

**BEFORE THE ENGINEERING AND LAND SURVEYING EXAMINING BOARD  
OF THE STATE OF IOWA**

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IN THE MATTER OF:

**CHARLES H. DERR**  
1100 South 7th  
Fairfield, IA 52556

RESPONDENT

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)  
) **CASE NO. 98-08**  
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**CEASE AND DESIST ORDER  
BY STIPULATION**

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The Iowa Engineering and Land Surveying Examining Board (Board) and Charles H. Derr stipulate to the following Cease and Desist Order pursuant to Iowa Code § 542B.24 (1997):

1. Respondent Charles H. Derr provided design services for an Iowa registered architect in connection with the Keokuk County Medical Clinic Expansion in Sigourney, Iowa, in 1997. The design services involved electrical services and lighting panels, the coordination and sizing of heating and cooling and ventilation equipment, and the coordination of water services, all for a structure intended for public use.
2. Respondent is not a licensed professional engineer.
3. The Board is authorized by Iowa Code § 542B.24 to seek an injunction in district court enjoining any person who is not legally authorized to practice professional engineering in Iowa from engaging in such practice or advertising the availability of such services to the public. As of July 1, 1996, the Board is also authorized to impose a civil penalty upon nonlicensees for the same violations, pursuant to Iowa Code section 542B.27 (1997).
4. The Board's consultant has concluded Respondent performed professional

engineering services for the public in Iowa involving safeguarding life, health and property within the statutory definition of the practice of professional engineering set forth in Iowa Code section 542B.2 (1997).

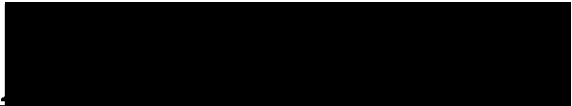
5. The Board and Respondent have agreed to informally resolve the pending dispute. In the event this Stipulation is violated, it may be used as evidence against the party violating the agreement, although all parties understand that violations must be enforced by filing a petition in district court seeking an injunction, or imposing civil penalties through administrative procedures.

6. Respondent agrees it will not in the future engage in the practice of professional engineering or represent to the public any ability or authority to do so in the State of Iowa unless at the time of the representation or service Respondent is a licensed professional engineer or he regularly employs, on other than an as-needed, occasional, or consulting basis, one or more professional engineers licensed in Iowa who directly control and personally supervise all professional engineering work performed by Respondent or any company Respondent may form.

7. This Stipulation is a public record pursuant to Iowa Code chapter 22 and will be provided to the National Council of Examiners for Engineering and Surveying.

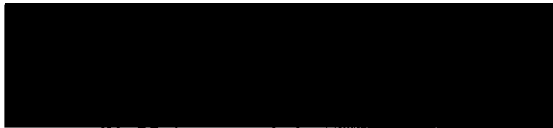
**AGREED AND ACCEPTED:**

**The Iowa Engineering and Land  
Surveying Examining Board**



By: Nicholas R. Konrady, Chair

11/19/98  
Date



Charles H. Derr

Oct 26, 1998  
Date