

## Planning & Development Dept. - Permit Application Center

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### ARCHITECTURAL SEAL REQUIREMENTS:

#### ***Excerpts from S.C. Board of Architectural Examiners, S.C. Architectural Registration Law, Title 40, Chapter 3***

**Section 40-3-320. Issuance of building permits.** 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. NOTE: The Firm Seal (COA) and Individual Seal must be on plans.

#### **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 or embossing seals may be used. Electronically produced seals are permissible but may not be used instead of the original seals required.

A minimum two sets of project plans must be sealed with original seals and signatures. 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.

### **SOUTH CAROLINA BOARD OF ARCHITECTURAL EXAMINERS**

On May 7, 2003, the Board approved the following interpretation of Section 40-3-290 of the South Carolina Architectural Registration Law. This section sets forth exemptions to the requirement that an architect design and seal plans for buildings in this state. This interpretation is provided as a guide for building officials, permitting authorities, owners, contractors, and citizens for determining when architectural services are required and when such professional services are not required.

**Interpretation of Section 40-3-290: Exemptions.** Section 40-3-290 of the South Carolina statutes governing the practice of architecture outlines specific instances when an architect is NOT required for the design of a building. Such situations include:

- farm buildings,
- detached single-family dwellings,
- two-family dwellings (duplexes), and
- buildings less than 3 stories in height and containing less than 5000 square feet of total floor area\*.

*\*An architect IS required, however, if the building that is less than 5000 square feet is classified as one of assembly, institutional, educational, or hazardous occupancy by the Standard Building Code. An architect is required for these buildings regardless of their size. [The State of South Carolina has adopted the 2000 International Building Code for use statewide. Section 40-3-290 has not yet been updated to reflect this change.]*

**For instances where there may be confusion regarding the language in other parts of this statute, the Board of Architectural Examiners provides the following guidance:**

- **All buildings of assembly**, regardless of size, require the services of an architect. Assembly uses include, but are not limited to: movie theaters, banquet halls, nightclubs, restaurants, art galleries, churches, courtrooms, funeral parlors, libraries, museums, and stadiums.
- **All institutional buildings**, regardless of size, require the services of an architect. Institutional buildings include, but are not limited to: residential board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, hospitals, nursing homes, mental hospitals, jails, adult care facilities, and day care facilities for more than five children younger than 2 1/2 years of age.
- **All educational facilities**, regardless of size, require the services of an architect. Educational facilities include day care facilities for more than five children older than 2 1/2 years of age.
- **All hazardous use facilities**, regardless of size, require the services of an architect.
- **Residential buildings that house more than two families** require the services of an Architect. Residential buildings include boarding houses, hotels, apartment houses, townhouses, convents, dormitories, fraternity/sorority houses, and monasteries.

**Upfits and Alterations:** Section 40-3-290(C)(4) is interpreted to mean that upfits or alterations to a building that is less than 5000 square feet and less than 3 stories in height do not require the services of an architect **unless** the alterations will increase the area of the building beyond 5000 square feet or affect the structural safety of the building. However:

- If either the building size or structural safety is affected by the alteration, the services of an architect are required.
- If the use of a building changes to become one of assembly, institutional, educational or hazardous occupancy, the services of an architect are required.
- Designs for alterations inside of a building that exceeds 5000 square feet must also be done by an architect. Example: a former warehouse (30,000 square feet) is now used for retail shops such as fast foods, gift shops, or personal services (tanning beds, manicure salons). Alterations to any one of these spaces require the services of an architect even though the retail space is less than 5000 square feet.

*[The overall life/safety issues of the total building must be considered as a whole. The Board believes that piecemeal changes to individual business spaces, over time, may adversely affect the safety of the individuals who use the building. For this reason, an architect should coordinate the changes to the smaller retail space within the overall layout of the entire building. The same principle applies to strip shopping centers and malls where one of the retail spaces is being renovated for a new tenant.]*

The South Carolina Architectural Registration Law may be found in its entirety online at [www.llr.state.sc.us/pol/architects](http://www.llr.state.sc.us/pol/architects).