

STRUCTURAL ENGINEERING AND INSPECTIONS, INC.
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Technical Bulletin 09-014

City of Tampa – Owner Permits

“5-105.5. Owner permits.

5-105.5.1. The building official shall have the authority to set standards for the issuance of permits to owners. The owner/applicant, by applying for a permit, acknowledges his responsibility to have the requisite knowledge to perform the work described to meet the requirements of this chapter.

5-105.5.2. A building, electrical, plumbing, or mechanical permit may be issued to any person who is a bona fide owner of real property on which:

1. A one- or two-family dwelling exists or is to be constructed for his own use and in which he resides or intends to immediately reside, or
2. A commercial building whose total construction cost is less than seventy-five thousand dollars (\$75,000.00) and whose occupancy and use is for the owner and not offered for sale or lease, under the following conditions:
 - (a) Such owner shall furnish satisfactory evidence to the building official that he has sufficient practical knowledge to perform such work.
 - (b) The owner may hire laborers to assist him with the work, provided he complies with the Florida Statutes regarding worker's compensation, insurance and payroll taxes. If a temporary labor-pool contractor is used, it is the owner's responsibility to ensure that the proper coverage, as outlined above, is provided.
 - (c) Not more than one (1) such permit shall be issued to the same person in any twelve-month period.
 - (d) To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application.
 - (e) The building department shall provide the person with a disclosure statement in substantially the following form:

DISCLOSURE STATEMENT

State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions even though you do not have a license. You must provide direct, onsite supervision of the construction yourself. You may build or improve a one-family or two-family residence or a farm outbuilding. You may also build or improve a commercial building, provided your costs do not exceed seventy-five thousand dollars (\$75,000.00). The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within one year after the

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construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. You 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 your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct FICA and withholding tax and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

5-105.5.3. A homeowner may obtain any of the above permits in 5-105.5.2, for a partially completed residential structure provided the structure has received a certificate of completion for the work that has already been completed.”

Reference: City of Tampa. (2009). Code of Ordinances, Chapter 5, Section 105.5: Owner Permits.

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