

*ENABLING LEGISLATION
DPOR REGULATIONS*

§ 54.1-100. Regulations of professions and occupations.
The right of every person to engage in any lawful profession, trade or occupation of his choice is clearly protected by both the Constitution of the United States and the Constitution of the Commonwealth of Virginia. The Commonwealth cannot abridge such rights except as a reasonable exercise of its police powers when it is clearly found that such abridgment is necessary for the preservation of the health, safety and welfare of the public. No regulation shall be imposed upon any profession or occupation except for the exclusive purpose of protecting the public interest when:

VIOLATING ANY STATUE

§ 54.1-111. Unlawful acts;
prosecution; proceedings in equity;
civil penalty.

A. It shall be unlawful for any
person, partnership, corporation
or other entity to engage in any of
the following acts:

VIOLATING ANY STATUE

§ 54.1-111. Unlawful acts; prosecution;
proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership,
corporation or other entity to engage in any of
the following acts:

8. Violating any statute or regulation
governing the practice of any
profession or occupation regulated
pursuant to this title

§ 54.1-401. Exemptions. The following shall be exempted from the provisions of this chapter:

1. Practice of professional engineering and land surveying by a licensed architect when such practice is incidental to what may be properly considered an architectural undertaking.
2. Practice of architecture and land surveying by a licensed professional engineer when such practice is incidental to an engineering project.

PLAT ENDORSEMENTS

§ 15.2-2262. Requisites of plat.

Every subdivision plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse

the word shall always means
mandatory

deemed to prohibit the preparation of preliminary studies, plans or plats of a proposed subdivision by the owner of the land, city planners, land planners, architects, landscape architects or others having training or experience in subdivision planning or design.

(Code 1950, § 15-790; Code 1950, § 15-967.11; 1962, c. 407, § 15.1-476; 1997, c. 587.)

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Every subdivision plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse upon each plat a certificate signed by him setting forth the source of

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PLAT ENDORSEMENTS

§ 15.2-2262. Requisites of plat.

Every subdivision plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse upon each plat a certificate signed by him setting forth the source of title of the owner of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired

setting forth the source of title

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§ 54.1-401. Exemptions. The following shall be exempted from the provisions of this chapter:

1. Practice of professional engineering and land surveying by a licensed architect when such practice is incidental to what may be properly considered an architectural undertaking.

licensed architects are not authorized under Section 15.2-2262 to prepare a subdivision plat or sign the source of title certificate

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licensed professional engineers are legally entitled to practice land surveying that is incidental to an engineering project and to also prepare subdivision plats.

2. Practice of architecture and land surveying by a licensed professional engineer when such practice is incidental to an engineering project.

PLAT STANDARDS

§ 15.2-2241. Mandatory provisions of a subdivision ordinance.

A subdivision ordinance shall include reasonable regulations and provisions that apply to or provide:

1. For plat details which shall meet the standard for plats as adopted under § 42.1-82 of the Virginia Public Records Act (§ 42.1-76 et seq.);
2. For the coordination of streets within and contiguous to the subdivision with other existing or planned streets within the general area as to location, widths, grades and drainage, including, for ordinances and amendments thereto adopted on or after January 1, 1990, for the coordination of such streets with existing or planned streets in existing or future adjacent or contiguous to adjacent subdivisions;
3. For adequate provisions for drainage and flood control and other public purposes, and for light and air, and for identifying soil characteristics;
4. For the extent to which and the manner in which streets shall be graded, graveled or otherwise improved and water and storm and sanitary sewer and other public utilities or other community facilities are to be installed;

PLAT STANDARDS

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1. For plat details which shall meet the standard for plats as adopted under § 42.1-82 of the Virginia Public Records Act (§ 42.1-76 et seq.);

**shall: legal context always means
mandatory**

3. For adequate provisions for drainage and flood control and other public purposes, and for light and air, and for identifying soil characteristics;
4. For the extent to which and the manner in which streets shall be graded, graveled or otherwise improved and water and storm and sanitary sewer and other public utilities or other community facilities are to be installed;

PLAT SUBMITTED

§ 15.2-2258. Plat of proposed subdivision and site plans to be submitted for approval.

Whenever the owner or proprietor of any tract of land located within any territory to which a subdivision ordinance applies desires to subdivide the tract, he shall submit a plat of the proposed subdivision to the planning commission of the locality, or an agent designated by the governing body thereof for such purpose. When any part of the land proposed for subdivision lies in a drainage district such fact shall be set forth on the plat of the proposed subdivision.

When any grave, object or structure marking a place of burial is located on the land proposed for subdivision, such grave, object or structure shall be identified on any plans or site plans required by this article. When the land involved lies wholly or partly within an area subject to the joint control of more than one locality, the plat shall be submitted to the planning commission or other designated agent of the locality in which the tract of land is located. Site plans or plans of development required by provision 8 of § 15.2-2286 shall also be subject to the provisions of §§ 15.2-2258 through 15.2-2261, mutatis mutandis.

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RECORDING STATUTES

§ 17.1-236. Recordation of plats and maps.

All plats and maps may in the discretion of the clerks of the several circuit courts be recorded in a book to be known as the plat book. In case of such recordation of any plat or map which is attached to or made a part of any deed, deed of trust or writing which is recorded in the deed book, an appropriate note shall be made on the deed book where such deed, deed of trust or other writing is recorded, referring to the plat book and page where the plat or map is recorded and the clerk shall endorse on the plat and plat book the date of the recordation and a reference by book and page to the recorded instrument of which it is a part and shall sign the certificate. In those courts where deeds and other writings are recorded by a procedural microfilm recording system, all plats shall be recorded with the deeds and other writings and indexed in the general index to deeds. Wherever plats are maintained singly, as in a cabinet or on microfilm aperture cards, they shall be cross-referenced with the deed books in the same manner as prescribed herein when plats are recorded in a separate plat book. All plats submitted for recordation shall meet the standards for plats as adopted under § 42.1-82 of the Virginia Public Records Act (§ 42.1-76 et seq.).

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POWERS OF BOARD

§ 42.1-82. Duties and powers of Library Board.

A. The State Library Board shall:

1. Issue regulations concerning procedures for the disposal of physical

Statute Code Section 42.1-85

documents by (i) shredding, (ii) erasing, or (iii) otherwise modifying the social security numbers in those records to make them unreadable or undecipherable by any means.

2. Issue regulations and guidelines designed to facilitate the creation, preservation, storage, filing, reformatting, management, and destruction of public records by agencies. Such regulations shall mandate procedures for records management and include recommendations for the creation, retention, disposal, or other disposition of public records.

B. The State Library Board may establish advisory committees composed of persons with expertise in the matters under consideration to assist the Library Board in developing regulations and guidelines.

PLATTING STANDARDS

17VAC15-60-10. Statement of applicability.

These standards shall apply to all plats and maps submitted for recordation in the circuit courts of the Commonwealth.

Statutory Authority

§§42.1-8 and 42.1-82 of the Code of Virginia.

17VAC15-60-20. Recording medium.

Documents size shall be between 8 ½ X 11 and 18 X 24 inches, and the scale shall be appropriate to the size of the paper. Original plats shall be inscribed on either translucent or opaque paper, polyester or linen. The background quality for opaque paper shall be uniformly white, smooth in finish, unglazed, and free of visible watermarks or background logos. Only the original or a first generation unreduced black or blue line copy of the original plat drawing, which meets the quality inscription standards noted below and has the stamp and original signature of the preparer, shall be submitted for recordation.

A plat prepared prior to 1986 which is being entered as reference can be recorded if the current landowner's notarized signature appears on the plat. Changes or alterations made to any original plat must be accompanied by the stamp and signature of the preparer who did the changes/alterations. Any plats exempted from this chapter under the Code of Virginia can be recorded with the notarized signature of the original preparer.

17VAC15-60-20. Recording medium.

Documents size shall be between 8 ½ X 11 and 18 X 24 inches, and the scale shall be appropriate to the size of the paper. Original plats shall be inscribed on either translucent or opaque paper, polyester or linen. The background quality for opaque paper shall be uniformly white, smooth in finish, unglazed, and free of visible watermarks or background logos. Only the original or a first generation unreduced black or blue line copy of the original plat drawing, which meets the quality inscription standards noted below and has the stamp and original signature of the preparer, shall be submitted for recordation.

17VAC15-60-30. Quality inscription standards.

Color of original inscription shall be black or blue and be solid, uniform, dense, sharp, and unglazed. Signatures shall be in dark blue or black ink. Lettering shall be no less than 1/10 inch or 2.54 mm in height. Lettering and line weight shall be no less than .013 inches or .3302 mm. Letter and line spacing for control pencil drawings shall be no less than .050 inches and for ink drawings no less than .040 inches. The drawing substance must be either wet ink or control pencil but not a combination thereof. Good drafting practices shall be followed when eliminating ghost lines and when doing erasures, and all shading and screening shall be eliminated over written data. Inscriptions shall meet standards established herein, and Engineering Drawing and Related Documentation Practices - Line Conventions and Lettering (ANSI Y14.2M - 1987), Technical Drawing - Lettering - Part I: Currently Used Characters (ISO 309 8/1-1974) Technical Drawings - Sizes and Layout of Drawing Sheets ISO 5457 - 1980 shall be consulted as guidelines.

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17VAC15-60-40. Format for copies.

Margins shall be at least $\frac{1}{4}$ inch on all sides, and inscriptions are to be made on only one side of the paper. All drawings shall have centering marks on each side, adjacent and outside the margins. Match lines or grid tics delineating $8\frac{1}{2}$ X 11 inch sections shall be inscribed on all plats larger than $8\frac{1}{2}$ X 11 inches, to create the least number of grid blocks possible and be located adjacent and inside the margins. Continuation sheets of multi-sheet drawings shall be the same size as the first sheet.

17VAC15-60-50. Recording standards.

Recordation inscriptions shall be by clerk's printed certificate, stamping, typing or handwriting and shall conform to the quality inscription standards noted above.

17VAC15-60-60. Exclusion.

A first generation copy of an original plat drawing dated prior to July 1, 1986, shall be admitted to record subject to the requirements of 17VAC15-60-20.

17VAC15-60-40. Format for copies.

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§54.1-100

§ 54.1-100. Regulations of professions and occupations. The right of every person to engage in any lawful profession, trade or occupation of his choice is clearly protected by both the Constitution of the United States and the Constitution of the Commonwealth of Virginia. The Commonwealth cannot abridge such rights except as a reasonable exercise of its police powers when it is clearly found that such abridgment is necessary for the preservation of the health, safety and welfare of the public. No regulation shall be imposed upon any profession or occupation except for the exclusive purpose of protecting the public interest when:

§54.1-100

1. The unregulated practice of the profession or occupation can harm or endanger the health, safety or welfare of the public, and the potential for harm is recognizable and not remote or dependent upon tenuous argument;
2. The practice of the profession or occupation has inherent qualities peculiar to it that distinguish it from ordinary work and labor;
3. The practice of the profession or occupation requires specialized skill or training and the public needs, and will benefit by, assurances of initial and continuing professional and occupational ability; and
4. The public is not effectively protected by other means.

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WE ARE CHARGED WITH THE PROTECTION OF THE HEALTH ,SAFETY, AND WELFARE OF THE PUBLIC

§ 54.1-100

2. The practice of the profession or occupation has inherent qualities peculiar to it that distinguish it from ordinary work and labor;

SURVEYING IS BOTH SCIENCE AND ART

§54.1-100

3. The practice of the profession or occupation requires specialized skill or training and the public needs, and will benefit by, assurances of initial and continuing professional and occupational ability; and

ASSURANCES OF CONTINUING
PROFESSIONAL ABILITY

§54.1-100

1. The unregulated practice of the profession or occupation can harm or endanger the health, safety or welfare of the public, and the potential for harm is recognizable and not remote or dependent upon tenuous argument;

2. The practice of the profession or occupation has inherent qualities peculiar to it that distinguish it from ordinary work and labor;

4. The public is not effectively protected by other means.

§ 54.1-104. Suspension of license, certificate, registration, or authority for dishonor of fee payment; reinstatement.

The Department of Professional and Occupational Regulation and the Department of Health Professions may suspend the license, certificate, registration or authority it has issued any person who submits a check, money draft or similar instrument for payment of a fee required by statute or regulation which is not honored by the bank or financial institution named. The suspension shall become effective ten days following delivery by certified mail of written notice of the dishonor and the impending suspension to such person's address. Upon notification of suspension, the person may reinstate the license, certificate, registration or authority upon payment of the fee and penalties required under statute or regulation. Suspension under this provision shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.). (1980, c. 433, § 54-1.2:1; 1988, c. 765; 1993, c. 499.)

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**LEGAL CONTEXT OF MAY IS PERMISSIVE,
NOT MANDATORY**

§ 54.1-111. Unlawful acts; prosecution; proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership, corporation or other entity to engage in any of the following acts:

1. Practicing a profession or occupation without holding a valid license as required by statute or regulation.

§ 54.1-111. Unlawful acts; prosecution; proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership, corporation or other entity to engage in any of the following acts:

1. Practicing a profession or occupation without holding a valid license as required by statute or regulation.

2. Making use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly certified or licensed.

§ 54.1-111. Unlawful acts; prosecution; proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership, corporation or other entity to engage in any of the following acts:

1. Practicing a profession or occupation without holding a valid license as required by statute or regulation.

2. Making use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly certified or licensed.

3. Making use of any titles, words, letters or abbreviations which may reasonably be confused with a designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly certified or licensed.

§ 54.1-111. Unlawful acts; prosecution; proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership, corporation or other entity to engage in any of the following acts:

1. Practicing a profession or occupation without holding a valid license as

4. Performing any act or function which is restricted by statute or regulation to persons holding a professional or occupational license or certification, without being duly certified or licensed.

§ 54.1-111. Unlawful acts; prosecution; proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership, corporation or other entity to engage in any of the following acts:

1. Practicing a profession or occupation without holding a valid license as required by statute or regulation.
2. Making use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly certified or licensed.
3. Making use of any titles, words, letters or abbreviations which may reasonably be confused with a designation provided by statute or regulation to

5. Failing to register as a practitioner of a profession or occupation as required by statute or regulation.

§ 54.1-111. Unlawful acts; prosecution; proceedings in equity; civil penalty.

A. It shall be unlawful for any person, partnership, corporation or other entity to engage in any of the following acts:

1. Practicing a profession or occupation without holding a valid license as required by statute or regulation.
2. Making use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly certified or licensed.
3. Making use of any titles, words, letters or abbreviations which may reasonably be confused with a designation provided by statute or regulation to

6. Materially misrepresenting facts in an application for licensure, certification or registration.

facts in "ANY" application

VIOLATING ANY STATUE

7. Willfully refusing to furnish a regulatory board information or records required or requested pursuant to statute or regulation.

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8. Violating any statute or regulation governing the practice of any profession or occupation regulated pursuant to this title.

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7. Willfully refusing to furnish a regulatory board information or records required or requested pursuant to statute or regulation.
8. Violating any statute or regulation governing the practice of any profession or occupation regulated pursuant to this title.
9. Refusing to process a request, tendered in accordance with the regulations of the relevant health regulatory board or applicable statutory law, for patient records or prescription dispensing records after the closing of a business or professional practice or the transfer of ownership of a business or professional practice.

VIOLATING ANY STATUE

7. Willfully refusing to furnish a regulatory board information or records required or requested pursuant to statute or regulation.
 8. Violating any statute or regulation governing the practice of any profession or occupation regulated pursuant to this title.
 9. Refusing to process a request, tendered in accordance with the regulations of the relevant health regulatory board or applicable statutory law, for patient records or prescription dispensing records after the closing of a business or professional practice or the transfer of ownership of a business or professional practice.
- Any person who willfully engages in any unlawful act enumerated in this section shall be guilty of a Class 1 misdemeanor. The third or any subsequent conviction for violating this section during a thirty-six-month period shall constitute a Class 6 felony.

VIOLATING ANY STATUE

Any person who willfully engages in any unlawful act enumerated in this section shall be guilty of a Class 1 misdemeanor. The third or any subsequent conviction for violating this section during a thirty-six-month period shall constitute a Class 6 felony.

B. In addition to the criminal penalties provided for in subsection A, the Department of Professional and Occupational Regulation or the Department of Health Professions, without compliance with the Administrative Process Act (§ 2.2-4000 et seq.), shall have the authority to enforce the provisions of subsection A and may institute proceedings in equity to enjoin any person, partnership, corporation or any other entity from engaging in any unlawful act enumerated in this section and to recover a civil penalty of at least \$200 but not more than \$1,000 per violation, with each unlawful act constituting a separate violation; but in no event shall the civil penalties against any one person, partnership, corporation or other entity exceed \$10,000 per year. Such proceedings shall be brought in the name of the Commonwealth by the appropriate Department in the circuit court or general district court of the city or county in which the unlawful act occurred or in which the defendant resides.

C. This section shall not be construed to prohibit or prevent the owner of patient records from (i) retaining copies of his patient records or prescription dispensing records after the closing of a business or professional practice or the transfer of ownership of a business or professional practice or (ii) charging a reasonable fee, not in excess of the amounts authorized in § 8.01-413, for copies of patient records.

B. In addition to the criminal penalties provided for in subsection A, the Department of Professional and Occupational Regulation or the Department without compliance with the Administrative Process Act (§ 2.2-4000 et seq.), shall have the authority to enforce the provisions of subsection A and may institute proceedings in equity to enjoin any person, partnership, corporation or any other entity from engaging in any unlawful act enumerated in this section and to recover a civil penalty of at least \$200 but not more than \$1,000 per violation, with each unlawful act constituting a separate violation; but in no event shall the civil penalties against any one person, partnership, corporation or other entity exceed \$10,000 per year.

(i) the transfer of ownership of a business or professional practice or (ii) charging a reasonable fee, not in excess of the amounts authorized in § 8.01-413, for copies of patient records.

§ 54.1-201. Powers and duties of regulatory boards.
The powers and duties of regulatory boards shall be as follows:

- 1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.**

§ 54.1-201. Powers and duties of regulatory boards.

The powers and duties of regulatory boards shall be as follows:

1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.

2. To examine, or cause to be examined, the qualifications of each applicant for certification or licensure within its particular regulatory system, including when necessary the preparation, administration and grading of examinations.

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2. To examine, or cause to be examined, the qualifications of each applicant for certification or licensure within its particular regulatory system, including when necessary the preparation, administration and grading of examinations.

3. To certify or **license qualified applicants as practitioners of the particular profession or occupation regulated by such board.**

§ 54.1-201. Powers and duties of regulatory boards.

The powers and duties of regulatory boards shall be as follows:

1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation

4. To levy and collect fees for certification or licensure and renewal that are sufficient to cover all expenses for the administration and operation of the regulatory board and a proportionate share of the expenses of the Department of Professional and Occupational Regulation and the Board for Professional and Occupational Regulation.

§ 54.1-201. Powers and duties of regulatory boards

5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.) and 3 (§ 54.1-300 et seq.) of this title.

§ 54.1-201. Powers and duties of regulatory boards

5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to

To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency,

6. To ensure that inspections are conducted relating to the practice of each practitioner certified or licensed by the regulatory board to ensure that the practitioner is conducting his practice in a competent manner and within the lawful regulations promulgated by the board.

7. To place a regulant on probation or revoke, suspend or fail to renew a certificate or license for just causes as enumerated in regulations of the board. Conditions of probation may include, but not be limited to the successful completion of remedial education or examination.

§ 54.1-201. Powers and duties of regulatory boards

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5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.)

7. To place a regulant on probation or revoke, suspend or fail to renew a certificate or license for just causes as enumerated in regulations of the board. Conditions of probation may include, but not be limited to the successful completion of remedial education or examination.

§ 54.1-201. Powers and duties of regulatory boards

8. To receive complaints concerning the conduct of any person whose activities are regulated by the regulatory board and to take appropriate disciplinary action if warranted.

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8. To receive complaints concerning the conduct of any person whose activities are regulated by the regulatory board and to take appropriate disciplinary action if warranted.

9. To promulgate canons of ethics under which the professional activities of persons regulated shall be conducted.

§ 54.1-202. Monetary penalty.

A. Any person licensed or certified by a regulatory board who violates any statute or regulation pertaining to that regulatory board who is not criminally prosecuted shall be subject to the monetary penalty provided in this section. If a regulatory board determines that a respondent is guilty of the violation complained of, the board shall determine the amount of the monetary penalty for the violation, which shall not exceed \$2,500 for each violation. The penalty may be sued for and recovered in the name of the Commonwealth.

§ 54.1-202. Monetary penalty.

A Any person licensed or certified by a regulatory board who violates any statute or regulation pertaining to that regulatory board who is not criminally prosecuted shall be subject to the monetary penalty provided in this section.

\$2,500 max for each violation

B. Any regulatory board within the Department of Professional and Occupational Regulation may adopt a resolution delegating to the Director the authority to enter into consent agreements on behalf of the regulatory board with regulants of the board. Such resolution shall specify the types of violations to which the delegation applies and the maximum monetary penalty that may be imposed in a consent agreement for each regulatory violation. No delegation of authority pursuant to this subsection shall provide for a monetary penalty over \$2,500 per regulatory violation.

§ 54.1-203. Recovery of cost after grant of formal fact-finding. After a formal fact-finding pursuant to § ~~2.2-4020~~ wherein a sanction is imposed to fine, or to suspend, revoke or deny renewal of any license, certificate or registration, the regulatory board or the Department may assess the holder thereof the cost of conducting such fact-finding when the board or Department has final authority to grant such license, certificate or registration, unless the board or Department determines that the offense was inadvertent or done in a good faith belief that such act did not violate a statute or regulation. The cost shall be limited to (i) the reasonable hourly rate for the hearing officer and (ii) the actual cost of recording the proceedings. (1983, c. 401, § 54-1.22:1; 1988, c. 765.)

§ 54.1-203. Recovery of cost after grant of formal fact-finding. the regulatory board or the Department may assess the holder thereof the cost of conducting such fact-finding when the board or Department has final authority to grant such license, certificate or registration, unless the board or Department determines that the offense was inadvertent or done in a good faith belief that such act did not violate a statute or regulation

§ 54.1-404. Regulations; code of professional practice and conduct.

The Board shall promulgate regulations not inconsistent with this chapter governing its own organization, the professional qualifications of applicants, the requirements necessary for passing examinations in whole or in part, the proper conduct of its examinations, the implementation of exemptions from license requirements, and the proper discharge of its duties.

§ 54.1-404. Regulations; code of professional practice and conduct.

The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. **The protection of the public health, safety and welfare;**

§ 54.1-404. Regulations; code of professional practice and conduct.

The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. The protection of the public health, safety and welfare;
- 2. The maintenance of standards of objectivity, truthfulness and reliability in public statements by professionals;**

§ 54.1-404. Regulations; code of professional practice and conduct.

The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. The protection of the public health, safety and welfare;
2. The maintenance of standards of objectivity, truthfulness and reliability in public statements by professionals;
- 3. The avoidance by professionals of conflicts of interests;**

§ 54.1-404. Regulations; code of professional practice and conduct.

The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. The protection of the public health, safety and welfare;
2. The maintenance of standards of objectivity, truthfulness and reliability in public statements by professionals;

5. The restriction by the professional in the conduct of his professional activity from association with any person engaging in illegal or dishonest activities; or

§ 54.1-404. Regulations; code of professional practice and conduct.

The regulations may include a code of professional practice and conduct, the provisions of which shall serve any or all of the following purposes:

1. The protection of the public health, safety and welfare;
2. The maintenance of standards of objectivity, truthfulness and reliability in public statements by professionals;
3. The avoidance by professionals of conflicts of interests;
4. The prohibition of solicitation or acceptance of work by professionals on any basis other than their qualifications for the work offered.

6. The limitation of professional service to the area of competence of each professional.

§ 54.1-405. Examinations and issuance of licenses and certificates. The Board shall hold at least one examination each year at times and locations designated by the Board. A license to practice as a professional engineer, an architect, or a land surveyor, or a certificate to practice as a landscape architect shall be issued to every applicant who complies with the requirements of this chapter and the regulations of the Board. A license shall be valid during the life of the holder unless revoked or suspended by the Board. A license holder must register with the Board to practice in the Commonwealth. The licenses or certificates shall be signed by at least four members of the Board.

(Code 1950, § 54-26; 1974, c. 534; 1980, c. 757; 1988, c. 765; 1992, c. 613; 1994, c. 29.) Designers

§ 54.1-405. Examinations and issuance of licenses and certificates. The Board shall hold at least one examination each year at times and locations designated by the Board. A license to practice as a professional engineer, an architect, or a land surveyor, or a certificate to practice as a landscape architect shall be issued to every applicant who complies with the requirements of this

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we are licensed for life

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(Code 1950, § 54-26; 1974, c. 534; 1980, c. 757; 1988, c. 765; 1992, c. 613; 1994, c. 29.) Designers



§ 54.1-406. License required.

A. Unless exempted by §§ 54.1-401, 54.1-402, or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

Unless exempted by § 54.1-401 or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of land surveying.

B. Unless exempted by § 54.1-402, any person, partnership, corporation or other entity offering to practice architecture, engineering, or land surveying without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § 54.1-111 of this title.

§ 54.1-406. License required.

A. Unless exempted by §§ 54.1-401, 54.1-402, or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

Unless exempted by § 54.1-401 or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of land surveying.

in accordance with the provisions of this chapter, shall be subject to the provisions of § 54.1-111 of this title.

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A. Unless exempted by §§ 54.1-401, 54.1-402, or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of architecture or engineering which includes design, consultation, evaluation or analysis and involves proposed or existing improvements to real property.

Unless exempted by § 54.1-401 or § 54.1-402.1, a person shall hold a valid license prior to engaging in the practice of land surveying.

MUST ALSO BE REGISTERED TO PRACTICE

corporation or other entity offering to practice architecture, engineering, or land surveying without being registered or licensed in accordance with the provisions of this chapter, shall be subject to the provisions of § 54.1-111 of this title.

C. The Board shall adopt regulations governing the registration of persons, corporations, partnerships, limited liability companies, sole proprietors and other entities as required in subsections A and B which:

1. Provide for procedural requirements to obtain and renew registration on a periodic basis;

C. The Board shall adopt regulations governing the registration of persons, corporations, partnerships, limited liability companies, sole proprietors and other entities as required in subsections A and B which:

1. Provide for procedural requirements to obtain and renew registration on a periodic basis;

2. Establish fees for the application and renewal of registration sufficient to cover costs;

C. The Board shall adopt regulations governing the registration of persons, corporations, partnerships, limited liability companies, sole proprietors and other entities as required in subsections A and B which:

1. Provide for procedural requirements to obtain and renew registration on a periodic basis;
2. Establish fees for the application and renewal of registration sufficient to cover costs;

3. Assure that regulated services are rendered and controlled by persons authorized to do so; and

C. The Board shall adopt regulations governing the registration of persons, corporations, partnerships, limited liability companies, sole proprietors and other entities as required in subsections A and B which:

1. Provide for procedural requirements to obtain and renew registration on a periodic basis;
2. Establish fees for the application and renewal of registration sufficient to cover costs;
3. Assure that regulated services are rendered and controlled by persons authorized to do so; and

4. Ensure that conflicts of interests are disclosed.

Va. Department of Professional
Occupation and Regulation
&
Virginia Association of Surveyors

- **18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.**

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

- A. The minimum standards and procedures set forth in this section are to be used for land boundary surveys performed in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the land boundary survey is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this chapter.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

- A. The minimum standards and procedures set forth in this section are to be used for land boundary surveying practice in the Commonwealth of Virginia. **does "are" mean mandatory?** The professional's seal, signature, and stamp on these regulations shall be evidence that the land boundary survey is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this chapter.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

- B. Research procedure.
The professional shall search the land records for the proper description of the land to be surveyed and obtain the description of adjoining land(s) as it pertains to the common boundaries. The professional **shall** have the additional responsibility to utilize such other available data pertinent to the survey being performed from any other known source(s).....

clerk of circuit court

old tax photos

other surveyors

old quad sheets

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

B. Research procedure (continued)

Evidence found, from all known sources, including evidence found in the field, shall be carefully compared in order to aid in the establishment of the **correct** boundaries of the land being surveyed and the adjoining land(s). It is not the intent of this regulation to require the professional to research the question of title or encumbrances on the land involved.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

B. Research procedure (continued)

Evidence found, from all known sources, including evidence found in the field, shall be carefully compared in order to aid in the establishment of the **correct** boundaries of
what are the correct boundaries
land(s). It is not the intent of this regulation to require the professional to research the question of title or encumbrances on the land involved.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

B. Research procedure (continued)

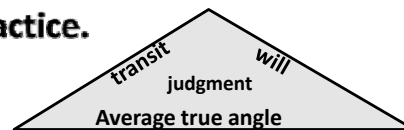
Evidence found, from all known sources, including evidence found in the field, shall be carefully compared in order to aid in the establishment of the correct boundaries of

be safe – report all

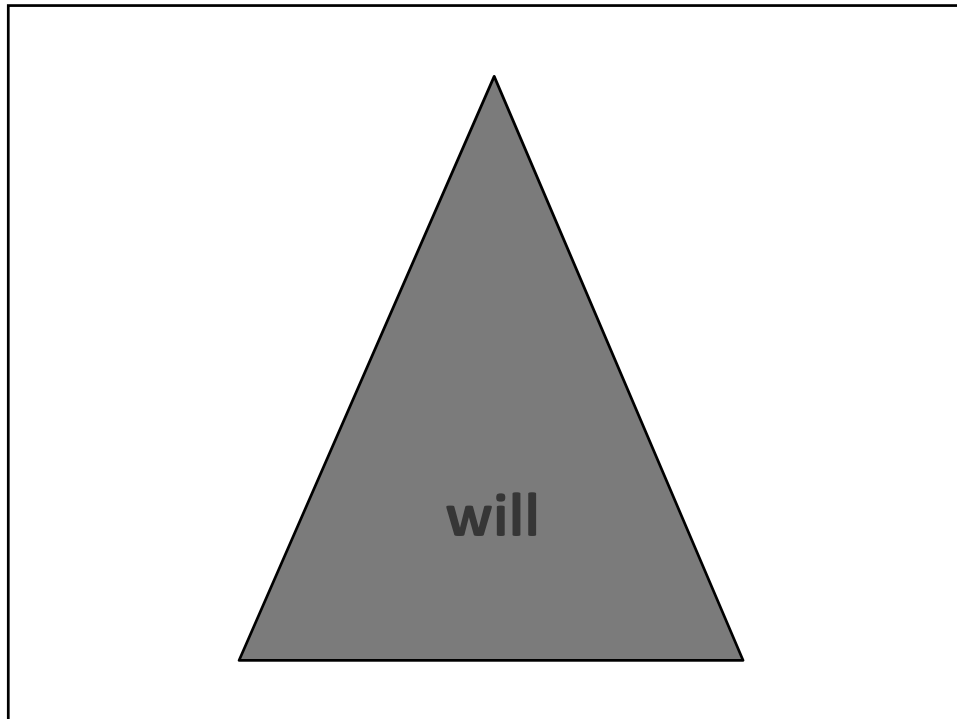
land(s). It is not the intent of this regulation to require the professional to research the question of title or encumbrances on the land involved.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

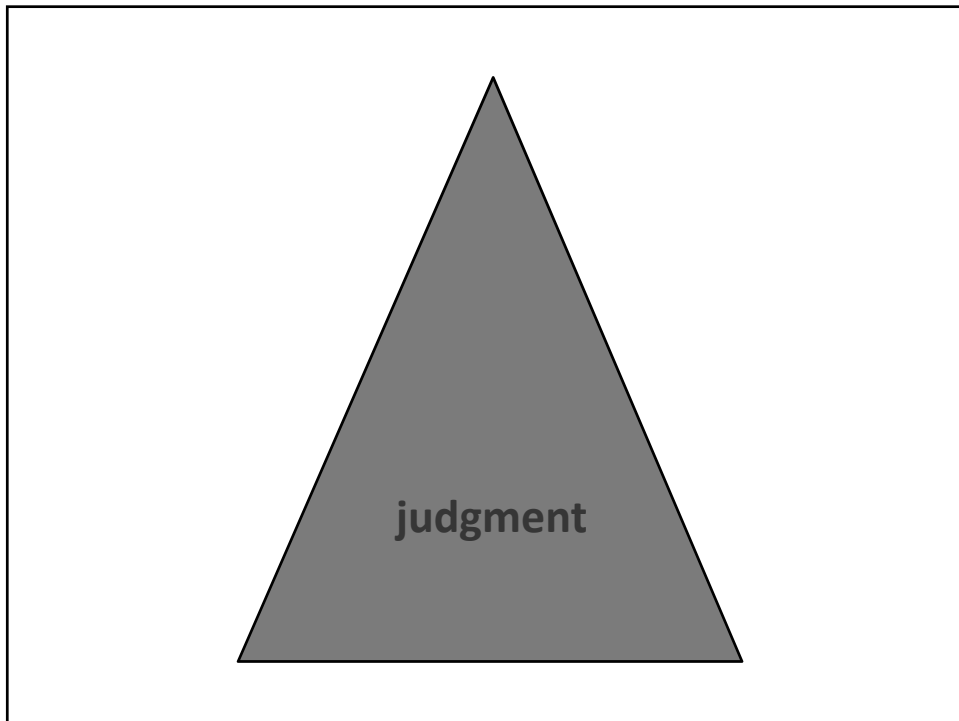
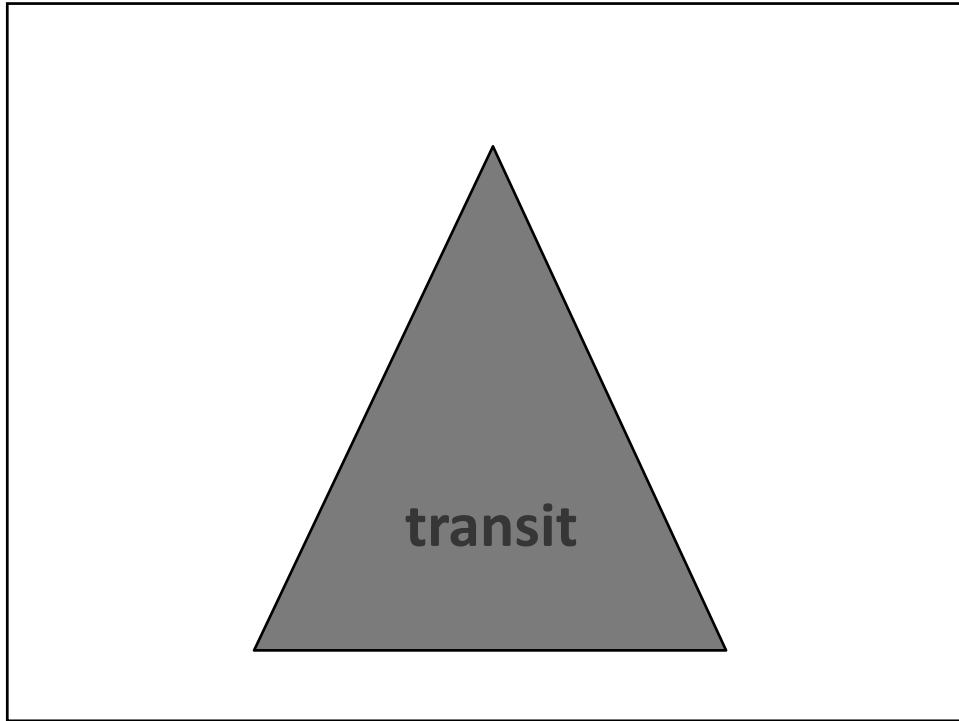


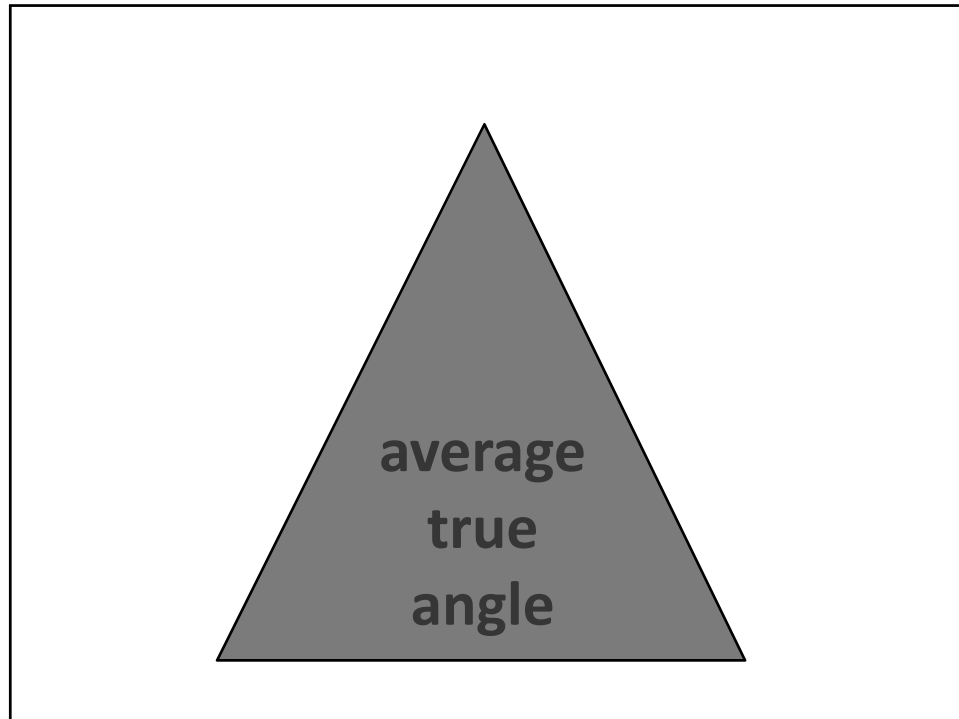
1. Angular measurement. Angle measurements made for traverse or land boundary survey lines **will** be made by using a properly adjusted **transit** type instrument which allows a direct reading to a minimum accuracy of 30 seconds of arc or metric equivalent. The number of angles turned at a given station or corner **will** be the number which, in the **judgment** of the professional, can be used to substantiate the **average true angle** considering the condition of the instrument being used and the existing field conditions.



18VAC10-20-390. Geodetic surveys.

All geodetic surveys, including the determination and publication of horizontal and vertical values utilizing Global Positioning Systems (GPS), which relate to the practice of land surveying as defined in § 54.1-400 of the Code of Virginia, as amended, ***shall be performed under the direct control and personal supervision of a licensed land surveyor*** as defined in Part I of these regulations.





18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

2. Linear measurement. Distance measurement for the lines of traverse or lines of the land boundary survey shall be made with metal tapes which have been checked and are properly calibrated as to incremental distances, or with properly calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane, and other necessary corrections shall be performed before using such linear measurements for computing purposes.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

2. Linear measurement. Distance measurement for the lines of traverse or lines of the land boundary survey shall be made with metal tapes which

shall is mandatory

calibrated electronic distance measuring equipment following instructions and procedures established by the manufacturer of such equipment. All linear measurements shall be reduced to the horizontal plane, and other necessary corrections shall be performed before using such linear measurements for computing purposes.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

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who determines properly calibrated

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18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

2. Linear measurement. Distance measurement for the lines of traverse or lines of the land boundary survey shall be made with metal tapes which have been checked and are properly calibrated as to incremental distances, or with properly calibrated electronic distance measuring equipment

should GPS be included?

measurements shall be reduced to the horizontal plane, and other necessary corrections shall be performed before using such linear measurements for computing purposes.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

3. Field traverse and land boundary closure and accuracy standards. For a land boundary survey located in a rural area, the maximum permissible error of closure for a field traverse shall be one part in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. For a land boundary survey located in an urban area, the maximum permissible error of closure for a traverse shall be one part in 20,000 (1/20,000).

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

3. Field traverse and land boundary closure and accuracy standards. For a land boundary survey

what determines rural or urban

in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. For a land boundary survey located in an urban area, the maximum permissible error of closure for a traverse shall be one part in 20,000 (1/20,000).

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

3. Field traverse and land boundary closure and accuracy standards. For a land boundary survey located in a rural area, the maximum permissible error of closure for a field traverse shall be one part in 10,000 (1/10,000). The attendant angular closure shall be that which will sustain the one part in 10,000 (1/10,000) maximum error of closure. For a land boundary survey located in an urban area, the maximum permissible error of closure for a traverse shall be **one part in 20,000 (1/20,000).**

..... **continued**

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

Continued

3. The attendant angular closure shall be that which will sustain the one part in 20,000 (1/20,000) maximum error of closure.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

Continued

3. The attendant angular closure shall be that which will sustain the one part in 20 000 (1/20 000)

The maximum permissible positional uncertainty based on the 95% confidence level of any independent boundary corner or independent point located on a boundary that has been established by utilizing global positioning systems shall not exceed the positional tolerance of 0.07 feet (or 20 mm + 50 ppm).

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

Continued

3. **0.07' per corner vs maximum error of 0.025' for an urban lot**

The maximum permissible positional uncertainty based on the 95% confidence level of any independent boundary corner or independent point located on a boundary that has been established by utilizing global positioning systems shall not exceed the positional tolerance of 0.07 feet (or 20 mm + 50 ppm).

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

4. Monumentation. As a requisite for completion of the work product, each land boundary survey of a tract or parcel of land *shall* be monumented with objects made of permanent material at all corners and changes of direction on the land boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and prescriptive rights-of-way, and each such monument, other than a natural monument, shall, when feasible, be identified by a temporary witness marker.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

4. Monumentation. As a requisite for completion of the work product, each land boundary survey of a tract or parcel of land **shall** be monumented

shall is mandatory

boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and prescriptive rights-of-way, and each such monument, other than a natural monument, shall, when feasible, be identified by a temporary witness marker.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

4. Monumentation. As a requisite for completion of the work product, each land boundary survey of a tract or parcel of land shall be monumented with objects made of permanent material **at all corners and changes of direction** on the land boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and prescriptive rights-of-way, and each such monument, other than a natural monument, shall, when feasible, be identified by a temporary witness marker.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

4. Monumentation. As a requisite for completion of prescriptive right of ways and no plan right of ways boundary with the exceptions of meanders, such as meanders of streams, tidelands, lakes, swamps and **prescriptive rights-of-way**, and each such monument, other than a natural monument, shall, when feasible, be identified by a temporary witness marker.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

Continued

4. Where it is not feasible to set actual corners, appropriate reference monuments shall be set, preferably on line, and the location of each shall be shown on the plat or map of the land boundary. All boundaries, both exterior and interior, of the original survey for any division or partition of land shall be monumented in accordance with the provisions of this subdivision, when such monumentation is not otherwise regulated by the provisions of a local subdivision ordinance.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

Continued

4. Where it is not feasible to set actual corners, appropriate reference monuments shall be set, preferably on line, and the location of each shall be shown on the plat or map of the land boundary. **All boundaries, both exterior and interior, of the original survey for any division or partition of land shall be monumented** in accordance with the provisions of this subdivision original survey of the parent tract or original survey of the division?

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

5. For land boundary surveys providing for a division when only the division, in lieu of the entire parcel, is being surveyed, ***any new corners established along existing property lines*** shall require that those existing property lines be established through their entire length. This shall include the recovery or re- establishment of the existing corners for each end of the existing property lines.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

C. Minimum field procedures.

5. For land boundary surveys providing for a division when only the division, in lieu of the entire parcel, is being surveyed, **any new corners established along existing property lines** shall require that those existing property lines be established through

wooden stake on line for
non division surveys?

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

1. Computations. The computation of field work data shall be accomplished by using the mathematical routines that **produce closures and mathematical results that can be compared with descriptions** and data of record. Such computations shall be used to determine the final land boundary of the land involved.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

2. Plats and maps. The following information shall be shown on all plats or maps, or both, used to depict the results of the land boundary survey:
 - a. The title of the land boundary plat **identifying** the land surveyed and showing the district, town, and county or city in which the land is located and **scale of drawing.**

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

2. Plats and maps. The following information shall be shown on all plats or maps, or both, used to depict the results of the land boundary survey:
 - a. The title of the land boundary plat identifying the land surveyed and showing the district, town, and county or city in which the land is located and scale of drawing.
 - b. The name of the owner of record and deed book reference where the acquisition was recorded.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

c. Names of all adjoining owners of record with deed book references, or subdivision lot designations.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

c. Names of all adjoining owners of record with deed book references, or subdivision lot designations.

d. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

c. Names of all adjoining owners of record with deed book references, or subdivision lot designations.

d. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).

be safe - report everything

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

e. Names of highways and roads with route number, and widths of right-of-way, and/or distance to the center of the physical pavement and pavement width, name of railroads, streams adjoining, crossing, or in close proximity to the boundary and other prominent or well-known objects which are informative as to the location of the land boundary.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

e. Names of highways and roads with route number, and widths of right-of-way, *and/or distance to the center of the physical pavement and pavement width*, name of railroads, streams adjoining, crossing, or in close proximity to the boundary and other prominent or well-known objects which are informative as to the location of the land boundary.

**variable width r/w or
pavement not in center R/W**

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

f. A distance to the nearest road intersection, or prominent or well known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

f. A distance to the nearest road intersection, or prominent or well known object. In cases of remote areas, a scaled position with the latitude and longitude *must* be provided.

is must mandatory?

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

f. A distance to the nearest road intersection, or prominent or well known object. In cases of remote areas, a scaled position with the latitude and longitude must be provided.

g. *Items crossing any property lines* such as, but not limited to, physical encroachments, and evidence of easements such as utilities and other physical features pertinent to the boundary of the property.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

what about items in close proximity that may be evidence of use lines that may impact ownership

g. Items crossing any property lines such as, but not limited to, physical encroachments, and evidence of easements such as utilities and other physical features pertinent to the boundary of the property.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

h. Bearings of all property lines and meanders to nearest 10 seconds of arc or metric equivalent.

10 seconds

i. Adequate curve data to accomplish mathematical closures.

radius – arc - delta

j. Distances of all property lines and meanders to the nearest one hundredth (.01) of a foot or metric equivalent.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

k. Pursuant to 18VAC10-20-370.C.5, the bearing and distances from the new corners to the existing corners on each end of the existing property lines.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

k. Pursuant to 18VAC10-20-370.C.5, the bearing and distances from the new corners to the existing corners on each end of the existing property lines.

l. For property located in rural areas, area to the nearest hundredth (.01) of an acre or metric equivalent.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

k. Pursuant to 18VAC10-20-370.C.5, the bearing and distances from the new corners to the existing corners on each end of the existing property lines.

m. For property located in urban areas, area to the nearest square foot or thousandth (0.001) of an acre or metric equivalent.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

N



n. North arrow and source of meridian used for the survey.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

N

n. North arrow and source of meridian used for the survey.



o. For interior surveys, a reference bearing and distance to a property corner of an adjoining owner or other prominent object, including, but not limited to, intersecting streets or roads.

N

n. North arrow and source of meridian used for the survey.



o. For interior surveys, a reference bearing and distance to a property corner of an adjoining owner or other prominent object, including, but not limited to, intersecting streets or roads.

p. Tax map designation or geographic parcel identification number if available.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

q. Description of each monument found and each monument set by the professional.

material type

size

adjacent
to?

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

r. A statement that the land boundary survey shown is based on a current field survey. The application of the land surveyor's seal, signature and date shall constitute compliance with all the current standards of a land boundary survey as of the date of the application of signature unless otherwise **clearly stated in the title** of the plat that the plat is to be construed otherwise.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

s. A statement as to whether or not a current title report has been furnished to the professional.

SAMPLE:

This plat has been prepared without benefit of a title report and may not indicate all encumbrances on the property.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

t. If the land boundaries shown on the plat are the result of a compilation from deed or plats, or both, or based on a survey by others, that fact will be clearly stated and the title of the plat shall clearly depict that the plat does not represent a current land boundary survey.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

u. A statement as to whether any or all easements are shown on the plat.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

u. A statement as to whether any or all easements are shown on the plat.

v. Name and address of the land surveyor or the registered business.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

u. A statement as to whether any or all easements are shown on the plat.

v. Name and address of the land surveyor or the registered business.

w. The professional's seal, signature and date.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

3. Metes and bounds description. The professional **shall prepare** a metes and bounds description in narrative form, **if requested** by the client or his agent, for completion of any newly performed land boundary survey. The description shall reflect all metes and bounds, the area of the property described, all pertinent monumentation, names of record owners or other appropriate identification of all adjoining, and any other data or information deemed as warranted to properly describe the property.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

3. Metes and bounds description. The professional **shall prepare** a metes and bounds description in narrative form, **if requested** by the client or his

CLOSING SUGGESTION:

And being more particularly described on a survey for “name” by “name” dated “date” attached hereto and made a part of this description.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

3. Customarily, the metes and bounds shall be recited in a **clockwise direction** around the property. The professional shall **clearly identify** in the metes and bounds description **any inconsistencies** found in the research of common boundaries between land being surveyed and the adjoining land(s). For subdivisions, the professional shall prepare a metes and bounds description in narrative form for only the exterior boundaries of the property. No metes and bounds description shall be required for the verification or resetting of the corners of a lot or other parcel of land in accordance with a previously performed land boundary survey, such as a lot in a subdivision where it is unnecessary to revise the record boundaries of the lot.

18VAC10-20-370. Minimum standards and procedures for land boundary surveying practice.

D. Office procedures.

3. Customarily, the metes and bounds shall be recited in a **clockwise direction** around the property. The professional shall **clearly identify** in the metes and bounds description **any inconsistencies** found in the

Be very careful that the wording of the description does not negatively impact junior or senior description (title) rights!

lot or other parcel of land in accordance with a previously performed land boundary survey, such as a lot in a subdivision where it is unnecessary to revise the record boundaries of the lot.

Va. Department of Professional
Occupation and Regulation
&
Virginia Association of Surveyors

- 18VAC10-20-380. Minimum standards and procedures for surveys determining the location of physical improvements; field procedures; office procedures.

Minimum Standards

A. The following minimum standards and procedures are to be used for surveys determining the location of physical improvements on any parcel of land or lot **containing less than two (2) acres or metric equivalent** (sometimes also known as "building location surveys," "house location surveys," "physical surveys," and the like) in the Commonwealth of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the survey determining the location of physical improvements is correct to the best of the professional's knowledge, information, and belief, and complies with the minimum standards and procedures set forth in this chapter.

Minimum Standards

A. The following minimum standards and procedures are to be used for surveys determining the location of physical improvements on any parcel of land or lot **containing less than two (2) acres or metric equivalent** (sometimes also known as "building location surveys," "house location surveys," "physical surveys," and the like) in the Commonwealth of Virginia.

18VAC10-20-380.**Minimum Standards**

B. The professional shall determine the position of the lot or parcel of land in accordance with the intent of the original survey and ***shall set or verify permanent monumentation at each corner*** of the property, consistent with the monumentation provisions of subdivision C 4 of 18VAC10-20-370. All such monumentation, other than natural monumentation, shall, when feasible, be identified by temporary witness markers.

18VAC10-20-380.**Minimum Standards**

B. The professional shall determine the position of the lot or parcel of land in accordance with the ***shall set or verify permanent monumentation at each corner*** provisions of subdivision C 4 of 18VAC10-20-370. All such monumentation, other than natural monumentation, shall, when feasible, be identified by temporary witness markers.

Minimum Standards

When the professional finds discrepancies of sufficient magnitude to warrant, in his opinion, the performance of a land boundary survey (pursuant to the provisions of 18VAC10-20-370), he shall so inform the client or the client's agent that such land boundary survey is deemed warranted as a requisite to completion of the physical improvements survey.

Minimum Standards

The location of the following shall be determined in the field:

1. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.

Minimum Standards

The location of the following shall be determined in the field:

1. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.

2. Other physical improvements on the property and all man-made or installed structures, including buildings, stoops, porches, chimneys, visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc), utility lines and poles.

Minimum Standards

3. Cemeteries, if known or disclosed in the process of performing the survey; roads or travel ways crossing the property which serve other properties; and streams, creeks, and other defined drainage ways.

Minimum Standards

3. Cemeteries, if known or disclosed in the process of performing the survey; roads or travel ways crossing the property which serve other properties; and streams, creeks, and other defined drainage ways.

4. Other visible evidence of physical encroachment on the property.

Minimum Standards

C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:

1. The bearings and distances for the boundaries and the area of the lot or parcel of land shall be shown in accordance with record data, unless a current, new land boundary survey has been performed in conjunction with the physical improvements survey. If needed to produce a closed polygon, the meander lines necessary to verify locations of streams, tidelands, lakes and swamps shall be shown. All bearings shall be shown in a clockwise direction, unless **otherwise** indicated.

Minimum Standards


- C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:
1. The bearings and distances for the boundaries and the area of the lot or parcel of land shall be shown in accordance with record data, unless a current, new land boundary survey has been performed in conjunction with the physical improvements survey.

Minimum Standards

- C. The plat reflecting the work product shall be drawn to scale and shall show the following, unless requested otherwise by the client and so noted on the plat:
- All bearings shall be shown in a clockwise direction, unless otherwise indicated**
- the physical improvements survey. If needed to produce a closed polygon, the meander lines necessary to verify locations of streams, tidelands, lakes and swamps shall be shown. All bearings shall be shown in a clockwise direction, unless **otherwise** indicated.

Minimum Standards


N



2. North arrow, in accordance with record data.

Minimum Standards


N



2. North arrow, in accordance with record data.

3. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.

Minimum Standards



2. North arrow, in accordance with record data.

3. Fences in the near proximity to the land boundary lines and other fences which may reflect lines of occupancy or possession.

4. Improvements and other pertinent features on the property as located in the field pursuant to subsection B of this section.

Minimum Standards

5. Physical encroachments, including fences, across a property line shall be identified and dimensioned with respect to the property line.

Minimum Standards

5. Physical encroachments, including fences, across a property line shall be identified and dimensioned with respect to the property line.

6. On parcels where compliance with restriction is in question, provide the closest dimension (to the nearest 0.1 foot or metric equivalent) from the front property line, side property line, and if pertinent, rear property line to the principal walls of each building. Also, all principal building dimensions (to the nearest 0.1 foot or metric equivalent).

Minimum Standards

7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed.

Minimum Standards

7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed.

8. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features.

Minimum Standards

7. Building street address numbers, as displayed on the premises, or so noted if no numbers are displayed.

8. Stoops, decks, porches, chimneys, balconies, floor projections, and other similar type features.

9. Street name(s), as posted or currently identified, and as per record data, if different from posted name.

Minimum Standards

10. Distance to nearest intersection, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified.

Minimum Standards

10. Distance to nearest intersection, based upon record data. If not available from record data, distance to nearest intersection may be determined from best available data, and so qualified.

11. Building restriction or setback line(s) per restrictive covenants, if shown or noted on the record subdivision plat.

Minimum Standards

12. The caption or title of the plat shall include: the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) of the record owner; town or county, or city; date of survey; and scale of drawing.

Minimum Standards

12. The caption or title of the plat shall include: the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) of the record owner; town or county, or city; date of survey; and scale of drawing.

13. Adjoining property identification.

Minimum Standards

12. The caption or title of the plat shall include: the type of survey performed; lot number, block number, section number, and name of subdivision, as appropriate, or if not in a subdivision, the name(s) of the record owner; town or county, or city; date of survey; and scale of drawing.

13. Adjoining property identification.

14. Easements and other encumbrances set forth on the record subdivision plat, and those otherwise known to the professional.

Minimum Standards

15. A statement as to whether or not a current title report has been furnished to the professional.

Minimum Standards

15. A statement as to whether or not a current title report has been furnished to the professional.

16. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).

Minimum Standards

15. A statement as to whether or not a current title report has been furnished to the professional.

16. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).

17. Professional's seal, signature and date.

Minimum Standards

15. A statement as to whether or not a current title report has been furnished to the professional.

16. The professional shall clearly note inconsistencies found in the research of common boundaries between the land being surveyed and the adjoining land(s).

17. Professional's seal, signature and date.

18. Name and address of the land surveyor or registered business.

Minimum Standards

D. Notwithstanding the monumentation provisions of subsection B of this section, or any other provision of these regulations, a professional, in performing a physical improvements survey, ***shall not be required to set corner monumentation on any property when corner monumentation is otherwise required to be set pursuant to the provisions of a local subdivision ordinance as mandated by § 15.2-2240 of the Code of Virginia, as amended, or by subdivision A 7 of § 15.2-2241 of the Code of Virginia, as amended, or where the placing of such monumentation is covered by a surety bond, cash escrow, set-aside letter, letter of credit, or other performance guaranty.***

Minimum Standards

When monumentation is not required, the surveyor shall clearly note on the plat "no corner markers set" and the reason, to include name of guarantors.

- E. Notwithstanding anything to the contrary in this chapter, his chapter shall be construed as to comply in all respects with § 54.1-407 of the Code of Virginia, as amended.



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Virginia Association of Surveyors

- 18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

- A. The minimum standards and procedures set forth in this section are to be used for topographic surveys performed in the Commonwealth of Virginia pursuant to Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the topographic survey is correct to the best of the professional's knowledge and belief, and complies with the minimum standards and procedures.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

B. Minimum field and office procedures. The following information shall be shown on or contained in all plats, maps, or digital geospatial data including metadata used to depict the results of the topographic survey:

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

B. Minimum field and office procedures. The following

1. Physical improvements on the property, all man-made or installed structures, as well as visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc.), and utility lines and poles shall be shown or depicted when they are visible based on the methodology and scale.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

Continued

If the methodology or scale prevents the depiction of physical improvements on the property, all man-made or installed structures, as well as visible evidence of underground features (such as manholes, catch basins, telephone pedestals, power transformers, etc.), and utility lines and poles, then such notice shall be clearly stated on or contained in the map, plat, or digital geospatial data including metadata.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

2. Elevations shall be provided as spot elevations, contours or digital terrain models.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

2. Elevations shall be provided as spot elevations, contours or digital terrain models.

3. Onsite bench mark(s) shall be established with reference to vertical datum, preferably North American Vertical Datum (NAVD), and shown in the correct location.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

2. Elevations shall be provided as spot elevations, contours or digital terrain models.

3. Onsite bench mark(s) shall be established with reference to vertical datum, preferably North

4. The title of the topographic survey identifying the land surveyed and showing the state, county or city in which property is located.

in which property is located.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

5. Name of the individual or entity for whom the survey is being performed.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

5. Name of the individual or entity for whom the survey is being performed.

6. Date, graphic scale, numerical scale, and contour interval of plat, map, or digital geospatial data including metadata.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

5. Name of the individual or entity for whom the survey is being performed.

6. Date, graphic scale, numerical scale, and contour interval of plat, map, or digital geospatial data including metadata.

7. Depiction and definition of north used for the survey.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

8. Names of highways, streets and named waterways shall be shown.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

8. Names of highways, streets and named waterways shall be shown.

9. The horizontal and vertical unit of measurement, coordinate system, and datums, including adjustments if applicable.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

10. The following minimum positional accuracies shall be met:

a. Scale and contour interval combinations:

Map or Plat Scale	Contour Interval
1" = 20'	1 or 2 feet
1" = 30'	1 or 2 feet
1" = 40'	1 or 2 feet
1" = 50'	1 or 2 feet
1" = 100'	1 or 2 feet
1" = 200'	2, 4 or 5 feet
1" = 400'	4, 5 or 10 feet

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

b. Vertical accuracy standards:

	Contours – Vertical Positional Accuracy	Spot Elevations - Vertical Positional Accuracy
Contour line 1' interval	± 0.60 feet	± 0.30 feet
Contour line 2' interval	± 1.19 feet	± 0.60 feet
Contour line 4' interval	± 2.38 feet	± 1.19 feet
Contour line 5' interval	± 2.98 feet	± 1.49 feet
Contour line 10' interval	± 5.96 feet	± 2.98 feet

Positional Accuracy is given at the 95% confidence level.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

c. Horizontal accuracy standards:

Well defined ground points - Horizontal (Radial) Positional Accuracy		
Map or Plat Scale	Absolute Horizontal Positional Accuracy	Relative Horizontal Positional Accuracy
1" = 20'	± 0.8 feet	± 0.20 feet
1" = 30'	± 1.1 feet	± 0.30 feet
1" = 40'	± 1.5 feet	± 0.40 feet
1" = 50'	± 1.9 feet	± 0.50 feet
1" = 100'	± 3.8 feet	± 1.00 feet
1" = 200'	± 7.6 feet	± 2.00 feet
1" = 400'	± 15.2 feet	± 4.00 feet

Positional Accuracy is given at the 95% confidence level.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

The accuracy standards tables as shown are not intended to be acceptable in all situations. The professional shall be responsible to perform the work to the appropriate quality and extent that is prudent or warranted under the existing field conditions and circumstances.

Metric or other unit of measurements shall meet an equivalent positional accuracy.

Map or plat scales, or contour intervals, other than those defined in these tables shall meet an equivalent positional accuracy.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office procedures.

The accuracy standards tables as shown are not intended to be acceptable in all situations

prudent or warranted under the existing field conditions and circumstances.

Metric or other unit of measurements shall meet an equivalent positional accuracy.

Map or plat scales, or contour intervals, other than those defined in these tables shall meet an equivalent positional accuracy.

18VAC10-20-382. Minimum standards and procedures for surveys determining topography; field procedures; office

11. A statement, in the following form, shall be shown on or contained in plats, maps, or digital geospatial data including metadata:

This _____ (provide description of the project) was completed under the direct and responsible charge of, _____ (Name of Surveyor or Surveyor Photogrammetrist) from an actual Ground or Airborne (check the one that is applicable) survey made under my supervision; that the imagery and/or original data was obtained on _____ (Date); and that this plat, map, or digital geospatial data including metadata meets minimum accuracy standards unless otherwise noted.



§ 54.1-404.2. Continuing education.

A. The Board shall promulgate regulations governing continuing education requirements for architects, professional engineers, land surveyors, and landscape architects licensed by the Board. Such regulations shall require the completion of the equivalent of 16 hours per biennium of Board-approved continuing education activities as a prerequisite to the renewal or reinstatement of a license issued to an architect, professional engineer, land surveyor, or landscape architect. The Board shall establish criteria for continuing education activities including, but not limited to (i) content and subject matter; (ii) curriculum; (iii) standards and procedures for the approval of activities, courses, sponsors, and instructors; (iv) methods of instruction for continuing education courses; and (v) the computation of course credit.

§ 54.1-404.2. Continuing education.

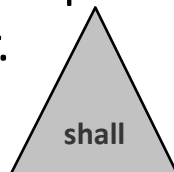
B. The Board may grant exemptions or waive or reduce the number of continuing education hours required in cases of certified illness or undue hardship.

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- 18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- A. Individuals whose licenses expire or who apply to reinstate after March 31, 2010, **shall** be required to comply with the continuing education provisions of this chapter.



18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- B. Individuals are required to complete at least 16 continuing education credit hours of approved continuing education activities for any license renewal or reinstatement.

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C. Continuing education activities criteria:

1. Content and subject matter. Continuing education activities must be related to practice of the profession of the license being renewed, **have a clear purpose and objective** that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of practice as defined in Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia. The required continuing education credit hours may be in areas related to business practices, including project management, risk management, and ethics, which have demonstrated relevance to the licensee's area of practice as defined in Chapter 4 of Title 54.1 of the Code of Virginia.

C. Continuing education activities criteria:

1. Content and subject matter. Continuing education activities must be related to practice of the profession of the license being renewed, **have a clear purpose and objective** that will maintain, improve, or expand the skills and knowledge

have a clear purpose and objective

business practices, including project management, risk management, and ethics, which have demonstrated relevance to the licensee's area of practice as defined in Chapter 4 of Title 54.1 of the Code of Virginia.

C. Continuing education activities criteria:

2. Curriculum. The curriculum of the continuing education activity must be consistent with the purpose and objective of the continuing education activity.

C. Continuing education activities criteria:

3. Sponsors and instructors. Sponsors of continuing education activities must have sufficient resources to provide the continuing education activity and documentation of completion of the continuing education activity to those individuals who successfully complete the continuing education activity. Course instructors must be competent in the subject being taught, either by education or experience.

C. Continuing education activities criteria:

4. Methods of instruction for continuing education courses. The method of instruction must be consistent with the purpose and objective of the continuing education activity.

5. Computation of credit.

- a. Fifty contact minutes shall equal one continuing education credit hour. For a continuing education course or activity in which individual segments are less than 50 minutes, the sum of the segments shall be totaled for computation of continuing education credit hours for that continuing education course or activity.

5. Computation of credit.

- a. Fifty contact minutes shall equal one continuing education credit hour. For a continuing education course or activity

50 minutes = 1 credit hour

shall be totaled, the sum of the segments shall be totaled for computation of continuing education credit hours for that continuing education course or activity.

5. Computation of credit.

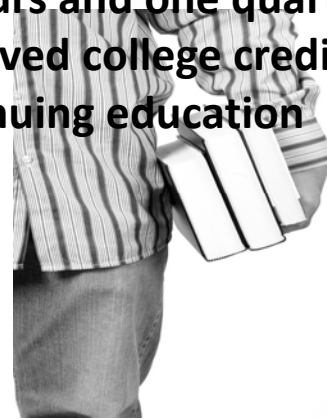
- b. The sponsor of the continuing education activity must have predetermined the number of continuing education credit hours that an activity shall take to complete. A licensee cannot claim credit for more than the predetermined number of continuing education credit hours if the licensee took more than the predetermined number of hours to complete the continuing education activity.

5. Computation of credit.

- b. The sponsor of the continuing education activity must have predetermined the number of continuing education credit hours that an activity shall take to **hours predetermined by sponsor** for more than the predetermined number of continuing education credit hours if the licensee took more than the predetermined number of hours to complete the continuing education activity.

5. Computation of credit.

- c. **One semester credit hour of approved college credit shall equal 15 continuing education credit hours and one quarter credit hour of approved college credit shall equal 10 continuing education credit hours.**



5. Computation of credit.

- d. For **self-directed** continuing education activity, there **must be an assessment** by the sponsor at the conclusion of the activity to verify that the individual has achieved the purpose and objective of the continuing education activity; credit will not be awarded if the individual has not successfully achieved the purpose and objective of the continuing education activity based upon the results of the assessment.

5. Computation of credit.

- e. A licensee may be granted credit for the **initial development or substantial updating of a continuing education activity or his initial teaching of a course that otherwise meets the requirements of this chapter at twice the amount of credit** that students of the course or activity would receive. Additional credit for subsequent offerings of the course or activity with the same content will not be permitted.

5. Computation of credit.

- f. A licensee will not receive credit for completing the same continuing education **activity with the same content more than once** during the license period immediately prior to the expiration date of the license for renewal or during the two years immediately prior to the date of receipt of a complete reinstatement application.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- D. 1. Only continuing education activities completed during the **license period immediately prior to the expiration date of the license shall be acceptable in order to renew the license.** Continuing education activities utilized to satisfy the continuing education requirements to renew a license shall be valid only for that renewal and shall not be accepted for any subsequent renewal cycles or reinstatement of that license.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- D. 2. Individuals **shall maintain records of completion of continuing education activities that comply with the requirements of this chapter for three years from the date of expiration of the license for which the continuing education activities are being used to renew the license.** Individuals shall provide such records to the board or its duly authorized agents upon request.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- E. Notwithstanding the provisions of subsection D of this section, continuing education activities completed during a licensing renewal cycle to satisfy the continuing education requirements of the **preceding** licensing renewal cycle shall be valid **only** for that preceding license renewal cycle and shall not be accepted for any subsequent renewal cycles or reinstatement.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- F. 1. Each individual license holder applying for **reinstatement shall provide, as part of his reinstatement application, evidence of compliance with the continuing education requirements of this chapter.** The completion date of continuing education activities submitted in support of a reinstatement application shall not be more than two years old as of the date a complete reinstatement application is received by the board.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- F. 2. Continuing education activities utilized to satisfy the continuing education requirements **in order to reinstate a license shall be valid only for that reinstatement** and shall not be accepted for any subsequent renewal cycles or reinstatement.

18VAC10-20-683. Continuing education requirements for renewal or reinstatement.

- G. Periodically, the board **may conduct a random audit** of its licensees who have applied for renewal to determine compliance. Licensees who are selected for audit shall provide all documentation of all continuing education activities utilized to renew their license within 21 calendar days of receiving notification of audit.

18VAC10-20-687. Exemptions and waivers.

Pursuant to § 54.1-404.2 of the Code of Virginia, the board may grant exemptions or waive or reduce the number of continuing education activities required in cases of certified illness or undue hardship. However, such exemptions, waivers, or reductions shall not relieve the individual of their obligation to comply with any other requirements of this chapter including, but not limited to, the provisions of
18VAC10-20-670 Expiration and renewal,
18VAC10-20-680 Reinstatement,
18VAC10-20-683 Continuing Education

