



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
BUILDING DEPARTMENT
PERMIT APPLICATION PART II
OWNER-BUILDER

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 Jackson, CA 95642
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 FAX: (209) 223-6637
 WEBSITE: www.amadorgov.org
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IMPORTANT!

DISCLOSURE NOTICE TO PROPERTY OWNER APPLYING FOR CONSTRUCTION PERMITS AS OWNER-BUILDER (THIS FORM IS REQUIRED BY SB 2335)

To Property Owner:

An application for a building permit has been submitted in your name listing yourself as the builder of the property improvements. To make you aware of your responsibilities and possible risks you may incur by having this permit issued in your name as Owner-Builder, Amador County is providing you with an Owner-Builder Acknowledgement and Information Verification Form. Amador County will NOT issue the permit until this form is returned completed. Please read and initial your understanding of each of the 12 provisions, complete the Owner-Builder Declaration; sign and date, complete the Worker's Compensation Declaration; sign and date. An agent of the owner CANNOT execute this notice.

OWNER'S ACKNOWLEDGEMENT AND VERIFICATION OF INFORMATION

DIRECTIONS: Read and initial each statement below to signify your understanding and/or verification.

1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his/her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and his/her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an Owner-Builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
2. I understand building permits are *not* required to be signed by property owners unless they are responsible for the construction and are not hiring a licensed Contractor to assume this responsibility.
3. I understand as an "Owner-Builder" I am the responsible party of record on the permit. I understand that I may protect myself from potential financial risk by hiring a licensed Contractor and having the permit filed in his/her name instead of my own.
4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.
5. I understand if I employ or otherwise engage **any** persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500.00), including labor and materials, I may be considered an "employer" under state and federal law.
6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.
7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless **all work** is performed by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.
8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.
9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information regarding licensed contractors.
10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address:
11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.
12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form.

NOTE: Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage.

Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the Amador County Building Department.

Signature of property owner: _____ **Date:** _____
Clearly Print Owner's Name: _____

OWNER-BUILDER DECLARATION: I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code: any county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9 {commencing with Section 7000} of Division 3 of the Business and Professions Code) or that he/she is exempt there from and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than \$500.00;

_____, I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professional Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work him/herself or through his/her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he/she did not build or improve for the purpose of sale.)

_____, I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

_____ I am exempt under Sec. _____ B & PC for this reason: _____

Date: _____ **Owner's Signature:** _____

Check only ONE

WORKER'S COMPENSATION DECLARATION: I hereby affirm under penalty of perjury one of the following declarations:

_____ I have and will maintain a certificate of consent to self-insure for workers' compensation as provided for by Section 3700 of the Labor Code, for the performance of work for which the permit is issued.

_____ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier _____ **Policy Number** _____ **Expiration** _____

_____ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California and agree that if I should become subject to the workers' compensation provision of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date _____ **Owner's Signature** _____

Check only ONE

IN ISSUING THIS BUILDING PERMIT, the applicant represents, and the county relies on the representation of the applicant, that the applicant verified all measurements and locations shown on the application or accompanying drawings and that the improvement to be constructed does not violate any law or private agreement relating to permissible or prohibited locations for such improvements. This building permit does not authorize any illegal location of any improvement or the violation of any private agreement relating to location of improvements. I certify that I have read this application and state that all information is correct. I agree to comply with all county ordinances and state laws relating to building construction and hereby authorize representative(s) of this county to enter upon the abovementioned property for inspection purposes.

Date: _____ **Owner's Signature:** _____

WARNING: FAILURE TO SECURE WORKER'S COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST AND ATTORNEY'S FEES. THIS PERMIT SHALL EXPIRE BY LIMITATION IF WORK IS NOT COMMENCED WITHIN 180 DAYS.