



Landscape Architecture Licensure Laws ASLA Summary of Provisions KENTUCKY

Kentucky Revised Statutes: Chapter 323A.
Kentucky Administrative Regulations: 201, Chapter 10.

Type of Law: Practice/title act.

Kentucky Board of Landscape Architects

Consists of four landscape architects and one public member appointed by the Governor.

Powers: Promulgate necessary regulations to carry out the act, including those necessary to maintain continuing education requirements.

Definitions

Landscape architect: A person who engages in the practice of landscape architecture.

Practice of landscape architecture: To render or offer to render any professional service in connection with the planning of outdoor space involving the relationships of people, flora and fauna, and facilities, with emphasis on the function, preservation, conservation, restoration, and enhancement of the physical environment, by arranging land and water and the elements thereon, including the alignment of roadways and the location of buildings, service areas, parking areas, walkways, steps, ramps, pools, and other structures, and the grading of the land, surface and sub-soil drainage, erosion control, planting, reforestation, and the preservation of the natural landscape ecology and environment, in accordance with the accepted professional standard of public health, welfare and safety. The practice of landscape architecture shall include the location and arrangement of such tangible objects and features, as are incidental and necessary to the purposes outlined in the law.

The practice of landscape architecture does not include the design of structures of facilities with separate and self-contained purposes for habitation or industry, public streets or streets intended for public dedication, highways, utilities, storm and sanitary sewers, or sewage treatment facilities, if ordinarily included in the practice of engineering or architecture. Nothing contained in the law precludes a landscape architect from performing any of the services described in the first sentence of this subsection in connection with the setting, approaches, or environment for buildings, structures, or facilities.

Exemptions

Interprofessional practice: Architects and engineers may prepare plans and specifications for and supervise construction in connection with landscape architectural services.

Exempt persons:

- A landscape architect acting solely as an officer or employee of the United States Government.
- Any individual engaged in the occupation of growing and marketing nursery stock.
- Any individual planning or planting his own property.
- Any nurserymen or gardeners preparing and executing planting plans.
- Any individual certified by the American Society of Golf Course Architects engaging in the occupation of golf course design, specifically, the designing and preparation of all required working drawings.
- Any person engaged in the practice of planning as customarily performed by community, regional or state planners.
- Any person performing grading, earthmoving, or other construction operations which are normal to his or her occupation.

Note: Bracketed [] material is drawn from regulations.



Eligibility Requirements – Initial Licensure

An applicant must be a graduate of an accredited landscape architecture curriculum approved by the board; pass the national examination; and document at least two years of experience related to the practice of professional landscape architecture under the supervision of a licensed landscape architect, engineer, or architect, within five years prior to submitting the application for licensure.

[Fee: Initial license, \$200. Annual renewal, \$200.]

Eligibility Requirements – Reciprocal Licensure

Licensure in the United States or another country where the qualifications prescribed at the time of licensing were, in the opinion of the board, equal to those prescribed in Kentucky at the date of application.

[Fee: Initial license, \$250. Annual renewal, \$200.]

Practice Entities

No provisions.

Seal Requirements

All working drawings, specifications and reports prepared by, or under the supervision of the individual, partnership, or firm shall bear the imprint of the seal approved by the board.

Enforcement

Board powers: Refuse to issue or renew a license, place on probation, reprimand, suspend or revoke licenses and impose fines.

Prohibitions/penalties: Causes for disciplinary action include: incompetence or negligence; unprofessional conduct, or conduct tending to bring the profession into disrepute; conviction of a felony, including all instances in which a plea of nolo contendere or no contest is the basis of the conviction; fraudulent or dishonest landscape architectural practice; use of false evidence or misrepresentations in an application for license; signing or affixing seal to any plans, prints, specifications, or reports which have not been prepared by the licensee personally or under immediate supervision; failure to meet the continuing education requirements; impairment due to drugs, alcohol, or mental disability to an extent that continued practice may be dangerous to clients or to public safety; failure to comply with an order issued by the board; and violation of any state statute or administrative regulation governing the practice of landscape architecture.

The board shall revoke the license of a landscape architect who practices landscape architecture while his license is inactive or suspended. Fines can range from \$100 to \$10,000.

Prohibitions/penalties for unlicensed practice: Practicing landscape architecture and using the title of landscape architect or any title, sign, card or device indicating, or tending to indicate, or represent in any manner that an unlicensed person is a landscape architect is prohibited. In cases of unlicensed practice the attorney general files for a court injunction enjoining such acts or practices. Violations are a Class A misdemeanor.

Mandatory Continuing Education

Kentucky requires 15 CE hours as a condition of annual renewal.

- Deems courses provided by LA CES approved providers as acceptable for continuing education requirements
- 15 or fewer hours may be carried over to the subsequent year (excludes four hours)
- "Continuing education hour" = 50 minutes of instruction

Administration:

Note: Bracketed [] material is drawn from regulations.



- Board has the power to audit licensee records
- Directs the board to require between 5 and 15 percent of licensees (randomly chosen) to furnish documentation of CE
- Board responsible for approval of CE programs (initiated by sponsor of program)
- Board responsible for pre-approval of self-directed study or credits for tours

Activities:

- Continuing education shall maintain, improve or expand skills and knowledge obtained prior to initial license or develop new and relevant skills and knowledge
- An activity approved by the board
- College course (quarter hour = 30 CE hours; semester hour = 45 CE hours)
- Teaching a CE course (2x credit without repeat credit given)
- Tours (at one-half credit) if the licensee has submitted the tour for approval by the board. Maximum of 7.5 hours/year

Recordkeeping: Licensees must submit record of CE with annual license renewal on specified form. Licensee has responsibility for maintaining two-year record, with sufficient detail to permit audit verification. Information must include the name of activity, date, location, and hours earned.

Reciprocity: Deems compliance if the licensee meets all of the requirements under the regulations.

Exemptions:

- New licensees in the first renewal period
- Licensees with an inactive or retired license
- Licensees employed or assigned to duty outside the U.S. for more than 120 consecutive days during the calendar year
- Licensees unable to complete the requirements due to physical disability, personal illness, or illness of a family member or dependent

Last updated March 3, 2015

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