ALABAMA STATE BOARD FOR REGISTRATION OF ARCHITECTS ADMINISTRATIVE CODE

CHAPTER 100-X-5 PRACTICE REQUIREMENTS

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100-X-5-.01 Regulation Of Practice.

In order to safeguard life, health, and promote the public welfare, the Board shall have the power to regulate the practice of architecture in Alabama, whatever the nature of such practice. All registered architects, whether resident or non-resident, are expected to practice in accordance with the statutes and regulations governing the practice of architecture in Alabama.
Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-31.
History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Published May 31, 2024; effective July 15, 2024.

100-X-5-.02 Use Of The Title "Intern-Architect".

An individual who possesses a NAAB-accredited professional degree in architecture, is actively enrolled in the NCARB Architectural Experience Program, and is working under the responsible control of a registered architect may use the title "Intern Architect."
Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-31.

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010. **Amended:** Filed August 13, 2018; effective September 27, 2018.

100-X-5-.03 The Architect's Seal.

Upon approval of registration, the Board will advise the registrant that he or she should secure a seal. The Board will provide the registrant with a sample of the seal. The seal may be a rubber stamp, an impression seal, or a computer-generated seal, if allowed by the Authority Having Jurisdiction. The seal shall be circular, two inches in diameter, and shall contain an outer circle which reads "STATE OF ALABAMA" at the top and "REGISTERED ARCHITECT" at the bottom. The architect's name and registration number must be placed inside the inner circle. The seal shall be used to identify all drawings, duplication of drawings, plans, specifications, plats and reports issued from his or her office for use in this state. By affixing the seal, the architect signifies that the document was prepared either by the registrant personally or under his or her responsible control.

(1) The architect's seal must be affixed on all final drawings, plans, specifications, plats and reports whenever presented to a client or any public or governmental agency for the purpose of obtaining a permit for construction. Work products presented which are not final shall be so identified. Working drawings or unfinished, in-progress drawings must contain the following statement: "PRELIMINARY—NOT FOR CONSTRUCTION."

(2) The architect's seal shall substantially resemble the sample seal shown below:



Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-35.
History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010.

100-X-5-.04 Remediation Of Unsealed Or Improperly Sealed Documents.

Pursuant to a complaint alleging the unlicensed practice of architecture, work not in compliance with the law may be remedied by the following method:

(1) The owner of the project employs an architect registered in Alabama and advises the Board accordingly; and

(2) The architect acknowledges this relationship in a letter to the Board and outlines the scope of work and time line for completion; and

(3) The architect conducts an on-site inspection of the project, prepares "as-built" drawings to document existing building conditions, and prepares a report of any building and life safety code deficiencies, including recommended actions that will bring the building into conformance with applicable codes. If "as-built" drawings are deemed unnecessary by the architect, the architect shall submit a written statement of explanation to the Board; and

(4) The architect assumes responsibility for the design and becomes the coordinating professional for the project; and

(5) The architect provides notice to the Board when all observable deficiencies have been addressed and the Authority Having Jurisdiction has been notified.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-39d.
History: New Rule: Filed February 19, 2010; effective March 26, 2010.

100-X-5-.05 Successor Architect.

In circumstances where an Alabama registered architect can no longer provide services on a project (such as death, retirement, disability, contract termination, etc.), a successor architect (who is also registered in Alabama) may undertake a project by performing all professional services, including development of a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The non-professional services, such as drafting, need not be redone by the successor architect but must clearly and accurately reflect the successor's work. The burden is on the successor architect to show such compliance. The successor architect shall have control of and responsibility for the work product and the

originals of all documents. All references to the original architect (title block, seal, signatures, etc.) must be removed from the documents.

(a) In cases of termination, the successor architect should ensure that the original architect has been advised in writing by the client that the contract has been terminated.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-39d.
History: **New Rule:** Filed February 19, 2010; effective March 26, 2010.

100-X-5-.06 Construction Administration.

(1) On a project where a building permit has been issued and an Alabama registered architect has not been engaged, or is no longer engaged, to perform construction administration services, the architect must report to the building official and the Board that he or she has not been, or is no longer, so engaged.

(2) Construction administration services of an architect is deemed necessary to protect the health, safety, and welfare of the public including, but not necessarily limited to, periodic site observations of the construction progress and quality, review of contractor submittal data and drawings, and reporting to the building official and owner any violations of codes or substantial deviations from the contract documents that the architect observed. As with other architectural services, qualified employees of registered architects may perform construction administration services under the instruction and responsible control of their employees.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-32.
History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010. **Amended:** Filed March 2, 2016; effective April 16, 2016. **Amended:** Published May 31, 2024; effective July 15, 2024.

100-X-5-.07 Construction Administration For Exempt Projects.

An Alabama registered architect who prepares documents for a project, regardless of whether the project is exempted, shall perform construction administration services as described in the Code of Ala. 1975, §34-2-32 and Administrative Rule 100-X-5-.06.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-32.
History: **New Rule:** Filed March 2, 2016; effective April 16, 2016. **Amended:** Published May 31, 2024; effective July 15, 2024.

100-X-5-.08 Design Competitions.

No person shall be permitted to participate in an architectural design competition unless he or she is properly licensed in this state.
Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-31.
History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended (Rule Number Only):** Filed March 2, 2016; effective April 16, 2016.

Ed. Note: Rule Number .07 was renumbered .08 as per certification filed March 2, 2016; effective April 16, 2016.

100-X-5-.09 Prototypical Documents.

Prototypical plans consist of drawings or specifications not intended as final and complete construction documents for a building project, but rather as a sample or model to provide general guidance for a building or buildings to be constructed in more than one location with substantially few design changes or additions, except those required to adapt to each particular site. Prototypical documents may or may not be premised upon laws, rules and regulations, or adopted building code of a particular state, county, or municipality, but shall be adaptable to the regulations or codes of each applicable construction location. Prototypical documents are generally not designed for a specific climate, weather, topography, soil, or other site-specific conditions or requirements, but are intended to be adapted to those and other site-specific conditions. Prototypical documents may or may not originate from a registered design professional (architect or professional engineer).

(a) Nothing in these rules precludes the use of prototypical documents, provided the architect ensures that all of the following conditions are met:

(1) Obtains written permission from the design professional who prepared or sealed the prototypical documents, or from the legal owner of the prototypical documents, to use, revise, amend and otherwise adapt the prototypical documents; and

(2) Thoroughly reviews the prototypical documents, makes necessary revisions, and adds all required elements and design information (including the design services of engineering consultants if warranted), so that the prototypical documents become suitable construction

documents, in full compliance with applicable codes, regulations, and site-specific requirements; and

(3) Independently performs, and maintains on file, necessary calculations to verify the public health and safety suitability of all elements or features portrayed by the original prototypical documents; and

(4) After reviewing, analyzing, calculating and making revisions and additions, re-draws and issues the documents with the architect's title block and Alabama registration seal (or the seals of licensed consultants as applicable), maintaining responsible control over use of the final adapted documents as if they were the architect's original design and assuming full responsibility as the architect of record.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-32.
History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010. **Amended (Rule Number Only):** Filed March 2, 2016; effective April 16, 2016.

Ed. Note: Rule Number .08 was renumbered .09 as per certification filed March 2, 2016; effective April 16, 2016.

100-X-5-.10 Design-Build.

A registered architect may combine with a licensed general contractor or a professional engineer in order to participate in a design-build undertaking whereby the architect prepares plans and specifications through individual or collective agreements with the owner or contractor in order to meet the owner's requirements for unified control in the design and construction services rendered under the following conditions:

(a) That nothing herein may be construed so as to allow the offering or other performance of any architectural services by anyone who is not duly licensed as an architect in this state;

(b) That full disclosure is made in writing to the owner as to the duties and responsibilities of each of the participating parties in such agreements;

(c) The architect shall not furnish any services in such a manner as to enable a contractor, owner or others to perform architectural services or to evade the public health and safety requirements;

(d) The architect shall not seal drawings, specifications, reports or other professional work which was not prepared by or under the responsible control of the architect.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-32.
History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010. **Amended (Rule Number Only):** Filed March 2, 2016; effective April 16, 2016. **Amended:** Published August 30, 2024; effective October 14, 2024.

Ed. Note: Rule Number .09 was renumbered .10 as per certification filed March 2, 2016; effective April 16, 2016.

100-X-5-.11 Qualifications Based Selection.

Architects are encouraged to seek professional employment on the basis of qualifications and competence for proper accomplishment of the work. This procedure restricts the architect from submitting a price for services until the prospective client has selected, on the basis of qualifications and competence, one architect or firm for negotiations.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-39.
History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **Amended (Rule Number Only):** Filed March 2, 2016; effective April 16, 2016.

Ed. Note: Rule Number .10 was renumbered .11 as per certification filed March 2, 2016; effective April 16, 2016.

100-X-5-.12 Branch Offices.

Each office engaged in the practice of architecture shall have an architect resident and regularly employed in that office. The registrant must supervise the day-to-day operation of the branch office, meaning he or she is regularly employed at that office only and the practice of architecture is under his or her responsible control.

Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-35.
History: **New Rule:** Filed February 19, 2010; effective March 26, 2010. **New Rule:** Filed February 8, 2011; effective March 15, 2011. **Amended (Rule Number Only):** Filed March 2, 2016; effective April 16, 2016.

Ed. Note: Rule Number .11 was renumbered .12 as per certification filed March 2, 2016; effective April 16, 2016.

100-X-5-.13 Pro Bono Architectural Services.

Services that are provided free of charge to an owner, client, or local municipality are subject to the professional standard of care that is expected of all registered architects practicing in the State of Alabama.
Author: Board for Registration of Architects
Statutory Authority: Code of Ala. 1975, §34-2-32.
History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended (Rule Number Only):** Filed March 2, 2016; effective April 16, 2016.

Ed. Note: Rule Number .12 was renumbered .13 as per certification filed March 2, 2016; effective April 16, 2016.