23-2.14](#)).

(1) The tent, tensioned membrane structure, or canopy is greater than 900 square feet and more than 30 feet in any dimension whether it is one unit or composed of multiple units, but 16,800 square feet or less in area and 140 feet or less in any dimension, whether it is one unit or composed of multiple units.

(2) The tent, tensioned membrane structure, or canopy contains platforms or bleachers 11 feet or less in height;

xvi. The erection, operation, or maintenance of any outdoor combustible maze shall require a Type 1 permit if the outdoor combustible maze is less than six feet in height and does not contain electrical equipment. Outdoor combustible mazes that are six feet or greater in height or contain electrical equipment shall be subject to the permitting requirements of [5:23-2.14](#).

(1) For the purposes of applying this requirement, an outdoor combustible maze is an attraction that lacks a roof and is designed to disorient patrons, reduce vision, present barriers, or otherwise impede the flow of traffic and does not consist solely of living rooted plants such as corn stalks or trees, but includes mazes created from plants that have been cut and attached to an object to support them.

(A) Mazes consisting solely of living, rooted plants, such as corn stalks or trees, may be repaired using cut, replacement plants that are otherwise the same as those of which the maze is created without the need for a permit.

(B) No permit shall be required for mazes up to 42 inches in height created of bales of hay or straw.

***Under the Type 1 permit, the building or portion of the building that is being used as a special amusement is required to comply with N.J.A.C. 5:70-4.16. There is one exception the use of a non-sprinklered building or space is permitted provided that the following conditions are met:***

#### **5:70-4.16 Amusement buildings**

(a) All buildings or portions thereof, of Use Group A-3, which are designed to disorient the occupant, reduce vision, present barriers or otherwise impede the flow of traffic, shall conform to all other applicable provisions of this Code and the following:

1. Every such amusement facility shall be equipped throughout with an automatic fire suppression system installed in accordance with the New Jersey Uniform Construction Code.

i. Exception: The use of a non-sprinklered building as a special amusement building shall be allowed provided that the following conditions are met:

(1) The building is not more than 1,000 square feet; or the portion of the building to be used as a special amusement is not greater than 1,000 square feet and the special amusement is separated from the rest of the building by fire resistive construction with a minimum one hour rating;

(2) The exit access travel distance does not exceed 50 feet;

(3) The special amusement is on the ground floor;

(4) A perimeter of 20 feet, suitable for firefighting ground operations, is provided around the building; and

(5) Sufficient fire department personnel and firefighting apparatus are standing by on site at all times that the special amusement building is occupied.

**5:70-4.16 Amusement buildings**  
continued

2. The interior finish of all walls and ceilings shall in no case be less than a Class I material in accordance with [N.J.A.C. 5:70-4.12\(b\)](#) and (c).

i. No variance shall be granted for interior finishes.

3. Every such amusement facility shall be equipped with exit signs installed in accordance with [N.J.A.C. 5:70-4.11\(k\)](#).

4. Every such amusement facility shall be equipped throughout with an approved automatic fire alarm system installed in accordance with the Uniform Construction Code and in accordance with (a)5 through (a)8 below.

5. The automatic alarm system shall activate a prerecorded message which can be clearly heard throughout the entire facility instructing the patrons to proceed to the nearest exit. Any alarm signals used in conjunction with the prerecorded message shall produce a signal which is distinctive from all sounds used in the normal operation of the amusement facility.

6. Every such amusement facility shall be equipped with emergency lighting equipment installed in accordance with the New Jersey Uniform Construction Code. The emergency lighting equipment shall automatically activate when:

i. The fire suppression system is activated;

ii. The fire alarm system is activated; or

iii. Loss of the primary power supply occurs.

7. All audio and visual equipment such as horns, bells, flashing or otherwise distracting stimuli and mechanized displays shall cease operation upon initiation of an alarm by the automatic fire alarm system or upon activation of the automatic fire suppression system.

8. Activation of the automatic alarm system shall automatically shut down the air distribution system.

**Guidelines for determining permit requirements for tents, tensioned membrane structures, canopies, and outdoor combustible mazes.**

	<b>UFC Permit Required</b>	<b>UCC Permit Required</b>	<b>No Permit Required</b>
Tent, tensioned membrane structure, or canopy less 900 square feet in area or less <b>and</b> 30 feet or less in any dimension without platforms or bleachers			<b>X</b>
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area <b>and</b> more than 30 feet in any dimension, less than 16,800 square feet in area 140 feet or less in any dimension	Type 1 <b>X</b>		
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area <b>and</b> more than 30 feet in any dimension, less than 16,800 square feet in area 140 feet or less in any dimension that contains platforms or bleachers 11 feet or less in height	Type 1 <b>X</b>		
Tent, tensioned membrane structure, or canopy greater than 16,800 square feet and greater than 140 feet in any dimension		<b>X</b>	
Tent, tensioned membrane structure, or canopy of any size remaining in place for more than 180 days		<b>X</b>	
Tent, tensioned membrane structure, or canopy of any size used or occupied between December 1 and March 31		<b>X</b>	
Tent, tensioned membrane structure, or canopy of any size having a permanent anchoring system		<b>X</b>	
Tent, tensioned membrane structure, or canopy of any size containing platforms or bleachers greater than 11 feet in height		<b>X</b>	
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area <b>and</b> more than 30 feet in any dimension, less than 16,800 square feet in area 140 feet or less in any dimension that installs any electrical equipment, electrical wiring or mechanical equipment	Type 1 <b>X</b>	<b>X</b>	
Outdoor combustible maze less than 6 feet in height and does not contain electrical equipment	Type 1 <b>X</b>		
Outdoor combustible maze 6 feet or greater in height or outdoor combustible maze of any size containing electrical equipment		<b>X</b>	

**Canopy:** A structure, enclosure, or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

**Tent:** A structure, enclosure, or shelter constructed of fabric or pliable material supported by any manner, except by air or the contents it protects.

**Outdoor Combustible Maze:** An attraction that lacks a roof and is designed to disorient patrons, reduce vision, present barriers, or otherwise impede the flow of traffic and does not consist solely of living rooted plants such as corn stalks or trees, but includes mazes created from plants that have been cut and attached to an object to support them.

(A) Mazes consisting solely of living, rooted plants, such as corn stalks or trees, may be repaired using cut, replacement plants that are otherwise the same as those of which the maze is created without the need for a permit.

(B) No permit shall be required for mazes up to 42 inches in height created of bales of hay or straw.