



# Charlotte County Government

"To exceed expectations in the delivery of public services."

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## **Owner-Builder Permits Information**

[Section 489.13\(5\) of Florida Statutes](#) prohibits local building departments from issuing permits to unlicensed contractors.

However, [Section 489.103\(7\) of Florida Statutes](#) provides an exemption from the above requirement to "owners of property when acting as their own contractor and providing direct, onsite supervision themselves of all work not performed by licensed contractors" as follows:

- 1 When building or improving farm outbuildings or one and two family residences on such property for the occupancy or use of such owners and not offered for sale or lease, or,
- 2 Building or improving commercial buildings at a cost not to exceed \$75,000 on such property for the occupancy or use of such owners and not offered for sale or lease.
- 3 The sale or lease, or the offering for sale or lease, of any structure by an Owner-Builder within one (1) year after passing the final inspection and completion of the permit creates a presumption that the construction was undertaken for purposes of sale or lease in violation of the Owner-Builder exemption contained in Florida Statutes.

To qualify for the Owner-Builder exemption:

1. "An owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in the Disclosure Statement."
2. "The local permitting agency shall provide the person with a Disclosure Statement." Please see the Charlotte County [Owner-Builder Disclosure Statement](#).
3. The Disclosure Statement must be completed and signed by the property owner (witnessed by a Notary) and submitted at the time of permit application. Proper identification by the property owner in the form of a valid driver's license or state issued ID card must also be provided.

Please note: an owner-builder must be an individual person. LLC's and corporations are not persons. They cannot personally appear and sign both the Owner-Builder Disclosure Statement and the permit application as required by law. The Florida Attorney General's office has issued a legal opinion, [AGO 91-05](#), to this effect as well.

Violations of the owner-builder exemption are considered to be unlicensed contracting or activity in accordance with [Section 3-2-6\(a\) of the Charlotte County Code of Ordinances](#). The minimum fine is \$1,000 and the maximum allowable fine is \$2,500. In addition, Florida Statutes allows the Florida Department of Business and Professional Regulation to impose a fine up to \$10,000.

DJ:Owner-Builder-Permits-Info

## **COMMUNITY DEVELOPMENT DEPARTMENT**

Building Construction Division

Permits | Inspections | Plans Review | Building Code Enforcement

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