

**Rules and Regulations
Pertaining To
The Mechanical Plan Review
Of
Non-Residential Heating, Ventilation, Air Conditioning And
Refrigeration Systems**

Section I. Authority

The following rules and regulations are duly adopted and promulgated by the Arkansas Heating, Ventilation, Air Conditioning and Refrigeration Licensing Board pursuant to the authority expressly conferred by the laws of the State of Arkansas in A.C.A. 17-33-202, Powers and Duties of the Board.

Section II. Purpose

The purpose of this regulation is to enhance the health and safety of the citizens of Arkansas by utilizing the authority of the Board, as conferred by the legislature, by requiring mechanical plan reviews of heating, ventilation, air conditioning and refrigeration systems for non-residential facilities.

Section III. Definitions

The following words and terms, when used in this regulation, shall have the following meanings, unless the context clearly indicates otherwise. Words not defined in this regulation shall have the meaning stated in the Webster's Ninth New Collegiate dictionary, as revised.

1. "Board" means the Arkansas Heating, Ventilation, Air Conditioning and Refrigeration Licensing Board;
2. "HVACR" means Heating, Ventilation, Air Conditioning and Refrigeration;
3. "Section" means the HVACR Section of the Division of Protective Health Codes of the Arkansas Department of Health;
4. "Heating, Ventilation, Air Conditioning and Refrigeration" or "HVACR" means the design, installation, construction, maintenance, service, repair, alteration or modification of a product or of equipment in heating, ventilation, air conditioning, refrigeration, or process cooling or heating systems;

5. “Heating and Air Conditioning” means the process of treating air to control temperature, humidity, ventilation, or circulation to meet human comfort requirements;
6. “Ventilation” means the process of supplying or removing air by natural or mechanical means to or from any space;
7. “Refrigeration” means the use of mechanical or absorption equipment to control temperature, humidity, or both, in order to satisfy the intended use of a specific space other than for human comfort;
8. “Plan Review” means the process of analyzing a set of construction project plans or drawing, prior to construction, in order to determine the compliance of the project with the Arkansas Mechanical Code;
9. “Plans Examiner” means the person or persons employed by the HVACR Section whose job function is to perform the Mechanical Plan Review of non-residential HVACR construction plans and drawings;
10. “Non-Residential” means all facilities except those defined as R-3 residential occupancies for one and two family dwellings in the Arkansas Fire Prevention Code, Volume II (the Building Code).

Section IV. Plans Examination Fees

The following fees will be collected based on the conditioned space of the facility:

<u>Building Area (sq-ft)</u>	<u>Rate (\$ per sq-ft)</u>	<u>Fee calculation</u>
3000 – 10,000 sq-ft	\$0.05 per sq-ft	\$150 - \$500
> 10,000 sq-ft	\$0.05 per sq-ft not to exceed	\$500
>= 100,000	\$0.01 sq-ft	\$1,000 and up

Section V. Qualifications of the Plans Examiner

The person or person hired by the HVACR Section to serve as the Mechanical Plans Examiner shall be so hired in accordance with the grading and educational / experience requirements as set forth by the Office of Personnel Management of the Department of Finance and Administration in accordance with their criteria for similarly skilled state employees. Additionally, the Plans Examiner(s) shall possess, or be capable of acquiring within twelve (12) months after hire, the certification of the International Code Council as a Commercial Mechanical Plans Examiner.

Section VI. Process and Procedures

All of the following criteria must be complied with to receive approval on plans and drawings submitted for review by the Plans Examiner:

1. All non-residential installations of HVACR equipment and systems must be approved prior to construction and / or installation.
2. All submittals must be in drawing form, minimum of schematic single line drawings.
3. All submittals exceeding twenty-five-thousand (\$25,000.00) dollars shall be professionally designed and stamped by a licensed professional engineer licensed in the State of Arkansas, in accordance with A.C.A. 22-9-101.
4. All fees, as designated in Section IV, must be paid at the time of plan submittal to the HVACR Section.
5. Proof of plan review approval must be provided to the inspector upon request.

Section VII. Disposition of Funds

All fees collected in accordance with these rules shall be deposited into the HVACR Licensing Fund in accordance with A.C.A. 17-33-205(a)(1). All fees shall be used for the general operation and maintenance of the HVACR Licensing program as administered by the HVACR Licensing Board.

Section VIII. Exemptions

The following exemptions to these regulations shall apply (except to K-12 public school facilities):

1. The definition of “Non-Residential” is expanded to included buildings that do not contain more than four (4) dwelling units.
2. Commercial spaces (Groups A, B, and M as defined by the Arkansas Fire Prevention Code, Volume II) less than 3,000 square feet in total space or where the occupancy level is less than 30 persons.
3. Replacements of existing installed equipment systems that meet the requirements of the most current code need not have plans reviewed if they are replace like for like and are inspected to insure compliance. Equipment systems installed prior to the most current code must be brought up the most current code when replaced and will require plan review.
4. Local jurisdictions having state certified HVACR inspection programs and having a plan review program approved by the HVACR Section, may conduct plan reviews for their jurisdiction and charge fees as designated by the state.. This review and the fee paid will be in lieu of the state review and fee assessment. **(Note:** This exemption for review by and fee payment to local jurisdictions does not apply to state owned facilities. Only the HVACR Program may review plans and assess review fees to state owned facilities.)

5. Facilities governed by the Rules and Regulations pertaining to healthcare facilities licensed under Act 414, of 1961, as amended and administered by the Arkansas Department of Health, Division of Health Care Facilities.

Section IX. Severability

If any provision of these regulations or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can give effect without the invalid provisions or application, and to this end the provisions hereto are declared to be severable.

Section X. Repeal

All regulations and parts of regulation in conflict herewith are hereby repealed.