

SERVICES THAT MAY ONLY BE PERFORMED BY A NEW JERSEY PROFESSIONAL LAND SURVEYOR

1. ANY MAP OR PLAN THAT SHOWS:

- **Property Lines.** [NJSA 45:8-28\(e\)](#), [NJAC 13:40-1.3](#), [13:40-5.1](#)
- **Locations of Existing Buildings and/or Physical Features and/or Improvements.** [NJSA 45:8-28\(e\)](#)
- **Locations of Existing Utilities.** [NJSA 45:8-28\(e\)](#), [NJAC 13:40-1.3](#), [NJAC 13:40-5.1\(g\)4](#)
- **Locations of Easements.** [NJAC 13:40-5.1\(a\)](#), [NJAC 13:40-5.1\(f\)9](#)
- **Existing Elevations, Contours or Topography.** [NJSA 45:8-28\(e\)](#), [NJAC 13:40-5.1\(a\)](#), [NJAC 13:40-5.1\(n\)](#)
- **Hydrographic or Bathymetric Information.** [NJSA 45:8-28\(e\)](#)
- **Post Construction Conditions – Horizontal and Vertical.** [NJAC 13:40-7.2\(a\)](#)
- **Wetlands Delineation by Metes & Bounds or Coordinate Location.** [NJAC 13:40-7.2\(a\)](#)

2. FEMA ELEVATION CERTIFICATES. [NJSA 45:8-28\(e\)](#), [NJAC 13:40-1.3](#)

3. MAJOR AND MINOR SUBDIVISION PLANS. [NJSA 46:23-9.8](#), [NJAC 13:40-1.3](#), [5.1\(m\)](#), [7.4](#)

4. DETERMINATION OF AREAS AND VOLUMES. [NJSA 45:8-28\(e\)](#), [NJAC 13:40-1.3](#)

5. PREPARATION AND ANNUAL MAINTENANCE OF TAX MAPS. [NJSA 18:23A-1.7](#), [NJAC 13:40-5.1\(k\)](#)

6. PREPARATION AND MAINTENANCE OF BASE MAPPING FOR GEOGRAPHIC INFORMATION SYSTEMS. [NJSA 45:8-28\(e\)](#), [NJAC 13:40-1.3](#)

7. FOUNDATION LOCATION SURVEYS. [NJAC 5:23-2.18\(b\)1.ii\(1\)](#), [NJAC 13:40-7.2\(a\)](#)

NOTE: SURVEY INFORMATION MAY BE TRANSFERRED TO ANOTHER PLAN ONLY IF THE FOLLOWING INFORMATION IS PROVIDED TO THE REVIEWING GOVERNING BODY: [NJAC 13:40-7.2\(a\)1](#), [NJAC 13:40-5.1\(n\)](#)

- Who prepared the Survey.**
- Date of the Survey.**
- Who the Survey was prepared for.**
- A signed and sealed copy of the Survey must be attached.**

b. **NJSPLS**
PO Box 101
Cream Ridge, NJ 08514-0101
800-853-LAND
888-475-1858-FAX
Email us: admin@njspls.org

***** THIS SECTION IS CURRENT THROUGH NEW JERSEY 214TH LEGISLATURE ***
2ND ANNUAL SESSION (P.L. 2011 CHAPTER 89 AND JR 6)
STATE CONSTITUTION CURRENT THROUGH THE NOVEMBER, 2010 ELECTION
ANNOTATIONS CURRENT THROUGH JULY 21, 2011.**

**TITLE 45. PROFESSIONS AND OCCUPATIONS
SUBTITLE 1. PROFESSIONS AND OCCUPATIONS SUBJECT TO STATE BOARDS OF
REGISTRATION AND EXAMINATION
CHAPTER 8. PROFESSIONAL ENGINEERS; PROFESSIONAL LAND SURVEYORS**

GO TO THE NEW JERSEY ANNOTATED STATUTES ARCHIVE DIRECTORY

N.J. Stat. § 45:8-28 (2011)

§ 45:8-28. Definitions

(e) The term "practice of land surveying" within the meaning and intent of this chapter shall mean any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences and the relevant requirements of law to the act of measuring and locating distances, directions, elevations, natural and man-made topographical features in the air, on the surface of the earth, within underground workings, and on beds of bodies of water for the purpose of determining areas and volumes, and for the establishing of horizontal and vertical control as it relates to construction stake-out, for the monumentation of property boundaries and for the platting and layout of lands and subdivisions thereof and for the preparation and perpetuation of maps, record plats, field notes, records and property descriptions in manual and computer coded form that represent these surveys. The practice of land surveying shall include the establishment and maintenance of the base mapping and related control for land information systems that are developed from the above referenced definition of the practice of land surveying.

For purposes of this subsection, "land information systems" means any computer coded spatial database designed for multi-purpose public use developed from or based on property boundaries.

A person who engages in the practice of land surveying; or who, by verbal claim, sign, advertisement, letterhead, card or in any other way represents himself to be a land surveyor or professional surveyor; or who represents himself as able to perform any land surveying service or work or any service which is recognized as within the practice of land surveying shall be deemed to practice or offer to practice land surveying.

Nothing in this chapter shall preclude a person licensed by the board as a professional engineer from performing those measurements necessary for the design, construction stake-out, construction and post-construction records of an engineering project, provided that these measurements are not related to property lines, lot lines, easement lines, or right-of-way lines, the establishment of which are required to be made by a land surveyor.

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***** NEW JERSEY REGISTER, VOL. 43, NO. 15, AUGUST 1, 2011 *****

TITLE 13. LAW AND PUBLIC SAFETY
CHAPTER 40. STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS

N.J.A.C. 13:40-1.3 (2011)

§ 13:40-1.3 Definitions

"Land information systems" means any computer coded spatial database designed for multi-purpose public use developed from or based on property boundaries.

"Land surveying" "surveying" or "practice of land surveying" means any service or work the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences and the relevant requirements of law to the act of measuring and locating distances, directions, elevations, topography including natural and man-made topographical features in the air, on the surface of the earth, within underground workings, and on beds of bodies of water for the purpose of determining areas and volumes, and for the establishing of horizontal and vertical control as it relates to construction stake-out, for the monumentation of property boundaries and for platting and layout of lands and subdivisions thereof and for the preparation and perpetuation of maps, record plats, field notes, records and property descriptions in manual and computer coded form that represent these surveys. The practice of land surveying includes the establishment and maintenance of the base mapping and related control for land information systems that are developed from the practice of land surveying.

"Land surveyor" or "surveyor" means a person who has been duly licensed as a professional land surveyor by the Board.

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TITLE 13. LAW AND PUBLIC SAFETY
CHAPTER 40. STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
SUBCHAPTER 5. LAND SURVEYORS; PREPARATION OF LAND SURVEYS

N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

(a) The practice of land surveying includes surveying of areas for their correct determination and description and for conveyancing, and for the establishment or reestablishment of land boundaries and the plotting of lands and subdivisions thereof, and such topographical survey and land development as is incidental to the land survey.

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N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

(g) Notwithstanding any other provisions of these rules to the contrary, the following items may be omitted where contractual agreements with the client so provide:

1. Areas of established city lots or recorded subdivision map lots, unless the area is recited in the record deed of the property in question;
2. Fences and streams and ditches, unless such fences, streams and ditches are on or in close proximity to the property lines or otherwise affect the property lines in question;
3. Sidewalks, driveways, walkways or other traveled ways, unless such ways affect the property lines in question;
4. Utility lines, easements of right-of-way lines, except when recited in the record deed or when such utility lines, easements of right-of-way lines affect the use of adjacent properties or the property in question;
5. Location and type of building and other structures on the property in question; and
6. Metes and bounds description of the property.

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N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

(n) Maps prepared to show topographic data or planimetric data which also delineate property lines or street right-of-way lines thereon shall be prepared by a licensed land surveyor. Such survey information may be transposed to construction plans or other drawings if duly noted as to the date of the survey, by whom, and for whom it was prepared.

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CHAPTER 40. STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
SUBCHAPTER 7. PERMISSIBLE DIVISION OF RESPONSIBILITY IN SUBMISSION OF SITE PLANS
AND MA-JOR SUBDIVISION PLATS

N.J.A.C. 13:40-7.2 (2011)

B 13:40-7.2 Depiction of existing conditions on a site plan

(a) Survey: Showing existing conditions and exact location of physical features including metes and bounds, drainage, waterways, specific utility locations, and easements: By a land surveyor.

1. Survey information may be transferred to the site plan if duly noted as to the date of the survey, by whom, and for whom. A signed and sealed copy of the survey shall be submitted to the reviewing governmental body with the site plan submission.

(b) Vegetation, general flood plain determination, or general location of utilities, buildings, or structures: By an architect, planner, engineer, land surveyor, certified landscape architect, or other person acceptable to the reviewing governmental body.

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N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

- (m) Subdivision plats, whether classified as major or minor, preliminary or final, shall be prepared by a licensed land surveyor and shall be based on a new or existing current and accurate survey of the property being subdivided.
1. The licensee shall provide appropriate survey information, as set forth above, to permit a subsequent licensed land surveyor to accurately lay out newly described lots.
 2. If a newly described lot will be adjacent to or abutting a perimeter line, the licensee shall ensure that the perimeter line is accurately established on the ground.
 3. In all instances, including where deeds are used to record minor subdivisions and/or where an existing plat or plan of survey is used, only the licensee who prepared the boundary map on which the subdivision is based may provide the certification on the subdivision plat that the boundary survey is accurate and was prepared under his or her supervision, as required by the Map Filing Law, N.J.S.A. 46:23-9.11(n), and in accordance with N.J.A.C. 13:40-9, Responsible Charge of Engineering or Land Surveying Work.

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N.J.A.C. 13:40-7.4 (2011)

B 13:40-7.4 Preparation of a major subdivision plan

- (a) The general location of facilities, site improvements, and lot layouts: By an architect, engineer, land surveyor, planner, or certified landscape architect.
- (b) The design and construction details of all public improvements including street pavements, curbs, sidewalks, sanitary sewage, storm drainage facilities: By an engineer only.
- (c) Final subdivision map with metes and bounds: By a land surveyor only.

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TITLE 18. TREASURY -- TAXATION
CHAPTER 23A. TAX MAPS
SUBCHAPTER 1. GENERAL PROVISIONS

N.J.A.C. 18:23A-1.1 (2011)

§ 18:23A-1.1 General provisions, scope, tax map and standards defined

(a) In accordance with the provisions of Chapter 175, Laws of 1913 (N.J.S.A. 54:1-15), Chapter 263, Laws of 1936 (N.J.S.A. 54:50-1) and Chapter 92, Public Laws of 1948 (N.J.S.A. 52:18A-46), the Director, Division of Taxation, Department of the Treasury, has adopted these rules for the preparation of tax maps. The following general provisions apply:

10. On each Key or Index Sheet the following statement must be shown:

"To show Conditions as of (date)," indicating the date of the latest deed plotted on the map or the date of the latest revision. This date must match the date in the revision block.

11. A new map must have the following certification on the Key or Index Sheet: "I hereby certify that this map and any required survey have been made under my immediate supervision, and complies with the laws of the State of New Jersey." The seal, signature, and license number of the New Jersey Licensed Land Surveyor preparing the tax map shall be affixed under the above statement (See: New Jersey Attorney General's Formal Opinion 1959--No. 6, dated April 14, 1959). If a map has more than one Key or Index Sheet, the certification is to be made on the first Key or Index Sheet only. A signature stamp will not be accepted.

12. A previously approved tax map, currently revised and resubmitted for an approval, shall have the following certification:

"I hereby certify that this map has been revised under my immediate supervision, and complies with the laws of the State of New Jersey." The seal, signature, date and license number of the New Jersey Licensed Land Surveyor revising the tax map shall be affixed under the above statement on the mylar.

13. Any map in an electronic format prepared for taxation purposes must on each sheet have a statement to indicate the method of preparation and where the original information came from, such as old tax maps, deeds and aerial photographs with their dates or other identifying data. It must contain whether it is digitized, scanned or drawn using Computer Aided Drafting/Design (CAD/D) and Coordinate Geometry (COGO) and must also show the name and license number of the New Jersey Licensed Land Surveyor who supervised the creation of the digital map. If the map is a copy, it must also contain the name of the original preparer and date. The following statements are examples substituting the appropriate word in parenthesis:

- i. This sheet is a digitized copy of the tax map prepared by (name) and (date). The original approved map is on file in the (Engineers) or (Assessors) or (Municipal Clerks) office.
- ii. This sheet is a scanned copy of the tax map prepared by (name) and (date). The original approved map is on file in the (Engineers) or (Assessors) or (Municipal Clerks) office.
- iii. This map has been drawn using Computer Aided Drafting/Design (CAD/D).
- iv. This map has been drawn using Computer Aided Drafting/Design (CAD/D) and Coordinate Geometry (COGO).
- v. This map has been redrawn using Computer Aided Drafting/Design (CAD/D) based on the map prepared by (name) and (date).

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N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

(k) Tax assessment maps must be prepared by a licensed land surveyor, who is obligated to prepare such maps in full compliance with the legal requirements pertaining to such maps.

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TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 2. ADMINISTRATION AND ENFORCEMENT; PROCESS

N.J.A.C. 5:23-2.18 (2011)

§ 5:23-2.18 Inspections

(b) Inspections during the progress of work: The construction official and appropriate subcode officials shall carry out periodic inspections during the progress of work to ensure that work inspected conforms to the requirements of the code.

1. Inspections of one- and two-family dwellings for which construction must cease until the inspection is made shall be limited to the following:

i. The bottom of footing trenches before placement of footings, except that in the case of pile foundations, inspections shall be made in accordance with the requirements of the building subcode;

ii. Foundations and all walls up to grade level prior to covering or back filling;

(1) For new construction, a foundation location survey showing all building corners of the foundation and the elevation of the top of the foundation wall shall be submitted to the construction official as soon as possible after the installation of the foundation wall. It is not necessary for work to cease for the preparation and submission of this survey. A land surveyor licensed in the State of New Jersey shall prepare the survey. The proposed foundation location and elevation as shown on the original plot plan shall also be shown on the foundation location survey.

(A) Exception: A foundation location survey shall not be required for additions, decks, swimming pools, sheds or similar structures.

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N.J.A.C. 13:40-7.2 (2011)

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1. Survey information may be transferred to the site plan if duly noted as to the date of the survey, by whom, and for whom. A signed and sealed copy of the survey shall be submitted to the reviewing governmental body with the site plan submission.

(b) Vegetation, general flood plain determination, or general location of utilities, buildings, or structures: By an architect, planner, engineer, land surveyor, certified landscape architect, or other person acceptable to the reviewing governmental body.

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N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

(n) Maps prepared to show topographic data or planimetric data which also delineate property lines or street right-of-way lines thereon shall be prepared by a licensed land surveyor. Such survey information may be transposed to construction plans or other drawings if duly noted as to the date of the survey, by whom, and for whom it was prepared.

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N.J.A.C. 13:40-5.1 (2011)

§ 13:40-5.1 Land surveyors; preparation of land surveys

(f) The items which must always be shown are:

1. Title block complying with N.J.A.C. 13:40-8;
2. The State, county and municipality in which the property is located and specific data as provided by the owner identifying the property or other pertinent identifying data as deemed appropriate by the surveyor, including block, lot number and address;
3. North arrow (with reference used) and scale;
4. The point of beginning;
5. Metes and bounds of the property in question; all measurements are to be indicated in feet and decimals of a foot except when legal requirements or professional custom and usage require another form of measurement;
6. Property corner markers, both found and set, and the relation of existing markers to the property corner or, if appropriate, to the boundary lines;
7. Street and street names and widths when such streets abut or adjoin the property in question. If the street is not open, the survey should so indicate;
8. Encroachments of structures both on the premises in question and/or adjoining properties;
9. Fences, tree rows, hedges, streams, ditches, building locations, easements and any physical occupation influencing property line determination;
10. In all cases, survey work shall be performed in accordance with currently accepted accuracy standards, but such accuracy standards may be limited by contractual agreements. Such limitations shall be appropriately noted on the final drawing.