

North Carolina Board of Architecture & Registered Interior Designers
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The purpose of this guidance is to help the regulated public comply with the Board's laws and rules. Please be advised that the guidance below is subject to change. If you disagree with the guidance, you may have the right to request a declaratory ruling from, or hearing before, the Board pursuant to Chapter 150B of the N.C. General Statutes. Moreover, an occupational licensing board does not have the authority to order an unlicensed person or entity to discontinue its practices. Only a court may determine whether an unlicensed person or entity has violated or is violating any law and, if appropriate, impose a remedy or penalty for the violation.

NCGS 83A-13 Policy Statement

NC Board of Architecture and Registered Interior Designers Policy Statement on NCGS 83A-13
The Board shall interpret the following exemptions of G.S. 83A-13 as set forth in this Policy Statement. The Board may seek court action pursuant to G.S. 83A-17 to enjoin individuals who violate these interpretations. **In reading this interpretation, please take note of the various "effective" dates within the statutory language.**

(c) **(Effective until December 31, 2024)** Nothing in this Chapter shall be construed to require an architectural license for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction pursuant thereto, where the building, buildings, or project involved is in one of the following categories:

- (1) A family residence, up to eight units attached with grade level exit, which is not a part of or physically connected with any other buildings or residential units; *Family Residence Exemption, as set forth in G.S. 83A-13(c)(1). "Grade level exit" means an exit that provides ingress and egress at grade. To be exempt, each unit in the building must enter and exit on grade level. The Board shall not interpret a project, subdivision, or other similarly described groupings of multiple units of up to eight units attached with a grade level exit to be exempt from G.S. 83A-13 (c)(1).*
- (2) A building upon any farm for the use of any farmer, unless the building is of such nature and intended for such use as to substantially involve the health or safety of the public; *A building upon any farm for the use of any farmer for the activity or business of growing crops or livestock shall be exempt. The Board shall not interpret a building or structure upon a farm that is open to or used by the public for assembly or other purposes to be exempt if it substantially impacts the health, safety and welfare of the public.*
- (3) An institutional or commercial building if it does not have a total value exceeding three hundred thousand dollars (\$300,000); *Three hundred-thousand-dollar exemption, as used in G.S. 83A-13(c)(3), means that the three*

hundred thousand-dollar (\$300,000) value is the owner's probable completed construction cost for a new structure or building and does not include the land value. A "new structure or building" refers to site preparation for and construction of, an entirely new structure or building that was not previously issued a certificate of occupancy, occupied or in existence.

- (4) An institutional or commercial building if the total building area does not exceed 3,000 square feet in gross floor area; *3,000 square foot Gross Floor Area Exemption, as used in G.S. 83A-13(c)(4), means the total gross floor area for a new structure or building, both heated and unheated, within the inside perimeter of the exterior walls with no deduction for corridors, stairs, closets, thickness of interior walls, columns, or other features, exclusive of areas open and unobstructed to the sky. Open eaves, overhangs, canopies, awnings, or similar open elements are not included.*
 - (5) Alteration, remodeling, or renovation of an existing building that is exempt under this section, or alteration, remodeling, or renovation of an existing building or building site that does not alter or affect the structural system of the building; change the building's access or exit pattern; or change the live or dead load on the building's structural system. This subdivision shall not limit or change any other exemptions to this Chapter or to the practice of engineering under Chapter 89C of the General Statutes; *In order to qualify for an exemption of alteration, remodeling, and renovation of a structure or building, as set forth in G.S. 83A-13(c)(5) a certificate of occupancy for the building must have been issued. "Structural system" as used in G.S. 83A-13(c)(5), means the essential elements that form the support system of the building and include but is not limited to, the fire protection and fire suppression systems of the building. Change of building use may also be included in this interpretation. "Affect", as used in G.S. 83A-13(c)(5), means an imposition of live loads, dead loads or seismic mass that was not contemplated in the original design of the structural system.*
 - (6) The preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions utilized to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements or exemptions of this Chapter. *"Shop drawings" as used in G.S. 83A-13(c)(6), means those drawings prepared in-house by subcontractors, other specialists and out of house subcontractors or vendors, suppliers and/or manufacturers under the nonsupervisory control of the architect.*
- (c) **(Effective December 31, 2024)** Nothing in this Chapter shall be construed to require an architectural license for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction pursuant thereto, where the building, buildings, or project involved is in one of the following categories:
- (1) A family residence, up to eight units attached with grade level exit, which is not a part of or physically connected with any other buildings or residential units;

Family Residence Exemption, as set forth in G.S. 83A-13(c)(1). “Grade level exit” means an exit that provides ingress and egress at grade level. To be exempt, each unit in the building must enter and exit on grade level. The Board shall not interpret a project, subdivision, or other similarly described groupings of multiple units of up to eight units attached with a grade level exit to be exempt from G.S. 83A-13 (c)(1).

- (2) A building upon any farm for the use of any farmer, unless the building is of such nature and intended for such use as to substantially involve the health or safety of the public;

A building upon any farm for the use of any farmer for the activity or business of growing crops or livestock shall be exempt. The Board shall not interpret a building or structure upon a farm that is open to or used by the public for assembly or other purposes to be exempt if it substantially impacts the health, safety and welfare of the public.

- (3) An institutional or commercial building if it does not have a total value exceeding two hundred thousand dollars (\$200,000);

Two hundred-thousand-dollar exemption, as used in G.S. 83A-13(c)(3 effective on December 31, 2024), means that the three hundred thousand-dollar (\$200,000) value is the owner’s probable completed construction cost for a new structure or building and does not include the land value. A “new structure or building” refers to site preparation for and construction of, an entirely new structure or building that was not previously issued a certificate of occupancy, occupied or in existence.

- (4) An institutional or commercial building if the total building area does not exceed 3,000 square feet in gross floor area;

2,000 square foot Gross Floor Area Exemption, as used in G.S. 83A-13(c)(4) effective on December 31, 2024, means the total gross floor area for a new structure or building, both heated and unheated, within the inside perimeter of the exterior walls with no deduction for corridors, stairs, closets, thickness of interior walls, columns, or other features, exclusive of areas open and unobstructed to the sky. Open eaves, overhangs, canopies, awnings, or similar open elements are not included.

- (5) Alteration, remodeling, or renovation of an existing building that is exempt under this section, or alteration, remodeling, or renovation of an existing building or building site that does not alter or affect the structural system of the building; change the building's access or exit pattern; or change the live or dead load on the building's structural system. This subdivision shall not limit or change any other exemptions to this Chapter or to the practice of engineering under Chapter 89C of the General Statutes;

In order to qualify for an exemption of alteration, remodeling, and renovation of a structure or building, as set forth in G.S. 83A-13(c)(5) effective on December 31, 2024 a certificate of occupancy for the building must have been issued. “Structural system” as used in G.S. 83A-13(c)(5), means the essential elements that form the support system of the building and include but is not limited to, the fire protection and fire suppression systems of the building. Change of building use may also be included in this interpretation. “Affect”, as

used in G.S. 83A-13(c)(5), means an imposition of live loads, dead loads or seismic mass that was not contemplated in the original design of the structural system.

- (6) The preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions utilized to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements or exemptions of this Chapter.

“Shop drawings” as used in G.S. 83A-13(c)(6) effective on December 31, 2024, means those drawings prepared in-house by subcontractors, other specialists and out of house subcontractors or vendors, suppliers and/or manufacturers under the nonsupervisory control of the architect.

(c1) **(Effective until December 31, 2024)** Notwithstanding subdivisions (c)(3) and (4) of this section, all of the following shall be exempt from the requirement for a professional architectural seal:

- (1) A commercial building project with a total value of less than three hundred thousand dollars (\$300,000) and a total project area of less than 3,000 square feet in gross floor area.
- (2) Any alteration, remodeling, renovation, or repair of a commercial building with a total value of less than three hundred thousand dollars (\$300,000).
- (3) Any alteration, remodeling, renovation, or repair of a commercial building if the total building area does not exceed 3,000 square feet in gross floor area.

(c1) **(Effective December 31, 2024)** Notwithstanding subdivisions (c)(3) and (4) of this section, a commercial building project with a total value of less than two hundred thousand dollars (\$200,000) and a total project area of less than 3,000 square feet shall be exempt from the requirement for a professional architectural seal.

- (d) Nothing in this Chapter shall be construed to prevent any individual from making plans or data for buildings for himself. *The exemption for preparing one’s own plans or data, as set forth in G.S. 83A-13(d), does not exempt the preparation of specifications required by the local authority having jurisdiction’s requirement to obtain a building permit in the construction of a building not exempt under G.S. 83A-13(c). “Specifications” means a description of the quality, size and strengths of the materials being used in a building. Design plans prepared by an individual for himself/herself may be exempt, in accordance with G.S. 83A-13 (d) from the requirement of an architectural seal subject to the following conditions:*

- (1) The individual claiming the exemption is the record owner of the land upon which the building is to be constructed.*
- (2) The individual must personally prepare the plan. This individual cannot claim authorship of plans prepared for him by another person.*

- (3) *The individual must sign the plans and legibly print his/her name and current address on the plans.*
- (4) *The individual must maintain a possessional interest in the premises after construction. "Possessional interest" may be actual occupancy of the building by the owner or the possessional interest of a landlord; however, it is not considered a building for oneself if an individual intends to build under this exemption for the purpose of immediately transferring legal title of the building to another.*
- (5) *The "plans for oneself" exemption does not exempt the preparation of specifications required to obtain a building permit in the construction of a building not exempt under G.S. 83A-13(c). "Specifications" means a description of the quality, size and strengths of the materials being used in a building.". Thus, the preparation of specifications required to obtain a building permit for the construction of a commercial building which exceeds \$200,000 (excluding the value of the land) or exceeds 3,000 square feet of gross floor area is not exempt under the "plans for oneself" exemption.*
- (6) *The "plans for oneself" exemption is only available for individuals. Thus, for example, a corporation cannot use this exemption. [N.C. General Statutes define "individual" as "a natural person," whereas a "person" includes a corporation. This difference was pointed out in NCBOA v. Lee, 264 N.C. 602; 142 S.E.2d 643 (1965).]*

(e) Plans and specifications prepared by persons or corporations under these exemptions shall bear the signature and address of such person or corporate officer.

(f) This Chapter does not apply to persons holding themselves out as "interior decorators" or offering "interior decorating services," and who provide services that are not subject to regulation under applicable building codes, such as selection or assistance in selecting surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted lighting, or loose furnishings.

(g) This Chapter does not apply to persons engaging in professional services limited to any of the following:

- (1) The planning, design, and implementation of residential kitchen and bath spaces.

- (2) The planning, design, and implementation of commercial kitchen and bath spaces within the construction area and cost limits as set forth in subdivisions (c)(3) and (4) of this section.
- (3) The specification of products for kitchen and bath areas.
- (h) This Chapter does not prevent any person from rendering interior design services, provided the person does not use the title of "registered interior designer" unless registered under this Chapter.

Approved on May 12, 2019, by the Board of Architecture.

Updated on September 13, 2023, by the Board of Architecture and Registered Interior Designers