



Landscape Architecture Licensure Laws

ASLA Summary of Provisions

UTAH

Utah Code: Title 58, Chapter 53 (General provisions in Chapter 1)

Utah Administrative Rules: Rule R-156-53 (General - Rule R156-1)

Type of Law: Practice/title act.

Landscape Architects Board

Board consists of four landscape architects and one public member appointed by the Director of the Division of Occupational and Professional Licensing. Financed through a separate fund.

Powers: Recommend to the director appropriate rules and policies. The Division has the power (in collaboration with the board) to prescribe license guidelines and define unprofessional conduct.

Definitions

Practice of landscape architecture: Rendering or offering to render any of the following services: the production of a site plan which may include the design of sprinkler irrigation systems, landscape grading and drainage plans or parking lots; the design of structures incidental to the production of a site plan including retaining walls or raised platforms, decks, and walkways; the design of any of the following structures incidental to the production of a site plan when the structure does not exceed 1,000 square feet: covered pavilions; gazebos; restrooms; storage and maintenance facilities or other accessory structures; the collaboration with architects and professional engineers in the design of roads, bridges, buildings, and structures with respect to the functional and aesthetic requirements of the area in which they are to be placed.

Exemptions

Interprofessional practice: The law exempts licensed architects, engineers and land surveyors. An individual licensed to practice or engage in an occupation or profession may engage in the lawful, professional, and competent practice of that occupation or profession without additional licensure under other chapters of this title.

Exempt persons:

- An individual residing in another state and licensed to practice landscape architecture who is called in for a consultation by an individual licensed in Utah, and the services provided are limited to that consultation.
- A person preparing a site plan for a one-, two-, three-, or four-family residence not exceeding two stories in height, exclusive of the basement.
- A person designing sprinkler irrigation systems when licensed as a landscape contractor.
- Unlicensed employees of a licensee while preparing site plans under the supervision of a landscape architect.
- A person serving in the armed forces of the United States, the United States Public Health Service, the United States Department of Veterans Affairs, or other federal agencies while engaged in activities regulated under this chapter as a part of employment with that federal agency if the person holds a valid license to practice landscape architecture issued by any other state or jurisdiction recognized by the division.
- A student engaged in activities constituting the practice of a regulated occupation or profession while in training in a recognized school approved by the division to the extent the activities are supervised by qualified faculty, staff, or designee and the activities are a defined part of the training program.

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Summary of Licensure Laws: Utah

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Page 1

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- An individual engaged in an internship, residency, fellowship, apprenticeship, or on-the-job training program approved by the division while under the supervision of qualified persons.
- An individual residing in another state and licensed to practice a regulated occupation or profession in that state, who is called in for a consultation by an individual licensed in Utah, and the services provided are limited to that consultation. A practitioner temporarily in this state who is exempted from licensure must comply with each requirement of the licensing jurisdiction from which the practitioner derives authority to practice. Violation of any limitation imposed by this section constitutes grounds for removal of exempt status, denial of license, or other disciplinary proceedings.
- An individual who is invited by a recognized school, association, society, or other body approved by the division to conduct a lecture, clinic, or demonstration of the practice of a regulated occupation or profession if the individual does not establish a place of business or regularly engage in the practice of the regulated occupation or profession in Utah.
- The spouse of an individual serving in the US Armed Forces while the individual is stationed in Utah, provided that the spouse holds a valid license in any other state and the license is current and in good standing.

Eligibility Requirements – Initial Licensure

Successful passage of [the CLARB] examination and graduation with a bachelor’s or master’s degree from an [LAAB-accredited] landscape architecture program or completion of not less than eight years of supervised, approved, practical experience in landscape architecture under the supervision of one or more licensed landscape architects. Satisfactory completion of each year of an acceptable landscape architectural program is equivalent to one year of experience.

Fee: Initial license, \$110. Biennial renewal, \$73.

Eligibility Requirements – Reciprocal Licensure

The Division of Occupational & Professional Licensing is authorized to issue a license without examination to a person licensed in any state, district or territory of the U.S. whose education, experience, and examination requirements are equal to Utah’s requirements (or were at the time of licensure). [CLARB certificate or verification of having met the education and experience requirements and having passed the CLARB examination in another state.]

Fee: Initial license, \$110. Biennial renewal, \$73.

Eligibility Requirements – Temporary Licensure

The Division of Occupational & Professional Licensing is authorized to issue a temporary license to a person who has met all license requirements except the passing of an exam. The licensee must take and pass the next available exam or the license will automatically expire. A temporary license may also be issued to a person licensed in another state or country who is in Utah temporarily to teach or assist a Utah resident licensed to practice.

Fee: \$50.

Practice Entities

An organization engaged in the practice of landscape architecture is exempt from licensure provided that the organization employs a principal who is a licensee and that all individuals employed by the organization, who are engaged in the practice of landscape architecture, are licensed or exempt from licensure under the law.

Seal Requirements

Site plans must bear the seal of a landscape architect who prepared them, unless exempted under the laws governing engineers, land surveyors, and architects or by the codes adopted under the Utah Uniform Building

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Summary of Licensure Laws: Utah

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Page 2

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Standards Act. Any final site plan prepared by or under the supervision of a landscape architect must bear the seal of the licensee when submitted to a client, or when submitted to a building official for the purpose of obtaining a building permit, even if the practice is exempt from licensure.

Enforcement

Board powers: Assist the division in reviewing complaints concerning the unlawful or unprofessional conduct of a licensee and advise the division in its investigation of these complaints. **Division powers:** Deny, revoke, suspend or restrict a license, place a licensee on probation, issue a public or private reprimand, issue a cease and desist order or impose administrative fines.

Prohibitions/penalties: The division may take disciplinary action if a licensee or applicant: engages in unprofessional conduct or unlawful conduct; has been determined to be mentally incompetent for any reason by a court of competent jurisdiction; or is unable to practice landscape architecture because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material, or as a result of any other mental or physical condition, when the licensee's condition demonstrates a threat or potential threat to the public health, safety, or welfare. The director may assess the following fines: first offense, a fine of up to \$1,000; second offense, a fine of up to \$2,000; and any subsequent offense a fine of up to \$2,000 for each day of continued offense.

“Unprofessional conduct” is defined by rule as: submitting an incomplete final site plan to a client, when the licensee represents, or could reasonably expect the client to consider, the site plan to be complete and final; submitting an incomplete final site plan to a building official for the purpose of obtaining a building permit; failing as a supervisor to exercise supervision of an employee, subordinate, associate, or drafter; and failing to conform generally to the accepted standards and ethics of the profession, including the ASLA Code of Ethics.

Prohibitions/penalties for unlicensed practice: It is unlawful for an unlicensed person to use the title landscape architect or any other description, words, letters, or abbreviation indicating that the person is a landscape architect or to engage in or represent oneself as engaging in the practice of landscape architecture as a person, corporation, proprietorship, partnership, or limited liability company unless exempted from licensure. The division may issue a citation or a cease and desist order against violators. [Administrative penalty for first offense is \$500 - \$800 and \$1,000 - \$2,000 for the second offense, depending on the violation.]

Mandatory Continuing Education

Utah requires 16 contact hours of continuing education for each biennial renewal.

- Deems courses provided by LA CES approved providers as acceptable for continuing education requirements
- Contact hour = 50 minutes of course time
- 8 CH may be carried over to the next biennial reporting period
- All CH must have an identifiable, clear statement of purpose and defined objective directly related to the practice of landscape architecture and directly related to topics involving the public health, safety, and welfare of landscape architectural practice and the ethical standards of landscape architectural practice.
 - Health: shall include aspects of landscape architectural practice that have salutary effects among users of sites, site structures, pedestrian ways, and vehicular facilities that are environmental and affect human health. Examples include all aspects of air quality, provisions of personal hygiene, and use of non-toxic materials and finishes.
 - Safety: shall include aspects of landscape architectural practice intended to limit or prevent accidental injury or death among users such as sites, site structures, or construction sites. Examples include safe access and egress within sites and site structures, minimization of slipping hazards on exterior surfaces, correct proportions and visibility of stairs, safety railings, and accommodations for users with disabilities.

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Summary of Licensure Laws: Utah

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Page 3

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- Welfare: shall include aspects of landscape architectural practice intended to limit or prevent accidental injury or death among users such as sites, site structures, or construction sites. Examples include safe access and egress within sites and site structures, minimization of slipping hazards on exterior surfaces, correct proportions and visibility of stairs, safety railings, and accommodations for users with disabilities.
- Ethical standards: shall include the ASLA Code of Professional Ethics, specified in Subsection R156-53-401(4).

Activities:

- Activity provider or sponsor must be: an accredited college or university; state or federal agency; professional association, organization, or company related to the practice of landscape architecture; or commercial continuing education provider providing an activity related to landscape architecture.
- In-house programs sponsored by an organization
- Seminars, lectures, conferences, training sessions, webinars, internet courses, distance learning courses, televised courses (unlimited hours may be recognized for continuing education that is online, distance-learning, correspondence course, or home study provided the activity verifies registration and participation in the activity by means of a test or other assessment method including a final summary, individual paper, or individual project that demonstrates that the participant learned the material presented)
- Authoring of an article, textbook, or professional book publication (3 CH max)
- Lecturing in or instructing a continuing education course (6 CH max; first offering only)
- Study of a scholarly peer-reviewed journal article, book, or book chapter
- Pro-bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of licensee (4 CH max)
- Mentoring one or more students for one day at the Landscape Architecture Shadow Mentor Day, mentoring program, or other mentoring event (2 CH max)
- Membership on a state regulatory board for the practice of landscape architecture (4 CH max)
- Serving as an elected officer or appointed chair of a committee or organization in a professional society or organization (2 CH max)
- Serving as an elected officer or appointed member of a professional board or commission (2 CH max)
- Serving as an exam grader or on a committee writing exam materials for professional registration or licensing exam (4 CH max)
- 1 University semester credit hour = 45 CH.
- 1 IACET CEU = 10 CH

Recordkeeping: Licensee has responsibility for maintaining five-year record (three years after the end of the renewal cycle). Documentation must include the date, title, and contact hours associated with the activity, the name of the provider and the instructor, and the activity objectives. If the activity is self-directed, the documentation must include the dates of study or research, the title and abstract of the paper/article/book, and the number of contact hours.

Exemptions:

- New licensees in the first renewal period must complete the number of hours in the biennium prorated from the date of initial licensure.
- Licensees may request a waiver or an extension of time to complete requirement due to a medical or related condition, humanitarian or ecclesiastical services, extended presence in a geographical area where continuing education is not available, etc.

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