



OWNER EXCEPTION QUESTIONNAIRE/AFFIDAVIT ALL TRADES

Reference N.C.G.S 87-1, 87-14 (attached)

Town of Apex
Inspections Division:
919-249-3418
Planning Department:
919-249-3426

(EXCEPTION FOR BUILDING TRADE ONLY - PROJECTS COSTING \$40,000 OR LESS)

- 1) Do you own the land on which this building project will be constructed?
 Yes **If yes, go to question 2.**
 No **If no, applicant is not eligible for a permit under "owner exception".**
- 2) Have you hired, or do you intend to hire an individual to superintend and manage construction of the project?
 Yes **If yes, applicant is not eligible for a permit under "owner exception". If no, go to question 3.**
 No
- 3) Do you intend to directly control and supervise construction activities?
 Yes **If yes, go to question 4.**
 No **If no, applicant is not eligible for a permit under "owner exception".**
- 4) Do you intend to schedule, contract with, and directly pay for all phases of construction work to be done?
 Yes **If yes, go to question 5.**
 No **If no, applicant is not eligible for a permit under "owner exception".**
- 5) Do you intend to personally order building supplies and materials for the project for which the building permit is sought?
 Yes **If yes, applicant may be entitled to permit under the "owner's exception". If no, applicant is not eligible for a permit under "owner exception".**
 No
- 6) Do you intend to schedule and be present for scheduled inspections?
 Yes **If yes, go to question 7.**
 No **If no, applicant is not eligible for a permit under "owner exception".**
- 7) Do you understand that you are responsible for compliance with all applicable federal, state and local laws and requirements, including but not limited to: the State Building Code, Sedimentation Control Act requirements, and solid and hazardous waste disposal requirements?
 Yes **If yes, go to question 8.**
 No **If no, applicant is not eligible for a permit under "owner exception".**
- 8) Do you intend to personally occupy the building for at least 12 consecutive months following completion of construction and do you understand that if you do not do so, it creates the presumption under the law that you fraudulently secured the building permit?
 Yes **If yes, applicant may be entitled to permit under the "owner's exception".**
 No **If no, applicant is not eligible for a permit under "owner exception".**
- 9) Check which trades you will be responsible for installing: Building Electrical Mechanical Plumbing

Owner's Name (print) _____ Signature _____ Date _____

Public Notary Statement

State of North Carolina, County of _____

Subscribed and sworn before me, this the _____ day of _____, 20_____.

Notary Public (print name)

Notary Seal

Notary Public (signature)

My Commission Expires: _____

§ 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 dollars (\$30,000) or more, shall, before being 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). 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 an architect 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.

(3) 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 permits pursuant to G.S. 160A-417(a)(1) or G.S. 153A-357(a)(1) for any improvements for which the combined cost is to be thirty thousand dollars (\$30,000) or more, other than for improvements to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that the owner occupies as a residence, or for the addition of an accessory building or accessory structure as defined in the North Carolina Uniform Residential Building Code, the use of which is incidental to that residential dwelling unit, shall be required to provide to the building inspector or other authority the name, physical and mailing address, telephone number, facsimile number, and electronic mail address of the lien agent designated by the owner pursuant to G.S. 44A-11.1(a).

(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 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). (1925, c. 318, s. 13; 1931, c. 62, s. 4; 1937, c. 429, s. 7; 1949, c. 934; 1953, c. 809; 1969, c. 1063, s. 6; 1971, c. 246, s. 4; 1981, c. 783, s. 2; 1989, c. 109, s. 2; 1991 (Reg. Sess., 1992), c. 840, s. 2; 1993, c. 539, s. 603; 1994, Ex. Sess., c. 24, s. 14(c); 2011-376, s. 2; 2012-158, s. 4; 2013-117, s. 4.)