Governor Murphy Signs Bill to Accelerate Construction Inspection Process



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General Contractors, real estate owners, and developers will have recourse when Construction inspections have been the subject of significant delays in the post-pandemic construction and development arena. Relief is now on its way. Governor Phil Murphy recently signed into law Senate Bill 3014/ Assembly Bill A573, which provides for expedited construction inspections under the Uniform Construction Code.

The new law revises the process for construction inspections, implements a new expedited timeline, and provides owners, general contractors, and others with the right to use private inspectors when a public agency does not timely act. The following procedures must be followed:

- The owner/general contractor must provide twenty-four hours' written notice to the enforcing agency that the work is ready for inspection. Thereafter, the enforcing agency is required to perform the inspection **within three business days**;
- If the enforcing agency is unable to meet the deadline, the owner/general contractor may elect to contract with an authorized private inspection agency following written notice to the enforcing agency;
- At the end of the project, the enforcing agency shall provide the owner/general contractor with a fee reconciliation, if warranted, for the cost of the private inspection.

The intent of the new law is to provide for the timely inspection of construction projects and to speed up the construction process by permitting private inspection agencies to supplement government inspections. The Commissioner of the New Jersey Department of Community Affairs ("Commissioner") has the authority to compel compliance or issue penalties when an agency

does not meet its obligations. Each public agency is permitted to enter into shared service agreements with other municipalities or contract with private inspection agencies authorized to perform inspections. Municipal construction officials must also submit an annual report to the Commissioner detailing compliance with the code. The new law also grants the Commissioner the power to compel enforcing agencies to report their failure to meet deadlines.

The new law revises the process for construction inspections which has long contributed to delays and increased project costs during periods of intense construction activity. Now, private inspectors certified by the New Jersey Department of Community Affairs can be used to supplement the limited supply of public inspectors. These changes should aid in keeping construction projects and developments on track.

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