

MISSISSIPPI

BUILDING OFFICIAL'S GUIDE TO ARCHITECTURE AND ENGINEERING REQUIREMENTS

Building Officials are responsible for reviewing plans to insure conformance with building codes as well as state and local requirements. Their purpose is to safeguard life, health and property and to promote public good.

Architects and engineers have the same general responsibility by state law. State boards were created to establish licensure or registration of these professionals and to generally enforce the Constitution and laws of the state regarding these practices.

Occasionally, Building Officials encounter questions regarding development of building plans and the responsibility of architects and engineers. This brochure is intended as a ready reference to issues commonly encountered by Building Officials. Additional information or questions may be addressed at any time. Please contact the appropriate licensing board for additional clarification or information.

Contacts:

Mississippi State Board of Architecture
2 Professional Parkway, #2B
Ridgeland, Mississippi 39157
1-888-272-2627
Web: www.archbd.state.ms.us
Email: msboa@archbd.state.ms.us

Mississippi Board of Licensure for Professional Engineers and Surveyors
Post Office Box 3
Jackson, MS 39205
Phone: 601-359-6160
Web: www.pepls.state.ms.us
Email: information@pepls.state.ms.us



MISSISSIPPI STATE BOARD OF ARCHITECTURE

2 Professional Parkway, Suite 2B
Ridgeland, Mississippi 39157
Website: www.archbd.state.ms.us

RED FLAGS:

Watch out for these issues:

- Architectural sheets (“A” sheets) sealed by an engineer
- Engineering sheets (“C”, “E”, “M”, “P”, “S” sheets) sealed by an architect
- Drawings and specifications sealed by an unlicensed individual or with an out-of-state seal
- Drawings and specifications sealed by an engineer of an unauthorized firm (one without a Certificate of Authority)
- Title blocks or documents that do not identify the design professional and his or her firm
- Incomplete or preliminary documents sealed without a disclaimer
- Drawings and specifications that have not been sealed, signed and dated by the licensee(s)
- Prototypical, standard drawings and specifications that do not bear the seal of the Mississippi licensee
- Seals that appear to be “cut and pasted” or fraudulently applied
- Individuals listed or named as engineers or architects are not the sealing professionals
- The architect or engineer is difficult to contact
- Drawings and specifications, details, letters, reports, etc. do not appear to apply to the project
- Drawings and specifications have numerous or serious code violations
- Non-dated revisions
- Revisions or changes missing seal, signature, and date

What to do?

- Question the professional as to circumstances and qualifications
- Get the issue corrected
- Reject the documents
- Contact the appropriate licensing board
- Check online rosters available for both engineers and architects to confirm that the sealing professional is licensed
- File a complaint with the appropriate licensing board

How can I obtain a copy of the rules and law for all professions?

Both the Mississippi State Board of Architecture and the Mississippi Board of Licensure for Professional Engineers and Surveyors post current rules and laws on their websites.

Define “Registered Design Professional”.

In Mississippi, the only Design Professionals that are licensed or registered in accordance with Mississippi law are Architects and Engineers.

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

a e No.

Can a licensee seal a professional opinion letter or report concerning whether plans that he/she did not prepare comply with the building code?

a e Yes.

Can a licensee seal a document that was not prepared by the licensee or under his/her direct control?

a e No.

FIRM PRACTICE AND TITLE BLOCKS

Are companies employing these licensed professionals required to be registered by their respective Boards prior to providing, or even offering, professional services on building projects in Mississippi?

- a** No. The firm does not receive a license. However, a licensed architect must identify the firm through which he or she will practice in conjunction with his or her registration.
- e** Yes. A valid Certificate of Authorization (COA) must be obtained from the PE/PS Board.

What are the requirements for title blocks?

- a**
 1. The title block should provide the name of the architectural firm and contact information, as well as the project name and location.
 2. If the firm name does not include the name of an architect licensed in Mississippi, the title block must also include the name of the licensed architect (Ex. ABC Architects, John Doe, Architect).
 3. Architect title blocks cannot contain the name of a business corporation or the designation “Inc.” Architects are prohibited from practicing through a business corporation.
- e** Engineers have no rule specifically addressing title blocks.

BUILDING CODES

What is the current building code reference?

- a e** Neither board is responsible for establishing, regulating or enforcing building code compliance. Interested parties should contact the Mississippi State Fire Marshal and/or the Mississippi Building Code Council at 1-888-648-0877, or their local code official for details.

Are licensees bound to abide by applicable codes?

- a e** Yes. In designing a project, architects and engineers shall take into account all applicable state and municipal building laws and regulations. They shall not knowingly design a project in violation of such laws and regulations.

INCIDENTAL PRACTICE

Can architects prepare and seal engineering plans?

- a** Although engineering incidental to an architectural project is allowed, architects generally should not seal electrical, mechanical, plumbing, civil or structural engineering drawings. An architect should perform professional services only when he or she is qualified by education, training and experience in the specific technical areas involved.

Can engineers prepare and seal architectural plans?

- e** Although architecture incidental to an engineering project is allowed, engineers should not represent themselves as architects or their work as architecture. An engineer should perform professional services only when he or she is qualified by education, training and experience in the specific technical areas involved.

UNLICENSED PRACTICE

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

- a e** No.

Can an individual licensed in another jurisdiction engage in practice on exempted building projects without obtaining a license here?

- a** 1. Yes. If the individual is NOT represented as an architect in this state. If the individual has been or is represented as an architect, Mississippi licensure is required.
2. Yes. If the individual is an employee of the United States government or the State of Mississippi, but only when the individual is acting in his capacity as an employee of the United States or the State of Mississippi as required in Section 73-1-39(1) or (2).
- e** Yes. If the individual is NOT represented as an engineer, or is acting in his capacity as an employee of the United States, or is engaged on a project exempted by Section 73-13-41 of Mississippi law.

NON-EXEMPT AND EXEMPTED BUILDING PROJECTS

Note: All questions of exempt status are subject to more stringent local code requirements.

Under Mississippi law, what building projects are non-exempt, and thus require a registered design professional?

- a** 1. Pursuant to section 73-1-39, privately owned buildings that are three (3) stories in height or more, or buildings that are more than 5,000 square feet, unless the project is specifically exempted by section 73-1-39.
2. Pursuant to section 73-1-39, public buildings owned by the State of Mississippi if the project contains more than ten thousand (10,000) square feet of ground floor area, or if the project is three (3) or more stories in height, unless specifically exempted by section 73-1-39.

- e** Any engineering design except the designs of federal employees engaged in their federal capacity and certain industrial and public utility facilities management, in accordance with Section 73-13-41 of state law.

Are the services of a licensed professional engineer or a licensed architect required for single-family residential structures?

- a e** No. A designer who is not an engineer or an architect may design one-family and two-family residences. However, such person may not use the title of architect or engineer or be represented as such.

Must golf course architects be licensed?

- a e** No. If the dominant purpose of such services is the layout and design of a golf course and does not include the design of any non-exempt structure.

What other types of building projects are exempt, or do not require the services of a registered design professional?

- a e** Per section 73-1-39 (h) any person who prepares plans and specifications for, or supervises the erection, enlargement or alteration of:
 - Any building on any farm for use by any farmer;
 - Any one-family or two-family residence, regardless of cost;
 - Any domestic outbuilding appurtenant to any one-family or two-family residence, regardless of cost; or
 - Any other type building which contains less than five thousand (5,000) square feet and is less than three (3) stories in height.In these cases, the individual must not hold himself or herself out as an architect, nor may he or she label designs as architectural. (Ex. A-1)

Are plans for oneself exempted?

- a e** No. Except for otherwise noted exemptions.

Are plans for changes or alterations to nonexempt structures exempted?

- a e** No.

Are plans for alterations or up-fitting of a shell or unfinished structure exempted?

- a e** No. Except for otherwise noted exemptions.

Are shop drawings exempted?

- a e** Yes. Shop drawings are intended as contractor or fabricator details. These are not part of the Building Official's approved design plans.

Are church plans exempt?

- a e** No. Unless under 5,000 square feet or under three stories in height, unless local code requirements are more stringent.

If the plans are for an exempt building, who may prepare the construction documents?

- a e** For most exempt building projects, plans and specifications may be prepared by anyone. However, the designer and builder are not relieved of the responsibility of compliance

with locally adopted building codes, special requirements set forth by the Building Official and other applicable ordinances and laws. The plans should demonstrate a level of technical competence expected from a registered design professional.

Must a licensee seal plans he or she prepared for exempt building projects?

- a** Yes. The architect must sign and seal all original sheets of any bound or unbound set of working drawings or plans he or she prepares, including the cover page.
- e** There is no law requiring the services of an engineer on exempt projects. However, if an engineer participates on a project he or she shall sign and seal the work, other than exemptions provided in section 73-13-41 of state law.

DESIGN BUILD PROJECTS

What rules govern design/build projects?

- a** The architect cannot prepare plans as an employee of the construction firm in a design/build endeavor. The architect must have a collective or separate contractual agreement with the owner or contractor. Architectural plans must be sealed, signed and dated by the architect. Documents sealed by an architect should not exclude the architect's identity. Title blocks must clearly identify the architect separate and apart from the contractor.
- e** Engineers have no rule specific to design/build projects. The engineering laws and rules apply, regardless of the type project.

May a Mississippi licensed contractor prepare and submit plans to a Building Official without engaging a design professional (architect or engineer)?

- a** In general, no, and not at all if the plans are marked as architectural. However, depending on the nature of the structure, whether the project is among those exempted, and local code requirements, in some cases a contractor may prepare plans.
- e** No, not if the plans include engineering design.

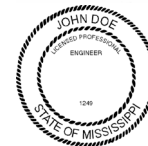
SEALS

What does a properly executed seal look like?

- a** The seal measures 1-1/2" in diameter. The signature of the architect and the date of execution must appear over the seal.
- e** The seal measures 1-5/8" - 2" in diameter. The signature of the engineer and the date of execution must appear over, beside or near the seal.

Can a licensee use an electronic seal?

- a e** Yes. Regardless of the seal's format, the licensee is responsible for its use.



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

- a** No. The adapted plans, which must be prepared under the hand of the Mississippi architect, must be sealed by the Mississippi architect who assumes full responsibility as the architect of record.
- e** Yes, except for site adaptation, in compliance with procedures of Board rule 14.

Can someone else use an individual's seal?

- a e** No.

Must professional corporations use corporate seals on plans?

- a e** No. Corporate seals should not appear on any drawings or specifications.

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

- a** Yes. The architect must sign, seal and date all original sheets and cover sheets of any bound or unbound set of working drawings, plans, and bid documents. The only exception is that any portions of working drawings or plans prepared by registered consultants should be sealed and signed by the consultant.
- e** Yes. The engineer must sign, seal and date each sheet or title sheet which indicates work for which he or she is responsible.

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

- a e** Yes. Architects and engineers are required to sign, seal and date the original cover or index page of all specifications prepared by him or her.

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

- a** No. Any portions of working drawings or plans prepared by registered consultants should bear the seal and signature of the consultant who prepared them.
- e** No. Not as the professional responsible for the work.

Are change orders, technical submissions or drawings accompanying or related to change orders required to be sealed?

- a e** Yes. If the changes, technical submissions or drawings were of a type that must be prepared by a licensee.

Are addenda and field changes required to be sealed?

- a e** Yes. If the documents, technical submissions or drawings can only be lawfully prepared by a licensee.

Are "record drawings (as built)" required to be sealed?

- a e** Yes. When prepared by the architect or engineer.