

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.

“*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.”

“*Practice of landscape architecture*” means the rendering of professional service or offering to render professional service to clients, including any one or any combination of the professional services defined in Iowa Code section 544B.1 and 193D—subrule 2.2(1).

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. 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 majority of a quorum vote. The board enforces the provisions of Iowa Code chapter 544B and maintains a roster of all licensed professional landscape architects in the state.

1.2(1) Chairperson. The chairperson shall, when present, preside at meetings, appoint committees, and perform all duties and powers of the chairperson.

1.2(2) Vice chairperson. The vice chairperson shall, in the absence or incapacity of the chairperson, exercise the duties and powers of the chairperson.

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 chairperson’s designee 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. Procedures shall be in accordance with Robert’s Rules of Order.

193D—1.5(22) Public records and fair information practices. Board rules on public records and fair information practices may be found in the uniform rules for the division of professional licensing and regulation at 193 IAC 13.

193D—1.6(68B) Sales of goods and services. Board rules on the sale of goods and services by board members may be found in the uniform rules for the division of professional licensing and regulation at 193 IAC 11.

193D—1.7(17A) Petitions for rule making. Persons wishing to file a petition for rule making should consult the uniform rules for the division of professional licensing and regulation at 193 IAC 9.

193D—1.8(17A) Declaratory orders. Persons wishing to seek a declaratory order from the board should consult the uniform rules for the division of professional licensing and regulation at 193 IAC 10.

193D—1.9(252J,261) Denial of issuance or renewal of license for nonpayment of child support or student loan. Board rules on the denial of issuance or renewal of a license based on nonpayment of child support or student loan obligations may be found in the uniform rules for the division of professional licensing and regulation at 193 IAC 8.

193D—1.10(17A) Waivers and variances.

1.10(1) Persons who wish to seek waivers or variances from board rules should consult the uniform rules for the division of professional licensing and regulation at 193 IAC 5.

1.10(2) In addition to the provisions of 193 IAC 5, the following shall apply for interim rulings:

a. 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.

b. The executive officer shall, upon receipt of a petition that meets all applicable criteria established in 193 IAC 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.

c. 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.

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

e. This subrule on interim rulings does not apply if the waiver or variance was filed in a contested case.

193D—1.11(544B,17A,272C) Investigations and investigatory subpoenas. Board rules regarding investigations and investigatory subpoenas may be found in the uniform rules for the division of professional licensing and regulation at 193 IAC 6.

193D—1.12(544B,17A,272C) Contested case procedures. Board rules on contested case procedures may be found in the uniform rules for the division of professional licensing and regulation at 193 IAC 7.

193D—1.13(272C) Impaired licensees. Board rules governing impaired licensee review committees may be found in the uniform rules for the division of professional licensing and regulation at 193 IAC 12.

These rules are intended to implement Iowa Code sections 544B.3, 544B.5, and 544B.15 and chapters 252J, 261, and 272C.

[Filed 2/2/76, Notice 12/29/75—published 2/9/76, effective 2/2/76]

[Filed emergency 4/14/78—published 5/3/78, effective 4/14/78]

[Filed 12/2/83, Notice 10/26/83—published 12/21/83, effective 1/25/84]

[Filed 2/18/88, Notice 12/16/87—published 3/9/88, effective 4/13/88]

[Filed without Notice 2/18/88—published 3/9/88, effective 4/13/88]

[Filed 10/16/95, Notice 8/2/95—published 11/8/95, effective 12/13/95]

[Filed 4/30/99, Notice 3/24/99—published 5/19/99, effective 6/23/99]

[Filed 12/19/01, Notice 11/14/01—published 1/9/02, effective 2/13/02]

[Filed 7/24/03, Notice 5/14/03—published 8/20/03, effective 9/24/03]