



MISSISSIPPI STATE BOARD OF ARCHITECTURE

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May 23, 2008

Dear Mississippi Building Official:

It has come to the attention of the Mississippi State Board of Architecture (Board) that individuals who are not licensed architects have been preparing design drawings for the alteration and enlargement of buildings that are larger than 5,000 square feet.

Pursuant to *Miss. Code Ann.* §73-1-39 (h), any person who prepares plans and specifications or supervises the erection, enlargement, or alteration of any building over 5,000 square feet must be licensed as an architect. For example, the alteration of a tenant space within a commercial or retail building, when the overall building is 5,000 square feet or greater, must be designed by an architect licensed by the State of Mississippi.

Additionally, we ask that you consider the implications of the International Building Code ("IBC") with respect to a "licensed design professional" when determining whether it is permissible for a non-licensed individual, such as a draftsman, designer, or contractor, to prepare building plans. According to the 2003 and 2006 IBC, a "Registered Design Professional" is defined as:

"An individual who is **registered or licensed** to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to be constructed." (Emphasis added).

In reference to a "registered design professional", the 2003 IBC Commentary also states:

"Legal qualifications for engineers and architects are established by the state having jurisdiction. Licensing and registration of engineers and architects are accomplished by written or oral examinations offered by states or by reciprocity (licensing in other states)."

Architects and engineers are the only "registered design professionals" licensed in conformance with Mississippi's statutory requirements. Draftsmen and building designers are not licensed or registered by statute, and contractors are not "design professionals".

The Board also points out that the above described activities could constitute the practice of architecture and subject the individual preparing the design drawings to a monetary fine and possible jail time. In addition, violation of any of the provisions of *Miss. Code Ann.* §73-1-1, et seq., is subject

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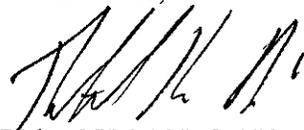
to an injunction to enforce compliance with the provisions of the statute which, among other things, would delay the completion of the subject project.

Please look for the official seal of a Mississippi licensed architect on all pages of architectural plans for any 5,000+ square foot commercial building, or plans for the alteration of the same, and in particular when the structure is intended for public occupancy. The approved architectural seal specifies "Registered Architect, State of Mississippi" along with the license number and signature of the architect, and the date of execution.

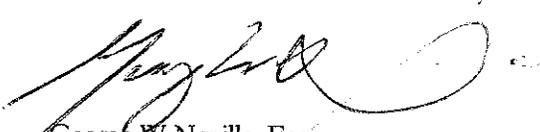
By using registered design professionals with the education, training and expertise in applicable safety and fire codes, you become another line of defense in the protection of the life, health and property of the individuals occupying and using these buildings.

We appreciate the demanding nature of your profession, and seek to be your ally by ensuring a healthy and safe built environment for the citizens of Mississippi. If you have questions or need assistance, please contact Jenny Wilkinson, Executive Director for the Board. Phone Ms. Wilkinson at 601-856-6760, or email her at jwilkinson@archbd.state.ms.us.

For the Board,



Richard H. McNeel, AIA, NCARB
President



George W. Neville, Esq.
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