



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

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7/25/2025 2:35:27 PM

Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Landscape Architects TITLE-SERIES: 9-03
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 9-03 Fees

PRIMARY CONTACT

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CITE STATUTORY AUTHORITY: W.Va Code §30-1-23 and W.Va. Code §30-22-7

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

Fee increases to allow this Board to remain self-sufficient.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/25/2025

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/25/2025

COMMENTS RECEIVED: Yes

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

Increase of fees to remain self-sufficient.

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

Fees increase necessary to maintain administrative functions of the Board and maintain WV Code mandate of self-sufficiency.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

No impact on state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

Will increase special revenue to maintain self-sufficiency.

C. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

No impact on the state or its residents.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs and Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	10,000

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

Selected fee increases will generate revenue to help the Board to remain self-sufficient.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Kendra D Zamora -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 9
LEGISLATIVE RULE
WEST VIRGINIA STATE BOARD OF LANDSCAPE ARCHITECTS

SERIES 3
FEES

§9-3-1. General.

- 1.1. Scope. -- This rule specifies fees to be charged by the Board.
- 1.2. Authority. -- W. Va. Code §§30-22-7(a)(6).
- 1.3. Filing Date. -- ~~April 11, 2007.~~
- 1.4. Effective Date. -- ~~April 16, 2007.~~
- 1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect on August 1, 2031.

§9-3-2. Definitions.

- 2.1. Terms Defined by Statute -- Terms defined in W. Va. Code §30-22-4 have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.
- 2.2. "Board" means the West Virginia State Board of Landscape Architects.
- 2.3. "Registrant" means a current licensee or Certificate of Authorization (COA) holder.

§9-3-3. Requirements.

- 3.1. The fees listed in this rule are payable to the Board. Fees shall be paid by check or money order and are non-refundable. The Board may return any application received without the proper fee to the applicant.
- 3.2. Each year during the month of April, the Board shall notify each registrant of the amount of the renewal fee.
- 3.3. A registrant shall pay renewal fees before the thirtieth (30th) day of June of each year.
- 3.4. If a renewal application is postmarked after the thirtieth (30th) day of June, the registrant's license is considered expired, and the Board shall assess the registrant a late fee penalty as described in this rule.

§9-3-4. Fees.

~~General Fees~~

~~Reciprocal or New Application \$100.00~~
~~Temporary Permit \$100.00~~
~~Duplicate Renewal Card \$5.00~~

Replacement Certificate \$15.00
 Current Roster¹ ~~\$25.00~~
 Insufficient Funds (returned check) ~~\$25.00~~
 Copies of Public Records (per page) ~~\$0.25~~
 Examinations ~~(See footnote 6.)~~

Certificate of Authorization (COA) Fees

Application for Sole Proprietor² ~~\$20.00~~
 Application for Firm with two or more
 Licensed Landscape Architects³ ~~\$150.00~~
 Duplicate/Replacement Certificate ~~\$15.00~~

Annual Renewal Fees

License Renewal ~~\$100.00~~
 COA or License Renewal Late Fee⁴ ~~\$50.00~~
 Inactive Status ~~\$25.00~~
 Retired Status ~~\$5.00~~
 COA for Sole Proprietor³ ~~\$15.00~~
 COA for Firm with two or more
 Licensed Landscape Architects³ ~~\$150.00~~

Reinstatement Fees

Retired or Inactive Licensees ~~\$100.00~~
 Expired License⁵ ~~\$250.00~~
 Expired COA for Sole Proprietor ~~\$60.00~~
 Expired COA for Firm with two or more
 Licensed Landscape Architects³ ~~\$350.00~~

4.1. General Fees (Non-Refundable).

4.1.1. Reciprocal or New Application	\$100.00 (<u>\$200.00</u>)
4.1.2. Temporary Permit	\$100.00
4.1.3. Duplicate Renewal Card	\$5.00
4.1.4. Replacement Certificate	\$15.00
4.1.5. Current Roster	\$25.00
4.1.6. Insufficient Funds (returned check)	\$25.00
4.1.7. Copies of Public Records (per page)	\$0.25
4.1.8. Examinations	

4.2. Certificate of Authorization (COA) Fees.

4.2.1. Application for Sole Proprietor	\$20.00
4.2.2. Application for Firm with two or more Licensed Landscape Architects	\$150.00 (<u>\$200.00</u>)
4.2.3. Duplicate/Replacement Certificate	\$15.00

4.3. Annual Renewal Fees.

4.3.1. License Renewal	\$100.00 (<u>\$200.00</u>)
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4.3.2.	COA or License Renewal Late Fee	\$50.00
4.3.3.	Inactive Status	\$25.00
4.3.4.	Retired Status	\$5.00
4.3.5.	COA for Sole Proprietor	\$15.00
4.3.6.	COA for Firm with two or more Licensed Landscape Architects	\$150.00 (<u>\$200.00</u>)

4.4. Reinstatement Fees.

4.4.1.	Retired or Inactive Licensees	\$100.00
4.4.2.	Expired License	\$250.00 (<u>\$350.00</u>)
4.4.3.	Expired COA for Sole Proprietor	\$60.00
4.4.4.	Expired COA for Firm with two or more Licensed Landscape Architects	\$350.00 (<u>\$450.00</u>)