



TOWN OF MELBOURNE VILLAGE

555 Hammock Road • Melbourne Village • Brevard County, Florida 32904-2513

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OWNER BUILDER DISCLOSURE FORM

As Required by F.S. 489.103(7)

NOTICE: State Law requires that all Permitting Agencies provide individuals with the following information for submitting applications for Owner/Builder Permits:

- 1) Town of Melbourne Village Code Chapter 4, Sec. 4-39(a)(b), and Florida Statute 489.103(7) provide an exemption which allows you, as a property owner, to construct or improve a single-family residence, or accessory use structure, on said property for your own use or occupancy without having a Certificate of Competency subject to the Building Officials determination of your competency to perform the work.
- 2) 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, may act as my own contractor with certain restrictions even though I do not have a license.
- 3) I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.
- 4) 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.
- 5) 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.
- 6) I understand that, as the owner-builder, I must provide direct onsite supervision of the construction.
- 7) I understand that I may not hire an unlicensed person to act as my contractor or to supervise people working on my building or residence. It is my responsibility to ensure that the people whom I employ have the licenses required by law and by county or municipal ordinance.
- 8) I understand that it is a frequent practice of unlicensed people 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 willing to act as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.

- 9) 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.
- 10) 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 construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.
- 11) 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 <https://www.myfloridalicense.com/intentions2.asp?SID=> for more information about licensed contractors.
- 12) 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:
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- 13) I agree to notify the Town of Melbourne Village Building Department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

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. 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.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

I, _____, of _____, Melbourne Village, FL; in consideration of a building permit issued by the Town of Melbourne Village, Florida, agree to Indemnify and Hold Harmless said Town of Melbourne Village, Florida, its Officers and Agents from any and all claims, damages or expenses that the Town of Melbourne Village may be liable for which arise from the construction/improvements accomplished in connection with said Building Permit.

I also acknowledge that I have thoroughly read and completely understood the above Owner/Builder Disclosure on this _____ day of _____ 20_____.

Signature

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____, who _____ is personally known to me, or _____ has produced _____ as identification and who did not take an oath.

Notary Public

Notary Stamp

A violation of this exemption is a misdemeanor of the first degree punishable by a term of imprisonment not exceeding one (1) year and a \$1,000.00 fine in addition to any civil penalties, in addition, the local permitting jurisdiction shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person(s) performing work that requires licensure under the permit issued.