



TRANSYLVANIA COUNTY
NORTH CAROLINA

BUILDING PERMITTING AND ENFORCEMENT
www.transylvaniacounty.org/departments/building-permitting-and-enforcement
PHONE: (828) 884-3209

General Contractor Exemption Application
Owner Exemption Affidavit Pursuant to North Carolina G.S. 87-14(a)(1)

Site Address _____ Parcel Identification Number _____

Intended use after completion (example: personal residence) _____

Residential _____ Commercial _____ Industrial _____ Other _____

I, _____ hereby claim an exemption from licensure under G.S. 87-1(b)(2) by *initialing* the following:

_____ I certify that I am the owner of the property on which this building is to be constructed or altered;

or

_____ I am legally authorized to act on behalf of the firm or corporation who is constructing or altering this building on the property owned by the firm or corporation.

and

_____ I will personally superintend and manage all aspects of the construction or alternation of the building and that duty will not be delegated to any person not duly licensed under the terms of Article 1 of Chapter 87 of the General Statutes of North Carolina.

_____ I will be personally present for all inspections required by the North Carolina State Building Code, unless the plans for the construction or alteration of the building were drawn and sealed by a design professional licensed pursuant to Chapter 83A of the General Statutes of North Carolina.

_____ I understand that a copy of this affidavit will be transmitted to the North Carolina Licensing Board for General Contractors for verification and that I am validly entitled to claim an exemption under G.S. 87-1(b)(2) for the building construction or alternation specified herein. I further understand that, if the North Carolina Licensing Board for General Contractors determines that I was not entitled to claim this exemption, the building permit issued for the building construction or alteration specified herein shall be revoked pursuant to G.S. 153A-362 or G.S. 160A-422.

Violation of G.S. 87.1, G.S. 87-14(a)(1) will result in legal action, a stop work order, and revocation of the building permit. You may be found guilty of a Class 2 misdemeanor punishable by a fine of up to \$1000 and 30 days imprisonment. In addition, swearing falsely on the affidavit (perjury) is also a criminal offense punishable as a Class F felony.

I, the undersigned, have read and understand General Statute 87-14(a). As the owner of the land upon which a building permit was applied for, I hereby affirm or swear that I qualify under the exemptions to assume all responsibility and liability of a general contractor upon this project.

Applicant Signature _____ Printed name _____

Date _____ Phone Number _____

Transylvania County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

_____.

(Signature of Notary)

Date

Notary Public (Printed Name of Notary)

My commission expires: _____.

Permit #:

Issue Date:

"G.S. 87-1 'General Contractor' defined; exceptions.

(a) For the purpose of this Article, any person or firm or corporation who for a fixed price, commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to superintend or manage, on his own behalf or for any person, firm or corporation that is not licensed as a general contractor pursuant to this Article, the construction of any building, highway, public utilities, grading or any improvement or structure where the cost of the undertaking is thirty thousand dollars (\$30,000) or more, or undertakes to erect a North Carolina labeled manufactured modular building meeting the North Carolina State Building Code, shall be deemed to be a 'general contractor' engaged in the business of general contracting in the State of North Carolina.

(b) This section shall not apply to the following:

(1) Persons, firms, or corporations furnishing or erecting industrial equipment, power plant equipment, radial brick chimneys, and monuments.

(2) Any person, firm, or corporation who constructs or alters a building on land owned by that person, firm, or corporation provided (i) the building is intended solely for occupancy by that person and his family, firm, or corporation after completion; and (ii) the person, firm, or corporation complies with G.S. 87-14. **If the building is not occupied solely by the person and his family, firm, or corporation for at least 12 months following completion, it shall be presumed that the person, firm, or corporation did not intend the building solely for occupancy by that person and his family, firm, or corporation.**

(3) Any person engaged in the business of farming who constructs or alters a building on land owned by that person and used in the business of farming, when the building is intended for use by that person after completion."

Section 2. G.S. 87-14 Regulations as to issue of building permits.

(a) Any person, firm, or corporation, upon making application to the building inspector or such other authority of any incorporated city, town, or county in North Carolina charged with the duty of issuing building or other permits for the construction of any building, highway, sewer, grading or any improvement or structure where the cost thereof is to be thirty thousand (\$30,000) or more, shall, before entitled to the issuance of a permit, satisfy the following:

(1) Furnish satisfactory proof to the inspector or authority that the person seeking the permit or another person contracting to superintend or manage the construction is duly licensed under the terms of this Article to carry out or superintend the construction or is exempt from licensure under G.S. 87-1(b)(2). If an applicant claims an exemption from licensure pursuant to G.S. 87-1(b)(2), the applicant for the building permit shall execute a verified affidavit attesting to the following:

a. That the person is the owner of the property on which the building is being constructed or, in the case of a firm or corporation, is legally authorized to act on behalf of the firm or corporation.

b. That the person will personally superintend and manage all aspects of the construction of the building and that the duty will not be delegated to any other person not duly licensed under the terms of this Article.

c. That the person will be personally present for all inspections required by the North Carolina State Building Code, unless the plans for the building were drawn and sealed by a design professional licensed pursuant to Chapter 83A of the General Statutes.

The building inspector or other authority shall transmit a copy of the affidavit to the Board, who shall verify that the applicant was validly entitled to claim the exemption under G.S. 87-1(b)(2). If the Board determines that the applicant was not entitled to claim the exemption under G.S. 87-1(b)(2), the building permit shall be revoked pursuant to G.S. 153A-362 or G.S. 160A-422.

(2) Furnish proof that the person has in effect Workers' Compensation insurance as required by Chapter 97 of the General Statutes.

(b) It shall be unlawful for the building inspector or other authority to issue or allow the issuance of a building permit pursuant to this section unless and until the applicant has furnished evidence that the applicant is either exempt from the provisions of this Article and, if applicable, fully complied with the provisions of subdivision (a)(1) of this section, or is duly licensed under this Article to carry out or superintend the work for which the permit has been applied; and further, that the applicant has in effect Workers' Compensation insurance as required by Chapter 97 of the General Statutes. Any building inspector or other authority who is subject to and violates the terms of this section shall be guilty of a Class 3 misdemeanor and subject only to a fine of not more than fifty dollars (\$50.00).

Section 4. G.S. 160A-420 Inspections of work in progress.

As the work pursuant to a permit progresses, local inspectors shall make as many inspections thereof as may be necessary to satisfy them that the work is being done according to the provisions of any applicable State and local laws and of the terms of the permit. In exercising this power, members of the inspection department shall have a right to enter on any premises within the jurisdiction of the department at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials. If a permit has been obtained by an owner exempt from licensure under G.S. 87-1(b)(2), **no inspection shall be conducted without the owner being personally present, unless the plans for the building were drawn and sealed by a design professional licensed pursuant to Chapter 83A of the General Statutes.** Failure to comply will result in a \$75.00 re-inspection fee per occurrence.