



City of Concord
Building Division
1950 Parkside Drive, MS/51
Concord, CA 94519
(925) 671-3107

OWNER-BUILDER FORM

Dear Property Owner:

An application for a building permit has been submitted in your name listing yourself as the builder of the property improvements specified at the property address of _____. We are providing you with an Owner-Builder Acknowledgment and Information Verification Form, per Health and Safety Code Section 19825, to make you aware of your responsibilities and possible risk you may incur by having this permit issued in your name as the Owner-Builder. **We will not issue a building permit until you have completed and submitted this form.** An agent of the owner cannot execute this notice unless you, the property owner, obtain the prior approval of the permitting authority.

CONTRACTOR'S LICENSE LAW

I am exempt from the Contractor's License Law for the following reason(s) (Section 7031.5, Business and Professions Code: Any city or 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 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 is exempt therefrom 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].):

Initial one or both options directly below that apply:

_____ I, as owner of the property, or my employees with wages as their compensation, will do the work, and the structure is not intended or offered for sale (Section 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 does such work himself or through his 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 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 (Section 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.

OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF INFORMATION

DIRECTIONS: Read and ***initial each statement below*** to signify you understand or verify this information.

_____ 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 or 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 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 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.

_____ 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 or her name instead of my own.

_____ I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.

_____ 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), including labor and materials, I may be considered an “employer” under state and federal law.

_____ 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.

_____ I understand under California Contractors’ State License Law, 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, 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. I understand the applicable law, Section 7044 of the Business and Professions Code, is available at <http://www.leginfo.ca.gov/calaw.html>.

_____ 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.

_____ 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’ State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about 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 proposed construction activity at the following address:

_____ 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 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. 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.

CONSTRUCTION & DEMOLITION RECYCLING ORDINANCE PERFORMANCE AGREEMENT

Hauling method to be used (**select one**):

City Franchise Hauler (Mt. Diablo Resource Recovery: 925-682-9113) - **No other company debris boxes allowed in Concord**

Self Hauling (as defined by the City's C&D Waste Recycling Ordinance)

City of Concord's Franchise Hauling Area 3rd Party Hauler - Only if Mt. Diablo Resource Recovery does not accept material type (**Must request waiver from City's franchise hauler**)

_____ I, the undersigned, acknowledge that my project meets the criteria for coverage under the City of Concord's Construction and Demolition Waste Recycling Ordinance (CMC Title 8, Article III, Commencing with Section 8.20.330). I understand that I am responsible for the actions of my contractors or other agents with regard to complying with the diversion requirement and that failure to comply with this ordinance will result in the forfeiture of my Performance Security to the City. I understand that the Program Fee is non-refundable. I agree to utilize GreenHalo for final reporting purposes and agree to use only those facilities shown in GreenHalo as Approved Facilities and only for the specific materials a facility handles. Due to the City's Franchise Agreement, Concord project debris cannot be mixed with any other jurisdiction project debris.

_____ I further understand and acknowledge that failure to comply with the Construction and Demolition Waste Recycling Ordinance or to submit the final waste management documentation via GreenHalo within 30 days of final inspection will result in the forfeiture of my Performance Security to the City, and that my Performance Security shall also be forfeited to the City if my building permit is canceled due to expiration under the provisions of CMC Section 15.05.020.

_____ I have read and understand the [Instruction for Green Halo Recycling Process and Compliance](#)

CERTIFICATION

I certify under penalty of perjury that I have read this application and state that the above information is correct. I agree to comply to all City Ordinances and state laws relating to building construction, and hereby authorize representatives of the City of Concord to enter upon the above-mentioned property for inspection purposes. I also agree to save, indemnify and keep harmless the City and its agents against all liabilities, judgments, costs, and expenses which may in any way accrue against said agency in consequence of the granting of this permit.

Signature of Property Owner

Date

Name (Printed)

AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF

*Note: The following Authorization Form is required to be completed by the property owner **only when designating an agent of the property owner** to apply for a construction permit for the Owner-Builder.*

Excluding the Notice to Property Owner, the execution of which I understand is my personal responsibility, I hereby authorize the following person(s) to act as my agent(s) to apply for, sign, and file the documents necessary to obtain an Owner-Builder Permit for my project.

Scope of Construction Project (or Description of Work): _____

Project Location or Address: _____

Name of Authorized Agent: _____ Tel No _____

Address of Authorized Agent: _____

I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy. *Note: A copy of the owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.*

Signature of Property Owner

Date