



# Landscape Architecture Licensure Laws

## ASLA Summary of Provisions

### SOUTH CAROLINA

South Carolina Code of Laws: Title 40, Chapter 28

1999 Code of Regulations: Chapter 74

**Type of Law:** Practice/title act.

#### Board of Landscape Architectural Examiners

The Board consists of five landscape architects and two public members appointed by the Governor. Financed through the general fund.

#### Definitions

**Landscape architect:** A person who is licensed to practice landscape architecture in South Carolina.

**Landscape architecture:** The performance of professional services, such as consultation, investigation, research, planning, design, preparation of drawings and specifications, and responsible inspection in connection with the development of land areas where, and to the extent that, the dominant purpose of the services is the preservation, enhancement, or determination of proper site design, natural land features, planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, the setting of grades and determining drainage and providing for drainage structures, and the consideration and determining of environmental problems. This practice includes the design of tangible objects, drainage structures and systems, and features as are incidental and necessary to an overall or ongoing landscape plan and site design, and the landscape architect may certify the design of the tangible objects, drainage structures and systems, features as to structural soundness and as to compliance with all requirements and standards of a government or subdivision of it.

This practice does not include the design of structures, drainage structures and systems, and features which are not incidental and necessary to an overall landscape plan and site design and which have separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture and does not include the making of land surveys or final plats for official approval or recordation. Nothing contained in this definition precludes a duly licensed landscape architect from performing the services described above in connection with the settings, approaches, or environment for buildings, structures, or facilities. Nothing contained in this chapter may be construed as authorizing a landscape architect to engage in the practice of architecture, engineering, or land surveying as these terms are defined in law, except that a landscape architect may prepare and certify all design, grading, drainage, and construction plans for roads and site-related projects which are incidental and necessary to an overall or ongoing landscape plan and site design.

#### Exemptions

**Interprofessional practice:** The law exempts architects, engineers, land surveyors and their employees who perform landscape architectural work incidental to their practice.

**Exempt persons:**

- Any person who acts under the supervision of a landscape architect or any employee of a person lawfully engaged in the practice of landscape architecture and who in either event does not assume responsible charge of design or supervision.

Note: Bracketed [ ] material is drawn from regulations.

Summary of Licensure Laws: South Carolina

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- Employees of the United States or South Carolina government while engaged within the state in the practice of landscape architecture for the government or projects sanctioned by or totally sponsored by the government.
- Planning as customarily done by regional or urban planners.
- An arborist, forester, gardener, home builder or horticulturist.
- A nurseryman, general or landscape contractor, such practice to include design, planning, location and arrangements of plantings or other ornamental features.

#### **Eligibility Requirements – Initial Licensure**

Applicants must be able to read and write the English language. Applicants are required to pass a written examination. Applicants must be a graduate of an accredited degree landscape architectural curriculum with two years varied landscape architectural experience under the direct supervision of a licensed landscape architect or other qualified person or experience approved by the board. Alternatively, an applicant may qualify as a graduate of a non-accredited curriculum or a four-year college degree in a related field, along with five years varied landscape architectural experience under the direct supervision of a licensed landscape architect or other qualified person or experience approved by the board.

Fee: Application, \$50. Initial license and biennial renewal, \$200.

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#### **Eligibility Requirements – Reciprocal Licensure**

Applicants must be able to read and write the English language. A CLARB certificate or licensure to practice landscape architecture issued upon examination by another jurisdiction with substantially equivalent requirements to those of South Carolina. [Temporary permission to practice may be granted by the board for up to 12 months to licenses from a jurisdiction with equivalent requirements and which grants similar reciprocity rights to South Carolina landscape architects.]

Fee: Initial license and biennial renewal, \$200.

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#### **Practice Entities**

Practice of landscape architecture or an offer to practice through a firm is permitted only through entities with a valid certificate of authorization. Corporate practice is permitted if: (1) at least one officer/owner/full-time employee is licensed and designated as being responsible for landscape architectural services; and (2) all firm personnel who act on behalf of the firm as landscape architects are licensed. [A firm engaged in the practice of landscape architecture must employ at least one person who is in full authority and responsible charge of the firm's landscape architectural practice. Each office maintained for professional work must have a licensed landscape architect in full authority and responsible charge of such work.]

Fees: Initial certificate and biennial renewal, \$400.

#### **Seal Requirements**

All final drawings, specifications, plans, reports or other papers or documents involving the practice of landscape architecture when issued, or filed for public record, must be dated, and bear the name and seal of the landscape architect or landscape architects who prepared or approved them. A licensee is subject to discipline for affixing a seal to a plan, drawing, specification, or other instrument of service that has not been prepared by the licensee or under the licensee's immediate and responsible direction. [The licensee shall not affix, or permit to be affixed, his/her name or seal to any drawing, specification, or other document which was not prepared by him/her or under his/her personal supervision. No licensee shall affix his/her seal to any drawings, specification, or other document in physical or electronic format unless the licensee has assumed the responsibility for the accuracy of the contract documents involved.]

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## Enforcement

Prohibitions/penalties: cancel, fine, suspend, revoke, or restrict the authorization to practice of an individual who: is found guilty of fraud or deceit, negligence, willful misconduct, or gross incompetence in the practice of landscape architecture; used a false, fraudulent, or forged statement or document or committed a fraudulent, deceitful, or dishonest act or omitted a material fact in obtaining licensure; has had a license in another state or jurisdiction canceled, revoked, or suspended or who has otherwise been disciplined; has intentionally or knowingly, directly or indirectly, violated or has aided or abetted in the violation or conspiracy to violate the law; has intentionally used a fraudulent statement in a document connected with the practice of landscape architecture; has obtained fees or assisted in obtaining fees under fraudulent circumstances; has committed a dishonorable, unethical, or unprofessional act that is likely to deceive, defraud, or harm the public; lacks the professional or ethical competence to practice landscape architecture; has been convicted of or has pled guilty to or nolo contendere to a felony or a crime involving drugs or moral turpitude; has practiced the profession or occupation while under the influence of alcohol or drugs or uses alcohol or drugs to such a degree as to render him unfit to practice landscape architecture; has sustained a physical or mental disability which renders further practice dangerous to the public; violates a provision of the licensure law or regulation promulgated; violates the code of professional ethics. In addition to sanctions that impact the license, the board may fine an individual a maximum of \$500.

## Mandatory Continuing Education

South Carolina requires landscape architects to earn 20 hours of continuing education per biennial renewal period. For the first biennium that this is in effect (ending January 31, 2013), only 10 hours is required. Subsequent renewal periods will require 20 hours.

- CE hour = 50 minutes of instruction
- A minimum of 15 hours shall be earned by completing educational activities that directly address health, safety, and welfare. Examples include, but are not limited to, site design, environmental or land use analysis, life safety, landscape architectural programming, site and soil analysis, accessibility, barrier free design, structural systems considerations, lateral forces, building codes, storm water management, playground safety, evaluation and selection of building systems, products or materials, construction methods, contract documentation, construction administration, building design, sustainable energy.
- A maximum of 5 hours may be completed in practice related topics that enhance and expand the skills, knowledge, and abilities of practicing landscape architects to remain current and render competent professional service to clients and the public.
- 10 hours may carry over to the next renewal period

## Activities:

- Structured activities include but are not limited to technical presentations, workshops, or seminars on landscape architectural subjects which are provided by independent sponsors or held in conjunction with colleges, universities, conventions or seminars. Landscape architectural activities such as those organized, sponsored, or approved by ASLA, CLARB, and LA CES are acceptable to the board.
- Self-directed activities are also permitted (maximum of 8 CE hours). These activities may include:
  - Public service activities that draw upon the landscape architect's expertise, such as serving on design review boards, planning commissions, building code advisory boards, urban renewal boards, or code study committees;
  - Authoring papers, articles, or books; or
  - Individualized seminars, tutorials, or video courses.
- Teaching landscape architectural courses or seminars (maximum: 5 CE hours/course; one-time credit; does not apply to full-time faculty)

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Recordkeeping: Licensee has responsibility for maintaining four-year record, including certificates of completion, course materials, or sign-in sheets that provide verification of the number of hours of each course or program; or, for other activities which meet the requirements, such documentation as to ascertain their completion. Licensees must attest compliance with license renewal application.

Exemptions:

- New licensees in the first renewal period
- Licensees serving on temporary active duty in the U.S. armed forces for more than 120 consecutive days in a year shall be exempt from obtaining the CE hours required during that year
- Licensees experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the board
- Emeritus landscape architects

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