



MORGAN COUNTY PLANNING AND DEVELOPMENT

Post Office Box 1357
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Madison, Georgia 30650
(706)342-4373

OWNER'S AFFIDAVIT FOR PERMIT

READ ALL INFORMATION CAREFULLY AND FILL OUT COMPLETELY

This Affidavit must be completed by an owner applying for a building permit who does not have a residential or general contractor's license issued pursuant to O.C.G.A. 43-41-1 et. seq., and meets the criteria for the issuance of a building permit under O.C.G.A. 43-41-17(h).

Check All That Apply: ☐ Building Permit ☐ Electrical/Low Voltage Permit ☐ Plumbing Permit ☐ Mechanical Permit ☐ Pool Permit

Owner:	_____ [print name]
Property:	Address: _____ _____ City: _____, Georgia _____ [zip] Map: _____ Parcel: _____
Type of Construction:	Commercial: _____ Residential: _____

I, Owner (listed above), hereby apply for special consideration as the property owner listed above desiring to build and/or serve as general contractor for the subject property. In making this request for a homeowner permit, the undersigned hereby states the following to be true:

1.

Applicant states that the building or structure is located on real property owned by said applicant and is intended upon completion for occupancy by applicant and will not be used by the general public. Further it is hereby stated the applicant has not sold a building or structure that he/she constructed and acted as contractor within the prior 24 months and this property is not to be offered for sale or lease as provided for under O.C.G.A. 43-41-17. Should applicant sell the home/building within 24 months following issuance of the certificate of occupancy or final permit inspection approval; applicant understands he/she will not be allowed to permit another home/building project unless applicant is duly licensed by the State of Georgia.

2.

Applicant shall serve as the general contractor and accept inherent responsibilities and liabilities for the work authorized by the approved permit in accordance with Georgia's licensing law pertaining to Residential and General Contractors and including workman's comprehensive liability. If applicant is not installing the building, pool, electrical, plumbing, or mechanical systems as building owner, he/she shall hire properly licensed electrical, plumbing, and mechanical contractors and secure any required trade permits. As general contractor, applicant may contract with traditional specialty contractors or limited-service specialty contractors who are not required to hold a State license as a residential or general contractor if performing within their specialty as provided for under O.C.G.A. 43-41-17. Applicant may not hire another individual or firm to hire sub-contractors without that party being licensed as required by the State and further securing required permits.

3.

Applicant agrees to build in accordance with applicable codes and strictly adhere to the inspections as required by the jurisdiction. Undersigned acknowledges that inspections must be performed in an established sequence as required by the jurisdiction and that work done in violation of the building codes must be corrected or may be ordered removed. All work performed on the building or structure on Property shall be in conformity with all building codes, other applicable provisions of Title 43 of the Official Code of Georgia Annotated, any applicable county or municipal resolutions, ordinances, codes, permitting, or inspection requirements.

4.

Applicant acknowledges that he/she is aware that a permit issued under the provisions of the code may be revoked for false statements of misrepresentations as to the material fact in the application on which the permit was based. Applicant acknowledges that making false statements made in the permit application will subject said applicant to possible prosecution and/or fine. Georgia Criminal Code, Article 2, Section 16-10-20 (False Swearing) calls for a possible fine of not more than \$1000.00 or imprisonment for not less than one (1) nor more than five (5) years or both.

5.

FOR GOOD AND VALUABLE CONSIDERATION (the receipt and sufficiency of which is hereby irrevocably acknowledged) the undersigned hereby agrees to and understands the merits of this document and further indemnifies and saves harmless the Indemnitee (herein Morgan County, it's employees and agents) from and against any, and all claims, demands, actions, suits, losses, costs, charges, expenses, damages and liabilities whatsoever which the Indemnitee may pay, sustain, suffer or incur by reason of or in connection with the use or the effects of the location above and the construction activity associated with this permitted scope of work, including, without limiting the generality of the foregoing, all costs and expenses (including legal expenses) incurred in connection with any such loss or damage.

SWORN TO AND SUBSCRIBED

Before me this _____ day of _____, 20_____.

NOTARY PUBLIC

OWNER

My commission Expires:

Any person who executes this affidavit, knowing the contents thereof to be false, may be guilty of making “False Statements and Writings” in violation of O.C.G.A. 16-10-20 and of “False Swearing” in violation of O.C.G.A. 16-10-71.

16-10-20 False Statements and writings; concealment of facts.

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact’ makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment of not less than one nor more than five years, or both.

16-10-71. False swearing

A person to whom a lawful oath or affirmation has been administered or who executes a document knowing that it purports to be an acknowledgment of a lawful oath of affirmation commits the offense of false swearing when, in any matter or thing other than a judicial proceeding; he knowingly and willfully makes a false statement. A person convicted of the offense of false swearing shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

43-41-17(h) Residential and General Contractors

Nothing in this chapter shall preclude any person from constructing a building or structure on real property owned by such person which is intended upon completion for use or occupancy solely by that person and his or her family, firm, or corporation and its employees, and not for use by the general public and not offered for sale or lease. In so doing, such person may act as his or her own contractor personally providing direct supervision and management of all work not performed by licensed contractors. However, if, under this subsection, the person or his or her family, firm, or corporation has previously sold or transferred a building or structure which had been constructed by such person acting without a licensed residential or general contractor within the prior 24 month period, starting from the date on which a certificate of occupancy was issued for such building or structure, then such person may not, under this subsection, construct another separate building or structure without having first obtained on his or her own behalf an appropriate residential or general contractor license or having engaged such a duly licensed contractor to perform such work to the extent required under this chapter, or it shall be presumed that the person, firm, or corporation did not intend such building solely for occupancy by that person and his or her family, firm, or corporation. Further, such person may not delegate the responsibility to directly supervise and manage all or any part of the work relating thereto to any other person unless that person is licensed under this chapter and the work being performed is within the scope of that person’s license. In any event, however, all such work must be done in conformity with all other applicable provisions of this title, the rules and regulations of the board and division involved, and any applicable county or municipal resolutions, ordinances, codes, permitting, or inspection requirements.