

OWNER/BUILDER DISCLOSURE STATEMENT

Florida Statute 489.103(7) requires all owners of property acting as their own contractor to complete the following disclosure statement. This is an affidavit for contractor exemption for owner/builders applying for building permits in the City of West Melbourne.

NOTE: *A person who knowingly makes a false written declaration may be guilty of the crime of perjury, a felony of the third degree, punishable as approved by Florida Statutes 775.082, 775.083 OR 775.084.*

NOTICE:

State Law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions even though you do not have a license.

1. You must provide direct, on-site supervision of the construction yourself.
2. You may build or improve a one-family or two-family residence or farm outbuilding. You may also build or improve a commercial building, provided your costs do not exceed \$75,000.
3. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within 1 year after construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption.
4. You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a contractor who is not licensed to perform the work being done.
5. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct FICA and Withholding tax and provide workers' Compensation for that employee as prescribed by law.

NOTE: *Owners who aid and abet the unlicensed practice of a profession by employing an unlicensed person may be subject to a penalty under Florida Statute 455.228.*

All construction improvements performed under your owner/builder permit must be in strict compliance with all applicable laws, ordinances, building codes and zoning regulations.

AFFIDAVIT

STATE OF FLORIDA

AT LARGE

BEFORE ME, the undersigned authority, this day personally appeared, _____,

Who is personally known to me or who has (have) produced his/her/their _____
as identification, being first duly sworn, upon oath, deposes and says:

1. That I (we) acknowledge that this Owner/Builder exemption does not waive any permit conditions or requirements or waive any portion or portions of any applicable laws, ordinances, building codes or zoning regulations.
2. That I (we) am (are) the owner(s) of property located at _____ and described as _____.
3. That I (we) am (are) familiar with inspection schedules and will call for the required inspections of all construction, improvements, or repairs performed under this permit.
4. That I (we) have not received an Owner/Builder permit authorizing me(us) to act as an Owner/Builder for a period of at least twelve (12) months immediately prior to executing this affidavit from any permitting agency within the State of Florida.
5. That I (we), the Owner/Builder, intend to: (Initial ALL that apply)
 _____ Do all physical work without the use of hired labor or contractors; or
 _____ Use licensed contractors whose license numbers and names appear on the permit application and the on-site permit card; or
 _____ Use unlicensed workers under my (our) full-time direct supervision and deduct FICA and withholding tax and provide workers' compensation for that employee.
6. That no licensed contractor shall supervise any work except that work for which he is licensed to perform.
7. That I (we) have not sold or leased, or offered for sale or lease, any structure on which improvements were performed by me (us) pursuant to a building permit obtained by me (us) as an Owner/Builder within one year after completion of such improvements.
8. By executing this affidavit, I (we) acknowledge having received the disclosure statement provided by section 489.103 (7), Florida Statutes.
9. That any residence, or improvement thereto, contemplated shall be for my (our) own use and occupancy.
10. That I (we), as Owner/Builder, in consideration of the City issuing the Owner/Builder permit, agree to Indemnify and Hold Harmless said City of West Melbourne, Florida, its elected and appointed officers, agents and employees, from any and all liability, claim, demand, expenses, causes of action or damages for injury or death arising from the construction, improvements, or repairs accomplished in connection with this building permit.

I hereby acknowledge that I have read and understand the above Disclosure Statement and Affidavit on this _____ day of _____, 20_____.

OWNER/BUILDER SIGNATURE

OWNER/BUILDER SIGNATURE

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, 20_____.

NOTARY PUBLIC

My Commission Expires: _____