

## **Code of Conduct**

This code was adopted by the Board in March, 1990.

### **(1) Competence.**

(a) In practicing landscape architecture, a landscape architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which is ordinarily applied by landscape architects of good standing, practicing in the same locality.

(b) In designing a project, a landscape architect shall take into account all applicable state and municipal laws and regulations. While a landscape architect may rely on the advice of other professionals (e.g. architects, attorneys, engineers, and other qualified persons) as to the intent and meaning of such laws and regulations, once having obtained such advice, a landscape architect shall not knowingly design a project in violation of such laws and regulations.

(c) A landscape architect shall undertake to perform professional services only when he or she, together with those whom the landscape architect may engage as consultants, are qualified by education, training and experience in the specific technical areas involved.

(d) No person shall be permitted to practice landscape architecture if, in the Board's judgement, such a person's professional competence is substantially impaired by physical or mental disabilities.

### **(2) Conflict of Interest.**

(a) A landscape architect shall not accept compensation for his or her services from more than one party on a project unless the circumstances are fully disclosed to and agreed to (such disclosure and agreement to be in writing) by all interested parties.

(b) If a landscape architect has any business association, or direct or indirect financial interest, which may influence his or her judgement in connection with his or her performance of professional services, the landscape architect shall fully disclose in writing to his or her client or employer the nature of the business association or financial interest, and if the client or employer objects to such association or financial interest, the landscape architect will either terminate such association or interest or offer to give up the commission or employment.

(c) A landscape architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(d) When acting as the interpreter of contract documents and the judge of contract performance, a landscape architect shall render decisions impartially, favoring neither party to the contract.

### **(3) Full Disclosure.**

(a) A landscape architect, making public statements on landscape architectural questions, shall disclose when he or she is being compensated for making such statement.

(b) A landscape architect shall accurately represent to a prospective or existing client or employer his or her qualifications and the scope of his or her responsibility in connection with work for which he or she is claiming credit.

(c) If, in the course of his or her work on a project, a landscape architect becomes aware of a decision taken by his or her employer or client, against the landscape architect's advice, which violates applicable state or municipal laws and regulations and which will, in the landscape architect's judgement, materially affect adversely the safety to the public of the finished project, the landscape architect shall:

1. Report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal laws and regulations, and

2. Refuse to consent to the decision, and

3. In circumstances where the landscape architect reasonably believes that other such decisions will be taken notwithstanding his or her objection, terminate his or her services with reference to the project.

4. In the case of termination in accordance with 3., the landscape architect shall have no liability to his/her client or employer on account of such termination.

(d) A landscape architect shall not deliberately make a materially false statement or fail deliberately to disclose a material fact requested in connection with his or her application for registration or renewal.

(e) A landscape architect shall not assist the application for registration of a person known by the landscape architect to be unqualified in respect to education, training, experience, or character.

(f) A landscape architect possessing knowledge of a violation of these rules by another landscape architect shall report such knowledge to the Board.

**(4) Compliance with Laws.**

(a) A landscape architect shall not, in the conduct of his or her landscape architectural practice, knowingly violate any state or federal criminal law.

(b) A landscape architect shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgement in connection with a prospective or existing project in which the landscape architect is interested.

(c) A landscape architect shall comply with the registration laws and regulations governing his or her professional practice in any United States jurisdiction.

**(5) Professional Conduct.**

(a) Each office maintained for the preparation of drawings, specifications, reports, or other professional work shall have a landscape architect present and regularly employed in that office having direct knowledge and supervisory control of such work.

(b) A landscape architect shall neither offer nor make any gifts with the intent of influencing the judgement of any existing or prospective client in connection with a project in which the landscape architect is interested. This does not exclude the offer or giving of reasonable business entertainment or hospitality to existing or prospective clients for such purpose.

(c) A landscape architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.

(d) A landscape architect shall not sign or seal drawings, specifications, reports or other professional work for which he or she does not have direct professional knowledge and direct supervisory control, provided, however, that in the case of portions of such professional work prepared by the landscape architect's consultants registered under this or another professional registration law of this State, the landscape architect may sign or seal the portion of the professional work if the landscape architect has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.