

REQUIREMENTS

REGARDING THE USE OF PROFESSIONAL SEALS AND THE PRACTICE OF ARCHITECTURE AND ENGINEERING IN THE STATE OF NORTH CAROLINA.

To safeguard the public life, safety, welfare and property the State of North Carolina requires that individuals who practice architecture and engineering be properly licensed. Answers and illustrations to frequent questions are provided for clarity – detailed reviews of the North Carolina Building Code, the General Statutes and Rules of the State Boards of Architecture and Engineering are necessary.



A publication of
the NC Board of Architecture
and the
NC Board of Examiners
for Engineers and Surveyors.

WHICH TYPE OF LICENSEE MUST PREPARE AND SEAL THE PLANS?

Can architects prepare and seal engineering plans?

Architects/Engineers:

Although “incidental” engineering is allowed if it is included in the architectural plans, architects generally should not design electrical, mechanical, plumbing, civil or structural engineering systems.

Can professional engineers prepare and seal architectural plans?

Architects/Engineers:

Although building design is allowed, if within the competency of the professional engineer, professional engineers cannot represent the work as architecture and should not seal drawings labeled as architectural (“A Sheets”) or be listed as the “Architectural” Designer on the Appendix B – Building Code Summary.

ARE THERE SPECIAL REQUIREMENTS REGARDING THE SEALS AND SIGNATURES?

Can a licensee use an electronic/digital signature?

Architects: Permitted subject to detailed requirements described in rule 21 NCAC 02 .0206 (e).

Engineers: Permitted subject to detailed requirements described in rule 21 NCAC 56 .1103 (e).

Can a licensee seal another licensed designer’s standard design (prototypical) plans?

Architects: Yes, subject to special requirements detailed in rule 21 NCAC 02 .0206, including disclaimer.

Engineers: Yes, subject to special requirements detailed in rule 21 NCAC 56. 1106, including disclaimer.

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REQUIREMENTS REGARDING THE USE OF PROFESSIONAL SEALS

Can licensees use signature reproductions such as rubber stamps or computer generated facsimiles?

Architects/Engineers: No, signature reproductions are not acceptable. Seal reproductions are acceptable.

Can an individual licensed in another jurisdiction engage in temporary practice in NC before obtaining a license?

Architects/Engineers : No.

Security of Seal – Can someone else use an individual’s seal?

Architects/Engineers:

No.

Must Professional Corporations use corporate seals on plans?

Architects: Yes, in addition to the individual seal, only on the cover sheet.

Engineers: No, however, companies must place address and license number on title block as set forth in 21 NCAC 56 .1103.

Question: Must the licensee seal, sign and date each sheet of original drawings issued for bidding, permitting or construction?

Architects/Engineers:

Yes, required on original or reproducible from which all lawful copies shall be made.

Question: Must the licensee seal, sign and date index page identifying each set of specifications or technical submissions?

Architects: Yes, as set forth in 21 NCAC 02 .0206

Engineers: Yes, as set forth in 21 NCAC 56 .1103(b).

WHAT TYPES OF PROJECTS MAY BE EXEMPT IN THE BUILDING CODE FROM THE DESIGN PROFESSIONAL’S SEAL?

While there are certain exemptions from the requirements of a professional architect’s or engineer’s seal, it is important that the code official exercise judgment to require seals where necessary to protect the public. An architect or engineer must seal all of his/her work, regardless of the exemptions.

REQUIREMENTS REGARDING THE USE OF PROFESSIONAL SEALS

Question: Residential Plans?

Architects/Engineers:

Exempt if less than eight units attached and each unit has its own exit on grade level. However, the Boards interpret that if the total number of attached residential units in a project exceeds eight, then public protection necessitates having the plans prepared and sealed by an architect or engineer.

Question: Farm Building Plans?

Architects/Engineers:

Exempt if not for public use.

Question: Plans for new commercial structures under 2500 Sq. Ft.?

Architects/Engineers:

Exempt, but in calculating the total, "square footage" must include all total gross floor area, both heated and unheated, within inside perimeter of exterior walls.

Question: Plans for new commercial structures less than \$90,000 in value?

Architects/Engineers:

Exempt, but "value" is defined as probable completed construction cost including change orders (but not including land values) and the total value of the building for an addition to a building.

Question: Plans for Oneself?

Architects/Engineers:

Exempt, but must be drawn and signed by the actual owner of the building (i.e., minister cannot sign church's plans). Preparation of specifications required to obtain a building permit is not exempt and must be sealed by a design professional.

Question: Plans for alterations, remodeling or renovations of an existing building that is considered exempt?

Architects/Engineers:

Exempt if finished structure would still qualify for its original exemption.

REQUIREMENTS REGARDING THE USE OF PROFESSIONAL SEALS

Question: Plans for alterations, remodeling or renovations to non-exempt structures?

Architect/Engineers:

Exempt if changes:

- Do not alter or effect the structural system.
- Do not change access or exit patterns.
- Do not change live or dead loads.

Question: Plans for alterations or up-fitting of a shell or unfinished structure?

Architects/Engineers:

Not exempt unless the structure has a current certificate of occupancy and still meets the exemptions for changes to non-exempt structures.

Question: SHOP DRAWINGS?

Architects: Exempt, only when prepared in-house by subcontractors and other specialists under the nonsupervisory control of the architect.

Engineers: Not exempt, unless prepared by non-licensee from the sealed engineering design drawings, without making changes to the design.

Question: Are church plans exempt?

Architects/Engineers:

No.

WHAT KINDS OF DOCUMENTS REQUIRE A SEAL?

Question: Must a licensee seal all plans prepared for bidding, permitting or construction?

Architects/Engineers:

Yes.

Question: Are specifications required to be sealed?

Architects/Engineers:

Yes.

REQUIREMENTS REGARDING THE USE OF PROFESSIONAL SEALS

Question: Must a licensee seal plans he/she prepared for exempt projects?

Architects/Engineers:

Yes.

Question: Are change orders required to be sealed?

Architects/Engineers:

Yes, if the documents can only be lawfully prepared by a licensee or are prepared by a licensee.

Question: Are addenda and field changes required to be sealed?

Architects/Engineers:

Yes, if changes are presented in a document of a type that must be prepared by a licensee or are prepared by a licensee.

Question: Are post construction "Record Drawings" required to be sealed?

Architects: No. However, the architect's name must be on the documents and there must be a disclaimer as set forth in 21 NCAC 02 .0206 (c).

Engineers: Yes, with disclaimer.

WHAT KINDS OF DOCUMENTS DO NOT REQUIRE A SEAL?

Question: Must licensees seal presentation documents (renderings used to communicate conceptual information only) not a part of a set of drawings?

Architects: Not required to be sealed or signed.

Engineers: Not required to be sealed or signed, but must reference a signed and sealed document, unless a preliminary document.

Question: Can or must licensees seal incomplete documents?

Architects: May be released for interim review without architect's seal, but shall be dated, bear architect's name and be conspicuously marked "not for construction."

Engineers: Not required if marked, "preliminary, not for construction," per 21 NCAC 56.1103(c).

REQUIREMENTS REGARDING THE USE OF PROFESSIONAL SEALS

Question: Can a licensee seal sheets or pages prepared by licensed professional consultants?

Architects: No, sheets or pages prepared by licensed professionals such as structural, mechanical or electrical engineers retained by architect shall bear seal and license number of consultant responsible therefore.

Engineers: No, not unless licensee is engineer "in responsible charge," 21 NCAC 56.0701(c)(3).

Question: Can non-exempt plans bearing seal of one discipline (civil engineering, structural engineering, mechanical/electrical or architecture) combined with non-sealed drawings of other disciplines be accepted for bidding, permitting or construction?

Architects/Engineers:

No, all drawings must be sealed and signed by the appropriate licensee.

UNDER WHAT CIRCUMSTANCES ARE LICENSEES LIMITED FROM SEALING CERTAIN DOCUMENTS?

Question: Can a licensee seal an opinion letter or report stating whether plans that he/she did not prepare comply with the building code?

Architects: No.

Engineers: Yes, if hired by an agency or the owner to specifically do a code review of plans already bearing the valid seal of a licensee.

Question: Can a licensee seal a document that was not personally prepared by licensee or under his/her direct responsible control?

Architects/Engineers: No.

Question: Can a licensee modify and seal drawings previously sealed by another licensee who was terminated by the owner without completely redrawing them?

Architects/Engineers:

Yes, if licensee clearly marks modifications and puts written disclaimer on the plans indicating the exact portion of the work done under his/her responsible charge/responsible control.

Question: Can a licensee seal plans begun, or contracted for, by a person not properly licensed?

Architects: No, unless the licensee makes them his/her own work product and documents the work in a design file.

Engineers: No, unless the licensee makes them his/her own work product and documents the work in a design file as set forth in 21 NCAC 56 .0701(c)(4).

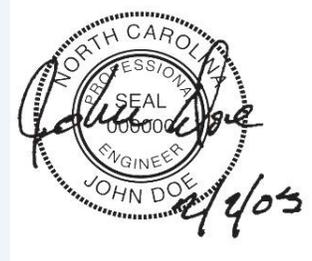
REQUIREMENTS REGARDING THE USE OF PROFESSIONAL SEALS

Seals properly signed and dated for use in this State:

ARCHITECT SEAL



ENGINEER SEAL (signature may be adjacent to seal)



Seals properly noted for interim review are not required to have a signature and date and may include the following acceptable statements:

Preliminary – Do not use for construction.

Progress drawings – Do not use for construction.

Final Drawing – For review purposes only.

Proper statements for engineers are found in 21 NCAC 56 .1103(c)

A & E RED FLAGS FOR PLAN REVIEWERS

Be alert to these issues:



- Architectural (“A”) sheets sealed by an engineer.
- Engineering (“E”, “C”, “S”, “P”, “M”) sheets sealed by an Architect.
- Plans sealed by an architect or engineer who is an employee of a non-licensed firm or company.
- Incomplete documents sealed without a disclaimer.
- Plans that have not been sealed, signed and dated by the licensee.
- Standard design documents or plans that do not bear the seal of the original preparer.
- Standard design documents or plans that do not bear the seal of a NC licensee and disclaimer.
- Plans for up-fitting a shell structure without a current certificate of occupancy.
- Unsealed church plans stating that the “plans are for oneself”.
- Seals appear to be cut and pasted.
- Signatures are identical on each sheet (digitized or scanned).
- Contact person is not the licensee or it is difficult to contact the licensee.
- Plans, details, letter reports, etc. do not appear to apply to the project.
- Plans have numerous or serious code violations.
- Non-dated revisions.

WHAT TO DO?

- Question the professional as to circumstances and qualifications
- Get corrected
- Reject
- Contact Licensing Board
- File a complaint

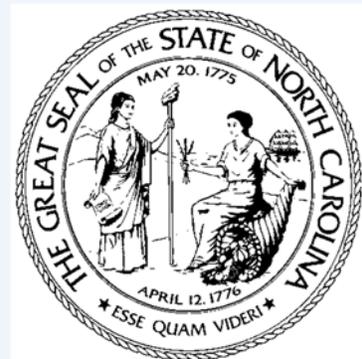
WHOM CAN I CONTACT?

Architects: 919-733-9544

nba@ncbarch.org www.ncbarch.org

Engineers: 919-791-2000

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