

State of Rhode Island
DEPARTMENT OF BUSINESS REGULATION
Division of Building, Design and Fire Professionals



Reference Guide for the
Design and Construction Industries
in Rhode Island

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1. INTRODUCTION

This reference guide has been developed through the collaborative effort of a task group made up of representatives of the State Design Professional licensing boards, the State Building Code Commissioner's office, and representatives of the Rhode Island Building Officials Association. The goal is to provide an easy reference for the design and construction industry regarding basic responsibilities applicable to all parties involved in the design and construction process.

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2. DEFINITIONS

ARCHITECTURE – R.I. Gen. Laws Chapter 5-1

“Architect,” R.I. Gen. Laws § 5-1-2(1), means any person who engages in the practice of architecture, as that term is defined in R.I. Gen. Laws § 5-1-2(5) as attested by their licensing as an architect in this State.

The “Practice of Architecture,” as defined in R.I. Gen. Laws § 5-1-2(5), means rendering or offering to render those services described as follows:

1. Rendering or offering to render services in connection with the design and construction, enlargement or alteration of a building or group of buildings and the space within and surrounding the buildings, which have as their principal purpose human occupancy or habitation;
2. The services referred to in this section include, but are not limited to planning, providing preliminary studies, designs, drawings, specifications, and other technical submissions, the administration of construction contracts and the coordination of any elements of technical submissions prepared by others including, as appropriate and without limitation, consulting engineers and landscape architects;
3. The practice of architecture does not include the practice of engineering as defined within the document, but a registered architect may perform any engineering work that is incidental to the practice of architecture.

Practice of Architecture by a Firm

Every firm or sole proprietorship must obtain a Certificate of Authorization (COA) from the Board of Registration of Architects prior to practicing or offering to practice architecture in RI. R.I. Gen. Laws § 5-1-15.1(c).

No person or firm may practice, or offer to practice, architecture in this State, or to use in connection with their name or otherwise assume, or advertise any title or description tending to convey the impression that they are an architect unless that person or firm has been duly registered or exempted under the provisions of R.I. Gen. Laws Chapter 5-1 and any regulations promulgated thereunder.



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Practices permitted – R.I. Gen. Laws § 5-1-14

Nothing contained in chapter 5-1 shall be construed to prohibit practices normally permitted to employees, engineers, contractors, and others, including the following:

- (1) A draftsman, student, superintendent, or other employee of a lawfully practicing registered architect acting under the instruction, responsible control and supervision of said registered architect. This chapter does not prevent the employment of a superintendent of the construction, enlargement, or alteration of a building or part of a building who acts under the immediate responsible control of the registered architect by whom the plans and specifications of the building, enlargement, or alteration were prepared.
- (2) A registered professional engineer doing architectural work as may be incident to the practice of their engineering profession, not to exceed thirty-five thousand (35,000) cubic feet of enclosed space, provided all drawings for that construction are signed by the author of the drawing with their true appellation as a "registered professional engineer" without the use in any form of the title "architect".
- (3) The construction or alteration of any single-family or two-family house or any minor accessory building to it by a person other than a registered architect.
- (4) The construction or alteration of any building used for farm purposes, as long as it is not for human habitation or occupancy, by a person other than a registered architect.

BUILDING OFFICIAL – R.I. Gen. Laws Chapter 23-27.3

The officer or other designated authority charged with the administration and enforcement of the adopted building codes.

CONTRACTOR – R.I. Gen. Laws Chapter 5-65

"Contractor" means a person who, in the pursuit of an independent business, undertakes or offers to undertake or submits a bid, or for compensation and with or without the intent to sell the structure arranges to construct, alter, repair, improve, move over public highways, roads, or streets or demolish a structure or to perform any work in connection with the construction, alteration, repair, improvement, moving over public highways, roads, or streets or demolition of a structure, and the appurtenances thereto. For the purposes of this chapter, "appurtenances" includes the installation, alteration, or repair of wells connected to a structure consistent with chapter 13.2 of title 46.



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"Contractor" includes, but is not limited to, any person who purchases or owns property and constructs, or for compensation arranges for the construction of, one or more structures.

LANDSCAPE ARCHITECTURE – R.I. Gen. Laws Chapter 5-51

The "practice of landscape architecture" means planning and designing the use, allocation, and arrangement of land and water resources, through the creative application of biological, physical, mathematical, and social processes. Services which involve safeguarding life, health or property, and include any other professional services that may be necessary to the planning, progress, and completion of any landscape architectural services include, but are not limited to, the following:

- a. Consultation, research, analysis and assessment, selection, and allocation of land and water resources;
- b. Formulation of graphic and written criteria to govern the planning and design of land construction development programs including:
 - i. The preparation, review and analysis of master and site plans;
 - ii. Reconnaissance, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation;
- c. Design coordination and review of technical plans and construction documents prepared by other professionals working under the direction of the landscape architect;
- d. Land preservation, restoration, conservation, reclamation, rehabilitation, management and development;
- e. Feasibility studies and site selection for developments;
- f. Integration, site analysis and determination of settings for grounds and locations of buildings, structures, transportation systems, and environmental systems;
- g. Analysis and design of grading and drainage, storm water management, irrigation systems for erosion and sediment controls, planting plans, lighting, and ground cover; and
- h. Feasibility studies, cost estimates and reports for development.

"Landscape architecture" does not mean nor extend to the preparation of "decorative planting plans" as defined in R.I. Gen. Laws § 5-51-1(2).

A "Landscape Architect" is a person who has registered with the Board of Examiners of Landscape Architects prior to practicing or offering to practice landscape architecture in the State of Rhode Island in accordance with R.I. Gen. Laws Chapter 5-51.



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PROFESSIONAL ENGINEERING – R.I. Gen. Laws Chapter 5-8

The “practice of engineering” includes, but is not limited to:

- a. Any professional service which involves the application of engineering principles and data, such as surveying, consultation, investigation, evaluation, planning and design, or responsible supervision of construction or operation in connection with any public or private utility, structure, building, machine, equipment, process, work or project, wherein the public welfare or the safeguarding of life, health or property is concerned or involved.
- b. Such other services as are necessary to the planning, progress and completion of any engineering project or to the performance of any engineering service.

A “Professional Engineer” or “PE” means a person who has been registered and licensed by the State Board of Registration for Professional Engineers pursuant to R.I. Gen. Laws Chapter 5-8.

In accordance with the provisions of R.I. Gen. Laws § 5-8-1 it shall be "unlawful for any person to practice, or to offer to practice, engineering in this State, or to use in connection with his or her name or otherwise assume, or advertise any title or description tending to convey the impression that he or she is an engineer unless that person has been duly registered or exempted under the provisions of R.I. Gen. Laws § 5-8-1."

In addition, pursuant to the provisions of R.I. Gen. Laws § 5-8-24, "the practice or offer to practice engineering" by a corporation, partnership or sole proprietorship (here and after referred to as "firm"), through individuals is permitted provided that said individuals are:

1. In direct control of such practice;
2. Exercise personal supervision of all personnel who act on behalf of the firm in professional and technical matters;
3. Are registered under the provisions of R.I. Gen. Laws Chapter 5-8; and
4. Said firm has been issued a COA by the Rhode Island Board of Registration for Professional Engineers. (R.I. Gen. Laws § 5-8-24).

Licensed Professional Engineers under these rules and regulations are expected to practice within their area of competence and have either a COA for themselves as a private practice or the corporate entity they work for shall have a COA.



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PROFESSIONAL ENGINEERING DISCIPLINES RECOGNIZED IN RHODE ISLAND

A variety of engineering disciplines are recognized across the United States. However, Rhode Island only registers professional engineers in the following disciplines:

- *Civil
- Structural
- Electrical
- Fire Protection
- Mechanical
- Chemical
- Environmental

Note 1: Licensed Professional Engineers may only practice in the discipline(s) in which they are licensed.

*Note 2: In Rhode Island, licensed Civil Engineers are allowed to practice Civil, Structural and Environmental Engineering

Note 3. Current licenses and PE stamps must show the Licensee's discipline, however all licenses issued prior to 1995 will not, and are not required to, indicate the Licensee's discipline, however, all licensed engineers are nevertheless still required to practice only within their area(s) of competence.

Engineers with a stamp with no discipline specified:

Engineers registered before 03/14/1995 in Rhode Island were not registered in a specific discipline and as such can practice only in those areas in which they have competency.

No engineer can stamp drawings for more than one discipline unless they can demonstrate knowledge or training in that additional area. That said, it is not the responsibility of the building official to prove an engineer is competent in any area, it is up to the engineer to prove to the building official that the engineer is competent to practice in more than one discipline. When confronted with a specific question like this, building officials may ask for a PE's resume and references to establish area of competency or contact the Board Administrator with any questions.



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PROFESSIONAL LAND SURVEYING – R.I. Gen. Laws Chapter 5-8.1

A “Land Surveyor” is a person who, in a private or public capacity, does or offers to do any one or more of the following practices:

- a. Locates, relocates, establishes, reestablishes or retraces any property line or boundary of any tract of land or any road, right of way, easement, alignment or elevation of any of the fixed works embraced within the practice of professional engineering as described in Rhode Island Law.
- b. Makes any survey for the subdivision or re-subdivision of any tract of land.
- c. Determines, by the use of the principles of land surveying, the position for any monument or reference point which marks a property line, boundary or corner, or sets, resets or replaces any such monument or reference point.
- d. Determines the configuration or contour of the earth’s surface or the position of fixed objects thereon by measuring lines and angles and applying the principles of trigonometry.
- e. Geodetic or cadastral surveying.
- f. Municipal and topographic surveying.
- g. Determines the information shown or to be shown on any map or document prepared or furnished in connection with any one or more of the functions described in paragraphs (a) to (f), inclusive, in this subsection.

A “Professional Land Surveyor” or “PLS” means a person who has been duly registered as a professional land surveyor by the Board established under R.I. Gen. Laws Chapter 5-8.1, and who engages in the “practice of land surveying.”

The “practice of land surveying” means any service or work, the adequate performance of which involves the application of special knowledge of the principles of mathematics, the related physical and applied sciences and the relevant requirements of law for adequate evidence to perform the act of measuring and locating lines, angles, elevations, natural and manmade features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes, for the monumenting of property boundaries and for the platting and layout of lands and their subdivisions, including the topography, alignment, and grades of streets and for the preparation of maps, record plats, field note records and property descriptions that represent these surveys.



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3. PE AND PLS BOARDS' JOINT INFORMATIONAL BULLETIN

Issued March 2014 – Revised February 2019

This Informational Bulletin issued jointly by the State Board of Registration for Professional Land Surveyors and the State Board of Registration for Professional Engineers, seeks to clarify which areas of “common” practice are properly conducted by the respective professions. It does not alter the statutory definitions, nor does it rise to the level of being considered regulation. This document is a guideline for registrants, State and municipal regulatory authorities, and the general public. The Boards will revisit this Bulletin periodically to adapt it to changes in the professions.

History of the “Task List”

On September 27, 1990, the State Board of Registration for Professional Engineers and Land Surveyors (the “Joint Board”) issued a memorandum commonly referred to as the “Task List.” The purpose of the memorandum was to offer guidelines to registrants, State and municipal regulatory authorities, and the general public regarding which of the two professions was authorized to perform certain “tasks”, acknowledging that both engineers and land surveyors are involved in the “incidental” practice of certain “crossover” functions.

Since the original “Task List” was issued in 1990, the Joint Board has been abolished and separate Boards have been created for both professions. The Boards operate within the Department of Business Regulation, Division of Building, Design and Fire Professionals. The current Boards recognize that the professions continue to evolve, that qualifications for registration have been revised, that education curricula have changed, and that the Rhode Island Department of Environmental Management (“RIDEM”) has instituted its own licensing system for the design of septic systems.



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Task List

<u>Function</u>	<u>PLS</u>	<u>PE (Civil)</u>
Property / Boundary Line Survey	Yes	No
Topographic Survey	Yes	Yes – limited *1
Survey Control	Yes	No
Hydrographic Survey	Yes	Yes – limited *1
Property Descriptions	Yes	Yes
Drainage Design	Yes – limited *2	Yes
Construction Layout	Yes	Yes – limited *3
OWTS Design	Yes – limited *4	Yes – limited *4
Highway Design	No	Yes – *5
Subdivision Design	Yes – limited *6	Yes – limited *5
Utility Service Design	No	Yes
Condominium Boundary Survey Plat & Unit Plans	Yes	Yes – limited *7
As-built Survey	Yes	Yes – limited *8
Elevation Certificates	Yes	Yes – limited *9

Notes:

- *1 - Excludes mapping which requires survey ground control, or mapping that is required to be certified to the Standards outlined in the “State of Rhode Island Procedural and Technical Standards for the Practice of Land Surveying”, as amended. If the dimensions or infrastructure/improvements are shown to the property lines, then a boundary survey by a Professional Land Surveyor is required.



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- *2 - Drainage design shall be limited to 1 single-family lot and shall adhere to the “Rhode Island Stormwater Management Guidance for Individual Single-Family Residential Lot Development”, as amended.
- *3 - Initial control points shall be set by a Professional Land Surveyor.
- *4 - Limits of design jurisdiction shall be as defined in the RIDEM Regulation entitled “Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems,” [250-RICR-150-10-6](#).
- *5 - Boundary Surveys, Lot Lines, Street Lines, Rights of Way, Easement Lines and Record Plans shall be prepared by a Professional Land Surveyor.
- *6 - Grading design, utilities, etc. shall be prepared by a Professional Engineer.
- *7 - The condominium Plat must be prepared by a Professional Land Surveyor; unit Plans may be prepared by a Professional Engineer.
- *8 - Nothing in this Bulletin shall preclude a Professional Engineer (Civil) from performing such incidental measurements necessary for the design, construction stake-out, construction and post-construction records of an engineering project, provided that these measurements are not related to property lines, lot lines, easement lines, or right-of-way lines, the establishment of which are required to be made by a Professional Land Surveyor.
- *9. Pre-construction only.



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4. FIRM REGISTRATION REQUIRED – CERTIFICATES OF AUTHORIZATION

NOTE: Individual License or Professional Registration is Not Enough!
Each registered design professional must also have a Certificate of Authorization (COA).

Each entity that practices or offers to practice Architecture, Landscape Architecture, Land Surveying, or Engineering in Rhode Island must hold a current Certificate of Authorization (COA), issued by the appropriate state examining or registration board. **The COA requirement is in addition to the individually licensed professional's current professional registration requirements.** Building officials should check to confirm that the entity (whether a sole proprietorship, corporation, partnership or LLC) they are dealing with or who has submitted plans for review has a current COA with the appropriate state examining or registration board. Contact the appropriate state examining or registration board with any questions. See the section of this guidance manual entitled Licensing Board Contact Information for further assistance.



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5. HOW TO CHECK THE STATUS OF A LICENSE, REGISTRATION OR COA

You can look up the individual or COA registration status of an Architect, Landscape Architect, Professional Engineer or a Professional Land Surveyor here:

<https://elicensing.ri.gov/Lookup/LicenseLookup.aspx>.

You can look up the registration or license status of a Contractor here:

<http://www.crb.ri.gov/search.php>



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6. LICENSING BOARD CONTACT INFORMATION

**State Board of Examination and Registration of Architects
State Board of Examiners of Landscape Architects**

Dawne Broadfield, Board Executive
1511 Pontiac Avenue, Building #68-2
Cranston RI 02920
Phone: (401) 462-9594
Fax: (401) 462-9532
<http://www.bdp.ri.gov/>

State Board of Registration for Professional Engineers

Virginia Porter, Board Administrator
1511 Pontiac Avenue, Building #68-2
Cranston RI 02920
Phone: (401) 462-9592
Fax: (401) 462-9532
<http://www.bdp.ri.gov/>

State Board of Registration for Professional Land Surveyors

Jovonna Edwards, Board Administrator
1511 Pontiac Avenue, Building #68-2
Cranston RI 02920
Phone: (401) 462-9348
Fax: (401) 462-9532
<http://www.bdp.ri.gov/>

**Building Code Commission
Contractors' Registration and Licensing Board**

John P. Leyden, C.B.O., *State Building Code Commissioner*
560 Jefferson Blvd, Suite 200
Warwick, RI 02886
BCC Phone: (401) 889-5487
CRLB Phone: (401) 921-1590
Fax: (401) 889-5533 or (401) 889-5535
<http://www.crb.ri.gov/>



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7. FREQUENTLY ASKED QUESTIONS

Note: If a question arises that is not covered in this document please email the question to the appropriate Board listed in Section 6 of this Reference Guide.

ARCHITECTURE

Architect, as defined in these questions and answers, is a Rhode Island registered Architect, pursuant R.I. Gen. Laws Chapter 5-1, unless noted otherwise.

A-1. Does a set of plans stamped and signed by an architect registered in a state other than Rhode Island meet the requirements for submittal in Rhode Island?

No. Only design professionals currently registered or licensed in Rhode Island may submit plans to a building department.

A-2. May an architect overstamp documents prepared and stamped by an out-of-state architect for submittal in Rhode Island?

No. An architect may only stamp design documents prepared by him or her or prepared under his or her responsible control.

A-3. May an owner, engineer, building official or a contractor make changes to plans prepared by an architect?

No. Changes or modifications to technical documents prepared by a registered architect may only be made by that professional, or a professional meeting the criteria set forth in question A-4.

A-4. May a Rhode Island registered architect make changes to plans prepared by another Rhode Island registered or licensed professional?

No. An architect may only make changes or modifications to plans prepared by another Rhode Island registrant or licensee under the following conditions:

- a. The architect obtains the written permission from the original design professional to make changes or modifications to the plans.
- b. The work must be within the scope of his or her practice.
- c. The architect initiating changes to the plans assumes full responsibility for those changes and their effects upon the remainder of the project.



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d. The changes to the plans must be a separate submittal on the architect's own title block, with his or her own stamp and signature.

e. Changes to the plans must comply with applicable state and local laws. If the architect does not obtain permission to make changes or modifications to the plans, he or she must redesign the project. The architect should be aware of possible copyright issues and may want to contact an attorney for legal advice.

A-5. May an architect prepare, and stamp documents customarily prepared by a licensed civil or structural engineer?

Yes, but only if it is limited in scope and incidental to the practice of architecture, pursuant to R.I. Gen. Laws § 5-1-2(5)(iii).

A-6. Do shop drawings have to be stamped by an architect and submitted to the building official for approval?

No. However, there are some instances where shop drawings could be used as a part of the construction documents, therefore requiring a professional's stamp. For example, a truss or space frame dimensionally shown on the construction document, specified by performance, must be submitted to the building department bearing the stamp of a Rhode Island registered engineer.

A-7. May an architect stamp site grading and drainage plans as part of a submittal for a permit?

Yes, if acceptable to the authority having jurisdiction, such plans may be prepared or stamped by an architect as long as the work contains surface drainage only.

A-8. May an architect serve as the principal design professional on a multi-disciplined project?

Yes. Architects, landscape architects, land surveyors and engineers may serve as the principal design professional as long as they are providing services in conformance with their practice as defined in Rhode Island General Laws.

A-9. May an architect stamp planting plans and irrigation plans in the state of Rhode Island?

No.



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A-10. May an architect stamp and sign documents prepared by their staff?

Yes, provided that the documents are prepared under his or her responsible control.

A-11. May a drafting firm or other unregistered person prepare architectural plans to be submitted for a building permit?

Yes, but only for the construction or alteration of a single-family or two-family house, or any minor accessory building to that house, or any building used for farm purposes, as long as it is not for human habitation or occupancy. See R.I. Gen. Laws § 5-1-14 entitled "Practices Permitted."

A-12. May the owner or tenant of a commercial building, or his or her representative, to perform the services of an architect for work on that building without being registered under Rhode Island Law?

No.

A-13. Is an architect, who is hired directly by the owner to design a single-family residence, required to stamp the plans if the owner is pulling the permit?

No, unless required to do so by the building official.

A-14. Must each sheet of an architect's set of plans have an original or electronic seal and signature?

Yes.

A-15. Are architects required to stamp or seal bid documents?

No. Only plans, specifications, reports and other documents issued by a registrant for official use must be signed, sealed and dated. Bid documents are not considered to be for official use.

A-16. Is it acceptable for original plans to be in electronic format?

Yes.



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A-17. Can an architect withdraw as the architect of record?

Yes, an architect may withdraw as the architect of record if there is a life safety issue, or any other legal concern with the project and a correction needs to be made. The architect may withdraw as the architect of record if they become aware of a decision made by his or her employer, client, or contractor against the architect's advice, which violates applicable federal, state or municipal building laws and regulations and which will, in the architect's judgment, materially or adversely affect the health, safety and welfare of the general public.

A-18. Can an interior designer, space planner or draftsman prepare and submit to the building official floor plan(s) for new construction or the renovation of a commercial space?

No.



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PROFESSIONAL ENGINEERING AND PROFESSIONAL LAND SURVEYING

Engineer, as defined in these questions and answers, is a Rhode Island registered Engineer, pursuant to RI General Laws Chapter 5-8, unless noted otherwise.

Land Surveyor, as defined in these questions and answers, is a Rhode Island registered Land Surveyor, pursuant to RI General Laws Chapter 5-8.1, unless noted otherwise.

E-1. Does a set of plans stamped and signed by a design professional registered or licensed in a state other than Rhode Island meet the requirements for submittal in Rhode Island?

No. Only design professionals currently registered in Rhode Island may submit plans to a building department.

E-2. May an architect, owner, contractor or building official make changes to plans prepared by an engineer or land surveyor?

No. Changes or modifications to technical documents prepared by a registered engineer or land surveyor may only be made by that professional or a professional meeting the criteria set forth in question E-3.

E-3. May a Rhode Island registered engineer make changes to plans prepared by another Rhode Island registered or licensed professional?

No. An engineer may only modify original plans by first obtaining the written consent of the engineer who prepared the original plans. However, if consent cannot be obtained and the modification (1) does not adversely affect the integrity of the original plans, and (2) can be clearly shown to be the work of the modifying engineer and not the work of the engineer who did the original plans, then the plans may be modified if:

- a. The engineer requesting to make the revisions to the original plan documents is employed by the firm responsible for the preparation of the original plan documents.
- b. Every reasonable effort has been made to notify the original design engineer in writing of the nature and extent of the proposed revisions to the plan documents.
- c. Every reasonable attempt has been made to obtain the original design engineer's consent to the proposed revision.



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- d. The work is within the scope of the modifying engineer's practice.
- e. The modifying engineer assumes full responsibility for the revisions and their effects upon the remainder of the project.
- f. The revisions to the plans must comply with applicable State and local laws.
- g. The modified plans must include a written statement adjacent to the signature stamp of the modifying engineer clearly identifying the portion of the plans that were modified and that the modifying engineer has accepted responsibility for the modification.
- h. Any plan containing elements of land surveying as defined by R.I. Gen. Laws § 5-8.1-2(11), including but not limited to property lines and easements must be accompanied by a current stamped survey plan in the plan set.

E-4. May a civil or structural engineer prepare and stamp documents customarily prepared by an architect?

Generally, no. However, pursuant to R.I. Gen. Laws § 5-1-14(2), a registered professional engineer may perform architectural work as may be incidental to the practice of his or her engineering profession, not to exceed thirty-five thousand (35,000) cubic feet of enclosed space, provided all drawings for that construction are signed by the author of the drawing with his or her true appellation as a "registered professional engineer" without the use in any form of the title "architect".

E-5. May a mechanical or electrical engineer prepare and stamp documents customarily prepared by an architect or engineer licensed in a discipline other than their own?

No.

E-6. May a civil engineer structurally design a building more than three stories in height?

Yes. A civil engineer can design a building of any height up to his or her level of competency. Building Officials may request proof of competency by asking for a resume and/or references. For engineers without a discipline designation, see page 8 of this document.



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E-7. *May an engineer's calculations be used as plans for construction work?*

- a. Yes, but only when the document provides a clear description of work acceptable to the building official for the work intended.
- b. No, when the document presents only engineering analysis and does not provide a satisfactory description of the work for construction purposes.
- c. No, when amended submittals conflict with the original approved description of work.

E-8. *Do shop drawings have to be stamped by an engineer and submitted to the building official for approval?*

No. However, there are some instances where shop drawings could be used as a part of the construction documents, therefore requiring a professional's stamp. For example, a truss or space frame dimensionally shown on the construction document, specified by performance, must be submitted to the building department bearing the stamp of a Rhode Island registered engineer.

E-9. *May a licensed land surveyor prepare and submit plot/site plans?*

Yes. As long as plans which include design features for construction comply with the standards of the appropriate registered professional.

Also limited to single lots as outlined in "Joint Informational Bulletin-March 2014."

E-10. *May a civil engineer or land surveyor prepare and stamp site grading and drainage plans as part of a submittal for a permit?*

Yes, such plans may be prepared by civil engineers. Land surveyors may prepare site grading and drainage plans limited to single lots as outlined in "Joint Informational Bulletin." See p. 10 of this document.

E-11. *May an engineer serve as the principal design professional on a multi-disciplined project?*

Yes. Architects, registered landscape architects, land surveyors and engineers may serve as the principal design professional, as long as they are providing services in conformance with their practice as defined in Rhode Island General Laws

E-12. *May a civil engineer stamp irrigation plans in the state of Rhode Island?*

Yes.



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E-13. May a drafting firm or other unregistered person prepare design plans to be submitted for a building permit?

Yes, but only for the construction or alteration of a single-family or two-family house, or any minor accessory building to that house, or any building used for farm purposes, as long as it is not for human habitation or occupancy. See R.I. Gen. Laws § 5-1-14, entitled “Practices Permitted.”

Any plan containing elements of land surveying as defined by R.I. Gen. Laws § 5-8.1-2(11), including but not limited to property lines and easements must be accompanied by a current stamped survey plan in the plan set.

E-14. May for the owner or tenant of a commercial building, or their representative, to perform the services of an engineer, for work on that building without being licensed under Rhode Island Law?

No.

E-15. Can a mechanical engineer design automatic fire sprinkler systems?

Yes, assuming the engineer designs the entire system. Mechanical Engineers (ME) typically do the following:

- Analyze problems to see how mechanical and thermal devices might help solve the problem.
- Design or redesign mechanical and thermal devices using analysis and computer-aided design.
- Develop and test prototypes of devices they design.
- Analyze the test results and change the design as needed.
- Oversee the manufacturing process for the device.
- Design building HVAC systems.
- Design and oversee the installation of automatic sprinkler systems

Mechanical engineers design and oversee the manufacturing of many products ranging from medical devices to new batteries.

Mechanical engineers design power-producing machines such as electric generators, internal combustion engines, and steam and gas turbines as well as power-using machines, such as refrigeration and air-conditioning systems.

Mechanical engineers also design other machines inside buildings, such as elevators and escalators and automated transfer.



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E-16. What are the typical systems designed by Fire Protection Engineers (FPE)?

Fire protection engineering is the application of science and engineering principles to protect people and their environment from destructive fire and includes: analysis of fire hazards; mitigation of fire damage by proper design, construction, arrangement, and use of building materials, structures, industrial processes, and transportation systems: the design, installation and maintenance of fire detection and suppression and communication systems; and post/fire investigation analysis.

A fire protection engineer (FPE) by education, training, and experience:

1. Is familiar with the nature and characteristics of fire and the associated products of combustion.
2. Understands how fires originate, spread within and outside of buildings/structures, and how fires can be detected, controlled, and/or extinguished.
3. Can anticipate the behavior of materials, structures, machines, apparatus, and processes as related to the protection of life and property from fire.

This understanding can be focused in a specialized area of fire protection, such as sprinkler or fire alarm system design, or applied to a broader area such as fire growth and development (fire dynamics). In either case, the FPE uses this knowledge as a basis for fire protection decisions made during the life of a project. Rather than use a code or standard as the primary basis for decisions, the FPE uses the code or standard as a benchmark in evaluating the building and establishing design parameters. By changing the emphasis to performance, the FPE can: analyze the specific issue and identify alternatives; consider the implications in terms of cost, user needs, flexibility and effectiveness; and make recommendations. Where the solution does not specifically meet code language, the basis for the decision is clear and can be communicated. If the solution meets the intent of the code or standard, the reviewing agency has the authority to approve it. This process brings creativity and value to the construction team. This process may also result in a higher or lower overall cost of construction. However, if the cost is higher, it will be because a demonstrated specific fire protection need of the project was identified. If the cost is lower, it will be because the application of an innovative method or material produces another way of providing the same overall level of fire safety. As the design and construction process becomes more sophisticated, the need for a qualified FPE to perform these analyses becomes more crucial to the goals of safety and value.



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In the opinion of the Rhode Island Board of Registration for Professional Engineers, and The Society of Fire Protection Engineers (SFPE), the design of automatic fire protection engineering systems goes beyond the design of automatic sprinkler systems and automatic fire alarm systems (which can also be performed by licensed mechanical and electrical engineers).

E-17. Are GIS mapping products suitable for final site design or obtaining a building permit?

No.



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LANDSCAPE ARCHITECTURE

Landscape Architect, as defined in these questions and answers, is a Rhode Island registered Landscape Architect, pursuant to R.I. Gen. Laws Chapter 5-51, unless noted otherwise.

LA-1. Does a set of plans stamped and signed by a landscape architect registered in a state other than Rhode Island meet the requirements for submittal in Rhode Island?

No. Only design professionals currently registered or licensed in Rhode Island may submit plans to a building department.

LA-2. May a landscape architect overstamp documents prepared and stamped by an out-of-state architect or landscape architect for submittal in Rhode Island?

No. A landscape architect may only stamp design documents prepared by himself or herself or under his or her direct supervision.

LA-3. May an owner, contractor or building official make changes to plans prepared by a landscape architect?

No. Changes or modifications to technical documents prepared by a registered landscape architect may only be made by that professional or a professional meeting the criteria set forth in question LA-4.

LA-4. May a Rhode Island registered landscape architect make changes to plans prepared by another Rhode Island registered or licensed professional?

No, with exceptions. A landscape architect may only make changes or modifications to plans prepared by another Rhode Island registrant or licensee under the following conditions:

- a. The landscape architect obtains the written permission from the original design professional to make changes or modifications to the plans.
- b. The work must be within the scope of his or her practice.
- c. The landscape architect initiating changes to the plans assumes full responsibility for those changes and their effects upon the remainder of the project.



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d. The changes to the plans must be a separate submittal on the landscape architect's own title block, with his or her own stamp and signature.

e. Changes to the plans must comply with applicable state and local laws. If the landscape architect does not obtain permission to make changes or modifications to the plans, he or she must redesign the project. The landscape architect should be aware of possible copyright issues and may want to contact an attorney for legal advice.

LA-5. May individuals calling themselves landscape architect interns or landscape designers prepare landscape plans?

No. It is unlawful to prepare works of landscape architecture if one is not registered to practice landscape architecture in Rhode Island. The exception to this is the preparation of "decorative planting plans", which is defined as follows in R.I. Gen. Laws § 5-51-1(2):

"Decorative planting plans" means and refers to planning and designing intended exclusively for the decoration of residential structures or settings which contain no greater than two (2) "dwelling units" as the term is defined in RIGL 45-24-31(24) and which involves the use and arrangement of trees, shrubs, plants, ground-cover, and/or flowers for aesthetic and decorative purposes only, but specifically **does not** include the following:

(i) Plans or designs which create the layout of grading, vehicular paving, drainage, storm water management, irrigation, erosion control, retaining walls, decks, gazebos, pools, or any similar structures;

(ii) Plans or designs intended or used at any time or in any manner for or in furtherance of the purpose of obtaining federal, state, or local building, construction, or related permits or like authorizations; and/or

(iii) Plans or designs relating to federal, state, or local public works or public projects, or otherwise relating to property which is not privately owned.

LA-6. May a landscape architect prepare and stamp site grading and drainage plans as part of a submittal for a permit?

Yes, if acceptable to the authority having jurisdiction, such plans may be prepared or stamped by a landscape architect as long as the work contains surface drainage only.



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LA-7. May a landscape architect perform planning services?

Yes.

LA-8. May a landscape architect prepare and stamp site plans that incorporate a variety of site amenities and features?

Yes. A landscape architect may prepare and stamp plans or details that include: garden pools, outdoor fountains, waterfalls, retaining walls (to a height acceptable to authority having jurisdiction and in accordance with the applicable building codes), decorative walls, raised planters, fences, handicapped ramps, outdoor stairs/steps, play structures, pedestrian bridges, decks, gazebos, picnic shelters, trellises, patio covers and other similar non-dwelling structures that are incidental and necessary to a project's dominant purpose.

LA-9. May a landscape architect serve as the principal design professional on a multi-disciplined project?

Yes. Architects, landscape architects, land surveyors and engineers may serve as the principal design professional as long as they are providing services in conformance with their practice as defined in Rhode Island General Laws.

LA-10. May a landscape architect design 12-volt (low voltage) outdoor lighting systems and small-scale outdoor 120-volt electrical systems?

Yes. A landscape architect may prepare and stamp outdoor electrical lighting system plans, as long as the plans are incidental and necessary to a project's dominant purpose.

LA-11. May a landscape architect prepare a master site plan which depicts the buildings on a project site?

Yes.

LA-12. Who can stamp planting plans and irrigation plans in the state of Rhode Island?

Only landscape architects may stamp planting plans in Rhode Island. Landscape architects and civil engineers may stamp irrigation plans in Rhode Island.



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LA-13. *May the owner of a commercial building, or an owner's representative, to perform the services of a landscape architect for work on that building without the benefit of registration under Rhode Island Law?*

No.

LA-14. *May the tenant of a commercial building, or a tenant's representative, to perform the services of a landscape architect for work on that building without the benefit of registration under Rhode Island Law?*

No.

LA-15. *May a landscape architect prepare and stamp erosion control/native revegetation plans and wetland mitigation plans?*

Yes.

LA-16. *May an unregistered individual, or a contractor, architect, professional engineer, or professional land surveyor to prepare planting plans for a project requiring a permit?*

No.



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CONTRACTOR

Contractor, as defined in these questions and answers, is a Rhode Island registered Contractor, pursuant to R.I. Gen. Laws Chapter 5-65, unless noted otherwise.

Board, as defined in the Contractor questions and answers, is the Rhode Island Contractors' Registration and Licensing Board.

C-1. May a contractor make changes to plans prepared by a licensed architect, engineer, land surveyor or landscape architect?

No.

C-2. May a contractor prepare and submit his or her own plans for a one or two-family residential building to a building department without engaging a design professional?

Yes, limited to the building plans only.

C-3. May a contractor prepare and submit his or her own plans for a multi-family residential or commercial building to a building department without engaging a design professional?

No.

C-4. May a contractor or homeowner submit mail order building plans or plans prepared by others and comply with Rhode Island law?

Yes, for building plans pertaining to 1 and 2 family residences only.

C-5. May a contractor prepare and submit both planting and irrigation plans to a building department for a permit?

Yes, for 1 and 2 family residences only.

C-6. If a contractor's registration or license is invalidated, may he or she finish a job that is in progress or a contract that was signed previous to the suspension?

No.



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C-7. May a general building contractor or owner retain the services of an unlicensed and/or unregistered subcontractor to perform construction work?

No. All contractors, including subcontractors, must be properly licensed and/or registered contractors in the state of Rhode Island at the time the work is bid and when it is performed.

C-8. May a general building contractor perform all parts of a project?

Contractors may only perform work to which they are properly registered or licensed.

C-9. If a homeowner obtains a building permit under the owner/builder exemption, can he or she then hire a contractor to perform the construction activity?

Yes, if the contractor is properly licensed and/or registered in Rhode Island to perform the work. This exemption only applies to the construction or remodeling of a single-family residential structure occupied, or to be occupied, by the homeowner.

C-10. May the owner or tenant of a commercial building, or their representative, to perform the services of a contractor for work on that building without being registered under Rhode Island Law?

Yes, only the owner of any commercial building can perform work on their own property, so long as the work falls within the limitations set forth by R.I. Gen. Laws Chapter 5-65 on contractors. Specialty work still requires performance by a licensed tradesman. Tenants and representatives of the owner may not perform these services.

C-11. Are local jurisdictions required to verify a contractor's license and/or registration prior to issuance of a permit?

Yes. The link to the online database can be found on page 14 of this document.

C-12. Are contractors required to include their license and/or registration number in advertisements?

Yes.

C-13. Are contractors or subcontractors who work for a homeowner on a repair, restoration, improvement, construction or design of residential pools or spas required to secure permits under their own registration number?

Yes.



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C-14. *What types of contractors are licensed and/or registered by the Contractors Registration and Licensing Board?*

Registered: Pursuant to R.I. Gen. Laws § 5-65-3, all contractors and the following subcontractors who are not employees of a registered contractor must obtain a registration certificate prior to conducting any work:

- (1) Carpenters, including finish carpenters and framers;
- (2) Siding installers;
- (3) Roofers;
- (4) Foundation installers, including concrete installers and form installers;
- (5) Drywall installers;
- (6) Plasterers;
- (7) Insulation installers;
- (8) Ceramic tile installers;
- (9) Floor covering installers;
- (10) Swimming pool installers, both above ground and in ground;
- (11) Masons, including chimney installers, fireplace installers, and general masonry erectors.

This list is not all inclusive and shall not be limited to the above-referenced contractors. No subcontractor licensed by another in-state agency pursuant to § 5-65-2 shall be required to register, provided that said work is performed under the purview of that license.

Licensed:

Home Inspectors (R.I. Gen. Laws § 5-65.1-12); Well Drilling, Pump Installers, Water Filtration Contractors (R.I. Gen. Laws § 5-65.2-3); and Commercial Roofing Contractors (R.I. Gen. Laws § 5-65-73).

C-15. *What projects can a Commercial Roofer perform?*

Commercial Roofers can only work on commercial structures (those other than one and two-family dwellings), unless they also possess a Contractor's Registration, regardless of the roofing materials.



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C-16. *What roofing projects can a Registered Contractor perform?*

Registered Contractors can work on one and two-family dwellings, regardless of the roofing materials. They are also permitted to work on commercial structures only when the roofing material(s) consist of typical fiberglass or asphalt-based materials, such as “Architectural” or “3-tab” roofing shingles.



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MISCELLANEOUS

M-1. *Can shop drawings be submitted to a building official for approval?*

No.

M-2. *May the owner or tenant of a commercial building, or their representative, to perform the services of an architect, engineer, landscape architect, land surveyor or contractor for work on that building without being licensed under Rhode Island Law?*

No.

M-3. *May a homeowner hire a draftsman to draw plans for their single-family or two-family home?*

Yes, limited to the building plans only.

M-4. *What types of other building specialists are licensed by the Department of Labor and Training (DLT)?*

Electricians, hoisting engineers, pipefitters, refrigeration technicians, fire protection sprinkler fitters, sheet metal workers, plumbers and telecommunication system contractors and installers.

M-5. *What other specialties may be licensed/registered by other agencies in Rhode Island?*

Department of Health licenses hazardous materials abatement contractors, such as lead & asbestos.

Department of Environmental Management licenses OWTS Designers and Installers and Soil Evaluators.

M-6. *Given the numerous construction delivery systems in the market place today, are stamped documents required for each discipline?*

The delivery system used for construction does not change any of the requirements that all documentation be stamped by a licensed design professional. All architectural, structural, civil, mechanical, electrical, fire protection and landscape architecture drawings and land surveys are required to be designed and stamped by the appropriate professional.



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M-7. How does each of these construction delivery systems change the requirement for licensed or registered design professionals to perform the applicable design work?

Regardless of the construction delivery system, a registered licensed design professional must develop and stamp drawings for all portions of the project. All architectural, structural, civil, mechanical, electrical, fire protection and landscape architecture drawings and land surveys are required to be designed and stamped by the appropriate licensed or registered design professional.

M-8. Can the design staff, employee or subcontractor of a Design Build project provide design documents for that project?

Yes, only if they are a registered design professional in RI and the Design Build firm possesses a COA to practice within each of the design areas being proposed.

M-9. Can a trade subcontractor provide the required design services in lieu of the design professional as a design build for a project?

No, it does not matter which delivery system a project is to be delivered by, all architectural, structural, civil, mechanical, electrical, fire protection and landscape architecture drawings and land surveys are required to be designed and stamped by the appropriate licensed design professional. A contractor in any trade is not allowed to provide design drawings for any building systems included in the project (e.g., sprinkler design drawings by a sprinkler contractor, mechanical design drawings by the HVAC contractor, etc.).

M-10. Do Zoning Applications, Special Use Permit Applications, and other Land Use Approval Documents need to be stamped by the appropriate design professional?

Yes.