

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H3/29/99*

# A Bill

Act 1485 of 1999  
HOUSE BILL 1982

5 By: Representative Simmons  
6 By: Senator Wooldridge  
7

## For An Act To Be Entitled

10 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE  
11 PERTAINING TO EARTHQUAKE RESISTANT DESIGN FOR PUBLIC  
12 STRUCTURES; AND FOR OTHER PURPOSES."

### Subtitle

15 "AN ACT TO AMEND VARIOUS SECTIONS OF THE  
16 ARKANSAS CODE PERTAINING TO EARTHQUAKE  
17 RESISTANT DESIGN FOR PUBLIC STRUCTURES."  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code 12-80-102 is amended to read as follows:

23 "12-80-102. Definitions.

24 Whenever used in this chapter, unless a different meaning clearly appears from  
25 the context:

26 (1) 'Owner' shall mean any agency of the state, county, city, township,  
27 town, village, or private entity, partnership, business, or corporation;

28 (2) 'Public structure' means any building intended, or adaptable, for  
29 public employment, assembly, or any other use if it will be open to the  
30 public. Also included in this definition are certain building types as defined  
31 under the term 'public works' projects;

32 (3) 'Public works' means works, whether of construction or adaptation,  
33 undertaken and carried out by the national, state, county, school district, or  
34 municipal authorities, and designed to serve some purpose of public necessity,  
35 use, or convenience such as public buildings, roads, aqueducts, parks, and all  
36 other fixed works constructed for public use. The term relates to the

1 construction of public improvements and not to their maintenance or operation;

2 (4) 'Add to' shall mean adding to the original existing buildings or  
3 structures more than four thousand (4000) square feet in gross floor area and  
4 all areas of increased building height;

5 (5) 'Alter', 'retrofit', and 'remodel' mean any alteration or repair of  
6 a building which when completed will increase the market value of the building  
7 *by one hundred percent (100%) or more;*

8 (6) 'Seal' means the Arkansas seal issued to signify certification of  
9 registration to practice architecture or engineering;

10 (7) 'Seismic' means pertaining to an earthquake or earth tremor  
11 (vibrations); and

12 (8) 'Structural elements' shall mean all structural load-carrying  
13 members of a building or structure required to transmit loads (forces) within  
14 the building or between the building and the ground."

15  
16 SECTION 2. Arkansas Code 12-80-103 is amended to read as follows:

17 "12-80-103. Seismic zones established.

18 Areas within the boundaries of this state shall be divided into zones of  
19 anticipated damage that will occur in various locations with respect to the  
20 New Madrid Seismic Zone. This will be based on Av and Aa values.

21 (1) Zone 3, the area of greatest anticipated seismic damage, shall  
22 include the following counties: Clay, Greene, Craighead, Mississippi,  
23 Poinsett, Cross, Crittenden, St. Francis, Randolph, Lawrence, Jackson,  
24 Woodruff, and Lee. This area of the state shall be the area where Av and Aa  
25 are to be between 0.2 and 0.3 in a similar manner used in the current Standard  
26 Building Code.

27 (2) Zone 2, the area of moderate anticipated seismic damage, shall  
28 include the following counties: Sharp, Independence, White, Lonoke, Prairie,  
29 Arkansas, Monroe, Phillips, Fulton, IZard, Stone, and Cleburne. This area of  
30 the state shall be the area where Av and Aa are to be between 0.1 and 0.2 in a  
31 similar manner used in the current Standard Building Code.

32 (3) Zone 1, the area of low anticipated seismic damage, shall include  
33 all remaining counties within the boundaries of this state. This area of the  
34 state shall be the area where Av and Aa are less than 0.1 in a similar manner  
35 used in the current Standard Building Code."

36

1 SECTION 3. Arkansas Code 12-80-104 is amended to read as follows:

2 "12-80-104. Design requirements.

3 (a)(1) Hereafter, neither the state, any county, city, township,  
4 village, or private entity shall construct, add to, alter, retrofit, or  
5 remodel any public structure unless the structural elements are designed to  
6 resist the anticipated forces of the designated seismic zone in which the  
7 structure is located.

8 (2) Design loads and seismic design requirements shall be, as a  
9 minimum, those listed in the ~~chapter of Minimum Design~~ Chapter of Structure  
10 Loads and referenced chapters from the Standard Building Code, 1988, or latest  
11 edition with revisions Arkansas Fire Prevention Code.

12 (b)(1) All construction plans for public buildings and structures shall  
13 comply with §§ 17-14-101 - 17-14-105, 17-14-201 - 17-14-204, and 17-14-301 -  
14 17-14-311.

15 (2) The design of structural elements of public buildings and  
16 structures shall be performed by a professional engineer registered in the  
17 State of Arkansas who is competent in seismic structural design according to  
18 current standards of technical competence.

19 (3) The structural plans of each public building or structure  
20 shall bear the Engineer's Arkansas seal and signature and a statement of  
21 reference to what seismic zone the structure is designed to satisfy.

22 (4) Educational and institutional structures in Seismic Hazard  
23 Exposure Group III shall have non-structural interior components (such as  
24 bookshelves, light fixtures, shelving, hot water tank, oxygen tanks, etc.) to  
25 meet earthquake resistant guidelines."

26  
27 SECTION 4. Arkansas Code 12-80-105 is amended to read as follows:

28 "12-80-105. Exemptions.

29 (a) Certain building types such as single family residential, duplexes,  
30 triplexes, fourplexes, and agricultural structures and the following wood  
31 frame and/or metal construction business occupancies of four thousand (4,000)  
32 square feet or less: business occupancy of less than forty (40), mercantile  
33 occupancy with a load less than one hundred (100), and storage shall not be  
34 included in the requirements of this chapter.

35 (b)(1) The park and recreational facilities of the State of Arkansas,  
36 any of its agencies or departments, or any city, town, or county government or

1 any school district shall not be included in the requirements of this chapter.

2 (2) As used in this subsection, "park and recreational  
3 facilities" shall mean any facilities which are generally open structures and  
4 have three (3) or fewer sides and are used for athletics, recreation,  
5 relaxation, entertainment, cultural development, and other recreational  
6 activities, including, without limitation, park pavilions, amphitheaters,  
7 covered stage areas, camping centers, tennis courts, golf course shelters,  
8 athletic fields, baseball fields and dugouts, and various other similar park  
9 and recreational facilities.

10 ~~(c) Buildings of four thousand square feet (4,000 sq. ft.) or less~~  
11 ~~shall be exempt from the requirements of this chapter only upon the resolution~~  
12 ~~of the local planning commission, or in the absence of a local planning~~  
13 ~~commission, upon the resolution of the governing body of the political~~  
14 ~~subdivision."~~

15  
16 SECTION 5. All provisions of this act of a general and permanent nature  
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
18 Revision Commission shall incorporate the same in the Code.

19  
20 SECTION 6. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

25  
26 SECTION 7. All laws and parts of laws in conflict with this act are  
27 hereby repealed.

28 /s/ Simmons, et al

29  
30  
31 APPROVED: 4/15/1999  
32  
33  
34  
35  
36