

WAC 308-13-065 What are the standards of practice and conduct?

(1) Competence.

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

(b) In designing a project, you shall take into account all applicable construction laws, zoning codes and other applicable laws or regulations. You shall not knowingly design a project in violation of such laws and regulations.

(c) You shall perform professional services only when you, together with those whom you engage as consultants, are qualified by education, training and experience in the specific technical areas involved.

(2) Conflict of interest.

(a) You shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(b) If you have any business association or direct or indirect financial interest that is substantial enough to influence your judgment in connection with the performance of professional services, you shall fully disclose this in writing to the client or employer. If your client or employer objects to such association or financial interest, you shall either terminate such association or interest or offer to give up the commission or employment.

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

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

(3) Full disclosure.

(a) You shall disclose whenever you are being compensated for making public statements concerning landscape architectural issues.

(b) You shall accurately represent to a prospective or existing client or employer your qualifications and clearly define the scope of your responsibility in connection with work for which you are claiming responsibility.

(c) If you become aware of a decision made by your employer or clients against your advice that violates applicable construction laws, zoning codes or other applicable regulations and that will, in your judgment, materially and adversely affect the public health, safety and welfare, you shall:

(i) Report the decision to the local authorities or other public official charged with the enforcement of such laws and regulations;

(ii) Refuse to consent to the decision; and

(iii) In circumstances where you reasonably believe that other such decisions will be made notwithstanding your objection, then you shall terminate services with reference to the project. In the case of a termination in accordance with (3)(c)(iii) of this section, you shall have no liability to the client on account of such termination.

(d) You shall not deliberately make a materially false statement or deliberately fail to disclose a material fact requested in connection with an application for licensure or renewal.

(e) You shall not assist in the application for licensure of a person known by you to be unqualified in respect to education, examination, experience or character.

(4) Compliance with laws.

(a) You shall not, in the practice of landscape architecture, knowingly violate any criminal law.

(b) You shall neither offer nor make any payment or gift to any governmental official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which you are interested.

(c) You shall comply with the laws and regulations governing professional practice in any jurisdiction.

(5) Professional conduct. You shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which you are interested.

[Statutory Authority: RCW 18.96.060. WSR 10-12-116, amended and recodified as § 308-13-065, filed 6/2/10, effective 7/3/10; WSR 08-22-027, § 308-13-012, filed 10/28/08, effective 11/28/08.]