Water closets  Urinals  Lavatories  Bathtubs or showers
additional females  females  Over 200 add 1 tub
or shower for each
20 persons

1 Drinking fountain for each 75 persons

§ 5:10-22.1 Basements and cellars

(a) Basements and cellars may be used for dwelling space provided that:

1. The entire area constituting the dwelling unit must comply with all requirements set forth in this chapter applicable to habitable rooms or areas and to all requirements set forth in N.J.A.C. 5:70 applicable to dwelling units in basements or stories below grade; and

2. The floors, ceiling and walls of each unit of dwelling space must be free of moisture.

§ 5:10-22.2 Unemancipated minors

No unemancipated minor shall occupy any unit of dwelling space not having as part thereof for the exclusive use of its occupants the sanitary facilities required under N.J.A.C. 5:10-21.

§ 5:10-22.3 Floor area

(a) In all dwelling units other than rooming units, there shall be a minimum usable floor area for the initial occupant of 150 square feet and 100 square feet additional space for each additional occupant provided, however, that children under the age of two shall not be considered additional occupants.

(b) In rooming units used or intended to be used solely for transient occupancy, there shall be a minimum usable floor area of 50 square feet for each occupant provided, however, that children under the age of six shall not be considered additional occupants.

(c) In every rooming unit used or intended to be used for non-transient occupancy, there shall be a usable floor area of at least 80 square feet in every room occupied or intended to be occupied for sleeping purposes by one occupant and a usable floor area of at least 60 square feet per occupant in every room occupied or intended to be occupied for sleeping purposes by more than one occupant, provided, however, that children under the age of two shall not be considered to be additional occupants.

(d) In every dwelling unit other than a rooming unit, every room occupied or intended to be occupied for sleeping purposes by one occupant shall have a minimum usable floor area of 70 square feet and every room occupied or intended to be occupied for sleeping purposes by more than one
occupant shall have a usable floor area of at least 50 square feet for each such occupant, provided, however, that children under the age of two shall not be considered to be additional occupants.

§ 5:10-22.4 Prohibited sleeping areas

Kitchens, bathrooms, and toilet rooms shall not be used for sleeping purposes.

§ 5:10-22.5 Required ceiling height

(a) Except as otherwise provided in (a)1 and 2 below, no room or space or portion of a room or space shall be considered habitable unless that room or space or portion of a room or space has a clear ceiling height of at least seven feet, zero inches.

1. Rooms, spaces, and portions of rooms and spaces in hotels that are open and operating less than six months of each year, are located in municipalities bordering on the Atlantic Ocean and are used exclusively for transient occupancy, and were so used prior to November 5, 1990 in conformity with any applicable mercantile license requirement, shall be deemed to be habitable regardless of ceiling height unless there is a clear and present danger to the health or safety of the occupants.

2. Dwelling units and portions of dwelling units in multiple dwellings located in municipalities bordering on the Atlantic Ocean shall be deemed to be habitable with a ceiling height of less than seven feet, zero inches provided that the dwelling unit was occupied prior to the effective date of this amendment and is in conformity with any applicable mercantile license requirement prior to May 27, 1991 and:

i. The ceiling height is less than seven feet, zero inches but at least six feet, four inches and there is no clear and present danger to the health or safety of the occupants;

ii. If the ceiling height is less than six feet, four inches but at least five feet, 10 inches, there is no clear and present danger to the health or safety of the occupants and the volume of the unit, as measured in cubic feet, is at least seven times the minimum square footage required for the number of occupants in the unit; or

iii. If the ceiling height is less than five feet, 10 inches, an exception is granted by the Bureau in accordance with N.J.S.A. 55:13A-11 and N.J.A.C. 5:10-1.15.

(b) Read in context with the definition of habitable room and the occupancy standards found in this subchapter, this section requires an attic apartment to contain at least 150 square feet of floor space having a ceiling height of seven feet, zero inches, and that every attic room have at least 59 square feet of floor area having a ceiling height of at least seven feet, zero inches. While additional floor area having less than seven feet, zero inches ceiling height is permitted, it cannot be counted for purposes of determining habitability.