



State of New Jersey
 Department of Community Affairs
 Division of Codes and Standards
 PO Box 802
 Trenton, New Jersey 08625-0802



James E. McGreevey
 Governor

Susan Bass Levin
 Commissioner

FTO-15

Date: September 2003

Subject: Commercial Kitchen
 Exhaust Hoods

References: N.J.A.C. 5:23-3.20
 Mechanical Subcode
 Sections 507.2 and 507.2.1

This Formal Technical Opinion is issued to resolve questions regarding the code requirements for the installation of Type II commercial kitchen exhaust hoods.

The International Mechanical Code 2000, at Section 507.2, entitled "Where required," states: "A Type I or Type II hood shall be installed at or above all commercial food heat-processing appliances." Section 507.2.1 states: "A Type I hood shall be installed at or above all commercial food heat-processing appliances that produce grease vapors or smoke. A Type I or Type II hood shall be installed at or above all commercial food heat-processing appliances that produce fumes, steam, odor, or heat." "Commercial food heat-processing appliances" are defined as "appliances used in a food-processing establishment for heat processing food or utensils, and which produce grease vapors, steam, fumes, smoke, or odors that are required to be removed through a local exhaust ventilation system."

A Type II hood is not required for appliances such as toasters, warming ovens, coffee makers, egg cookers, soup warmers, hot-dog rotisseries, and sandwich warmers. These appliances do not produce the amount of heat or steam that would burden the HVAC systems in a way that would require a local exhaust ventilation system. Under-counter glass washing machines and other under-counter dishwashing appliances do not require a hood. They do not produce the amount of steam that requires a hood. Pizza ovens would require a Type II hood. Pizza ovens produce sufficient heat, but not grease-laden vapors; therefore, a Type I would not be required.

FORMAL TECHNICAL OPINION



**DECISION OF THE
BURLINGTON COUNTY
CONSTRUCTION BOARD OF APPEALS**

IDENTIFICATION

Work Site Location 200 Tuckerton Road Block 3201 Lot 32.01
Owner in Fee DePetris Family LLC Agent Alden Van Istendal
Address 625 Ridge Pike Address 23 Hopewell Rd
Conshohocken, PA 19428 Marlton, NJ 08053
Type of Appeal: U.C.C. X U.F.C. _____ Fee _____

ACTION

Contention of Error

During plan review for a rehab for a Mexican Food restaurant, the owners and the Construction Official disagreed whether a Type II hood should be required over the hot food table.

Pertinent Facts

1. Inspection Date: N/A
2. Service Date: N/A
3. Appeal Date: March 10, 2004
4. Penalty Assessed: N/A
5. Date of Hearing: April 6, 2004
6. Appearances: Daryl Van Istendal, Owner, Macho Taco
Ed Brown, Medford Township Construction Official
7. Board Members Present: Michael Reed, Chairman
Gene Blair
Robert Scouler
Tom Casey
Cleveland Thompson
8. Solicitor Present: Jean Culp
9. Type of Use: Restaurant
10. Violations Appealed: None

Findings of Fact

1. The owner intends to install an Eagle hot food table, model HT3-NG, a three bay, dry hot food table, 48 inches long, with a total BTU rating of 10,500 BTU.

(continued on next page)

Any party, including any enforcing agency, may appeal from a decision of a Construction Board of Appeals to the Law Division of the Superior Court within the time allowed by the rules of the Court. N.J.A.C.5:23A-2.3(d)

CHAIRPERSON, CONSTRUCTION BOARD OF APPEALS

DATE

2. Mr. Brown determined that the installation would require a Type II hood to be installed in accordance with the 2000 International Mechanical Code Section 507.2 and 507.2.1.
3. Those sections state, in part: "**507.2 Where required.** A Type I or Type II hood shall be installed at or above all commercial food heat-processing appliances. ... **507.2.1 Type I and Type II hoods.** A Type I hood shall be installed at or above all commercial food heat-processing appliances that produce grease vapors or smoke. A Type I or Type II hood shall be installed at or above all commercial food heat-processing appliances that produce fumes, steam, odor or heat."
4. FTO-15, issued by Department of Community Affairs, attempted to "resolve questions regarding the code requirements for the installation of Type II commercial kitchen exhaust hoods." It states, in part: "A Type II hood is not required for appliances such as toasters, warming ovens, coffee makers, egg cookers, soup warmers, hot-dog rotisseries, and sandwich warmers. These appliances do not produce the amount of heat or steam that would burden the HVAC systems in a way that would require a local exhaust ventilations system. ... Pizza ovens would require a Type II hood. Pizza ovens produce sufficient heat, but not grease-laden vapors; therefore, a Type I would not be required."
5. The appellant stated that he believed that the unit he wants to install is very similar to a soup warmer, as discussed in FTO-15, that would not require a hood.
6. Both the appellant and the Construction Official noted that although the configuration that was intended to be installed at this time was for a dry food warmer, a conversion unit could be added to turn it into a steam table.
7. The Board notes that neither the Mechanical Code nor the FTO-15 give a BTU, temperature or wattage cutoff to indicate the lower end of heat-processing unit that requires a hood.
8. The Board finds that the three bay, 48 inch long hot food table is different than a soup warmer.

Decision of the Board

The Board upholds the Construction Official's decision that the hot food table requires a Type II hood.