



MISSISSIPPI BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND SURVEYORS
&
MISSISSIPPI STATE BOARD OF ARCHITECTURE

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To: Mississippi Architects, Professional Engineers and Building Officials

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Subject: Building Permit and Construction Documents

The Mississippi Board of Licensure for Professional Engineers and Surveyors and the Mississippi State Board of Architecture formed the Joint Committee on Building Design and Construction in 2013. The Committee, with members from each board, has met numerous times to discuss issues of mutual interest and shared responsibilities. Through the Joint Committee, we are committed to working together to safeguard life, health and property within Mississippi's built environment.

Recently, both boards have seen instances in which licensees have sealed incomplete documents for the purpose of obtaining a building permit. At times, these incomplete documents have also been utilized for construction. Such actions are contrary to public safety.

When submitting documents to obtain permits, please be advised of the following:

- Plans submitted for permitting purposes should show code compliance in detail. Per Section 107 of the 2012 IBC (which is similar to earlier provisions of IBC) as quoted in part:

[A] 107.1 General.

"Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application."

[A] 107.2 Construction Documents

*"Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and **show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations**, as determined by the building official."*

[A] 107.3 Examination of documents.

"The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances."

[A] 107.3.1 Approval of construction documents.

"When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance"."

- The standard of care required for professional engineers and architects dictates that the submittal documents provided to the permit office and those used for construction must be complete for the purposes of determining code compliance and life/safety concerns. Though we have referenced IBC language within this letter, this is true even in jurisdictions that have not adopted IBC.
- The seal of a professional engineer or architect on a set of design drawings for a new or altered building indicates that the plans are complete, that the sealing professional has acted per the required standard of care, and that he or she accepts responsibility for the content, code compliance, and completeness of the design.
- Incomplete sets of design drawings should not be sealed. Preliminary or incomplete plans that are released to the client, building official or any other party should be marked as “preliminary/not for construction”. The IBC specifically addresses those portions of the design drawings that are NOT provided at the time the permit application is submitted.

[A] 107.3.4.1 Deferred submittals.

“For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official.”

- Construction administration by a qualified professional is intended to ensure that the structure is constructed as designed. If an architect is not acting as the construction administrator on a project that the architect designed (which is a contractual decision and fact), the architect is required to advise the building official, owner, client and contractor of this fact in writing.

The existing checks and balances intended to produce a safe built environment in Mississippi are only as effective as the professionals involved. Each party to the design, permitting and construction process must fulfill their responsibilities in order for the system to provide the protection intended.

Obviously, the submittal documents should be complete in order to guide construction. However, the documents also serve to show and instruct code compliance, and to provide a written record of the architect’s and/or engineer’s decisions. It is the responsibility of the registered design professional(s) to provide this coordinated, complete and code compliant design.

Questions or concerns regarding architectural or engineering submittals should be directed to the appropriate licensure board.

Attachment

EXCERPTS FROM 2012 INTERNATIONAL BUILDING CODE

SECTION 107 SUBMITTAL DOCUMENTS

[A] 107.1 General.

Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

[A] 107.2 Construction documents.

Construction documents shall be in accordance with Sections 107.2.1 through 107.2.5.

[A] 107.2.1 Information on construction documents.

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. **Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.**

[A] 107.2.2 Fire protection system shop drawings.

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 107.2.3 Means of egress.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

[A] 107.2.4 Exterior wall envelope.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

[A] 107.2.5 Site plan.

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

[A] 107.2.5.1 Design flood elevations.

Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

[A] 107.3 Examination of documents.

The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

[A] 107.3.1 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

[A] 107.3.2 Previous approvals.

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[A] 107.3.3 Phased approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

[A] 107.3.4 Design professional in responsible charge.

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

[A] 107.3.4.1 Deferred submittals.

For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official.

[A] 107.4 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and **any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.**

[A] 107.5 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.