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BULLETIN 96-2

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Subject: Signing and Sealing of Construction Documents
Reference: N.J.A.C. 5:23-2.15(f)1

The requirements of the Uniform Construction Code (UCC), the New Jersey State Board of Architects, and the New Jersey Board of Professional Engineers and Land Surveyors regarding signing and sealing of construction documents are as follows:

N.J.A.C. 5:23-2.15(f)1.ix states that the licensed/registered professional of record must sign and seal each sheet of each copy of plans, the title page of the specifications, and any additional supporting information submitted. The acceptable manner of signing and sealing is established by each professional licensing board. Where the document includes the work of more than one professional, each professional shall sign and seal the work that he prepared.

There are some instances when the signature and seal of a licensed/registered design professional is not required on construction documents:

- a) On applications for construction or rehabilitation to single-family detached dwellings, including accessory structures, for the exclusive occupancy of the owner, who also has prepared the construction documents by himself or herself. In the event the owner does not construct the dwelling by himself or herself, licensed/certified/registered contractors are required, as applicable [N.J.A.C. 5:23-2.15(f)1.ix].
- b) When the construction official waives the requirement for plans because the work is of a minor nature [N.J.A.C. 5:23-2.15(f)1.x].
- c) Plans for Class 3 structures may be prepared by persons licensed or certified pursuant to their respective laws and rules, such as plumbing, electrical, and heating, ventilation, air conditioning and refrigeration (HVACR), and fire protection equipment contractors, respectively [N.J.A.C. 5:23-2.15(f)1.vii].

HOW ARCHITECTS MUST SIGN AND SEAL:

Site plans of projects or construction documents required to be submitted for review and/or approval by any State, county, or municipal agency shall bear the title block of the architect, including the essential elements required by the New Jersey State Board of Architects regulations (N.J.A.C. 13:27-6), including:

1. The full name of the architect, architectural firm, or company;
2. The address of the architect or architectural firm;

3. The name of the client and the location of the project;
4. The name and license number of the architect in responsible charge; and
5. The signature and raised professional seal of the architect in responsible charge (a rubber stamp of a seal is not acceptable). As of May 1, 2017, digitally-transmitted plans with electronic seals affixed in accordance with N.J.A.C. 13:27-6.5 should be accepted. (* See page 4 for more information regarding digital signatures and seals.)

At the time of registration, a professional seal press for the newly licensed architect is ordered by the Board of Architects. This process may take four to six weeks. In the event that it becomes necessary to submit construction documents for review or approval prior to receipt of the seal press, the Board will verify the architect's registration to the reviewing agency and request that the construction documents be accepted for consideration without the required impression of the seal.

HOW ENGINEERS MUST SIGN AND SEAL:

Site plans and construction documents required to be submitted for review and/or approval by any State, county, or municipal agency shall bear the title block of the professional engineer and/or land surveyor containing the following essential elements required by the New Jersey Board of Professional Engineers and Land Surveyors regulations (N.J.A.C. 13:40-8):

1. The name and location of the project;
2. The name of the engineering or land surveying individual, firm, partnership, corporation, professional association, or professional service corporation;
3. The full name and certificate number of the person(s) in responsible charge;
4. The title, "professional engineer" and/or "land surveyor," spelled out; and
5. The handwritten signature and impression-type seal of the person(s) in responsible charge, and the date when signed (a rubber stamp of a seal is not acceptable). As of November 16, 2015, digitally-transmitted plans with electronic seals affixed in accordance with N.J.A.C. 13:40-8.1 and 8.1A should be accepted. (* See page 4 for more information regarding digital signatures and seals.)

In some cases, all or parts of construction documents may bear more than one separate completed title block. This would signify that the submitting design professionals are either associated in the project design, or that one architect or engineer is "in responsible charge" over others in the project. As long as construction documents are signed and sealed by the architect or engineer responsible for that portion of the design, according to the Building Design Services Act, and that individual is licensed to practice in New Jersey, the signing and sealing requirement of the UCC has been met.

WHO MAY SIGN AND SEAL? ARCHITECT OR ENGINEER:

The following chart with explanatory notes designates projects by Group and sets forth those which may be designed, prepared, signed, and sealed by licensed architects and professional engineers, or both, as indicated. For complete details, it is necessary to refer to the Building Design Services Act, effective as of May 7, 1990.

BUILDING SUBCODE GROUP CLASSIFICATION DESIGN PROFESSIONAL

A-1 Theaters	Architect
A-2 Assembly Structures	Architect
A-3 Assembly Structures	Architect
A-4 Indoor Assembly	Architect
A-5 Outdoor Assembly	Architect or Engineer
B – Business	Architect
EXCEPTIONS	
(a) Car-Wash Facilities	Architect or Engineer
(b) Materials Testing Laboratories	Architect or Engineer
(c) Data Processing Relay, or Equipment Facilities and Telephone Exchanges	Architect or Engineer
E - Educational	Architect
F - Factory and Industrial	Architect or Engineer
H - High Hazard	Architect or Engineer
I - Institutional	Architect
M - Mercantile	Architect
R - Residential	Architect
S - Storage	Architect or Engineer
U - Utility	Architect or Engineer

SPECIAL SITUATIONS:

1. Only professional engineers may sign and seal plans for "engineering works" in the Utility Group such as a sewage, water treatment, power plant, or transportation system.
2. Either an architect or an engineer may sign and seal plans for "engineering systems," by law defined as those systems necessary for the proper functioning of a building and surrounding site, which systems include but are not limited to structural (soil tests, footing and foundation, framing, roofing, etc.), electrical, heating, lighting, acoustical, ventilation, air conditioning, grading, plumbing, drainage, fire protection, elevators, and energy conservation.
3. For a mixed use, which the law terms "an ancillary part of an engineering project," professional engineers may sign and seal plans for buildings and portions of buildings in a non-permitted Group only where the building or portion is an ancillary part of an engineering project, and the area of incidental use does not constitute more than ten percent of the building's total floor area or 2,000 square feet, whichever is greater.
4. Only engineers may sign and seal plans for drainage systems for sites greater than ten acres involving a stormwater detention basin, or traversed by a water course.
5. ***The types of buildings under this law are based on the building subcode group categories.*** The boards that regulate the professions of architecture and engineering or the Joint Committee will use these categories in determining whether an architect or an engineer may design a particular building. ***The group for the application of the code (not for deciding who may make submissions) should be determined on the basis of the latest adopted edition of the code.***

In cases where identifying an architect or engineer as the design professional is still difficult, you may direct your questions to the Department of Community Affairs' Code Assistance Unit at (609) 984-7609, or ask for resolution by the Joint Committee of Architects and Engineers by contacting either the Board of Architects at (973) 504-6385 or the Board of Professional Engineers and Land Surveyors at (973) 504-6460.

** Pursuant to the rules adopted for digital sealing by the Board of Architects and the Board of Professional Engineers and Land Surveyors, the digital signature and seal must be:*

- i. Unique to the licensee;*
- ii. Verifiable by a trusted third party or some other approved process as belonging to the licensee;*
- iii. Under the licensee's direct and exclusive control; and*
- iv. Linked to a document in such a manner that the digital signature and seal is invalidated if any data in the document is [sic] changed. Once the digital signature and seal are applied to the document, the document shall be available in read-only format if the document is to be digitally transmitted.*