



LEGAL DECLARATION FORM For OWNER-BUILDER DECLARATIONS

DIRECTIONS: Any work done on public or private lands requiring any type of authorization by the City requires completion of this form by the individual seeking said approval ("Applicant"). Please review and complete the applicable sections. Please request assistance as needed with any difficulty in completing this form. Please sign at the bottom and file with the City. Receipt by City is required prior to any approvals, permits, or otherwise, being granted to the Applicant.

OWNER-BUILDER DECLARATION:

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure 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 five hundred dollars (\$500).):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do ☐ all of or ☐ portions of the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the 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 it was not built or improved for the purpose of sale.).

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

☐ I am exempt from licensure under the Contractors' State License Law for the following reason:

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following Web site: <http://www.leginfo.ca.gov/calaw.html>.

Date: _____ Signature of Property Owner or Authorized Agent: _____

NOTICE, INDEMNITY, & SIGNATURES: *All Applicants must complete and sign at the bottom for the City to issue any approval, permit, or otherwise.*

WORKERS' COMPENSATION DECLARATION:

I hereby affirm under penalty of perjury one of the following declarations (*choose one (1)*):

☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. Policy No. _____

☐ 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 Date: _____
Name of Agent: _____ Agent's Phone Number: _____



☐ 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 provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date: _____ Signature of Property Owner or Authorized Agent: _____
WARNING: FAILURE TO SECURE WORKERS' 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 ATTORNEYS FEES.

DECLARATION REGARDING CONSTRUCTION LENDING AGENCY:

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civil Code) **(list N/A if no lending agency):**

Lender's Name: _____ Branch: _____

Lender's Address: _____

HAZARDOUS MATERIALS (Non-Residential Building Permits Only):

Government Code Section 65850.2, requires that an owner or its agent must, for a project that does not require a development permit other than a building permit, and that is not solely for residential construction: (1) indicate whether the project will also require compliance with applicable hazardous materials management requirements or a permit for construction or modification from the air pollution control district or air quality management district, and (2) certify whether the project will have more than a threshold quantity of a regulated substance in a process or will be a source of hazardous air emissions. Therefore, as the applicant, I hereby declare that materials considered as hazardous by the State of California ☐ Will, ☐ Will not be used or stored at this location, ☐ Not Applicable

NOTICE:

I, the Applicant, hereby agree to save, indemnify and hold harmless the City of El Paso de Robles and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any way accrue against the City of El Paso de Robles in consequence of the granting of this permit, approval, or other allowance and will strictly comply with the conditions of all current or future policies, Permits, Regulations, allowances, and ordinances of the City of El Paso de Robles and the laws of the State of California.

Approved plans and specifications shall not be changed, modified or otherwise altered without written authorization by the Community Development Department, and all work shall be done in accordance with all applicable laws and ordinances regulating construction.

I, the Applicant, understand that the issuance of any allowance, permit, or approval based upon plans, specifications and other data does not give authority to violate or cancel the provisions of the state, city, or local laws and does not prevent the City of El Paso de Robles from requiring the correction of errors, or from preventing building operations being carried on when in violation of said laws.

I, the Applicant, certify that I have read this form and state that the above information is correct. I am the property owner, authorized to act on the property owner's behalf, the owner's contractor, or have a legal entitlement to act on the property. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes.

I, the Applicant, certify and represent under penalty of perjury that the above information is true and accurate and that the City of El Paso de Robles shall not be liable in any regard for any information provided herein, as the city does not regulate, review, or issue contractor licenses or approve exemptions.

Signature of Applicant: _____ Date: _____

Printed Name of Signer: _____ Permit: _____