

West Windsor Township Fire & Emergency Services

Fire Safety Bulletin

DATE: April 7, 2024
FROM: Chief Timothy M. Lynch
REGARDING: Use of Landscape Materials

On April 15, 2024 the State of New Jersey adopted a new Uniform Fire Code. One provision of that code (N.J.A.C. 5:70-3, 305.6) prohibits the use of combustible landscape materials effective April 15, 2025. This bulletin is to help provide information and answer some frequently asked questions regarding this regulation change.

N.J.A.C. 5:70-3, 305.6 states: The use of combustible landscape materials, such as wood-based mulch products, is prohibited in any of the following conditions:

1. Within 18 inches of any building or structure;
2. Within 18 inches of a deck, porch, balcony, or any other portion of the building constructed of combustible material; or
3. Within 18 inches of any designated smoking area defined in section 310.2

Exceptions

1. Live plant material such as shrub, flowers, and trees provided that they are not beneath a combustible overhang with less than 6 feet of clearance.
2. Non-combustible building or structure exteriors that have no combustible components or trim with less than 3 feet clearance from grade.
3. Fire-resistance mulch.

Explanation:

- The new fire code prohibits the use of combustible landscape materials such as wood-based mulch from being placed within 18 inches of any combustible building or combustible building accessory (such as a deck, porch, or balcony).
- This code requirement does not apply to living plants or shrubs.
- This code requirement does not apply to any owner-occupied single-family home or duplex.
 - “Each enforcing agency in this State shall enforce this act in all buildings, structures, and premises within its jurisdiction, except owner occupied buildings used exclusively for dwelling purposes and containing fewer than three dwelling units”
 - This provision does apply to single family homes that are not owner-occupied, i.e. single-family home rental units.

Any questions can be directed to the West Windsor Fire Marshal’s office at (609) 799-8735.



Honor ~ Integrity ~ Loyalty