



## BUILDING & FIRE CODES DEPARTMENT

### HOMEOWNER/BUILDER AFFIDAVIT

Property Owner: \_\_\_\_\_

Property Address: \_\_\_\_\_

#### **NOTE: PLEASE READ BEFORE SIGNING**

T.C.A. Section 62-6-103(a) (2) (A & B) recognizes an exemption to Tennessee State Law requiring that licensed contractors be used on all construction projects defined as "contracting" by T.C.A. Section 62-6-102; however, said exemption only allows a person, firm or church that owns its own property to construct a single residence, farm building or other building for individual use in its county of residence, and not for resale, lease, rent or other similar purpose, provided that no such owner may be allowed to claim the exemption if such owner constructs more than one (1) single residence within a period of two (2) years. This exemption and the provisions of T.C.A. Section 13-7-117 require that the owner perform its own work or immediately supervise the work on such person's own property. Failure by the Owner to do so, or to use the exemption as a subterfuge to use a non-licensed contractor to perform such work, is a violation of T.C.A. Sections 13-7-117; 62-6-103; and 62-6-126, which violations constitute criminal offenses as set forth in said statutory provisions. Furthermore, such violations, upon discovery by the Town of Farragut, shall be the basis of denial of building permits; issuance of a stop work order; and/or revocation of any previously issued building permits.

This Agreement is made by and between Town of Farragut, and the PROPERTY OWNER ("Owner"), who wishes to construct his, her or its own structure. After having read and signed this Agreement, in conjunction with State Law, Town of Farragut will allow an OWNER who acquires the proper permits to act as its/their own contractor and construct its/their own single residence, farm building or other building for individual use in accordance with T.C.A. Section 62-6-103(a)(2)(A). OWNER is thereby responsible for and shall perform its own construction or directly supervise the construction of all framing, electrical, plumbing and mechanical work.

As Owner/Applicant, thereby swear or affirm that pursuant to T.C.A. Section 62-6-103(2) (A & B), the building being constructed is not for resale, lease, rent or other similar purposes. I have not obtained a building permit to construct a residence in the last two (2) years prior to this date in the State of Tennessee, in accordance with T.C.A. Section 62-6-103(a)(2)(B).

I, the Property Owner, hereby certify and understand that I am assuming and shall perform the role of contractor for my residence or residential building(s) and as such it is my responsibility to fully and completely comply with all provisions of the adopted building codes of the Town of Farragut, as amended, and any applicable subdivision regulations; all state and/or local zoning laws, resolutions or ordinances; and any other applicable laws or regulations pertaining to construction or contracting.

I also understand and agree that the Town of Farragut Building Codes Department/Building Official cannot and will not be a consultant to me as owner or builder or give any construction advice in any of the trades other than Code meanings or interpretation. The Building Official shall require that I, as owner/builder, obtain a licensed contractor in the appropriate trade as a consultant and/or assistant when needed and when required by T.C.A. Section 62-6-102.

I hereby certify and agree to indemnify and hold harmless the Building Official, his agents and employees, and officers the Town of Farragut, its agents, employees, and officers, against any claims, liabilities, judgment costs and expenses which may in any way accrue against them as a result of the granting of a building permit.

By acting as the Contractor, I am directly responsible for the following requirements:

- 1) Inspections being requested and passed.
- 2) Meeting all zoning requirements.
- 3) Assuring that, in compliance with T.C.A. Section 13-7-117, I am exempt from the provisions of the Tennessee Workers Compensation Act because I am performing and/or directly supervising work on my own property within my County of residence; however, pursuant to the provisions of T.C.A. Section 13-7-117, it is my responsibility to obtain verification of compliance with the Workers Compensation provisions of Tennessee Law as follows for any of my subcontractors:
  - a) Obtain a copy of their Certificate of Insurance or their Workers' Compensation policy for the life of my building permit, or
  - b) Sign an Affidavit of Exemption from such coverage as provided by T.C.A. Section 13-7-1 17(e).

All individuals signing this Affidavit certify pursuant to T.C.A. Section 13-7-1 17(e)(2), that they are in compliance with or exempt from the requirements of T.C.A. Section 13-7-117, and that, if required, a Certificate of Insurance or workers' compensation policy meeting the requirements of T.C.A. Sections 506-405 and 406 or photocopy thereof shall be delivered to the Building Official before a building permit may be issued, or an appropriate Affidavit of Exemption must be submitted pursuant to T.C.A. Section 13-7-117(e)(2).

DATED this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

Signature of Owner: \_\_\_\_\_

STATE OF TENNESSEE  
Town of Farragut

Sworn to and subscribed before me by \_\_\_\_\_  
*Print name of applicant*

on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

Notary Public at Large: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_