

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 672  
HOUSE BILL 521

1 AN ACT TO PROVIDE FOR THE REGISTRATION OF LANDSCAPE ARCHITECTS; TO  
2 PROHIBIT USE OF THE TITLE EXCEPT BY PERSONS DULY REGISTERED; TO  
3 CREATE THE NORTH CAROLINA BOARD OF LANDSCAPE ARCHITECTS AND  
4 TO PRESCRIBE ITS POWERS AND DUTIES.

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6 The General Assembly of North Carolina do enact:

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8 **Section 1.** Definitions: (1)"Landscape Architect" shall mean a person who, on the  
9 basis of demonstrated knowledge acquired by professional education or practical experience, or  
10 both, has been granted, and holds a current certificate entitling him to use the title "Landscape  
11 Architect" in North Carolina under the authority of this Chapter.

12 (2) "Landscape Architecture", or the "Practice of Landscape Architecture" shall mean  
13 the preparation of plans and specifications and supervising the execution of projects involving  
14 the arranging of land and the elements used thereon for public and private use and enjoyment,  
15 embracing drainage, soil conservation, grading and planting plans and erosion control, in  
16 accordance with the accepted professional standards of public health, safety and welfare.

17 (3) "Board" shall mean the North Carolina Board of Landscape Architects, established  
18 by Section 3 of this Chapter.

19 **Sec. 2.** Use of title "Landscape Architect" without registration prohibited: use of  
20 Seal (1) On and after January 1, 1970, no person shall use the designation "Landscape  
21 Architect", "Landscape Architecture", or "Landscape Architectural", or advertise any title or  
22 description tending to convey the impression that he is a Landscape Architect unless such  
23 person is registered or has obtained a temporary permit as a Landscape Architect in the manner  
24 hereinafter provided and shall thereafter comply with the provisions of this Act. Every holder  
25 of a certificate shall display it in a conspicuous place in his principal office, place of business or  
26 employment.

27 (2) Nothing in this Chapter shall be construed as authorizing a Landscape Architect to  
28 engage in the practice of architecture, engineering or land surveying, nor to restrict or otherwise  
29 affect the rights of any person licensed to practice architecture under Chapter 83, or  
30 engineering or land surveying under Chapter 89 of the General Statutes; or to restrict any  
31 person from engaging in the occupation of grading lands whether by hand tools or machinery,  
32 or the planting, maintaining or marketing of plants or plant materials: Provided, however, that  
33 no individual shall use the title "Landscape Architect" unless he has complied with the  
34 provisions of this Chapter.

35 (3) Each Landscape Architect shall, upon registration, obtain a Seal of the design  
36 authorized by the Board, bearing the name of the registrant, date of registration, number of  
37 certificate and the legend "N.C. Registered Landscape Architect". Such Seal may be used only  
38 while the registrant's certificate is in full force and effect.

39 Nothing in this Chapter shall be construed as authorizing the use or acceptance of the Seal  
40 of a Landscape Architect in lieu of or substitute for the seal of an architect, engineer or land  
41 surveyor.

42 **Sec. 3.** North Carolina Board of Landscape Architects: appointments: powers. (1)  
43 There is hereby created a North Carolina Board of Landscape Architects, which shall consist of

1 five members appointed by the Governor. Each member of the Board 664 shall have been  
2 engaged in the practice of Landscape Architecture in the State of North Carolina at least five  
3 years. The terms of the members of the Board first appointed shall expire as follows: One  
4 member July 1, 1971, two members July 1, 1972, and two members July 1, 1973. Thereafter,  
5 appointments shall be for four-year terms, and each member shall hold office until the  
6 appointment and qualification of his successor. Vacancies occurring prior to the expiration of  
7 the term shall be filled by appointment for the unexpired term.

8 (2) The Board shall elect annually from its members a chairman and a vicechairman  
9 and shall hold such meetings during the year as it may determine to be necessary, one of which  
10 shall consist of the annual meeting. A quorum of the Board shall consist of not less than three  
11 members.

12 (3) The Board shall have power to compel the attendance of witnesses, to administer  
13 oaths, and to take testimony and proofs of all matters within its jurisdiction. The Board shall  
14 have the power to make such rules not inconsistent with law as may be necessary in the  
15 performance of its duties.

16 (4) The Board shall elect a secretary, who may or may not be a member of the Board,  
17 and who shall hold office at the pleasure of the Board. The members of the Board shall not be  
18 compensated except that the secretary shall receive such salary as is fixed by the Board. The  
19 members of the Board shall, however, be entitled to be reimbursed from Board funds for all  
20 proper traveling and incidental expenses incurred in carrying out the provisions of this Article.

21 **Sec. 4.** Application, examination, certificate. (1) Any person hereafter desiring to  
22 be registered and licensed to use the title "Landscape Architect" in the State, shall make a  
23 written application for examination to the Board, on a form prescribed by the Board, together  
24 with such evidence of his qualifications as may be prescribed by Rules and Regulations of the  
25 Board. Minimum qualifications under such Rules shall require that the applicant be a United  
26 States citizen, at least twenty- one years of age and of good moral character; and that he shall  
27 have graduated from a four-year course of study in Landscape Architecture in a college  
28 approved by the Board, with at least three years practical experience under the supervision of  
29 an experienced practicing Landscape Architect, or in lieu of such graduation or experience,  
30 such equivalent combination of education and experience as may be prescribed by the Board.

31 (2) If said application is satisfactory to the Board, and is accompanied by the fees  
32 required of this Chapter, then the applicant shall be entitled to an examination to determine his  
33 qualifications. If the result of the examination of any applicant shall be satisfactory to the  
34 Board, then the Board shall issue to the applicant a certificate to use the title "Landscape  
35 Architect" in North Carolina. Examinations shall be held at least once a year at a time and place  
36 to be fixed by the Board which shall determine the subjects and scope of the examination.

37 (3) The Board, within its discretion, may issue temporary permits pending  
38 examinations, or without examination may grant licenses, by reciprocity, to persons holding a  
39 license or certificate in Landscape Architecture from any legally constituted board of examiners  
40 in another State whose registration requirements are deemed to be equal or equivalent to those  
41 of this State.

42 (4) Exemption from examination: Provided that his application and application fee be  
43 received by the Board prior to the first day of July, 1970, any applicant who presents evidence  
44 satisfactory to the Board that he was actively engaged in the practice of landscape architecture  
45 as herein defined, on or before July 1, 1968, shall be issued a certificate without the  
46 requirement for examination.

47 **Sec. 5.** Annual Renewal of Certificate. Every registrant under this Chapter shall, on  
48 or before the first day of July in each year, obtain a renewal of a certificate for the ensuing year,  
49 by application, accompanied by the required fee; and upon failure to renew, his certificate shall  
50 be automatically revoked; but such certificate may be renewed at any time within one year  
51 upon payment of the prescribed renewal fee and penalty for late renewal, as provided by this

Chapter, upon evidence satisfactory to the Board that the applicant has not used his certificate or title after notice of revocation and is otherwise eligible for registration under the provisions of this Chapter.

**Sec. 6.** Fees. Fees to be determined by the Board, but not to exceed the amounts specified herein, shall be paid to the Board at the times specified by the Board.

Application Fee	\$25.00
Examination Fee	50.00
License by Reciprocity	50.00
Renewal Fee	25.00
Late Renewal Penalty	10.00
Reissue of Certificate	10.00
Temporary Permit	25.00

**Sec. 7.** Refusal, revocation or suspension of certificate. The Board may, in accordance with the provisions of Chapter 150, Uniform Revocation of Licenses, of the General Statutes of North Carolina, (a) deny permission to take an examination duly applied for; (b) deny license after examination for any cause other than failure to pass; (c) withhold renewal of a license for cause; and (d) suspend or revoke a license. Grounds for such action or actions shall be dishonest practice, unprofessional conduct, incompetence, conviction of a felony or addiction to habits of such character as to render him unfit to continue professional practice. The procedure for all such actions shall be in accordance with the provisions of Chapter 150 of the General Statutes.

**Sec. 8.** Violation a misdemeanor; injunction to prevent violation. (1) It shall be a misdemeanor for any person to use, or to hold himself out as entitled to practice under, the title of Landscape Architect or Landscape Architecture unless he is duly registered under the provisions of this Chapter.

(2) The Board may appear in its own name in the Courts of the State and apply for injunctions to prevent violations of this Chapter, in accordance with the provisions of G. S. 150-31.

**Sec. 9.** Separability Clause. If any Section of this Article, or any part thereof, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder or any other Section or part thereof.

**Sec. 10.** All laws and clauses of laws in conflict with this Act are hereby repealed.

**Sec. 11.** This Act shall become effective from and after July 1, 1969.

In the General Assembly read three times and ratified, this the 2nd day of June, 1969.