

SEALING AND DIRECT SUPERVISION POLICY

Pertinent Sections of the Law and Regulations

Section 40-3-280. Seals

(A) Every architect and firm practicing in this State shall have a seal, the impression of which shall contain the name, the place of business, and the words "Registered Architect, State of South Carolina" with which they shall stamp all drawings, prints, and specifications for use in their profession.

(B) The seal of the individual architect in responsible charge, as well as the seal of the firm, must appear on each print of the drawings and the index sheet, or sheets, of each set of specifications offered to secure a building permit and one record set for use on the construction site. The required seal identification may be a rubber stamp impression placed on original drawings and specification copy. The architect in responsible charge shall affix his signature over his seal. An electronic seal and signature may be used in lieu of an original seal and signature by applicable policy or regulation.

Section 40-3-320. Building officials required to have sealed plans.

The building official or other authority charged with the responsibility of issuing building or other similar permits of any county, municipality, or other subdivision, before issuing the permit, must be in possession of a sealed set of plans and specifications for which the seal of a registered architect is required and to verify that the architect who sealed the architectural plans and specifications is an architect registered in South Carolina.

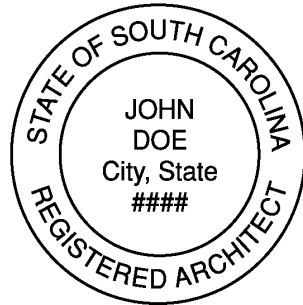
Regulation 11-11 Seals

A. The seal and signature of the architect in responsible charge and the architectural firm's seal shall appear on all architectural documents to be filed for public record and shall be construed to obligate the architect and the firm. A firm seal alone is insufficient; documents shall be signed and sealed by the responsible architect. Record documents used for obtaining building permits shall be so signed. The signing and sealing of the index sheet(s) or the title page of specifications shall be considered adequate.

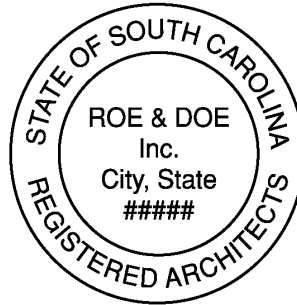
B. An architect shall not affix, or permit to be affixed, the architect's seal or name to any plans, specifications, drawings, or other related documents which were not prepared by the architect or under the architect's direct responsible charge. Architects shall not use their seal or perform any other service as an architect unless holding at the time a current Certificate of Registration.

C. Description of Registrant's Seal. The seal shall be circular in shape and 1 3/4 inches in diameter. Concentric with the outside of the seal there shall be a circle 1 3/16 inches in diameter; in the annular space between the circle and the outside of the seal shall be the words "State of South Carolina" at the top and "Registered Architect" at the bottom. The name of only one (1) architect, business location, and registration number shall be placed within the inner circle.

D. Description of Firm Seals. The seal shall be circular in shape and 1 3/4 inches in diameter. Concentric with the outside of the seal there shall be a circle 1 3/16 inches in diameter; in the annular space between the circle and the outside of the seal shall be the words "State of South Carolina" at the top and "Registered Architects" at the bottom. The name, business location, and license number of the firm shall be placed within the inner circle.



(INDIVIDUAL)



(FIRM)

E. An electronic seal and signature are permitted to be used in lieu of an original seal and signature when the following criteria, and all other requirements of this section, are met:

- (1) It is a unique identification of the professional;*
- (2) It is verifiable;*
- (3) It is under the professional's direct and sole control;*
- (4) It is linked to a document in such a manner that changes are readily determined and visually displayed if any data contained in the document file was changed subsequent to the electronic seal and signature having been affixed to the document, and*
- (5) Changes to the document after affixing the electronic seal and signature shall cause the electronic seal and signature to be removed or altered in such a way as to invalidate the electronic seal and signature;*
- (6) In addition, once the electronic seal and signature are applied to the document, the document shall be available in a view only format if the document is to be electronically transmitted;*
- (7) The graphic image of the electronic seal and signature shall be readily available and produced in a manner acceptable to the board. It shall contain the same words and shall have substantially the same graphic appearance and size as required above when the image of the electronically transmitted document is viewed at the same time as the document in its original form.*
- (8) The graphic display of the seal shall be in compliance with state law.*

11-12 D. Professional Conduct.

(1) An architect or firm shall not sign or seal drawings, specifications, reports, or other professional work for which the architect or firm does not have direct professional knowledge and direct supervisory control; provided, however, that in the case of portions of such professional work prepared by the architect's, or firm's consultants, registered under this or another professional registration law of this jurisdiction, the architect or firm may sign or seal

that portion of the professional work if the architect or firm has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

Commentary

When sealing plans for projects in South Carolina, the individual architect must seal only those plans he/she prepared or which were prepared under his/her direct supervision. Additionally, the firm's seal must appear on all architectural documents. Rubber stamps, embossing seals or electronically produced seals are permissible.

Architects shall not seal drawings and/or specifications that are not prepared under their direct supervision and review. Examples of drawings and/or specifications are those prepared by suppliers, vendors, subcontractors, or others when bound as part of bid or contract documents, including but not limited to the following:

- food service
- acoustical systems
- auditorium or stadium seating
- science equipment
- stage performance equipment
- wiring schematics
- control diagrams
- fire/smoke seals

Drawings and/or specifications not prepared under the direct supervision of the architect may be included as a part of the bid or contract documents provided that the following conditions are adhered to:

- Documents shall bear originators' firm name, address, date, and title block.
- Technical system designs which require the seal of a South Carolina registered engineer shall bear such seals.
- All documents shall be listed in the project Drawing Index and/or Table of Contents under a heading or subscript clearly indicating that they were not prepared under the supervision of the 'design professional in responsible charge'.

A minimum two sets of project plans must be sealed and signed. Additional sets may be sealed at the architect's discretion or for other purposes, but only two sets are required by South Carolina law to be sealed:

- one set offered to secure a building permit;
- one set for use at the construction site.

Frequently Asked Questions

1. A young man who will graduate from architecture school next year has begun taking on small projects and recently approached me about sealing plans he prepared for a small day care facility, (or any building type that requires a Seal). I reviewed them thoroughly and they are acceptable. May I seal the drawings?

A. ***No. The drawings were not prepared under your direct supervision as a licensed architect.***

2. A young man who will graduate from architecture school next year works in my office during the summer, under my direct supervision, on small projects. I review the work. Is it ok to seal them although I didn't actually do the drawings?

A. ***Yes. You may seal the drawings since the drawings were prepared under your direct supervision.***

3. With the technology available today, is remote supervision acceptable? We email files between offices of our firm for review, editing and consolidation. Is that considered "direct supervision"?

A. ***Yes.***

4. One of the partners in the firm for which I work leaves his rubber seal in his desk accessible to office staff, and his computer seal can be downloaded by others. He does a lot of client development and is often out of the office. Is it ok for employees to affix his seal to a set of plans? What if he sends an email giving permission?

A. ***For his seal to be on the plans, he must have reviewed the work, approved the documents, and released them to be submitted to permitting authorities. Be cautious with your seal—when you seal drawings, or authorize others to seal drawings on your behalf, you are attributing your name as legally responsible for the project.***

5. I know for a fact that another architect is plan-stamping the work of a local designer. I confronted him about it, and he said the plans are well done and meet code. He is just helping the young man make a living. Should I file a complaint? Is so, will I be required to sign it and to provide evidence to the board investigator?

A. ***Yes, you should file a complaint, or seek to file a complaint through a professional organization. You will likely be asked for a certain amount of information in order for the organization to ascertain the validity of the complaint.***