



## Recognition of Architectural and Engineering Authority Defined

The West County EMS & Fire Protection District requires the use of registered design professionals in the design and submittal of plans for all commercial building, remodeling and renovation projects in accordance with the International Code Council's 2012 Editions of the IBC and IEBC under sections IBC 107.1 and IEBC 106.1. This includes work *for Building Permits, Fire Sprinkler System Permits, Fire Alarm Permits* and other permits as required by the Fire Marshal. (Note: *Commercial Kitchen Hood Fire Suppression System* permits do not currently require the stamp and signature of a Registered Professional Engineer). The requirements for the licensure and practice of architecture and engineering are administered through the Missouri Board for APELSLA (<http://pr.mo.gov/apelsla.asp>) and by Missouri State Statutes. It is the position of the West County EMS & Fire Protection District that all applicable rules and regulations regarding the practice of architecture and engineering must be strictly followed.

Plans received for review in conjunction with a permit application must satisfy the requirements of the State of Missouri. **Plans that are non-compliant with respect to title and code block or plans that are submitted by unlicensed firms or individuals will be rejected.** Permits already issued that are found to be based on work by unlicensed firms or individuals will be suspended and/or cancelled without the possibility of any refund. Based on the submittal documents and markings, if the District has reason to believe that the plans were developed by an unlicensed firm or individual and/or were subsequently stamped by an individual who did not in-fact oversee the engineering or architectural design work, the plans will be rejected and any supporting documentation forwarded to the Missouri Board for APELSLA for their consideration of disciplinary action.

According to RSMo Chapter 327, any firm (Corporation or LLC) offering engineering or architectural services must be licensed with the Missouri Board of APELSLA. Licensure of a firm requires the identification of a licensed engineer or architect (depending on the firm's license) of record for the firm as indicated on the firm's licensure registration with the State of Missouri. **It is our understanding of state statute, and confirmed with the Missouri Board for APELSLA, that for a firm to be licensed and in good standing with the Missouri Board of APELSLA, the individual professional of record must be a full-time employee of the firm (or owner of the firm) and may not be a subcontractor or "1099" employee.** Therefore, firms holding themselves out for engineering and/or architectural services must have the professional of record as part of their full time staff and may not procure an individual's services on an as-needed basis solely to sign and seal plans for submittal. This does not preclude any firm from having their firm's professional of record on staff but using a separate but equally licensed professional on staff to stamp plans, provided the individual stamping the plans assumes professional responsibility for the work



submitted. Likewise, this does not prevent a state-licensed design professional as an individual, sole proprietor or a partnership (that is neither a corporation nor an LLC) from conducting architectural or engineering services directly for a client and providing their identification and license information in the title block of the plans as submitted.

Individuals, firms, consultants and other contract entities identified on the plans in any manner consistent with those providing design and/or consulting services in the architectural and/or engineering field(s) will be researched for proper licensure with the Missouri Board for APELSLA. If they offer or claim to offer services for architecture and/or engineering but are unlicensed to do so, it will be assumed that their involvement in the consulting, assessment, design and delivery of the plans constituted work in violation of Missouri State Statutes and the plans will be rejected. It should be noted that any firm that engages in commercial interior layout design, fire sprinkler system **design**, fire alarm system **design** and other similar types of commercial designs shall be considered firms engaging in architectural and/or engineering consulting and design (as commonly interpreted based on scope of work) and shall be licensed accordingly. **When a firm is both the designer and the installation firm, they shall be subject to the architectural and/or engineering licensure requirements of the State of Missouri.**

If a firm is only an installation contracting firm for work designed by another licensed firm (e.g. individual or firm used as a design/engineering subcontractor), the installation contractor's company name shall be omitted from the plans or shall be listed as "Installer". If design/engineering work is done by a subcontractor, then all design work and plan prep/review shall be performed solely by the licensed firm or individual. The licensed PE or Architect, as a subcontractor, is not allowed to review and stamp design or engineering work performed by another firm or individual who is not employed by the respective engineering or architectural entity. Furthermore, a third party "code consultant" reviewer is allowed but shall not be the design professional of record for the project and any such application of the third party consultant's stamp and signature as the *sole stamp and signature* on the plans shall be interpreted as a "stamp for hire" and subject to submittal for disciplinary action.

If the licensed individual believes that their plans were rejected in error, he or she may submit additional documentation to demonstrate their direct relationship to the client. Such documentation would typically include copies of valid current licensure from the State of Missouri, invoices for direct services rendered, canceled checks from the client to the design professional (or their legal professional entity), proof of professional liability insurance and/or details on how the individual advertises, identifies and/or holds themselves available for professional services to potential clients.



In absence of any supporting documentation provided by the individual that stamped the plans in question, it will be assumed that the design professional that stamped the plans acted in violation of the legal and ethical standards of the State of Missouri and the Missouri Board for APELSLA and no further work from the individual(s) or parties involved will be recognized as valid without a specific determination by the Missouri Board for APELSLA that the work in question was not in violation of legal and ethical standards.

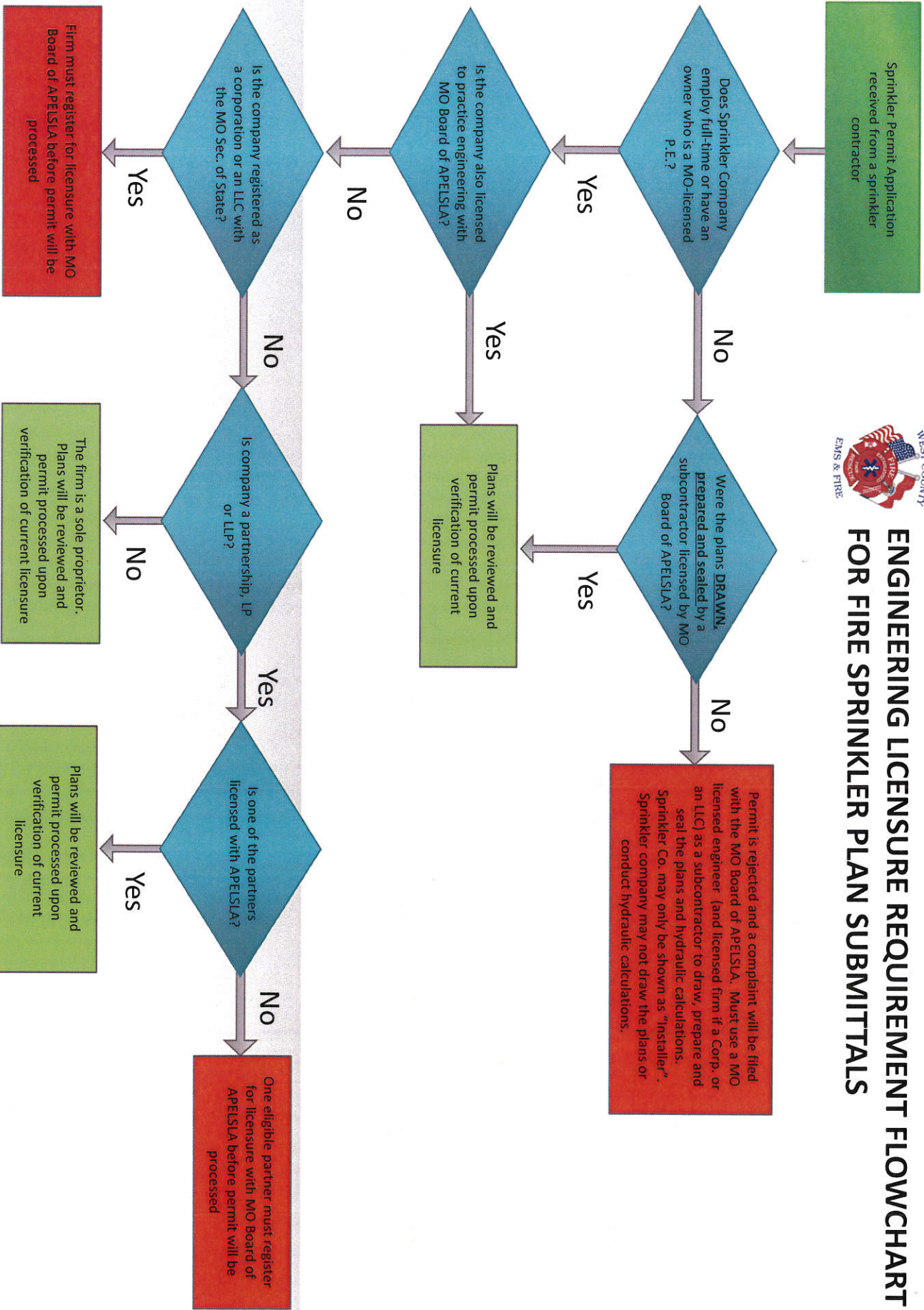
In the event of a dispute between a permit applicant and the West County EMS & Fire Protection District concerning the validity of the licensure of a firm and/or design professional, the West County EMS & Fire Protection District will unconditionally honor the interpretation and guidance of the Missouri Board for APELSLA.

Any questions in regards to this matter should be directed to the District's Fire Marshal as follows:

Dan Bruno, P.E.  
Fire Marshal – West County EMS & Fire Prot. Dist.  
223 Henry Ave.  
Manchester, MO 63011  
[dbruno@westcounty-fire.org](mailto:dbruno@westcounty-fire.org)  
636-256-2006 (w)  
636-256-2066 (f)

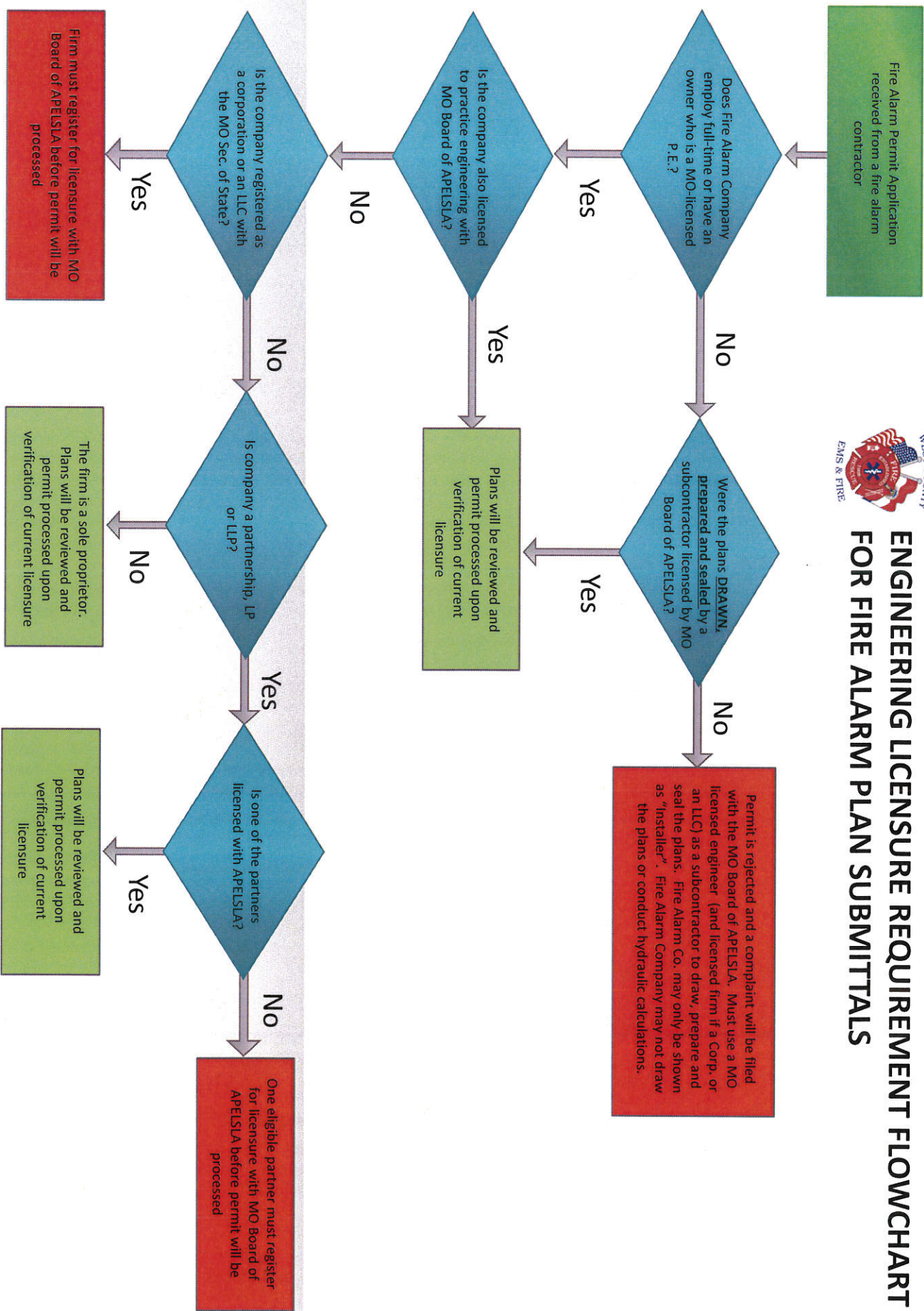


# ENGINEERING LICENSURE REQUIREMENT FLOWCHART FOR FIRE SPRINKLER PLAN SUBMITTALS



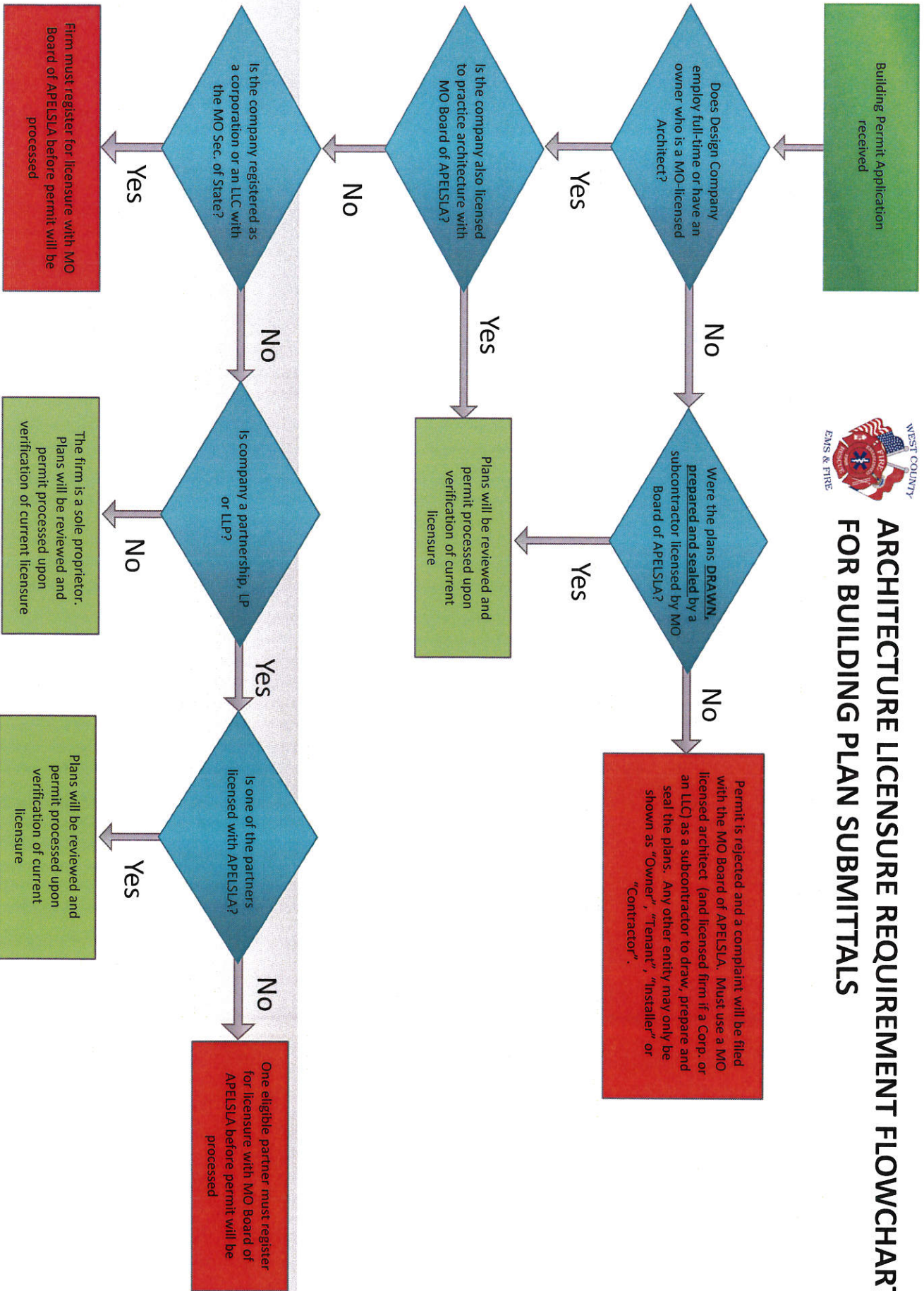


# ENGINEERING LICENSURE REQUIREMENT FLOWCHART FOR FIRE ALARM PLAN SUBMITTALS





# ARCHITECTURE LICENSURE REQUIREMENT FLOWCHART FOR BUILDING PLAN SUBMITTALS





**From the Missouri Board for APELSLA website:**

**Q. WHEN IS A CERTIFICATE OF AUTHORITY REQUIRED?**

A. If your firm is incorporated or registered as a limited liability company and is offering and/or rendering architectural, engineering, land surveying or landscape architectural services in this state, or if your articles of incorporation or articles of organization include the offering of such services in your purpose statement, the Board believes that you are required by law to obtain the appropriate Corporate Certificate of Authority from this Board. If your company's name includes the word (or any derivative of the word) "architect," "engineer," "land surveyor," and/or "landscape architect" and is advertising that it can provide architectural, engineering, land surveying, and/or landscape architectural services the Board believes that you are required by law to obtain the appropriate Corporate Certificate of Authority. Your attention is directed to Section 327.401.2, which reads in part as follows:

327.401.2. Any domestic corporation formed under the corporation law of this state, or any foreign corporation, now or hereafter organized and having as one of its purposes the practicing of architecture or professional engineering or professional land surveying or landscape architecture and any existing corporation which amends its charter to propose to practice architecture or professional engineering or professional land surveying or landscape architecture shall obtain a certificate of authority for each profession named in the articles of incorporation or articles of organization from the board..."

*NOTE: Sections 327.101 and 327.191 allow a person or corporation to "offer," but not perform or render, architectural and engineering services if the person or corporation is licensed to practice architecture and/or engineering in the state or country of residence or principal place of business.*



RECEIVED  
WEST COUNTY EMS & FIRE

APR 08 2013

Jeremiah W. (Jay) Nixon  
Governor  
State of Missouri

Jane A. Rackers, Division Director  
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance  
Financial Institutions  
and Professional Registration  
John M. Huff, Director

MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS

3605 Missouri Boulevard  
Jefferson City, MO 65109  
573-751-0047  
573-751-8046 FAX  
800-735-2966 TTY Relay Missouri  
800-735-2466 Voice Relay Missouri  
<http://pr.mo.gov/apelsla.asp>

Judy Kempker  
Executive Director

**TO:** All Missouri Licensees, Code Officials, Fire Protection Districts & Mayors

**FROM:** Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

**RE:** Board Statutes & Rules

Enclosed is an updated hard copy of the Board's statutes and rules. This booklet has been prepared and published by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects (Board) to aid Missouri licensees, Missouri building code officials, fire protection districts, and mayors in complying with the laws and regulations governing the professions of architecture, engineering, land surveying, and landscape architecture.

This booklet is being provided as part of the continuing effort of the Board to protect the life, health, and safety of the people of Missouri through proper enforcement of the legal requirements for architecture, engineering, land surveying, and landscape architecture in Missouri. The booklet is available online; however, we have received many requests for a hard copy version. Due to cautious spending over the past decade along with continued efforts to lessen operating expenses by finding more efficient and cost effective operating procedures, the Board was able to build a healthy reserve which makes it feasible to provide you with this booklet in hard copy format. Please know that the Board rules are updated periodically and the statutes change as new legislation is passed. Therefore, for the most up-to-date version of the rules and statutes, please visit the Board's website at <http://pr.mo.gov/apelsla>.

Also, please be advised that the Board voted at its January 2013 meeting to once again reduce its fees. Since individual renewal fees have been reduced three consecutive times in recent years, the Board decided to reduce the corporate biennial renewal fee from \$200 to \$100 as well as the corporate application filing fee from \$300 to \$200; the corporate reinstatement fee from \$250 to \$150; and, the corporate reauthorization fee from \$300 to \$200. These proposed changes are currently in the rulemaking process and will hopefully go into effect later this year.


If we can ever be of assistance, please do not hesitate to contact us at (573) 751-0047.

JK

Enclosure



NAME OF THE LICENSEE;  
INCLUDING ADDRESS and  
TELEPHONE NUMBER



200 SOUTH BEAMSTON AVE.  
SUITE # 100  
ST. LOUIS, MO 63105  
TEL: 314.863.4994  
FAX: 314.863.4998  
www.bondwolfe.com

Bond Wolfe Architects, Inc.  
Missouri State Certificate of Authority #1234567

PRINTED NAME, DISCIPLINE and  
LICENSEE'S CERTIFICATE OF  
AUTHORITY NUMBER

Consultant  
Consultant Title and Discipline  
MO State Certificate of Authority #087654  
Street Address  
City, MO County, State Zip  
123.456.7890 phone  
123.456.7899 fax

CONSULTING ARCHITECTS and  
ENGINEERS INFORMATION SHALL  
CONFORM TO STANDARD

Consultant  
Consultant Title and Discipline  
MO State Certificate of Authority #087654  
Street Address  
City, MO County, State Zip  
123.456.7890 phone  
123.456.7899 fax

Consultant  
Consultant Title and Discipline  
MO State Certificate of Authority #087654  
Street Address  
City, MO County, State Zip  
123.456.7890 phone  
123.456.7899 fax

AN ARCHITECTURAL,  
ENGINEERING or LANDSCAPE  
ARCHITECTURAL ENTITY SHALL  
INCORPORATE A TITLE BLOCK  
ON ALL DRAWINGS and OTHER  
DOCUMENTS REQUIRED TO BE  
SIGNED and SEALED

PROJECT NAME or IDENTIFICATION and  
PROJECT LOCATION, INCLUDING  
CITY, COUNTY and STATE

Kirkwood Public Library  
140 East Jefferson Ave.  
Kirkwood, St. Louis County, Missouri 63122

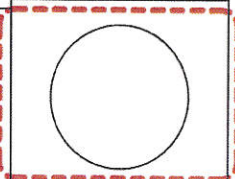
Kirkwood Public Library  
140 East Jefferson Avenue, Kirkwood, MO 63122

Project No: 0830

No	Description	Date
1	Permit Set	April 1, 2009

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SPACE FOR THE LICENSEE'S  
SIGNATURE, DATE and SEAL



PRINTED NAME, DISCIPLINE and  
LICENSE NUMBER OF PERSON  
SEALING THE DOCUMENT

David Butler Yates - Architect  
MO# A-08765

DATE PREPARED

DATE: 04/01/09  
SCALE:

Sheet Name

A1

## TITLE BLOCK QUESTIONS

Several licensees have requested clarification of the following sections in paragraph 2 of Board Rule 20 CSR 2030-2.050 TITLE BLOCK.

*20 CSR 2030-2.050(2)(A) The name of the licensee either as a sole proprietor, partnership, corporation, limited liability company or other appropriate entity;*

**QUESTION:** Does this mean that the company's type of organization (sole proprietor, partnership, corporation, limited liability company or other) must be stated in the Title Block?

**ANSWER:** Only if it is a part of the organization's legal name. Such as "Smith and Associates, a partnership."

*20 CSR 2030-2.050(2)(B) The licensee's address and phone number;*

**QUESTION:** Does this refer to the company or person?

**ANSWER:** Company

*20 CSR 2030-2.050(2)(G) The printed name, discipline and license number of the person sealing the document;*

**QUESTION:** Since individuals are not licensed by discipline (electrical, civil, etc.) what is the intent, or how do we comply?

**ANSWER:** It is meant to differentiate between the disciplines of architecture, engineering, land surveying or landscape architecture.

*20 CSR 2030-2.050(2)(H) The printed name, discipline and certificate of authority number of the corporation as defined in section 327.011, RSMo.*

**QUESTION:** Since the company is not licensed by discipline, and in fact may encompass several disciplines, what is the intent, or how do we comply?

**ANSWER:** It is meant to differentiate between the disciplines of architecture, engineering, land surveying or landscape architecture.



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**Rules of  
Department of Insurance,  
Financial Institutions and  
Professional Registration**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects  
Chapter 12—Complaints**

<b>Title</b>	<b>Page</b>
<b>20 CSR 2030-12.010 Public Complaint Handling and Disposition Procedure.....</b>	<b>3</b>



**Title 20—DEPARTMENT OF  
INSURANCE, FINANCIAL  
INSTITUTIONS AND  
PROFESSIONAL REGISTRATION**  
Division 2030—Missouri Board for  
Architects, Professional Engineers,  
Professional Land Surveyors,  
and Landscape Architects  
Chapter 12—Complaints

**20 CSR 2030-12.010 Public Complaint  
Handling and Disposition Procedure**

*PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints by the board, pursuant to the mandate of section 4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo 1986.*

(1) The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects shall receive and process each complaint made against any licensee or certificate holder of the board or unlicensed individual or entity, which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 327, RSMo. Any member of the public or the profession or any federal, state or local official, may make and file a complaint with the board. Complaints shall be received from sources without the state of Missouri and processed in the same manner as those originating within Missouri. No member of the Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects shall file a complaint with this board while s/he holds that office, unless that member excuses him/herself from further board deliberations or activity concerning the matters alleged within that complaint. The executive director or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints should be mailed or delivered to the following address: Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects, PO Box 184, Jefferson City, MO 65102. However, actual receipt of the complaint by the board at its administrative offices in any manner shall be sufficient. Complaint may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing and shall fully identify the complainant by

name and address. Complaints may be made on forms provided by the board and are available upon request. Oral or telephone communications will not be considered or processed as complaints, but the person making such communications will be provided with a complaint form and requested to complete it and return it to the board. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone or written communications received by the board, unless those communications are believed by the staff member to be false.

(4) Each complaint received under this rule shall be logged in a book maintained by the board for that purpose. Complaints shall be logged in consecutive order as received. The logbook shall contain a record of each complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is received by the board; a brief statement of the acts complained of, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal by the board of informal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. This logbook shall be a closed record of the board, but shall be available for inspection at the board's offices only by state senators, representatives or by qualified officials within the executive branch of Missouri government having supervisory, auditing, reporting or budgetary responsibilities or control over the board. Only upon receipt of a written request from a state senator, representative or qualified official, which specifically assures that the request is directly related to their duties as a state senator, representative or official of the executive branch of Missouri government, shall they be permitted to inspect the logbook.

(5) Each complaint shall be acknowledged in writing and investigated by the board. When the complaint is received, the board shall write the complainant informing him/her of the fact and stating that the matter is being referred to the board for consideration at its next regularly scheduled meeting. Later, the complainant shall be informed in writing of the ultimate disposition of the complaint, excluding judicial appeals and shall be provided with copies of the decisions, if any, of the Administrative Hearing Commission and the board at that time. Provided, that the provisions of this subsection shall not apply to complaints filed by staff members of the board, based on information and belief, act-

ing in reliance on third-party information received by the board.

(6) Both the complaint and any information obtained as a result of the investigation of the complaint shall be considered a closed record of the board and shall not be available for inspection by the public. During the investigative state, the board and its executive staff shall keep the complaint and the fact of its existence confidential to the extent practicable. However, a copy of the complaint and any attachments shall be provided to any person who is the subject of that complaint or his/her legal counsel, upon written request to the board.

(7) This rule shall not be deemed to limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee or certificate holder of the board with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board and whether or not any public complaint has been filed with the board.

(8) The board interprets this rule, as required by law, to exist for the benefit of those members of the public who submit complaints to the board and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over the professional licensing boards. This rule is not deemed to protect or inure to the benefit of those licensees or certificate holders or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations or the provisions of Chapter 327, RSMo.

*AUTHORITY: section 327.041 and 620.010.14(7), RSMo Supp. 2004.\* This rule originally filed as 4 CSR 30-12.010. Original rule filed Dec. 8, 1981, effective March 11, 1982. Amended: Filed Sept. 1, 1987, effective Nov. 23, 1987. Amended: Filed Oct. 30, 2002, effective April 30, 2003. Amended: Filed Nov. 1, 2004, effective June 30, 2005. Moved to 20 CSR 2030-12.010, effective Aug. 28, 2006.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001 and 620.010, RSMo 1973, amended 1981, 1983, 1986, 1989, 1990, 1993, 1994, 1995, 1999, 2001*

## ***Missouri Revised Statutes***

### **Chapter 327** **Architects, Professional Engineers, Land Surveyors and** **Landscape** **Section 327.441**

August 28, 2008

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#### **Denial, revocation, or suspension of license or certificate, grounds for.**

327.441, 1. The board may refuse to issue any license or certificate of authority required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license or certificate of authority required by this chapter or any person who has failed to renew or has surrendered such person's license or certificate of authority, for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a license or certificate of authority, or allowing any person to

use his or her license or certificate of authority, or diploma from any school;

(8) Disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter;

(11) Issuance of a professional license or a certificate of authority based upon a material mistake of fact;

(12) Failure to display a valid license or certificate of authority if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or order a civil penalty under section 327.077, or revoke the license or certificate of authority of the person named in the complaint.

(L. 1969 S B 117, A.L. 1981 S.B. 16, A.L. 1983 S.B. 44 & 45, A.L. 1999 HB 343, A.L. 2007 HB 780 merged with S B 308)

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Missouri General Assembly

## *Missouri Revised Statutes*

### **Chapter 327 Architects, Professional Engineers, Land Surveyors and Landscape Section 327.451**

August 28, 2008

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#### **Charges of improper conduct, how filed, contents--administrative hearing commission to hear.**

327.451. 1. Any person who believes that an architect or a professional engineer or a professional land surveyor has acted or failed to act so that his or her license or certificate of authority should, pursuant to the provisions of this chapter, be suspended or revoked, or who believes that any applicant for a license or certificate of authority pursuant to the provisions of this chapter is not entitled to a license or a certificate of authority, may file a written affidavit with the executive director of the board which the affiant shall sign and swear to and in which the affiant shall clearly set forth the reasons for the affiant's charge or charges that the license or certificate of an architect or professional engineer or professional land surveyor should be suspended or revoked or not renewed or that a license or certificate should not be issued to an applicant.

2. If the affidavit so filed does not contain statements of fact which if true would authorize, pursuant to the provisions of this chapter, suspension or revocation of the accused's license or certificate, or does not contain statements of fact which if true would authorize, pursuant to the provisions of this chapter, the refusal of the renewal of an existing license or certificate or the refusal of a license or certificate to an applicant, the board shall either dismiss the charge or charges or, within its discretion, cause an investigation to be made of the charges contained in the affidavit, after which investigation the board shall either dismiss the charge or charges or proceed against the accused by written complaint as provided in subsection 3 of this section.

3. If the affidavit contains statements of fact which if true would authorize pursuant to the provisions of this chapter the revocation or suspension of an accused's license or certificate, the board shall cause an investigation to be made of the charge or charges contained in the affidavit and unless the investigation discloses the falsity of the facts upon which the charge or charges in the affidavit are based, the board shall file with and in the administrative hearing commission a written complaint against the accused setting forth the cause or causes for which the accused's license or certificate of authority should be suspended or revoked. Thereafter, the board shall be governed by and shall proceed in accordance with the provisions of chapter 621, RSMo.

4. If the charges contained in the affidavit filed with the board would constitute a cause or causes for which pursuant to the provisions of this chapter an accused's license or certificate of authority should not be renewed or a cause or causes for which pursuant to the provisions of this chapter a certificate should not be issued, the board shall cause an investigation to be made of the charge or charges and unless the investigation discloses the falsity of the facts upon which the charge or charges contained in the affidavit are based, the board shall refuse to permit an applicant to be examined upon the applicant's

qualifications for licensure or shall refuse to issue or renew a license or certificate of authority, as the case may require.

5. The provisions of this section shall not be so construed as to prevent the board on its own initiative from instituting and conducting investigations and based thereon to make written complaints in and to the administrative hearing commission.

6. If for any reason the provisions of chapter 621, RSMo, become inapplicable to the board, then, and in that event, the board shall proceed to charge, adjudicate and otherwise act in accordance with the provisions of chapter 536, RSMo.

(L. 1969 S B 117, A L. 1986 H B. 1163, A L 1999 H B 343)

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Missouri General Assembly





Jeremiah W. (Jay) Nixon  
Governor  
State of Missouri

Jane A. Rackers, Division Director  
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance  
Financial Institutions  
and Professional Registration  
John M. Huff, Director

MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS

3605 Missouri Boulevard  
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573-751-8046 FAX  
800-735-2966 TTY Relay Missouri  
800-735-2466 Voice Relay Missouri  
<http://pr.mo.gov/apelsla.asp>

Judy Kempker  
Executive Director

August 8, 2014

Mr. Dan Bruno, P.E., PTOE, Fire Marshal  
West County EMS & Fire Protection District  
223 Henry Avenue  
Manchester, Missouri 63011-4017

Dear Mr. Bruno:

Your letter, dated July 28, 2014, and its attachments were discussed by the members of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects (Board) at their August 4<sup>th</sup> and 5<sup>th</sup> meeting. Since the letter arrived just days before the meeting, the Board had limited time in which to study all the issues you raised. However, knowing that you are holding some projects up pending the Board's response, I was directed to advise you of the following:

**Issue #1** - The Board has never disciplined an official who is a licensee who has reviewed plans and issued building permits for plans that were submitted in violation of Chapter 327, RSMo. The Board does however recommend, if you become aware of any violations to Chapter 327, RSMo or the Board Rules during the review process, that you submit those concerns to the Board office by filing an official complaint. The Board will then conduct an investigation of the licensee(s) involved and make a determination if a violation was committed. There is nothing in the statutes or rules which require a licensee to report a violation but Board Rule 20 CSR 2030-2.010(15) states: "Licensees having knowledge of any alleged violation of this Code shall cooperate with the proper authorities in furnishing information or assistance as may be required."

**Issue #2** - There is no difference in the requirements for licensure of an entity registered with the Secretary of State's Office (SOS) as a Partnership, a Limited Partnership (LP), or a Limited Liability Partnership (LLP). The Board only issues certificates of authority to offer architectural, professional engineering, professional land surveying, and landscape architectural services to corporations, professional corporations, and limited liability companies (both domestic and foreign.) Partnerships, including LPs and LLPs, are not required to obtain a certificate of authority (license) from the Board since its members are subject to Board regulation. Therefore, if a Partnership, LP, or LLP has only one "partner" identified in the SOS filing and that "partner" is an LLC or a Corporation, that LLC or Corporation is then required to be licensed with the

**Board.** There is no minimum percentage requirement of ownership in the partnership to be exempt from licensure.

**Item #3** – When reviewing permit applications from out-of-state firms and you notice their employee is properly licensed with the Board in Missouri but the firm is not licensed, we recommend you direct their attention to Section 327.401 (certificate of authority requirement) and to Board Rule 20 CSR 2030-2.050 (title block) which requires the name of the firm, as well as the certificate of authority number, to be printed on the plans. Sections 327.101(7) and 327.191(5) allow a person or corporation to offer, but not perform or render, architectural or professional engineering services if the person or corporation is licensed to practice in the state or country of residence or principal place of business.

**Issue #4** - Pursuant to Board Rule 20 CSR 2030-10.010(4), a certificate of authority is not required by a fire sprinkler company if the engineering work is being done by a Professional Engineer (PE) who is not employed by the fire sprinkler firm, but who does the work as a subconsultant who is licensed in this state. The PE, or Engineer of Record, who signs and seals the engineering plans for a fire sprinkler system, is responsible for either preparing the plans or providing direct supervision over the preparation of the plans and must include his or her company's logo, or name, address, Certificate of Authority number, etc. (everything required in the title block rule 20 CSR 2030-2.050) on the drawing. The PE who signs and seals the drawings is also the one who is accepting full responsibility for them. This same policy would apply to fire alarm companies.

**Issue #5** - Pursuant to Board Rule 20 CSR 2030-10.010(4), a certificate of authority would not be required by [redacted] Inc. if the architectural work is being done by [redacted] who does the work as a subconsultant who is licensed in this state. Mr. [redacted] who signs and seals the architectural plans as a sole proprietor, is responsible for either preparing the plans or providing direct supervision over the preparation of the plans and must include his company's logo, or name, along with everything else that is required in the title block rule (20 CSR 2030-2.050) on the drawings. By signing and sealing these plans, [redacted] is also the one who is accepting full responsibility for them. However, since neither [redacted], Principal of [redacted], is a licensed architect nor is her firm a licensed architectural firm, she is prohibited from advertising architectural services on her website. Such advertisement is grounds for filing a complaint against her and her firm. In addition, if you suspect Mr. [redacted] is not providing direct supervision over Ms. [redacted] we recommend you also file an official complaint with the Board against Mr. [redacted] since it is the Board's responsibility, not yours, for determining when a relationship with a non-licensed firm/individual who has a relationship with a licensed firm/individual becomes a "stamp-for-hire" relationship versus two entities combining efforts to offer comprehensive services to a single client. Only after a thorough investigation can such determination be made.

**Issue #6** – As stated in reference to Issue #1, there is nothing in the statutes or rules which require a licensee to report a violation. However, Board Rule 20 CSR 2030-2.010(15) states: "Licensees having knowledge of any alleged violation of this Code shall cooperate with the

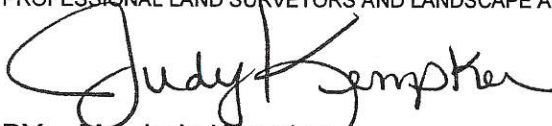
Mr. Dan Bruno, P.E., PTOE, Fire Marshal  
August 8, 2014  
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proper authorities in furnishing information or assistance as may be required." Furthermore, please be advised that in an effort to be "proactive" and to aid Missouri Building Code Officials, Fire Protection Districts, and Design Professionals to ensure compliance with the laws and regulations governing the professions of architecture, engineering, land surveying and landscape architecture in Missouri, the Board prepared and published a reference manual, a copy of which is enclosed for your ease of reference. This reference manual is intended to be a quick reference for the definition of the practices of architecture and professional engineering, an explanation of how and when a professional is to use his/her professional seal, and to provide answers to other commonly asked questions. The Board relies on the Building Code Officials, Fire Protection Districts, and Design Professionals to assure compliance with the laws governing the practices of architecture and engineering in Missouri. Therefore, if you are aware of any possible violations, we ask that you report those to the Board.

The Board is appreciative of your time and interest in referring these issues for its review. Should you heed the Board's recommendation with regard to filing a complaint against Ms and/or her firm as well as Mr. (or any others who you suspect may be violating Chapter 327, RSMo or the Board Rules), please be assured that the information submitted will be discussed in detail at the next scheduled meeting of the Board.

Very truly yours,

MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS



BY: Ms. Judy Kempker  
Executive Director

JK/

Enclosure

cc: Board Members  
Curt Thompson, General Counsel