

CHAPTER 27

NEW JERSEY STATE BOARD OF ARCHITECTS

Authority

N.J.S.A. 45:3-1 et seq., specifically 45:3-3.

Source and Effective Date

R.2000 d.103, effective February 18, 2000.
See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

Executive Order No. 66(1978) Expiration Date

Chapter 27, New Jersey State Board of Architects, expires on February 18, 2005.

Chapter Historical Note

Chapter 27, New Jersey State Board of Architects, was filed and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 27, New Jersey State Board of Architects, was readopted as R.1990 d.165, effective February 20, 1990. See: 22 N.J.R. 18(a), 22 N.J.R. 974(a).

Subchapter 3, Scope of Architectural Services, was adopted as R.1994 d.169, effective April 4, 1994. See: 25 N.J.R. 5439(a), 26 N.J.R. 1517(a).

Chapter 27, New Jersey State Board of Architects, was repealed and Chapter 27, New Jersey State Board of Architects, was adopted as new rules by R.1995 d.101, effective February 21, 1995. See: 26 N.J.R. 4952(a), 27 N.J.R. 716(a).

Pursuant to Executive Order No. 66(1978), Chapter 27, New Jersey State Board of Architects, was readopted as R.2000 d.103, effective February 18, 2000. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. PURPOSE AND SCOPE

13:27-1.1 Purpose

The purpose of this chapter is to regulate the practice of architecture in the State of New Jersey pursuant to N.J.S.A. 45:3-1.

Amended by R.2000 d.103, effective March 20, 2000.
See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).
Rewrote the section.

13:27-1.2 Scope

This chapter shall apply to all applicants seeking licensure as an architect and all licensees practicing architecture in the State of New Jersey.

Amended by R.2000 d.103, effective March 20, 2000.
See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).
Rewrote the section.

SUBCHAPTER 2. ADMINISTRATION

13:27-2.1 Establishing Board name

In accordance with P.L. 1902, c.29, p. 54 as amended and supplemented (N.J.S.A. 45:3-1 et seq.) the name of this Board shall be the New Jersey State Board of Architects.

13:27-2.2 Office location

The offices of the Board are located at 124 Halsey Street, PO Box 45001, Newark, New Jersey 07101.

Case Notes

Engineer's designing of duplex held not an "engineering project" within exception to architect's licensing statute; nominal penalty assessed due to good faith belief in status as "engineering project" absent statutory definition of the term. State Bd. of Architects v. North, 197 N.J.Super 349, 484 A.2d 1297 (Ch.Div.1984).

13:27-2.3 Meetings of Board; quorum

(a) The Board shall hold an annual meeting at the Board office in July of each year.

(b) The meetings of the Board shall be held as scheduled and notice thereof shall be filed in accordance with the Open Public Meetings Act (P.L. 1975, c.231).

(c) A majority of the appointed membership of the Board shall constitute a quorum (N.J.S.A. 45:1-2.2(d)).

(d) Chronic absence and/or lack of participation by a member in Board activities, as documented by Board records, may be the basis for the submission of a request for replacement to the appropriate authority, as determined by a majority vote of the Board.

13:27-2.4 Election of officers; term; vacancies

(a) At its annual meeting, the Board shall elect from its members a President and a Vice President. These officers shall be elected by a quorum of the Board.

(b) The term of each officer so elected shall be for one year, but shall continue until a successor has been elected and qualified, unless such officer is removed for cause by vote of a quorum of the Board. In the event of a vacancy in an office, an officer shall be elected by a quorum of the Board to fill the unexpired term.

13:27-2.5 Duties of officers; committee appointments

(a) The President of the Board shall preside at all meetings, appoint all committees and chairpersons and shall perform all other duties ordinarily pertaining to the Office of the President or as may be directed by the Board.

(b) The Vice President shall perform the duties of the President during the absence or incapacity of the President. In the absence of both the President and Vice President, the Board member with seniority shall preside.

13:27-2.6 Executive Director; duties

(a) An Executive Director shall serve as chief administrative officer and official custodian of the records of the Board.

(b) The Executive Director shall, in a thorough and efficient manner, fulfill administrative duties, including, but not limited to, duties in connection with the keeping of minutes of meetings, examinations, correspondence, staff and records.

13:27-2.7 Roster; dissemination of statutes, rules and code data

A roster of architects and landscape architects registered in the State of New Jersey shall be issued every two years. The roster shall also include the statutes and regulations pertaining to the practice of architecture and landscape architecture and shall list other appropriate codes relating to the practice of architecture and landscape architecture in New Jersey.

(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.

Petition for Rulemaking.
31 N.J.R. 1215(c), 31 N.J.R. 1385(b).

13:27-7.5 Effect of local ordinances

(a) Informal site plans not required by local ordinances are excluded from this rule.

(b) No municipal or county ordinance, policy or action purporting to define the scope of professional activity of architects, engineers, land surveyors, planners, or certified landscape architects in the preparation of site plans or major subdivisions shall reduce or expand the scope of professional practice recognized by the Boards.

SUBCHAPTER 8. CERTIFIED LANDSCAPE ARCHITECTS

13:27-8.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Board” means the New Jersey State Board of Architects.

“Certified landscape architect” means an individual who, by reason of his or her knowledge of natural, physical, and mathematical sciences, and the principles and methodology of landscape architecture and landscape architecture design acquired by professional education, practical experience, or both, is qualified to engage in the practice of landscape architecture and is certified by the Board as a landscape architect.

“Committee” means the Landscape Architect Examination and Evaluation Committee of the New Jersey State Board of Architects.

“Practice of landscape architecture” means any service in which the principles and methodology of landscape architecture are applied in consultation, evaluation and planning, including the preparation and filing of sketches, drawings, plans and specifications, and responsible administration of contracts relative to projects principally directed at the functional and aesthetic use of land. Nothing contained in this section shall be construed to restrict or otherwise affect the right of any person or corporation to engage in the practice of landscape architecture, but no person shall hold himself or herself out as, or use the title “landscape archi-

tect” or other similar nomenclature as provided by N.J.A.C. 13:27-8.20, unless he or she has been certified by the Board as a landscape architect.

13:27-8.2 Office of the Committee

The office of the Committee shall be that which is maintained by the Board pursuant to N.J.A.C. 13:27-2.2, Administration, under the supervision of the person selected to serve as executive director.

13:27-8.3 Committee organization

(a) The Committee shall, at an annual meeting to be held in July of each year, elect from its membership a chairperson and vice-chairperson.

(b) The Committee shall adopt annually a schedule of regular meetings. Special meetings may be held at the call of the chair or at the action of a quorum of the membership.

(c) A quorum of the committee shall consist of three members. No affirmative action at a meeting shall be taken without at least three affirmative votes.

(d) The Committee shall keep a record of its proceedings and a record of all applicants for certification, showing for each the date of application, name, age, education, and other qualifications, place of practice and place of residence, whether or not an examination was required, and whether the applicant was rejected or a certificate granted, and the date of that action.

13:27-8.4 Approval of landscape architecture curricula and credentials

(a) For purposes of this section, any educational program accredited by the Landscape Architectural Accreditation Board of the American Society of Landscape Architects shall be deemed an approved program.

(b) An applicant for certification as a landscape architect who is a graduate of a school or program not accredited by the Landscape Architectural Board shall provide to the Committee, in addition to a certified transcript of his or her courses, a true and accurate course description for each of the landscape architecture courses for which the candidate is seeking credit toward certification. The Committee shall, in its consideration of the academic program, compare the degree to the standards promulgated by the Landscape Architecture Accreditation Board. Thereafter, the Committee may, in its discretion, require the candidate to appear before the Committee for a personal interview and to present representative samples of his or her landscape architecture work.

13:27-8.5 Application for initial certification by examination

(a) An applicant for initial certification as a landscape architect shall:

1. Successfully complete the Landscape Architect Registration Examination ("LARE");
2. Successfully complete an examination on landscape architecture issues specific to New Jersey, which shall cover plant materials, soil types, geology and laws and regulations governing land use and planning, including the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and
3. Pay the initial certification fee as set forth in N.J.A.C. 13:27-8.21.

(b) A candidate for the "LARE" shall apply to the Board for approval to sit for the "LARE." The candidate shall request from, complete and return to the Board an application form together with the application fee as set forth in N.J.A.C. 13:27-8.21. On receipt of the completed application form, fee and all documentation required by (b)1 through 3 below, the Board shall refer the application to the Committee for evaluation and approval. An applicant shall demonstrate that he or she:

1. Is of good moral character by furnishing five personal references, two from individuals who have known the applicant for at least five years and three from professionally trained design professionals, such as certified or licensed landscape architects, architects, professional engineers or professional planners, who have first hand experience of the applicant's work. No individual providing a reference shall be related to the applicant. The applicant shall be responsible for ensuring that the Board receives these references by the required date;
2. Is the holder of a bachelor's or higher degree in landscape architecture from a college or university having a landscape architecture curriculum accredited by the American Society of Landscape Architects ("ASLA"). The applicant shall arrange for the college or university to send an official transcript directly to the Board. The applicant shall be responsible for ensuring that the Board receives the transcript by the required date;
3. Has, by June 30, 2001, engaged in practical landscape architectural work satisfactory to the Committee to an extent that his or her combined college study and practical experience total at least six years, four years of which must be college study with three years in a landscape architecture curriculum, and two years of which must be practical landscape architecture experience approved by the Committee. The practical landscape architecture experience shall be obtained after the completion of the educational requirements; and for two years after completion of the educational requirement set forth in (b)2 above, at least one of which the applicant having worked on a full-time basis under the supervision of a certified or licensed landscape architect, architect, professional planner, or professional engineer;

4. Has, effective July 1, 2001, engaged in practical landscape architectural work for four years after completion of the educational requirement set forth in (b)2 above, at least two of which the applicant having worked on a full-time basis under the supervision of a certified or licensed landscape architect, architect, professional planner, or professional engineer; and

(c) On receipt of the Board's approval, the applicant shall pay the examination fee as is determined by the Council of Landscape Architectural Registration Boards (CLARB) for the "LARE."

Amended by R.2000 d.103, effective March 20, 2000.

See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

Rewrote the section.

13:27-8.6 Application for certification as a landscape architect by reciprocity

(a) An individual may apply for certification by reciprocity as a landscape architect in New Jersey if he or she meets the requirements of N.J.S.A. 45:3A-1 et seq. and:

1. Holds a professional degree in Landscape Architecture from a college or university accredited by the American Society of Landscape Architects (ASLA);
2. Has, by June 30, 2001, engaged in practical landscape architectural work for two years after completion of the educational requirement set forth in (a)1 above, at least one of which the applicant having worked on a full-time basis under the supervision of a certified or licensed landscape architect, architect, professional planner, or professional engineer;
3. Has, effective July 1, 2001, engaged in practical landscape architecture work for four years after completion of the educational requirement set forth in (a)1 above, at least two of which the applicant having worked on a full-time basis under the supervision of a certified or licensed landscape architect, professional planner, or professional engineer;
4. Holds a license or certificate in good standing as a landscape architect from any other state or territory or possession of the United States provided that the requirements for licensure or certification of the issuing agency are substantially equivalent to those of the Committee; and
5. Has passed the CLARB "UNE" or "LARE" or holds a current CLARB certification.

(b) The candidate shall request from, complete and return to the Board an application form and pay the application fee as set forth in N.J.A.C. 13:27-8.21. On receipt of the completed application form and all documentation required in (b)1 through 4 below, the Board shall refer the application to the Committee for evaluation and approval. The applicant shall demonstrate that he or she: