

CHAPTER 1
DESCRIPTION OF ORGANIZATION
[Prior to 3/9/88, see Landscape Architectural Examiners Board[540] Ch 1]

193D—1.1(544B,17A) Definitions. As used in these rules, the following definitions of words and terms shall apply:

“*Board*” means the Iowa landscape architectural examining board.

“*CLARB*” means the Council of Landscape Architectural Registration Boards.

“*Evidence*” means any document or record of any kind of drawings, specifications, photographs, diplomas, licensee statements, published data and certified personal statements as may be required as a part of any action on the part of the board. Each item of evidence shall be clearly marked to ensure positive and certain identification. It shall be the entire responsibility of the applicant to satisfy the board as to the sufficiency of the record and the evidence.

“*Inactive*” means that a landscape architect is not engaged in Iowa in any practice for which a certificate of licensure is required.

“*Intern landscape architect*” means an individual who is not licensed and has a degree in landscape architecture and is employed under the direct supervision of a professional landscape architect. The initials “I.L.A.” should not be used.

“*LARE*” means the landscape architecture registration examination.

“*P.L.A., retired*” means the same as “professional landscape architect, retired.”

“*Practice of landscape architecture*” means the performance of professional service or offering to render professional services to clients, including any one or any combination of the professional services defined in Iowa Code section 544B.1(2).

“*Professional landscape architect*” means a person who obtains a license and engages in the practice of landscape architecture under the authority of Iowa Code chapter 544B. For the purpose of these rules, a “professional landscape architect” may be referred to as a “landscape architect” and may use the initials “P.L.A.”

“*Professional landscape architect, retired*” means a person who has retired from working as a landscape architect in all states of licensure and who has requested “landscape architect, retired” status on the licensure renewal form. The retired status would become effective on the first scheduled licensure renewal date. For the purpose of these rules, a “professional landscape architect, retired” may be referred to as a “landscape architect, retired.”

“*Retired*” means that a landscape architect is not engaged in the practice of landscape architecture or earning monetary compensation by providing professional landscape architectural services in any licensing jurisdiction of the United States or a foreign country.

“*Years of practical experience*” means, for each year of practical experience the applicant has worked performing landscape architectural services, a minimum of 2,080 hours per year.

[ARC 0213C, IAB 7/25/12, effective 8/29/12; ARC 3097C, IAB 6/7/17, effective 7/12/17; ARC 5571C, IAB 4/21/21, effective 5/26/21]

193D—1.2(544B,17A) Organization and duties. The board consists of five members who are licensed professional landscape architects and two members who are not licensed professional landscape architects and who represent the general public.

1.2(1) *Qualifications of professional landscape architect board members.* Four of the five professional members shall be actively engaged in the practice of landscape architecture or the teaching of landscape architecture in an accredited college or university, and shall have been so engaged for five years preceding appointment, the last two of which shall have been in Iowa. One of the five professional members shall be actively engaged in the practice of landscape architecture or the teaching of landscape architecture in an accredited college or university, and may have been so engaged for fewer than five years preceding.

1.2(2) *Election of chairperson and vice chairperson.* The board elects annually from its members a chairperson and a vice chairperson. A quorum of the board shall be four members, and all final motions and actions must receive a vote by a majority of the members of the board.

1.2(3) Duties of board. The board enforces the provisions of Iowa Code chapter 544B and makes rules for the examination of applications for licensure. The board keeps records of its proceedings. The board adopts an official seal which is affixed to all certificates of licensure granted. The board makes other rules, not inconsistent with law, as necessary for the proper performance of its duties. The board maintains a roster showing the name, place of business, residence, and date and number of the certificate of licensure of every professional landscape architect in the state.

1.2(4) Duties of chairperson. The chairperson shall, when present, preside at meetings, appoint committees, and perform all duties and powers of the chairperson.

1.2(5) Duties of vice chairperson. The vice chairperson shall, in the absence or incapacity of the chairperson, exercise the duties and powers of the chairperson.

[ARC 3097C, IAB 6/7/17, effective 7/12/17; ARC 5571C, IAB 4/21/21, effective 5/26/21]

193D—1.3(544B,17A) Meetings. Calls for meetings shall be issued in accordance with Iowa Code section 21.4.

193D—1.4(544B,17A) Order of business. The chairperson or the board administrator shall prepare an agenda listing all matters to be discussed at meetings. A copy of this agenda shall be available to each member of the board.

[ARC 3097C, IAB 6/7/17, effective 7/12/17]

193D—1.5(22) Public records and fair information practices. Rescinded ARC 3097C, IAB 6/7/17, effective 7/12/17.

193D—1.6(68B) Sales of goods and services. Rescinded ARC 3097C, IAB 6/7/17, effective 7/12/17.

193D—1.7(17A) Petitions for rule making. Rescinded ARC 3097C, IAB 6/7/17, effective 7/12/17.

193D—1.8(17A) Declaratory orders. Rescinded ARC 3097C, IAB 6/7/17, effective 7/12/17.

193D—1.9(252J,261) Denial of issuance or renewal of license for nonpayment of child support or student loan. Rescinded ARC 3097C, IAB 6/7/17, effective 7/12/17.

193D—1.10(17A) Interim waivers and variances. In addition to the provisions of 193—Chapter 5, the following shall apply for interim rulings:

1.10(1) The board chairperson, or vice chairperson if the chairperson is not available, may rule on a petition for waiver or variance when it would not be timely to wait for the next regularly scheduled board meeting for a ruling from the board.

1.10(2) The board administrator shall, upon receipt of a petition that meets all applicable criteria established in 193—Chapter 5, present the request to the board chairperson or vice chairperson along with all pertinent information regarding established precedent for granting or denying such requests.

1.10(3) The chairperson or vice chairperson shall reserve the right to hold an electronic meeting of the board when prior board precedent does not clearly resolve the request, input of the board is deemed required and the practical result of waiting until the next regularly scheduled meeting would be a denial of the request due to timing issues.

1.10(4) A waiver report shall be placed on the agenda of the next regularly scheduled board meeting and recorded in the minutes of the meeting.

1.10(5) This rule on interim rulings does not apply if the waiver or variance was filed in a contested case.

[ARC 3097C, IAB 6/7/17, effective 7/12/17; ARC 5571C, IAB 4/21/21, effective 5/26/21]

193D—1.11(544B,17A,272C) Investigations and investigatory subpoenas. Rescinded ARC 3097C, IAB 6/7/17, effective 7/12/17.

193D—1.12(544B,17A,272C) Contested case procedures. Rescinded **ARC 3097C**, IAB 6/7/17, effective 7/12/17.

193D—1.13(272C) Impaired licensees. Rescinded **ARC 3097C**, IAB 6/7/17, effective 7/12/17.

These rules are intended to implement Iowa Code sections 544B.3, 544B.5, and 544B.15.

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