

CHAPTER 5 EXCEPTIONS

193B—5.1(544A) Definitions. The following definitions apply as used in Iowa Code chapter 544A, and this chapter of the architectural examining board rules, unless the context otherwise requires.

“Accessory buildings” means one or more buildings separate from, but accessory to, a main building, including, but not limited to, a garage or storage building serving a main building.

“Agricultural building” means a structure designed to house farm implements, hay, grain, poultry, livestock or other agricultural products. For the purpose of this definition, this structure shall not contain habitable space or a place of employment where agricultural products are processed or treated or packaged; nor shall it be a place used by the public.

“Alter” or *“alteration”* means any change, addition or modification to an existing building in its construction or occupancy.

“Basement” means any floor level below the first story in a building, except that a floor level in a building having only one floor shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

“Commercial” or *“commercial use”* means any of the following:

- A building used for buying, selling or exchange of goods or services,
- Drinking and dining establishments having an occupant load of fewer than 50,
- Wholesale and retail stores,
- Office buildings,
- Printing plants,
- Factories and workshops, and
- Buildings or portions of buildings having rooms used for educational purposes beyond the twelfth grade, with fewer than 50 occupants in any room.

“Commercial” does not include the other uses described herein:

- Accessory buildings,
- Educational buildings,
- Factory-built buildings,
- Governmental-use buildings,
- Industrial-use buildings,
- Institutional-use buildings,
- Hazardous-use buildings,
- Light industrial,
- Places of assembly,
- Residential dwellings, and
- Warehouses.

“ Dwelling unit ” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, or cooking and sanitation, for not more than one family, or a congregate residence, such as a group home for ten or fewer persons.

“ Educational use ” means a building used for educational purposes through the twelfth grade for more than 12 hours per week or more than 4 hours in any one day, and any building used for day-care purposes for more than six children.

“ Factory-built buildings ” means buildings that have been designed, engineered, fabricated and wholly or partly assembled in a manufacturing facility for assembly and installation on a building site. A preengineered building utilizing standard building components assembled on the building site is not considered a “factory-built building.” Such factory-built buildings, in order to qualify for the exception established by Iowa Code section 544A.18, must either:

1. Not exceed limitations on size and use established by Iowa Code section 544A.18, or
2. The seal applied by a professional engineer or architect shall apply to the entire assembly, not a specific element of the assembly.

“*Family dwelling unit*” is any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family. Congregate residences, such as group homes, are not “family dwelling units.”

“*Governmental use*” means a building or portion of a building owned or occupied by a municipal, county, state, federal, or other public agency including, but not limited to, municipal fire and police stations and libraries.

“*Gross floor area*” means the aggregate floor area of an entire building enclosed by and including the surrounding exterior walls, and including the aggregate total area of existing, new and additional construction which is physically connected by enclosed space.

“*Habitable space (room)*” means a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered “habitable space.”

“*Industrial use*” means any of the following:

- A building used for the manufacturing, fabrication, or assembly of goods or materials including aircraft hangars;
- Open parking garages;
- Helistops;
- Ice plants;
- Power plants;
- Pumping plants;
- Cold storage and creameries; and
- Factories and workshops.

“*Institutional use*” means any of the following:

- Nurseries for the full-time care of children under the age of six, accommodating more than five persons;
- Hospitals;
- Sanitariums;
- Nursing homes;
- Homes for children six years of age or over, accommodating more than five persons;
- Mental hospitals, mental sanitariums, jails, prisons, reformatories, and buildings where personal liberties of persons are similarly restrained;
- Group homes; and
- Adult day-care facilities.

“*Light industrial*” means buildings used solely to house industrial use that are not more than one story in height and not exceeding 10,000 square feet in gross floor area, or are not more than two stories in height and not exceeding 6,000 square feet in gross floor area.

“*Nonstructural alterations*” means modifications to an existing building which do not include any changes to structural members of a building, or do not modify means of egress, handicap accessible routes, fire resistivity or other life safety concerns.

“*Occupancy*” means the purpose for which a building, or part thereof, is used or intended to be used.

“*Office use*” means a building housing a commercial use.

“*Outbuildings*” has the same meaning as “accessory buildings.”

“*Place of assembly of people or public gathering*” means a building or a portion of a building used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking or dining, or awaiting transportation.

“*Residential use*” includes hotels, apartment houses, dwellings, and lodging houses.

“*Story*” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of the building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet (1829 mm) above grade for more than 50 percent of the total perimeter or is more than 12 feet (3658 mm) above grade at any point, such usable or unused under-floor space shall be considered a story.

“*Story, first*” means the lowest story of a building which qualifies as a story, as defined herein, except that the floor level in a building having only one floor level shall be classified as a first story, provided such floor is not more than 4 feet (1219 mm) below grade for more than 50 percent of the total perimeter, or not more than 8 feet (2438 mm) below grade at any point.

“*Structural members*” consists of building elements which carry an imposed load of weight and forces in addition to their own weight including, but not limited to, loads imposed by forces of gravity, wind, and earthquake. Structural members include, but are not limited to, footings, foundations, columns, load-bearing walls, beams, girders, purlins, rafters, joists, trusses, lintels, and lateral bracing.

“*Structure*” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“*Use*” has the same meaning as “occupancy.”

“*Warehouses*” or “*warehouse use*” means a building used for the storage of goods or materials.

193B—5.2(544A) Exceptions. An architect licensed in this state is required to perform professional architectural services for all buildings except those listed below. Persons who are not licensed architects may perform planning and design services in connection with any of the following:

5.2(1) Detached residential buildings containing 12 or fewer family dwelling units of not more than three stories and outbuildings in connection with the buildings.

5.2(2) Buildings used primarily for agricultural purposes including grain elevators and feed mills.

5.2(3) Nonstructural alterations to existing buildings which do not change the use of a building:

a. From any other use to a place of assembly of people or public gathering.

b. From any other use to a place of residence not exempted by subrule 5.2(1).

c. From an industrial or warehouse use to a commercial or office use not exempted by subrule 5.2(4).

5.2(4) Warehouses and commercial buildings not more than one story in height, and not exceeding 10,000 square feet in gross floor area; commercial buildings not more than two stories in height and not exceeding 6,000 square feet in gross floor area; and light industrial buildings.

5.2(5) Factory-built buildings which are not more than two stories in height and not exceeding 20,000 square feet in gross floor area or which are certified by a professional engineer registered under Iowa Code chapter 542B.

5.2(6) Churches and accessory buildings, whether attached or separate, not more than two stories in height and not exceeding 2,000 square feet in gross floor area.

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193B—5.3(544A) Building use takes priority over size. In all cases when applying the exceptions outlined in Iowa Code section 544A.18 and rule 193B—5.2(544A), the use of the building takes priority over the size. For example, a place of assembly or governmental use is not a commercial use, and would not constitute an exception even if the building is not more than one story in height and does not exceed more than 10,000 square feet in gross floor area.

193B—5.4(544A) Exceptions matrix. The following matrix is compiled to illustrate the exceptions outlined in Iowa Code section 544A.18 and rule 193B—5.2(544A). The laws and rules governing the Practice of Engineering are not illustrated herein.

| BUILDINGS NEW CONSTRUCTION | | | |
|--|--|-------------------------------|--|
| Building Use Type | Description | Architect Required | Architect May Not Be Required |
| Agricultural Use | Including grain elevators and feed mills | | X |
| Churches and accessory buildings whether attached or separate | One or two stories in height, up to a maximum of 2,000 square feet in gross floor area | | X |
| | Any number of stories in height, greater than 2,000 square feet in gross floor area | X | |
| | More than two stories in height | X | |
| Commercial Use | One story in height, up to a maximum of 10,000 square feet in gross floor area | | X |
| | One story in height, greater than 10,000 square feet in gross floor area | X | |
| | Two stories in height, up to a maximum of 6,000 square feet in gross floor area | | X |
| | Two stories in height, greater than 6,000 square feet of gross floor area | X | |
| | More than two stories in height | X | |
| Detached Residential Use | One, two or three stories in height, containing 12 or fewer family dwelling units | | X |
| | More than 12 family dwelling units | X | |
| | More than three stories in height | X | |
| | Outbuildings in connection with detached residential buildings | | X |
| Educational Use | | X | |
| Governmental Use | | X | |
| Industrial Use | | X | |
| Institutional Use | | X | |
| Light Industrial Use | | | X |
| Places of assembly | | X | |
| Warehouse Use | One story in height, up to a maximum of 10,000 square feet in gross floor area | | X |
| | One story in height, greater than 10,000 square feet in gross floor area | X | |
| | More than one story in height | X | |
| Factory-Built Buildings | Any height and size, if certified by a professional engineer licensed under Iowa Code chapter 542B | | X |
| | One or two stories in height, up to a maximum of 20,000 square feet in gross floor area | | X |
| | One or two stories in height, greater than 20,000 square feet in gross floor area | X | |
| | More than two stories in height | X | |
| | More than 20,000 square feet in gross floor area | X | |

| ALTERATIONS TO EXISTING BUILDINGS | | | | |
|---|--|--|-------------------------------|--|
| Alteration Type | Description | | Architect Required | Architect May Not Be Required |
| Structural alterations to exempt buildings | Modifications which change the structural members, means of egress, handicap accessible path, fire resistivity or other life safety concerns | | | X |
| Structural alterations to nonexempt buildings | Modifications which change the structural members, means of egress, handicap accessible path, fire resistivity or other life safety concerns | | X | |
| Nonstructural alteration | Which does not modify means of egress, handicap accessible path, fire resistivity or other life safety concerns | | | X |
| | Which maintains the previous type of use | | | X |
| Nonstructural alteration which changes the use of the building from any other use to: | A place of assembly of people or public gathering | | X | |
| | Governmental use | | X | |
| | Educational use | | X | |
| | Hazardous use | | X | |
| | A place of residence exempted | and is one, two or three stories in height and contains not more than 12 family dwelling units | | X |
| | A place of residence not exempted otherwise | and is more than three stories in height | X | |
| and containing more than 12 family dwelling units | | X | | |
| Nonstructural alterations which change the use of the building from industrial or warehouse to: | Commercial or office use | and is one story in height and not greater than a maximum of 10,000 square feet in gross floor area | | X |
| | | and is one story in height and greater than 10,000 square feet in gross floor area | X | |
| | | and is two stories in height and not greater than a maximum of 6,000 square feet in gross floor area | | X |
| | | and is two stories in height and greater than 6,000 square feet in gross floor area | X | |
| | | and is more than two stories in height | X | |
| | | and is greater than 10,000 square feet of gross floor area | X | |
| ALTERATIONS TO EXISTING BUILDINGS (CONT.) | | | | |
| Nonstructural alterations to: | Agricultural Use | Including grain elevators and feed mills | | X |
| | Churches and Accessory Building Uses | One or two stories in height, up to a maximum of 2,000 square feet in gross floor area | | X |
| | | Any number of stories in height, greater than 2,000 square feet in gross floor area | X | |
| | | More than two stories in height | X | |
| | Commercial Use | One story in height, up to a maximum of 10,000 square feet in gross floor area | | X |
| | | One story in height, greater than 10,000 square feet in gross floor area | X | |
| | | Two stories in height, up to a maximum of 6,000 square feet in gross floor area | | X |
| | | Two stories in height, greater than 6,000 square feet in gross floor area | X | |
| | | More than two stories in height | X | |

| ALTERATIONS TO EXISTING BUILDINGS | | | | | |
|--|--------------------------------|--|-------------------------------|--|---|
| Alteration Type | Description | | Architect Required | Architect May Not Be Required | |
| | Detached Residential Buildings | One, two or three stories in height, containing 12 or fewer family dwelling units | | X | |
| | | More than 12 family dwelling units | X | | |
| | | More than three stories in height | X | | |
| | | Outbuildings in connection with detached residential buildings | | X | |
| | Educational Use | | X | | |
| | Governmental Use | | X | | |
| | Industrial Use | | X | | |
| | Institutional Use | | X | | |
| | Light Industrial Use | | | X | |
| | Places of Assembly | | X | | |
| | Warehouse Use | One story in height, up to a maximum of 10,000 square feet in gross floor area | | | X |
| | | One story in height, greater than 10,000 square feet in gross floor area | X | | |
| | | More than one story in height | X | | |
| | Factory-Built Buildings | Any height and size if entire building is certified by a professional engineer licensed under Iowa Code chapter 542B | | | X |
| | | One or two stories in height, up to a maximum of 20,000 square feet of gross floor area | | | X |
| | | One or two stories in height, greater than 20,000 square feet in gross floor area | X | | |
| | | More than two stories in height | X | | |
| More than 20,000 square feet in gross floor area | | X | | | |

These rules are intended to implement Iowa Code section 544A.18.

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