

Red Flags

Watch out for these issues:

- Architectural sheets sealed by an engineer
- Engineering sheets sealed by an architect
- Plans sealed by an unlicensed person, architect or engineer
- Plans sealed by an engineer of an unauthorized firm (one without a COA)
- Incomplete documents sealed without a disclaimer
- Plans that have not been sealed, signed, and dated by the licensee(s)
- Prototypical, standard plans that do not bear the seal of the WV licensee and disclaimer
- Seals that appear to be cut and pasted
- Contact person is not the licensee or it is difficult to contact the licensee
- Plans, details, letters, reports, etc. do not appear to apply to the project
- Plans have numerous or serious code violations
- Non-dated revisions
- Revisions or changes missing seal, signature, and date
- Plans which do not list the name of the architect or engineer involved and the name of his/her firm.

What to do?

- Question the professional as to circumstances and qualifications
- Get the issue corrected
- Reject the documents
- Contact the appropriate licensing board
- File a complaint with the appropriate licensing board

Whom may I contact?

- **West Virginia Board of Architects**
405 Capitol Street, Mezzanine Suite 3
Charleston, WV 25301
(304) 558-1406
www.brdarch.wv.gov
- **West Virginia State Board of Registration for Professional Engineers**
300 Capitol Street, Suite 910,
Charleston, WV 25301
(304) 558-3554
www.wvpebd.gov

Engineering Addendum:

Are the services of a registered professional engineer required for single family residential structures?

Single family residences do not normally require the design services of professional (structural) engineers except for some large custom designed homes where the owner requests the services or the spans are too large for typical code-specified framing to work. Generally the only times a structural engineer will become involved in a single family residence are as follows:

- Where there is a problem with the foundation or framing of the house, such as storm damage, soil movements, or unusual deflections and damages in the architectural finishes.
- When an existing house is being sold and the mortgage company is looking for someone to identify and describe the various structural movements and damages that have occurred in the structure, as well as provide some recommendations of what should be done to eliminate the problems.
- When the design of the house involves a structural system which is outside of the typical structural framing and foundation systems specified in the residential building code or when the building code requires engineering services.

Relevant Codes

What is the current building code reference?

Neither board is responsible for regulating or enforcing building code compliance. Interested parties should contact the WV State Fire Marshal or their local code official for details.

What WV laws govern the Architect and Professional Engineers boards?

- W.Va. Code § 30-12 et seq. – WV State Registration Law for Architects
- W.Va. Code R. § 2-1 et seq. – Registration of Architects
- W.Va. Code R. § 2-2 et seq. – Disciplinary and Complaint Procedures for Architects
- W.Va. Code R. § 2-3 et seq. – Fees for Architects
- §30-13 et seq. – WV State Registration Law for Professional Engineers
- §7-1 et seq. – Legislative Rule for Professional Engineers
- §7-2 et seq. – Procedural Rule for Professional Engineers



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West Virginia State Board of Registration
for Professional Engineers



Requirements regarding the practice of architecture and engineering in West Virginia



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Which type of licensee must prepare and seal plans?

Can architects prepare and seal engineering plans?

AE Although incidental engineering is allowed, architects generally should not seal electrical, mechanical, plumbing, civil or structural engineering drawings.

Can engineers prepare and seal architectural plans?

AE Although incidental architecture is allowed, engineers should not represent their work as architecture and should not seal drawings identified as architectural.

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

A No, but an individual architect is required to be registered in WV before soliciting work in WV.*

E Yes, a valid Certificate of Authorization (COA) must be obtained from the PE Board prior to offering engineering services.*

**Both Licensed Architects and Professional Engineers (and their firms) should check with the WV Secretary of State's Office regarding additional business license requirements once properly registered with their respective Board.*

How can one verify that an architect, engineer, or engineering company is currently licensed and eligible to offer professional services in WV?

AE Both Boards have websites which allow online licensure verification. West Virginia engineers are not licensed by discipline but as professional engineers. Seals shall not reference an engineer's branch or discipline.

A Visit www.brdarch.wv.gov or call (304) 558-1406

E Visit www.wvpebd.gov or call (304) 558-3554



Are there special requirements regarding the seals?

Can a licensee use an electronic or digital seal, signature, and date?

AE Yes, manual, electronic, or digital seals are permitted. In addition, the signature and date may be manual, electronic or digital. A signature and date are required with the seal application. (See the specifics related to use of electronic and digital seals and signatures in W.Va. Code R. § 2-1 et seq - Registration for Architects and W.Va. Code R. § 7-1-7 et seq - Seals for Professional Engineers)

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

AE No, they must be sealed by a West Virginia licensed architect or engineer who is in responsible charge of the preparation of the documents.



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

AE No.

Security of seal – can someone else use an individual's seal?

AE No.

Must professional corporations use corporate seals on plans?

AE No.

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

A They must sign, seal, and date the index page or each individual sheet that was prepared under the architect's responsible control.

E They must sign, seal and date the first sheet or title sheet of the appropriate sections.

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

A The architect is required to sign, seal, and date all technical work prepared by him/her.

E The engineer is required to sign, seal and date all technical work prepared by him/her.

What structures may be exempt in the licensing laws from the architect's and engineer's requirements and/or may be prepared by others?

A There are limited exemptions in the architect's law to permit a person who is not registered as an architect to design and supervise the erection or alteration of the following:

1. A detached single family dwelling and any incidental sheds, storage buildings and garages;
 2. A multifamily residential structure not in excess of three stories excluding any basement area;
 3. Farm buildings, including barns, silos, sheds or housing for farm equipment and machinery, livestock, poultry or storage, if such structures are designed to be occupied by no more than ten persons;
 4. Any alteration, renovation or remodeling of a building, if such alteration, renovation or remodeling does not affect the structural or other safety features of the building or if the work contemplated by the design does not require the issuance of a permit under any applicable code;
 5. Pre-engineered buildings, including mobile classrooms purchased by county school boards, and;
 6. A commercial structure which contains not more than 7,600 square feet and is only one story, excluding any basement area.
- E** No specific types of structures are exempt from engineer licensing laws.

Plans for changes to previously exempt structures?

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

E Not exempt.

Plans for changes to nonexempt structures?

A Exempt if changes:

- Do not alter or affect the structural system.
- Do not change access or exit patterns.
- Do not change live or dead loads.
- Do not change safety features.
- Do not require the issuance of a permit under any applicable code.

E Not exempt.

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

AE Not exempt.

Shop drawings?

A Exempt. **E** Not exempt.

Are church plans exempt?

AE No.



What types of documents require a seal?

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

A Yes. **E** Yes.

Are specifications required to be sealed?

A Yes. **E** Yes.

If a project is exempt but a licensee does the work, must the licensee seal the plans?

A Yes. **E** Yes, generally.

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

AE 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?

AE Yes, if the documents, addenda or field changes can only be lawfully prepared by a licensee.

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

AE Yes, when prepared by an architect or engineer.



What kinds of documents do not require a seal?

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

AE Not required to be sealed or signed.

Can a licensee seal sheets or pages prepared by others?

A Yes, in certain cases where portions of the work were prepared by others under the direct supervision of the architect. The architect may also sign or seal those portions of professional work if the architect has reviewed them and coordinated their preparation.

E Yes, if the licensee was in responsible charge of the work or completely checked it.



Under what circumstances are licensees limited from sealing certain documents?

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

AE Yes.

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

AE No.

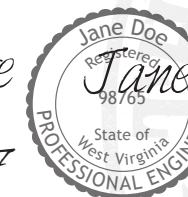


Proper architectural and engineering seals

Architect and engineer seals properly signed, sealed and dated:



Architect



Engineer

Acceptable disclaimers include:

- Preliminary – Do Not Use for Construction
- Progress Drawings – Do Not Use for Construction
- Final Drawing – For Review Purposes Only