

# PROPOSED REGULATION OF THE STATE BOARD OF LANDSCAPE ARCHITECTURE

## LCB File No. R142-11

(This draft replaces the one posted December 22, 2011; the provisions relating to certificates of eligibility for a preference when competing for public works are now in LCB File No. R147-11)

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**GENERAL PROVISIONS**

**NAC 623A.010 Definitions.** (NRS 623A.130) As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 623A.020 to 623A.060, inclusive, have the meanings ascribed to them in those sections.

[Bd. of Landscape Arch., § 1.6, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.020 “Actively engaged” defined.** (NRS 623A.130) “Actively engaged” means to practice or provide the professional services of landscape architecture.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

**NAC 623A.025 “Advertisement” defined.** (NRS 623A.130) “Advertisement” means title blocks, business cards, inside and outside signs, brochures, stationery, listings in a telephone or other directory, postings and other advertisements in a newspaper or magazine or on the television, radio or Internet or by any other electronic means or any other method of advertising.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

**NAC 623A.030 “Board” defined.** (NRS 623A.130) “Board” means the State Board of Landscape Architecture.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

**NAC 623A.032 “Certificate holder” defined.** (NRS 623A.130) “Certificate holder” means a person who has been issued:

1. A certificate of registration; or
2. A certificate to practice as a landscape architect intern.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.035 “Group practice” defined.** (NRS 623A.130) “Group practice” means a firm, partnership, corporation or association which engages in the practice of landscape architecture.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

**NAC 623A.040 “Instruments of service” defined.** (NRS 623A.130) “Instruments of service” means finalized working drawings and specifications which have been prepared by a registrant or under his immediate and responsible direction.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

**NAC 623A.045 “National examination” defined.** (NRS 623A.130) “National examination” means the national examination for registration as a landscape architect or a certificate to practice as a landscape architect intern which is created and ~~distributed~~ *administered* by the Council of Landscape Architectural Registration Boards or its successor organization.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

**NAC 623A.050 “Nevada specific examination” defined.** (NRS 623A.130) “Nevada specific examination” means the jurisdictional examination for registration in this State as a landscape architect which is created and administered by the Board.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

*NAC 623A.052 “CLARB” defined. “CLARB” means the Council of Landscape Architectural Registration Boards, or its successor.*

**NAC 623A.055 “Registrant” defined.** (NRS 623A.130) “Registrant” means a landscape architect who holds a certificate of registration issued by the Board. *A “Registrant” may use the designation of RLA as a suffix behind their name.*

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

*NAC 623A.058 “Professional Landscape Architect” defined. “Professional Landscape Architect” means a landscape architect who holds a certificate of registration issued by the Board. A “Professional Landscape Architect” may use the designation of PLA as a suffix behind their name.*

*NAC 623A.059 “Landscape Architect Emeritus” defined. “Emeritus Landscape Architect” means a landscape architect with more than twenty-five (25) years of active registration who is fully retired from active practice.*

**NAC 623A.060 “Work experience under the direct supervision of a landscape architect” defined.** (NRS 623A.130) “Work experience under the direct supervision of a landscape architect” means full-time or part-time employment in the field of landscape architecture under the professional counsel, guidance and instruction of a registrant who critically examines, evaluates and monitors the applicant’s work product for quality and compliance with all applicable laws, codes, ordinances and regulations.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

**NAC 623A.070 Practice of landscape architecture: Interpretation of statutory definition.** (NRS 623A.060, 623A.130) As used in NRS 623A.060, the Board interprets:

1. The phrase “consideration and determination of issues of the land relating to erosion, wear and tear” to mean the design or preparation of plans and specifications to address:

- (a) Control of erosion;
- (b) Preservation of native vegetation;
- (c) Repair of any wear and tear on the surface of the earth caused by the activities of either humans or nature;
- (d) Restoration or reintroduction of vegetation into the natural environment; or
- (e) Using native vegetation for water quality purposes or for the creation of natural aesthetic values.

*(f) Historic Preservation of gardens, land forms and natural environments;*

*(g) Site Design and the use of environmental sciences to:*

*(1) Promote Health and Safety of the Public*

*(2) Promote the General Welfare of the Public*

2. The phrase “design of landscape irrigation” to mean the design or preparation of plans and specifications for the delivery and distribution of potable and nonpotable water to irrigate plant materials on a project site.

3. The term “grading” to mean the manipulation of the surface contours of the land to:

- (a) Control and direct the flow of water.
- (b) Create aesthetic values associated with topographic landforms.
- (c) Establish elevations and degrees of inclination on slopes for:
  - (1) Setting and locating buildings, structures, facilities and other improvements; or
  - (2) Locating corridors for the movement of vehicles and pedestrians.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

## **STATE BOARD OF LANDSCAPE ARCHITECTURE**

**NAC 623A.135 Duties of Executive Director.** (NRS 623A.100, 623A.130) The Executive Director shall:

- 1. Assist the Board in the review of an application for a certificate of registration or a certificate to practice as a landscape architect intern;
- 2. Investigate and make recommendations to the Board and assist the Board with the regulation of landscape architects and landscape architect interns; and
- 3. Keep an accurate record of the financial transactions and proceedings of the Board.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.140 Official stamp or electronic official stamp of registrant: Issuance and use.** (NRS 623A.130, 623A.195)

1. A registrant must have an official stamp issued by the Board.
  2. An official stamp will be issued by the Board to a registrant after:
    - (a) A certificate of registration is issued to the registrant; and
    - (b) The registrant pays the fee for the official stamp as provided in NAC 623A.170.
  3. In addition to an official stamp, a registrant may obtain an electronic official stamp from the Board by submitting to the Board a request for an electronic official stamp and the fee for the electronic official stamp provided pursuant to the provisions of NAC 623A.170.
  4. The use of any stamp other than the official stamp or an electronic official stamp is prohibited.
  5. A registrant may obtain additional official stamps or electronic official stamps from the Board at any time by submitting to the Board a request for an additional official stamp or an additional electronic official stamp and the fee for the official stamp or electronic official stamp as provided in NAC 623A.170.
  6. If a registrant was issued an official stamp pursuant to the provisions of this section before June 1, 2006, the registrant may:
    - (a) Submit a request for an official stamp pursuant to the provisions of subsection 5; or
    - (b) Use the official stamp issued to the registrant before June 1, 2006, if he handwrites the expiration date of his registration immediately below the stamp impression.
- [Bd. of Landscape Arch., § 1.3, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.145 Lost, stolen, mutilated or destroyed certificate: Notification of Board; issuance of duplicate.** (NRS 623A.130, 623A.230)

1. A certificate holder shall notify the Board in writing if his certificate of registration or his certificate to practice as a landscape architect intern is lost, stolen, mutilated or destroyed.
  2. The Board will issue a duplicate certificate of registration or certificate to practice as a landscape architect intern upon request of a certificate holder which is accompanied by a signed affidavit detailing the loss, theft, mutilation or destruction of the original certificate, and upon payment of the fee for the issuance of a certificate of registration as provided in NAC 623A.170.
- [Bd. of Landscape Arch., § 4.6, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)—(Substituted in revision for NAC 623A.350)

**NAC 623A.150 Filing of business address of certificate holder; change of address.** (NRS 623A.130, 623A.230)

1. A certificate holder shall file his proper and current business address with the Board.
  2. A certificate holder shall notify the Board in writing within 30 days after any change of address. The notification must include both his old and new address.
  3. The fee for a change of address as provided in NAC 623A.170 must accompany the notification.
- [Bd. of Landscape Arch., § 1.7, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.155 Mailing list of certificate holders.** (NRS 623A.130, 623A.135)

1. The Board will maintain a mailing list of the persons issued certificates of registration and certificates to practice as a landscape architect intern.

2. The mailing list will contain a record of the name, address and other personal information of each person issued a certificate of registration or a certificate to practice as a landscape architect intern.

~~[3. A person may obtain a copy of the mailing list by submitting to the Board a request and the fee as provided in NAC 623A.170.]~~

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.160 Request for history of complaints and disciplinary action taken against certificate holder and status of certificate.** (NRS 623A.130)

1. A person may file a written request with the Board for the history of complaints and disciplinary action taken against a certificate holder and the status of the certificate held by the certificate holder.

2. If the Board receives a request pursuant to subsection 1, the Board will provide to the person submitting the request:

(a) The number of complaints filed against the certificate holder within the past ~~[3]~~ 5 years;

(b) The disposition of any complaint filed against the certificate holder within the past ~~[3]~~ 5 years;

(c) The number of disciplinary actions taken against the certificate holder within the past ~~[3]~~ 5 years;

(d) If a disciplinary action has been taken against a certificate holder within the past ~~[3]~~ 5 years:

(1) The date the disciplinary action was taken; and

(2) The disposition of the disciplinary action; and

(e) The status of the certificate of the certificate holder.

3. In addition to the information provided pursuant to subsection 2, the Board will provide the person submitting the request:

(a) Information to help the person understand the material provided by the Board; and

(b) A statement regarding the utility of using the history of complaints and disciplinary action against a certificate holder in selecting a certificate holder.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.170 Schedule of fees.** (NRS 623A.130, 623A.165, 623A.240)

1. The Board will charge and collect the following fees:

Application fee for a certificate of registration <i>by Examination</i> pursuant to the provisions of NAC 623A.220 or 623A.226.....	\$175.00
Application fee for a certificate of registration <i>by Reciprocity</i> pursuant to the provisions of NAC 623A.222.....	100.00
Application fee for a certificate to practice as a landscape architect intern.....	50.00
<del>[Examination fee for the national examination for an applicant for a certificate of registration.....]</del>	<del>[100.00]</del>
<del>[plus any additional costs of the examination not included in this section]</del>	
Examination fee for the Nevada specific examination for an applicant for a certificate of registration.....	75.00
<del>[Fee for the review of a national examination, if requested pursuant to NAC</del>	<del>[50.00]</del>

<del>623A.250.....]</del>	
<del>[plus the costs charged by Council of Landscape Architectural Registration Boards]</del>	
Fee for the review of a Nevada specific examination, if requested pursuant to <a href="#">NAC 623A.250</a> .....	50.00
Certificate of registration.....	25.00
Certificate to practice as a landscape architect intern.....	25.00
Annual renewal fee for a certificate of registration.....	200.00
Delinquency fee for a certificate of registration.....	50.00
Reinstatement fee for a certificate of registration.....	300.00
Annual renewal fee for a certificate to practice as a landscape architect intern.....	100.00
Delinquency fee for a certificate to practice as a landscape architect intern.....	25.00
Reinstatement fee for a certificate to practice as a landscape architect intern.....	150.00
Change of address fee.....	10.00
Fee for an official stamp.....	25.00
Fee for an electronic official stamp.....	25.00
<del>[Mailing list, all registrants.....]</del>	<del>[10.00]</del>
Returned check.....	25.00
Copy of the <i>Construction Industry Reference Manual</i> , which is also known as the "Blue Book".....	5.00
Copy of a document, per page.....	.25
<i>Fee for Emeritus Status Registration.....</i>	<i>50.00</i>

2. The renewal fee for a certificate of registration or a certificate to practice as a landscape architect intern will be prorated on a monthly basis for each month after July 1 that the renewal fee is submitted. *Expired, renewal or reinstatement of certificate fees will be determined in accordance to NAC 623A.385.*

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)—  
(Substituted in revision for NAC 623A.360)

## CERTIFICATION OF LANDSCAPE ARCHITECTS

### NAC 623A.210 Application for certificate. (NRS 623A.130, 623A.170)

1. Application for a certificate of registration must be made on a form prescribed by the Board and accompanied by the nonrefundable application fee.

2. A completed application must be submitted to the Board as follows:

~~[(a) An applicant for a certificate of registration who plans to take any portion of the examination in June must submit a completed application and the application fee to the Board on or before March 1.]~~

*(a). An applicant for a certificate of registration shall request scores from the national exam be forwarded to the Board by CLARB.*

~~[(b) An applicant for a certificate of registration who plans to take any portion of the examination in December must submit a completed application and the application fee to the Board on or before September 1.]~~

3. Except as otherwise provided in subsection 4, an applicant for a certificate of registration must provide the following information on the application form:

(a) The name, business and residence addresses, business and residence telephone numbers and, if applicable, facsimile numbers and electronic mail address of the applicant.

(b) The state of residence of the applicant.

(c) The birthplace, birth date and social security number of the applicant.

(d) Information regarding any conviction of the applicant for a felony, gross misdemeanor or misdemeanor.

(e) Evidence that the applicant is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(f) A chronological statement of the educational background of the applicant, including the names and addresses of schools attended, years of attendance, major subject and degree received, as applicable.

(g) A statement of all prior registrations of the applicant as a landscape architect, indicating each state in which registration has been granted, the date of issuance of the certificate or license and the current status of his registration in each state.

(h) A list of professional organizations of which the applicant is a member.

(i) The names and addresses of two registered landscape architects and two licensed professionals from a related design profession who have direct knowledge of the professional abilities of the applicant.

(j) A complete record of the work experience of the applicant, including the beginning and ending dates of that employment, the titles of the positions held by the applicant and the duties performed by the applicant in those positions. Employment in the field of landscape architecture must be described in particularity.

(k) An affidavit signed by the applicant attesting that the information provided to the Board is truthful, complete and accurate.

(l) Any other information deemed necessary by the Board.

4. If an applicant for a certificate of registration has been certified by the Council of Landscape Architectural Registration Boards, the applicant may submit a copy of the certification of the Council of Landscape Architectural Registration Boards instead of the information required pursuant to the provisions of paragraphs (f) to (j), inclusive, of subsection 3 when submitting the application for a certificate of registration.

[Bd. of Landscape Arch., § 3.1, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.220 Eligibility based on combination of education and experience.** (NRS 623A.130, 623A.140, 623A.170, 623A.190)

1. Except as otherwise provided in NAC 623A.222 and 623A.226, an applicant for a certificate of registration must:

(a) Have 6 years of education and experience in landscape architecture;

(b) Achieve a passing score on each section of the national examination; and

(c) Achieve a minimum score of 75 percent on the Nevada specific examination.

2. The Board will accept the following combinations of education and experience to fulfill the requirements contained in paragraph (a) of subsection 1:

(a) A bachelor's or master's degree in landscape architecture from an approved school and 2 years of postgraduate work experience under the direct supervision of a landscape architect who is registered in this State, any other state in the United States, any province of Canada or any other jurisdiction approved by the Board.

(b) An associate degree in landscape architecture, or, except as otherwise provided in paragraph (c), a bachelor's degree in a related field, including, but not limited to, horticulture or forestry, and 4 years of postgraduate work experience under the direct supervision of a landscape architect who is registered in this State, any other state in the United States, any province of Canada or any other jurisdiction approved by the Board. A master's degree in a related field will be deemed equivalent to 1 year of postgraduate work experience.

(c) A bachelor's degree in architecture or civil engineering from an institution that is accredited by an accrediting body approved by the Board and 3 years of postgraduate work experience under the direct supervision of a landscape architect who is registered in this State, any other state in the United States, any province of Canada or any other jurisdiction approved by the Board. A master's degree in architecture or civil engineering will be deemed equivalent to 1 year of postgraduate work experience.

(d) Any other combination of education and experience which is deemed by the Board to be equivalent to the requirements set forth in paragraphs (a), (b) and (c).

3. An applicant for registration as a landscape architect pursuant to this section must be 21 years of age or older, of good moral character and a citizen of the United States or lawfully entitled to remain and work in the United States.

4. As used in this section, "approved school" means an institution which offers a program of landscape architecture accredited by the Landscape Architectural Accreditation Board of the American Society of Landscape Architects or a program deemed by the Board to be equivalent thereto.

[Bd. of Landscape Arch., §§ 3.5 & 3.6, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.222 Eligibility based on reciprocity.** (NRS 623A.130, 630A.140, 630A.170, 623A.190)

1. An applicant is eligible for a certificate of registration by reciprocity if the applicant:

(a) Holds an active certificate or license in good standing to practice landscape architecture in any other state of the United States, any province of Canada or any other jurisdiction approved by the Board;

(b) Has had no disciplinary action taken against him during the period in which he has been certified or licensed as a landscape architect;

(c) Has received a passing score on each section of the national examination;

(d) Achieves a minimum score of 75 percent on the Nevada specific examination; and

(e) Has:

(1) Been actively engaged in full-time practice as a registered landscape architect for 2 or more years; or

(2) Fulfilled the requirements for education and work experience as set forth in NAC 623A.220.

2. An applicant for a certificate of registration pursuant to this section must be 21 years of age or older, of good moral character and a citizen of the United States or lawfully entitled to remain and work in the United States.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

**NAC 623A.226 Eligibility based on work experience.** (NRS 623A.130, 623A.170, 623A.190)

1. An applicant for a certificate of registration who does not meet the educational qualifications set forth in paragraph (a) of subsection 1 of NAC 623A.220 may be eligible for a

certificate of registration on the basis of his work experience in landscape architecture if the applicant:

(a) Establishes to the satisfaction of the Board that he has been actively engaged in the full-time professional practice of landscape architecture under the direct supervision of a registered landscape architect for at least 6 years;

(b) Achieves a passing score on each section of the national examination; and

(c) Achieves a minimum score of 75 percent on the Nevada specific examination.

2. An applicant for registration as a landscape architect in accordance with this section must be 21 years of age or older, of good moral character and a citizen of the United States or lawfully entitled to remain and work in the United States.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

**NAC 623A.228 Examinations: Contents; preparation of Nevada specific examination; additional information.** (NRS 623A.130, 623A.170, 623A.190)

1. The examination for a certificate of registration consists of the national examination and the Nevada specific examination.

2. The Board will prepare the Nevada specific examination. The Nevada specific examination will test, without limitation, the applicant's knowledge of local environmental conditions, plants, soils, water management, and ~~local~~ laws and regulations relating to landscape architecture. The Board may seek the assistance of independent, qualified persons to prepare questions for the Nevada specific examination.

3. Further information regarding the national examination or the Nevada specific examination may be obtained from the Board *or CLARB*.

[Bd. of Landscape Arch., § 3.9, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.230 Examinations: Times and locations; failure to take as scheduled; reexamination; failure to complete within 5 years.** (NRS 623A.130, 623A.190)

1. The examination for a certificate of registration will be conducted *and administered in accordance with the schedule as set by CLARB. The applicant is required to contact the CLARB office for information regarding the times, location, fees and other appurtenances pertaining to the national examination.*

~~[in June and December of each year at locations selected by the Board. When possible, the Board will alternate the locations at which it conducts the examination by administering it in Reno in even-numbered years and in Las Vegas in odd-numbered years.]~~

2. The national examination will be administered *by CLARB*.

~~[in June and December, except that not all parts of the national examination may be offered at each examination. Upon request, the Board will provide to an applicant further information about which sections of the national examination will be offered in each examination.]~~

~~—3. The Board will review each application for a certificate of registration to determine if the applicant meets the requirements to sit for the section or sections of the examination which he needs to qualify for a certificate of registration in this State as a landscape architect. If the Board determines that the applicant meets the requirements, it will notify the applicant of the exact date, time and place of the examination.~~

~~—4. If an applicant submits an application for a certificate of registration, pays the fee for the application as provided in NAC 623A.170, is scheduled to take the examination for a certificate of registration and fails to take the examination, the applicant may petition the Board to take a~~

~~subsequently scheduled examination. For good cause shown, the Board may approve the petition to take a subsequently scheduled examination.~~

~~—5.] 3. For a period of 5 years after an applicant first sits for the [examination, he may retake any section of the national examination or the] Nevada specific examination on which he has failed to achieve a passing score *he may retake the examination* without submitting a new application for a certificate of registration. [The applicant does not need to retake a section of the national examination or the Nevada specific examination within this 5-year period if he has achieved the passing score on that section.~~

~~—6.] 4. If an applicant does not achieve a passing score on [all of the required sections of the national examination and] the Nevada specific examination within the 5-year period, the applicant must submit a new application for a certificate of registration and achieve a passing score on all of the sections of the national examination and the Nevada specific examination before he will be issued a certificate of registration.~~

[Bd. of Landscape Arch., § 3.6, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.240 Examinations: Administration and conduct; anonymous grading; prohibited activities.** (NRS 623A.130, 623A.190)

1. The *Nevada Specific* examination for a certificate of registration will be administered and conducted under the direction and control of the Board. The Board may seek the assistance of independent, qualified persons to conduct the examination, score the examination and provide verification of the scoring.

2. The examination for a certificate of registration will be graded anonymously. An applicant who takes the examination will be assigned a random identification number, and his identity will not be revealed until after the final grading on the examination has been completed.

3. An applicant shall not:

(a) Take notes or speak with other examinees during the examination; or

(b) Engage in any other activity that would result in the disclosure of the contents of the examination or interfere with the orderly administration of the examination.

[Bd. of Landscape Arch., § 3.7, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.250 Examinations: Notification of results; review; appeal.** (NRS 623A.130, 623A.190)

1. An applicant will be notified as to his passage or failure of each section of the national examination for a certificate of registration *by CLARB. Notification of the passage or failure of the Nevada Specific Examination will be by the Board.*

2. An applicant who receives a failing grade on the Nevada specific examination may submit a request to the Board to review his examination. After receiving a request from an applicant for a review of his Nevada specific examination, the Executive Director shall provide information to the applicant on how the applicant may pursue such a review.

3. An applicant who receives a failing grade on the Nevada specific examination may submit a written appeal to the Board. A request for a review of an examination pursuant to this subsection must be submitted in writing to the office of the Board not later than 15 calendar days after the date on which the applicant receives notification of his results on the examination. The Board will consider the appeal at its next regularly scheduled Board meeting, at which time it will render a decision on the matter by formal action.

4. An applicant who has taken a national examination conducted by ~~[the] CLARB [Board]~~ may submit a request to ~~[the Board]~~ to review his examination. ~~[After receiving a request from an applicant for a review of his national examination, the Executive Director shall provide information to the applicant on how the applicant may contact]~~ the Council of Landscape Architectural Registration Boards for the purpose of pursuing such a review.

~~[5. If the applicant fails a section of the national examination, the applicant may file an appeal with the Board. Upon the request of an applicant for an appeal, the Executive Director will provide information to the applicant on how the applicant may contact the Council of Landscape Architectural Registration Boards for the purposes of pursuing such an appeal.]~~

[Bd. of Landscape Arch., § 3.8, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.310 Issuance and scope of certificate.** (NRS 623A.130, 623A.165) The Board will issue a certificate of registration to an applicant entitling him to practice landscape architecture in this State in accordance with the provisions of this chapter and chapter 623A of NRS if:

1. The Board finds that the applicant is of good moral character;
2. The applicant satisfies the requirements for a certificate of registration provided pursuant to the provisions of NAC 623A.220, 623A.222 or 623A.226; and
3. The applicant has timely submitted all of the required fees.

[Bd. of Landscape Arch., § 4.1, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.315 Expiration and renewal or reinstatement of certificate.** (NRS 623A.130, 623A.200)

1. A certificate of registration issued by the Board expires at midnight on June 30 next following the date of issuance, unless the certificate is renewed.

2. To renew an unexpired certificate, the registrant must apply for renewal of the certificate on a form prescribed by the Board and pay the annual renewal fee on or before June 30 following the date that the certificate or renewal was issued.

3. To renew an expired certificate within 1 year after the certificate expires, the registrant must apply for renewal of the certificate on a form prescribed by the Board and include the fee for renewal and the fee for delinquent renewal of the certificate as provided in NAC 623A.170.

4. To renew an expired certificate more than 1 year after the date on which the certificate expired, the registrant must apply for renewal of the certificate on a form prescribed by the Board and include the fee for renewal, the fee for delinquent renewal and the fee for reinstatement as provided in NAC 623A.170. A certificate which is not reinstated within 3 years after the date on which the certificate expired may not be reinstated.

5. If a registrant complies with the provisions for the renewal of a certificate of registration pursuant to the provisions of subsection 2 or 3 or the reinstatement of a certificate of registration pursuant to the provisions of subsection 4, the Board will issue a renewal card to the registrant. A renewal card issued by the Board will contain:

- (a) The expiration date of the renewal or reinstatement of the certificate of registration;
- (b) The seal of the Board;
- (c) The number of the certificate of registration to which the renewal card applies; and
- (d) The signature of the Executive Director.

6. The Executive Director shall record the renewal or reinstatement of a certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

***NAC623A.320 Landscape Architect Emeritus.***

- 1. Emeritus Status shall be effective upon receipt of a completed application, fee, and verification of eligibility by the "Board". A Landscape Architect granted Emeritus Status shall be eligible to use the designation "Landscape Architect Emeritus".***
- 2. A Landscape Architect granted Emeritus status shall complete a renewal application at the end of THREE (3) years to establish permanent Emeritus Status.***
- 3. If a Landscape Architect Emeritus registrant is determined to practice Landscape Architecture, the Emeritus Status will be revoked and renewal of licensure shall be determined in accordance with NAC623A.170 and NAC623A.315.***

**CERTIFICATION OF LANDSCAPE ARCHITECT INTERNS**

**NAC 623A.341 Application for certificate.** (NRS 623A.130, 623A.263)

1. Application for a certificate to practice as a landscape architect intern must be made on a form prescribed by the Board and accompanied by the nonrefundable application fee.  
***(a). An applicant for a certificate of registration as a Landscape Architect Intern shall request scores from the national be forwarded to the Board by CLARB.***
2. An applicant for a certificate to practice as a landscape architect intern must:
  - (a) Provide the following information on an application form submitted to the Board:
    - (1) The name, business and residence addresses, business and residence telephone numbers and facsimile numbers, and electronic mail address of the applicant.
    - (2) The state of residence of the applicant.
    - (3) The birthplace, birth date and social security number of the applicant.
    - (4) Information regarding any conviction of the applicant for a felony, gross misdemeanor or misdemeanor.
    - (5) Evidence that the applicant is a citizen of the United States or is lawfully entitled to remain and work in the United States.
    - (6) A chronological statement of the educational background of the applicant, including the names and addresses of schools attended, years of attendance, major subject and degree received, as applicable.
    - (7) A signed release authorizing the Board to investigate the education, experience, moral character and reputation of the applicant.
    - (8) The names and addresses of ~~two~~ **Three** personal references who have direct knowledge of the applicant.
    - (9) The name and address of one teacher or professor who has direct knowledge of the scholastic ability of the applicant.
    - (10) An affidavit signed by the applicant attesting that the information provided to the Board is truthful, complete and accurate.
    - (11) Any other information deemed necessary by the Board.
  - (b) Arrange for certified transcripts to be sent directly to the Board from each college, university or other educational institution that the applicant attended.  
(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.351 Examination: Contents; additional information.** (NRS 623A.130, 623A.170, 623A.190)

- 1. The examination for a certificate to practice as a landscape architect intern consists of the following sections of the national examination:***

- (a) *Section A: Legal and Administrative Aspects of Practice; and*
- (b) *Section B: Analytical Aspects of Practice.*

2. Further information regarding the national examination may be obtained from ~~[the Board]~~ **CLARB**.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.355 Examination: Times and locations; qualification for issuance of certificate.** (NRS 623A.130, 623A.190)

1. The examination for a certificate to practice as a landscape architect intern will be conducted at the times and locations specified by the Council of Landscape Architectural Registration Boards.

2. To qualify for the issuance of a certificate to practice as a landscape architect intern, an applicant must achieve a passing score on each section of the examination.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.361 Examination: Administration and conduct.** (NRS 623A.130, 623A.190)

The examination for a certificate to practice as a landscape architect intern will be administered and conducted as determined by the Board.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.365 Examination: Notification of results; appeal.** (NRS 623A.130, 623A.190)

1. An applicant will be notified as to his passage or failure of each section of the examination **by CLARB** ~~[for a certificate to practice as a landscape architect intern.]~~

2. If an applicant fails a section of the examination, the applicant may file an appeal with **CLARB** ~~[the Board. Upon the request of an applicant to appeal the examination, the Executive Director will provide information to the applicant on how the applicant may contact the Council of Landscape Architectural Registration Boards to pursue the appeal.]~~

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.370 Examination: Maintenance and use of passing scores.** (NRS 623A.130, 623A.170, 623A.190)

1. If an applicant for a certificate to practice as a landscape architect intern achieves a passing score on each section of the examination for a certificate to practice as a landscape architect intern, **CLARB will maintain the scores and other information on file of the applicant.** ~~[Board will keep the examination in the file of the applicant.]~~

2. If a person who has been issued a certificate to practice as a landscape architect intern applies for a certificate of registration, the person may use the passing scores achieved on the sections of the national examination taken as part of the examination for a certificate to practice as a landscape architect to satisfy the requirement to pass those sections for a certificate of registration.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.380 Issuance and scope of certificate.** (NRS 623A.130, 623A.165, 623A.267)

The Board will issue a certificate to practice as a landscape architect intern to an applicant entitling him to practice landscape architecture in this State in accordance with the provisions of this chapter and chapter 623A of NRS and under the direct supervision of a registrant if:

1. The Board finds that the applicant is of good moral character;

2. The applicant achieves a passing score on the examination for a certificate to practice as a landscape architect intern; and

3. The applicant has timely submitted all of the required fees.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.385 Expiration and renewal or reinstatement of certificate.** (NRS 623A.130, 623A.267)

1. A certificate to practice as a landscape architect intern issued by the Board expires at midnight on June 30 next following the date of issuance, unless the certificate is renewed.

2. To renew an unexpired certificate, the holder of a certificate to practice as a landscape architect intern must apply for renewal of the certificate on a form prescribed by the Board and pay the annual renewal fee on or before June 30 following the date that the certificate or renewal was issued.

3. To renew an expired certificate to practice as a landscape architect intern within 1 year after the certificate expires, the holder of a certificate to practice as a landscape architect intern must apply for renewal of the certificate on a form prescribed by the Board and include the fee for renewal and the fee for delinquent renewal of the certificate as provided in NAC 623A.170.

4. To renew an expired certificate to practice as a landscape architect intern more than 1 year after the date on which the certificate expired, the holder of a certificate to practice as a landscape architect intern must apply for renewal of the certificate on a form prescribed by the Board and include the fee for renewal, the fee for delinquent renewal and the fee for reinstatement as provided in NAC 623A.170. A certificate which is not reinstated within 3 years after the date on which the certificate expired may not be reinstated.

5. If a holder of a certificate to practice as a landscape architect intern complies with the provisions for the renewal of a certificate to practice as a landscape architect intern pursuant to the provisions of subsection 2 or 3 or the reinstatement of a certificate to practice as a landscape architect intern pursuant to the provisions of subsection 4, the Board will issue a renewal card to the registrant. A renewal card issued by the Board will contain:

(a) The expiration date of the renewal or reinstatement of the certificate to practice as a landscape architect intern;

(b) The seal of the Board;

(c) The number of the certificate to practice as a landscape architect intern to which the renewal card applies; and

(d) The signature of the Executive Director.

6. The Executive Director shall record the renewal or reinstatement of a certificate to practice as a landscape architect intern.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

## **PRACTICE AND ENFORCEMENT**

**NAC 623A.410 Operation of branch office.** (NRS 623A.130, 623A.260) Upon the approval of the Board, a group or individual landscape architectural practice which has its headquarters in any state of the United States, any province of Canada or any other jurisdiction approved by the Board may operate a branch office in Nevada. Each branch office must be operated by a current registrant in good standing for whom the branch office is his principal place of business.

[Bd. of Landscape Arch., § 5.1, eff. 9-9-76]—(NAC A 11-1-95)

**NAC 623A.420 Advertising.** (NRS 623A.130, 623A.355)

1. The name and certificate number of the registrant and the title “Landscape Architect” must appear in a conspicuous manner in all advertisements of the registrant.
  2. An advertisement of a registrant must not be false, deceptive or misleading.
  3. If the Board has probable cause to believe that a person without a certificate of registration is advertising for the performance of the practice of landscape architecture, the Board may issue a letter to the person ordering the person:
    - (a) To cease and desist advertising without a certificate of registration.
    - (b) If the advertisement is being conducted by another person, to inform the person making the advertisement to cease and desist the advertisement.
- [Bd. of Landscape Arch., § 6.1, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.430 Group practice.** (NRS 623A.130, 623A.250)

- ~~1. A registrant who forms a group practice with one or more persons who are not landscape architects must notify the Board in writing within 30 days after the formation of the practice, giving the names and titles of all of the members of the practice.~~
- ~~2. The registrant must notify the Board, in writing, within 30 days after a change or dissolution occurs in the group practice.]~~
- ~~3.]~~ 1. A landscape architectural service performed by a group practice must be performed by or under the direct supervision of a registrant who is a partner, principal, officer or employee of the group practice. All instruments of service of the group practice must be stamped and signed pursuant to the provisions of NAC 623A.440 by the registrant who provided the direct supervision for the work performed.
4. All advertisements and other similar materials used by the group practice must contain the name of the registrant and his certificate number.
- [Bd. of Landscape Arch., §§ 7.1 through 7.3, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.440 Instruments of service; official stamp.** (NRS 623A.130, 623A.195)

1. All submitted instruments of service, including, without limitation, landscape architectural plans, specifications, reports, papers and other professional documents relating to the practice of landscape architecture, must be stamped, signed and dated pursuant to the provisions of subsection 3 by the registrant who prepared them or provided the direct supervision under which they were prepared.
2. If a submitted instrument of service, including, without limitation, a landscape architectural plan, specification, report, paper or other professional document relating to the practice of landscape architecture, is prepared by a person other than a registrant, the submitted instrument of service must contain the name and registration number of the registrant who provided the direct supervision under which the submitted instrument of service was prepared.
3. A registrant shall use the original stamp provided by the Board pursuant to NAC 623A.140 and place his original signature, the date of execution and the expiration date of his registration across the stamp, on the front page of the work prepared by him.
4. If a professional document contains the product of more than one design professional, the registrant must stamp, sign and date the document pursuant to the provisions of subsection 3 and add a notation which clearly denotes the sheets that he prepared.
5. Details, shop drawings, product descriptions and other product information prepared by a manufacturer, supplier or installer of a specific product or system may be integrated into

documents prepared, stamped, signed and dated pursuant to the provisions of subsection 3 by a registrant if the details, drawings, descriptions or other information are incidental to the overall scope of the project and do not, in themselves, describe spaces, elements or systems which directly affect the public health, safety and welfare.

[Bd. of Landscape Arch., § 1.4, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)—  
(Substituted in revision for NAC 623A.120)

**NAC 623A.480 Standards for ethical conduct of registrants.** (NRS 623A.130) A registrant shall uphold and advance the honor and dignity of the profession by maintaining a high standard of ethical conduct. In particular, the registrant:

1. Shall exert every effort toward the preservation and protection of the natural resources and toward understanding the interaction of the economic and social systems with these resources.
2. ~~[Must]~~ *Shall* have a social and environmental responsibility to reconcile the public's needs and the natural environment with minimal disruption of the natural system.
3. Shall further the public health, safety and welfare and advance the profession by constantly striving to provide the highest level of professional services and avoiding the appearance of improper conduct.
4. Shall serve his client or employer with integrity, understanding, knowledge and creative ability and respond morally to social, political, economic and technological influences.
5. Shall encourage educational research and the development and dissemination of useful technical information relating to the planning, design and construction of the physical environment.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)

**NAC 623A.490 Professional conduct and duties of certificate holders; grounds for disciplinary action.** (NRS 623A.130, 623A.133)

1. A certificate holder shall not perform or attempt to perform a professional service relating to landscape architecture unless he is qualified by education and experience to perform that service. A certificate holder may accept employment which requires practice in a related design field if he limits his actual practice to those areas in which he is qualified. He may associate with other professional persons to the extent necessary. When practicing in a related design field, the certificate holder must be held to the same standards of technical knowledge and skill as apply to that profession.
2. If a certificate holder observes a situation or circumstance which, in his professional opinion, could result in a threat to the public health, safety and welfare, the certificate holder shall notify the responsible party, official, agency or board, as may be appropriate, of the potential threat.
3. A certificate holder shall not accept a work project or employment where his duty to a client or the public would conflict with his personal interest or the interest of another client of the certificate holder without full disclosure of all material facts of the conflict to each person who might be related to or affected by the project or employment.
4. A certificate holder shall not accept compensation from more than one person for services related to the same project or professional employment without making full disclosure to and obtaining the express written consent of all such persons.
5. A certificate holder shall not give, lend or promise anything of value to a public officer with the intent to influence or attempt to influence the officer's judgment or actions.

6. A certificate holder shall not attempt to obtain, offer to undertake or accept a work project or employment for which he knows another legally qualified person or firm has been selected or employed until he has evidence that the latter agreement has been terminated.

7. A certificate holder shall not engage in fraud, deceit, misrepresentation, exaggeration or concealment of material facts in advertising, soliciting or providing professional services.

8. A certificate holder shall accurately represent his qualifications and the scope and nature of his responsibilities in connection with work for which he is claiming credit.

9. A certificate holder shall not maliciously injure the professional reputation, business prospects or practice of another certificate holder or professional person.

10. A certificate holder shall comply with all federal, state, municipal and county laws, codes, ordinances and regulations pertaining to the practice of landscape architecture.

11. A certificate holder shall not engage in conduct which involves fraud or the wrongful exploitation of the rights of other persons and shall not counsel or assist a client in conduct that the certificate holder knows, or should know, involves fraud or other illegal acts.

12. A certificate holder shall not materially alter the scope or objectives of a project without the consent of the client. The certificate holder shall keep the client fully informed of any changes in the scope of a project.

13. A certificate holder who reasonably believes, based on substantial information, that another landscape architect or landscape architect intern has committed a violation of the provisions of this chapter or chapter 623A of NRS which raises a serious question as to the honesty, trustworthiness or fitness of that landscape architect or landscape architect intern shall report that information to the Board.

14. A certificate holder shall notify the Board within 30 days after any disciplinary action or judgment against the certificate holder issued by any public agency or court which substantially relates to the qualifications, functions or duties of the practice of landscape architecture.

15. A certificate holder shall not:

(a) Fail to make timely payments for the support of one or more children pursuant to a court order; or

(b) Fail to comply with any warrant or subpoena relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of one or more children.

16. Any violation of this chapter or chapter 623A of NRS is a ground for disciplinary action.

(Added to NAC by Bd. of Landscape Arch., eff. 11-1-95; A by R216-03, 6-1-2006)

## ADMINISTRATIVE PROCEEDINGS

**NAC 623A.505 Complaints against certificate holders: Action by Board.** (NRS 623A.130) If a complaint is filed with the Executive Director pursuant to the provisions of NRS 623A.290, the Board:

1. If the complaint does not allege a violation of this chapter or chapter 623A of NRS, will transmit the complaint together with any evidence or information relating to the complaint to the agency, public or private, who, in the opinion of the Board, has jurisdiction over the complaint.

2. If the person filing the complaint is known, will notify the person filing the complaint of the final action taken on the complaint.

3. May meet and confer with the person filing the complaint and the person against whom the complaint is filed to facilitate a resolution of the complaint.

(Added to NAC by Bd. of Landscape Arch. by R216-03, eff. 6-1-2006)

**NAC 623A.520 Hearings before Board or hearing panel: Notice; rights of parties.** (NRS 623A.130)

1. All parties to a disciplinary proceeding or other contested matter under the Nevada Administrative Procedure Act will be afforded an opportunity for a hearing before the Board or a duly appointed hearing panel after reasonable notice of at least 20 days.

2. The notice must contain:

- (a) The time, place and nature of the hearing.
- (b) The legal authority and jurisdiction under which the hearing will be held.
- (c) A reference to the particular sections of NRS and this chapter which are involved.
- (d) A clear statement of the matters asserted.

3. At the hearing, each party has the right to be represented by counsel, to respond to and introduce evidence and argument on all issues involved, and to produce witnesses and to examine and cross-examine opposing witnesses.

4. A person who is aggrieved by a final decision of the Board in a contested case is entitled to a judicial review pursuant to the Nevada Administrative Procedure Act.

[Bd. of Landscape Arch., §§ 8.2 through 8.5, eff. 9-9-76]—(NAC A 11-1-95; R216-03, 6-1-2006)

**NAC 623A.600 Petition for adoption, filing, amendment or repeal of regulation; petition for declaratory order or advisory opinion.** (NRS 623A.130)

1. Any interested person or agency may petition the Board to adopt, file, amend or repeal any regulation of the Board, by letter addressed to the Executive Director of the Board. Relevant data, views and arguments must accompany such a petition. The Board will consider a petition filed pursuant to this subsection at its next regularly scheduled Board meeting. The Board will, not later than 30 days after the meeting:

- (a) Initiate the rule-making process; or
- (b) Deny the petition in writing, stating its reasons for the denial.

2. Any interested person or agency may petition the Board for a declaratory order or an advisory opinion regarding the applicability of any statutory provision or regulation or decision of the Board. The Board will consider a petition for a declaratory order or an advisory opinion filed pursuant to this subsection at its next regularly scheduled Board meeting. The Board will, not later than 30 days after the date of the meeting:

- (a) Issue a declaratory order or an advisory opinion; or
  - (b) Deny the petition for an order or opinion in writing stating the reasons therefor.
- (Added to NAC by Bd. of Landscape Arch., eff. 11-1-95)