

# MINUTES

## UTAH ARCHITECT LICENSING BOARD MEETING

April 26, 2011

Room 475 – 4<sup>th</sup> floor – 2:00 P.M.  
Heber M. Wells Building  
160 East 300 South  
Salt Lake City, Utah 84111

**CONVENED:** 1:56 P.M.

**ADJOURNED:** 3:20 P.M.

**DOPL Staff Present:**

**Bureau Manager:**

**Board Secretary:**

Richard J. Oborn

Lee Avery

**Board Members Present:**

Jeanne Jackson, Chairperson

Hans Hoffman

Bryan Turner

Mary Bearnson

**Guests:**

Brian Parker, AIA

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS**

Minutes

Ms. Jackson motioned to approve the October 20, 2010 minutes, seconded by Mr. Hoffman. The motion carried unanimously.

AIA request for use of Architect Education and Enforcement Fund

Mr. Parker reviewed the application requesting funding from the Education and Enforcement Fund. Mr. Parker stated the fund is to help cover the costs of a continuing education course for licensed architects. Mr. Parker is requesting \$5,050.00. This would cover printing an agenda, postage, room rental, and instructor fees. Mr. Hoffman motioned to fund this CE course, seconded by Ms. Bearnson. The motion carried unanimously.

Investigation report, Wayne Jeppson

Because of a miscommunication, Mr. Jeppson was unable to keep his appointment with the Board.

Exemption in 58-3a-304(1)(b)

The Division was recently asked whether designing the plan and specification for a townhouse of more than four units requires licensure as an architect. Utah Code 58-3a-304 lists exemptions from licensure as an architect in Utah. Utah Code 58-3a-304 states as

follows:

- (1) In addition to the exemptions from licensure in Section 58-1-307, the following may engage in the stated limited acts or practices without being licensed under this chapter:
  - (b) a person preparing a plan and specification for a one, two, three, or four-family residence not exceeding two stories in height, exclusive of basement;

A townhouse is defined in the 2006 International Residential Code as follows:

A single family dwelling unit constructed in a group or three or more attached units in which each unit extends from foundation to roof and with open space on at least two sides.

Applying the provisions cited above, the Division concluded that each single family unit within a townhome represents a single family residence. Each unit of a townhouse is designed such that each is structurally independent and has its own egress. For these reasons, the Division concludes that designing the plan and specification of townhouse falls under the architect license exemption found in Utah Code 58-3a-304 (1)(b). The Board requested that this item be discussed further at the next Board meeting.

“Recognized jurisdiction” as defined in R156-3a-102(11)

Mr. Oborn advised the Board there have been questions regarding the need to clarify the definition of the term “recognized jurisdiction” as it appears in R156-3a-102(11). The Board expressed support for making changes to this definition. The Board asked Mr. Oborn to prepare language that will be considered during the next Board meeting.

The Board also discussed other changes to the Architect Licensing Act Rule. Utah Admin. Code R156-3a-502 (4) references the July 2007 edition of the NCARB “Rules of Conduct”. NCARB adopted a new edition in July 2010 so the rule should be updated to reference the updated edition. In addition, Utah Admin. Code R156-3a-304 (1) references March 31 of each even year as the end of the architect license renewal cycle; however, the renewal cycle actually ends on May 31. The rule must be changed to correct the error.

Regional NCARB meeting update

Ms. Jackson and Mr. Hoffman attended the regional meeting. Many Topics discussed during the meeting include how to be a better Board member, how NCARB is working towards all states having a uniform licensing, the CE requirement, and making obtaining licensure in other states easier. The next regional meeting is scheduled for March 2012 in Seattle, Washington.

National resolution to be considered at 2011 NCARB Annual Meeting, June 22-25

This was tabled until the next Board meeting.

Board member attendance at 2011 NCARB Annual Meeting

The Board noted that Ms. Jackson is funded to attend the 2011 NCARB Annual Meeting. The Board discussed sending Mr. Turner and Mr. Hoffman to the convention. Mr. Oborn stated that he will see if he can get approval to send 2 Board members.

Education and Enforcement Fund

The Board reviewed the Education and Enforcement Fund information.

Governor Herbert's proposal to create regulations that are more business friendly

Mr. Oborn shared the quote from Governor Gary R. Herbert's State of the State address on 01/26/2011 with the Board. Mr. Oborn noted that Governor Herbert has asked all state agencies to separate regulations that serve an important purpose from those regulations that serve no purpose at all. Mr. Oborn asked the Board to let him know if they are aware of a regulation that is overly burdensome to the architect profession and that does not serve a purpose.

The Utah Legislature passed HB 243 during the last legislative session. The bill amends the DOPL Licensing Act (Utah Code 58-1). The Division now has fine and citation authority for the practice of unlicensed individuals and Board members with expiring terms may continue to serve for a limited period until the Governor appoints their replacement.

**BOARD MEETINGS**

The next scheduled Board meeting:  
June 8, 2011

**2011 Board meetings have been tentatively scheduled:**

August 10, October 12, December 14.

**ADJOURN**

The meeting adjourned at: 3:20 P.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

June 8, 2011  
**Date**

(ss) Jeanne Jackson  
Chairperson, Utah Architect Licensing Board

June 8, 2011  
**Date**

(ss) Richard J. Oborn  
Bureau Manager, Division of Occupational &  
Professional Licensing.