

State of Rhode Island and Providence Plantations
Department of Business Regulation (DBR)
Division of Design Professionals
Board of Examination and Registration of Architects
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TECHNICAL NOTE

The following is a review of Rhode Island Laws pertaining to architectural drawings, specifications, calculations and legal documents requiring a seal (stamp) and hand applied signature, with date, by an architect in responsible charge. Items italicized indicate direct quotes from statutory language.

Building officials are required by the Rhode Island Building Code, SBC-1, Sections 128.2.1 and 128.2.2, to insure that the proper design professional has prepared the documents for permitting. Design professionals must also comply with these sections.

The Rhode Island State Building Code Statutory Administrative Section of RIGL 23-27.3-100 et al, Section 23-27.3-128.2.1 Drawings and Specifications reads as follows:

All drawings, specifications, and computations for new construction, alteration, repair, or expansion work involving the practice of professional engineering or architecture as defined by Rhode Island state law, shall be prepared by professional engineers or registered architects as licensed or registered by the state.

All the drawings, computations, and specifications required for a building permit application for the work must be prepared by or under the direct supervision of a professional engineer or registered architect and bear his or her signature and seal in accordance with the Rhode island statutes and regulations governing the professional licensing or registration of engineers or architects, and shall signify to the best of his or her knowledge that the drawings, computations, and specifications shall meet the applicable provisions of this code and acceptable engineering practices and all applicable laws and ordinances.

Section 23-27.3-128.2.3, Reporting – The professional engineer or registered architect shall submit periodically, in a form at regular construction inspection intervals acceptable to the building official, a progress report together with pertinent comments. At completion of construction, the engineer or architect shall submit to the building official a report as to the satisfactory completion and readiness of the project for occupancy (excepting any items not endangering the occupancy or operation and listing pertinent deviations from the approved permit documents).

As part of the request for a Certificate of Occupancy, each architect and engineer responsible for his portion of the design must submit a statement indicating that the project was completed in accordance with the approved documents and any approved changes thereto.

The following information is compiled to supplement the above:

RIGL Title 5. Chapter 1 – Architecture

Architects are responsible for “...*design and construction, enlargement or alteration of a building or a group of buildings and space within and surrounding the buildings, which have as their principal purpose human occupancy or habitation.*”

“the practice of architecture does not include the practice of engineering...but a registered architect may perform any engineering work this is incidental to the practice of architecture.”

There is no statutory definition of incidental work. Call the Architectural Board with any specific questions.

There are three exceptions when an architect’s stamp is not required by RIGL, Title 5, Chapter 1:

- 1.) *An architect is not required for the design and construction documents of a one or two family dwelling unit.*
- 2.) *An engineer may design a structure not exceeding 35,000 cubic feet (accompanied by calculations showing that this volume limitation is not exceeded) which is incidental to his work.*
- 3.) *An architect is not required for the design of farm buildings not used for human habitation.*

Plan Stamping

The General Laws in Title 5, Chapter – Architecture, Section 5-1-12; prohibit design professionals from stamping any work that has not been prepared under his/her direct supervision, responsible charge or responsible control. It is unlawful for a design professional to sign or stamp any drawings, specifications or reports that were not prepared by him/her or for which he/she did not have direct supervision, responsible charge or responsible control of the work.

For further information on regulation of architects, please call the Board of Examination and Registration of Architects.

The Board can be reached at 462-9594. Their offices are at 1511 Pontiac Avenue, Building 68-2, Cranston, R.I.

Final Comments:

There are no provisions in State Law for a building code official to waive the requirements of any Board (Architects, Professional Engineers, Surveyors, Landscape Architects) for preparation of documents by the respective design professional. However, there are provisions in the State Building Code (see RIGL 23-27.3-113.7) where the local official can require details of structural, mechanical and electrical work to be prepared by a requested professional, even though the laws and regulations by each of the four Boards may create exceptions, such as for one and two family dwellings.

Finally, the provisions of the Special Inspections Program in SBC-1-2010 section 1704 require that the Special Inspector report to the registered design professional and the building code official. This IBC requirement expands and refines the duties previously specified by our RIGL 23-23.3-128.2.2 Responsibilities.

Acknowledgements: This Technical Note is an edited/updated version of Tech Note 05-02, dated September 15, 2005, issued by the Building Code Standards Committee.