



CITY OF WESTLAKE
Building Department
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
(561) 530-5880 www.westlakegov.com

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Owner/Builder Affidavit

The provisions of Florida Statutes Chapter 489.103(7) require construction to be done by licensed contractors. You have applied for a permit under an exemption to that law that allows you, as the owner of your property, to act as your own contractor, even though you do not have a license. You may build or improve a one-family or two-family residence or a farm outbuilding or build or improve a commercial building at a cost of \$75,000 or less in value, within any 12-month period, provided the residence or farm outbuilding is for your own use and occupancy. *It may not be built for sale or lease.*

The construction must be performed according to Building Codes and Zoning Regulations. It is your responsibility to make sure that people employed by you have licenses, workers' compensation, and insurance required by State law and by County licensing ordinances. *You must perform, or supervise the construction yourself, and possess technical knowledge to personally supervise all permitted work, if not performed by a licensed contractor.*

Therefore, as the Owner/Builder:

- I understand that state law requires construction to be done by a licensed contractor and I have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed in this affidavit, may act as my own contractor with certain restrictions even though I do not have a license.
- I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.
- I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence **must be for my own use or occupancy**. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption.
- I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.
- I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance.
- I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or 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.

- I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.
- 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. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.
- I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at (850) 487-1395 or <http://www.myfloridalicense.com/dbpr/pro/cilb/> for more information about state licensed contractors.
- 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 the proposed construction activity at the following address:

(YOUR ADDRESS GOES HERE): _____

- I agree to notify the City of Westlake Building Department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage. Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages.

A digital (.pdf) copy of the completed application, plans, surveys, and all supporting documents must be submitted to <https://cityviewportal.westlakegov.com/> prior to hard copy submittal. See below for a list of required documents. The Building Department will calculate fees upon receipt of the digital submittal. Hard copies cannot be submitted until applicable fees have been determined. The application fee must be paid when the hard copies are submitted. Any remaining fees must be paid at the time the permits are issued.

Owner/Builder must appear personally, with photo identification and proof of ownership, to apply for a permit under this exception to the Florida State Licensing Laws. Applicant acknowledges that permits involving habitable areas (enclosed living space, including window wall systems) are subject to the assessment of Impact Fees.

REQUIRED DOCUMENTS:

1. Westlake Building permit application fully executed, including scope of work and cost of construction.
2. Engineered construction drawings containing project name, and business name/ address of person responsible for design. Structural drawings must be signed and sealed by a Design Professional.

3. Surveys: Construction survey less than 1 year old with proposed scope of work detailed with signed and sealed construction site plan, including the location of proposed improvements, drawn to scale and dimensioned, with easements, rights of way, and any existing structure locations illustrated, and providing distances or separations to the property lines and any existing structures.
4. Wind design information per sections 1603.1.4 FBC, as applicable.
5. State Product Approval with specific product and details identified.
6. Please check with HOA for their requirements.

NOTICE OF COMMENCEMENT (NOC) REQUIREMENTS

State Statute requires all permits with a value greater than \$2,500 to record a Notice of Commencement (NOC) with the Clerk of the Court PRIOR TO THE FIRST INSPECTION. If replacing air conditioning equipment (HVAC), the requirement is a value of \$7,500 or more. The permit holder must supply the Building Department with a copy of the recorded NOC prior to scheduling first inspection, and the NOC must also be posted on site.

Important Notice: This form and the accompanying permit application must be notarized before you appear in person at the Building Department. Please bring a copy of your driver’s license and proof of ownership of subject property.

OWNER/BUILDER AFFIDAVIT & DISCLOSURE STATEMENT

I, the owner of the property located at: (YOUR ADDRESS)_____, do hereby certify that I have read the Owner/Builder Affidavit & Disclosure Statement Form, and I am aware of my responsibilities and liabilities for construction work on the above-described property. I do hereby agree to abide by each of the above statements. I further understand that any falsification of the above statements constitutes fraud and may result in revocation of this permit.

Owner (signature)

Owner (print)

State of Florida , County of Palm Beach

Sworn to (or affirmed) and subscribed before me this _____ day of _____ 20__, by

(Name of Person Acknowledging)

(Signature of Notary Public – State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known _____ or Produced Identification _____
Type of Identification Produced _____