

## NCLCLB Enewsletter

Your source for North Carolina Landscape Contractor information.



### Did You Know?

If your business is incorporated; operates under a corporation, LLC, partnership, or person doing business under an assumed or designated trade name, and you are offering or providing landscape services in excess of \$30,000 at a site during any consecutive 12-month period, **you are required to have a corporate landscape contractors' license.\***

Businesses that do not have a corporate license and corporate surety bond and offering and/or providing landscape services in excess of \$30,000 at a site in a year are providing those services as an unlicensed business and are in violation of the law.

If you, or you have an employee who is being designated as the qualifying licensed landscape contractor working for an incorporated business; a corporation, LLC, partnership, or doing business under an assumed or designated trade name, and the business does not have a Corporate Landscape License, the company is in violation of the law as an unlicensed entity AND the licensee is in violation as well for "lending the license" to an unlicensed business.

Contact the NCLCLB office and we will be pleased to help you comply with the law.

*\*Unless you have registered with your county Register of Deeds as a DBA (Doing Business As) and notified the NCLCLB office that you are doing business under a different name than how you are licensed.*

## Focus On:

### Fall is for planting... and following Minimum Standards.

Fall is upon us, and it is a great time for planting. With more people at home due to COVID-19, there has been a huge uptick in home improvement. Remember to follow Minimum Standards when planting, establishing turf, and grading. A list of all Minimum Standards can be found here: <https://nclclb.com/statutes-and-rules/minimum-standards/>

#### **21 NCAC 28B .0502 PLANTING**

When planting, the licensed contractor shall:

1. Avoid potential planting conflicts with utilities and sight lines.
2. Protect plant material from physical damage and desiccation during transport.
3. Maintain plants during landscape construction.
4. Consider the cultural requirements of individual plants.
5. Excavate the plant hole sufficiently to ensure plant establishment and to promote long-term health, typically two times the width of the plant ball or container size.
6. Scarify the sidewalls of the planting pit.
7. Set plants in an upright, plumb position, unless design intent dictates otherwise.
8. Set plants on a firm, solid base.
9. Remove all strings, twine, and strapping from around the trunk of trees.
10. Remove the top third to top half of burlap or other wrapping material from the rootball of balled and burlapped trees.
11. Remove top third to top half of wire baskets on balled and burlapped trees or bend basket wire back to be flush with the side of the ball.
12. Set the plant so that the top of rootball is at or slightly above surrounding soil and does not exceed four inches above the surrounding soil.
13. Prior to planting, insure that the trunk flare of a tree is not covered with soil, is at or above the surrounding finished grade, and that no soil has been placed on top of the rootball.
14. Prior to planting containerized plants, manage the rootball to mitigate problems such as circling roots. Acceptable mitigation methods shall include slicing the rootball, shaving the rootball, or redirecting roots.
15. Utilize backfill soil that is similar to the soil at the planting site or is amended to meet a specific landscaping objective.
16. Not firm backfill to a density that inhibits root growth.
17. Install backfill soil in such a manner that it is settled in layered sections to limit future settling.
18. Not utilize screened soil as the sole material for backfill.
19. When mulching plants, maintain a mulch depth that is beneficial to the health of the plants.
20. When mulch is applied, apply mulch so that it does not touch a tree trunk or root flare.
21. Water plants thoroughly and immediately after planting in accordance with the needs of the plant.
22. Notify client of his or her responsibility to water plants following installation.
23. Stake trees only when required due to high winds, extreme slopes, or soft soils;
  24. If trees are staked, the guys shall not be installed so as to provide pressure on the trunk.
  25. Guys in contact with the tree shall be of a material that will not damage the tree.
26. Provide plants that are true to name and species.
27. Provide plants that are healthy and in good condition.
28. Prune any broken limbs.
29. Prune co-dominant leaders in shade trees that typically have dominant leaders.
30. If a condition is observed while the work is being performed that is detrimental to the long-term health of the plant, the condition shall be reported to the customer or client, a supervisor, the owner, or person responsible for authorizing the work.

#### **21 NCAC 28B .0503 TURF**

When establishing turf, the licensed contractor shall:

1. Notify the owner or the construction manager whether there is adequate time to establish the specified turf from seed within the construction schedule and prior to finish of the job;
2. Prior to lawn installation, loosen soil to a minimum depth of three inches;
3. Confirm that all lawn seed meets the standards of the NC Seed Law of 1963, as set forth in G.S. 106, Art. 31;
4. Evenly distribute seed;
5. Apply seed at manufacturer's recommended rates;
6. Roll or rake after seeding to insure good soil contact;
7. Install sod within 36 hours of harvesting unless weather conditions or turf types dictate a shorter timeframe;
8. Lay sod strips in a staggered pattern, horizontal to slopes and with tight seams;
9. Roll sod after installation to provide good soil contact;
10. Distribute sprigs evenly;
11. Insure that sprigs and sod plugs are in good contact with the soil;
12. Water lawn areas after installation and in accordance with the needs of the lawn; and
13. Notify client of his or her responsibility to water turf following installation.

## 21 NCAC 28B .0504 FINISH GRADE

When grading, the licensed contractor shall:

1. Grade the surface such that the finish grade is smooth and free of depressions and debris;
2. Insure positive water flow through the site, away from structures, and in such a manner that there is no puddling or ponding; and
3. Comply with all applicable local and national building codes and ordinances regarding slopes and drainage.

Remember, Minimum Standards - <https://nclclb.com/statutes-and-rules/minimum-standards/> - are the law! They establish required guidelines licensed landscape contractors must follow on all landscape work - from contracts to installation.

## Maintaining Your License



### Education Is Available

Landscape Contractor Licensees must complete seven (7) continuing education hours from August 1, 2019 - July 31, 2021:

- (3) CEs must be technical (landscape)
- (2) CEs must be business
- The (2) remaining credits can be technical or business.

Visit <http://nclclb.com/continuing-education/approved-courses-2020-2021/> for 2020-2021 approved landscape contractor education.

Use the easy-to-use list of approved courses by course#, provider, date, hours of credit, or location.

**You must personally attend** the approved webinar/course/activity to obtain credit. **Filing false information is a violation of North Carolina law N.C.G.S.89D and can jeopardize your license.**



### Reinstatement

If you, or someone you know, were a Licensed Landscape Contractor in 2019-2020, but missed the August 1 renewal deadline, you can still be reinstated.

To reinstate your license, you will need to:

- Pay the \$100 reinstatement fee;
- Pay the \$60 license fee; and
- Pay the \$25 late renewal fee.

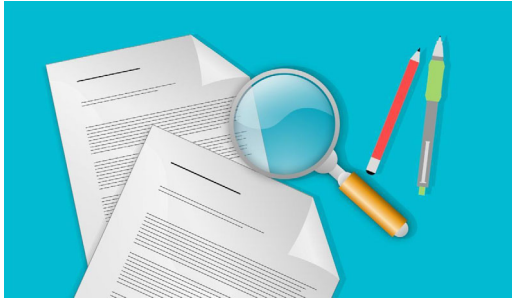
Failure to reinstate your license by August 1, 2021 shall result in the forfeiture of your license. Upon forfeiture, you shall be required to submit a new application and retake the examination. Which will cost considerably more in time and money than to reinstate now.

If you let your license lapse, get reinstated today!

Visit <https://nclclb.com/individual-license-reinstatement/> for more information and reinstatement forms.



# Maintaining Your License

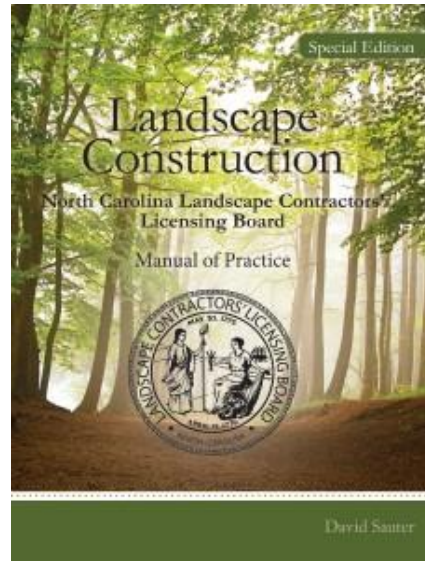


## Continuing Education Audits

The Board is auditing licensees for continuing education (CE) compliance.

Find a full description of the audit requirements and process per the law: 21 NCAC 28B .0403 here:

<https://nclclb.com/continuing-education/administrative-rules-for-continuing-education/>



## Testing and Reference Manuals

Visit <https://nclclb.com/licensing-2/manuals/> for full details and online ordering.



NC Landscape Contractors' Licensing Board | 3901 Barrett Drive, Suite 202, Raleigh, NC 27609