**OWNER/BUILDER AGREEMENT**

**Marion County Building Permit Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Applicant/Property Owner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(Please PRINT)**

**9 1 1 Property Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(Please PRINT)**

**IMPORTANT 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-licenses 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 Marion County, 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 MARION COUNTY, TENNESSEE (“County”), 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, COUNTY 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 structure 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, I hereby swear or affirm that pursuant to T.C.A. Section 62-6-103(2)(A & B), the structure 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 Marion County, Tennessee, in accordance with T.C.A. Section 62-6-103 (a)(2)(B).

I, the Property Owner, herby certify and understand that I am assuming and shall perform the role of contractor for my residence or residential structure(s) and as such it is my responsibility to fully and completely comply with all provisions of the 2018 International Building Code, as amended from time to time; 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 Marion County Building Inspection Office/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 indemnity and hold harmless the Building Official, his agents and employees, and Marion County, Tennessee, its agents, employees, officers, and Commissioners, against any claims, liabilities, judgement 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 setback 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 for such coverage as provided by T.C.A.

Section 13-7-117(e).

**IMPORTANT:** Discovery by the Building Official that the Owner is not performing his/her/its own work on such person’s own property or directly supervising work on such person’s own property in that person’s county of residence shall be grounds for issuance of a stop-work order and revocation of any applicable building permit pursuant to T.C.A. Section 13-7-117. Furthermore, violation of such requirement by the Owner is a Class C misdemeanor pursuant to T.C.A. Section 13-7-117(g) and may be referred to the Office of the District Attorney General for criminal prosecution.

* **A Job Box with the Building Permit Number on it must be in place and remain on the job site**
* **The 9 1 1 address must be posted street side**

**These are required prior to any inspection being requested and performed.**

The Building Official will make the required Inspections in the following order and with the following stipulations:

1. **Footing Inspection:** After trenches have been opened, steel is in place and grade stakes set. New homes are required to have the termite treatment applied by a licensed professional. You must have a copy of the New Construction Subterranean Termite Service Record letter or receipt.

**IMPORTANT:** The New Construction Subterranean Termite treatment MUST BE APPLIED PRIOR TO ANY FRAMING BEGINNING.

**IMPORTANT:** Prior to any Footing Inspection the side property lines must be clearly marked with tape or the inspection will not be performed.

1. **Slab Inspection:** All plumbing shall be filled with 10’ head or 3 (three) pounds air during Slab Rough-In Inspection.

**NOTE:** Plumbing permits are required and must be pulled in our office by an individual licensed in that trade.

1. **Foundation Inspection:** After the foundation has been laid, anchor bolts are in place and all topsoil and debris is removed from crawlspace. Crawlspace should be graded for drainage.
2. **Rough-In Inspection:** After all framing, bracing, rough-in wiring, mechanical and plumbing are in place. Before this inspection can be completed the ***plumbing must be pressurized on the incoming and water standing in drains to the highest point inside the structure***. Do not insulate the structure or cover the interior walls prior to this inspection.

**NOTE:** Plumbing and Mechanical permits are required and must be pulled in our office by an individual licensed in that trade.

1. **Spray Foam Insulation Inspection:** After the insulation has been installed, but prior to progressing any further. Inspections for insulation other than spray foam insulation are not required.
2. **Final Inspection:** Before the structure can be occupied this inspection must be completed. All safety features must be in place i.e., smoke alarms, carbon monoxide detectors, handrails and guards. If possible, the exterior of the structure should be graded for the proper water shed ~ weather permitting.

**IMPORTANT:** Prior to scheduling a Final Building Inspection the ***Final Electrical Inspection must have been completed, passed*** ***and the meter based must have the sticker provide from the Electrical Inspector.***

Electrical Inspections are not completed by this office. Contact your local utility company for guidance and scheduling of Electrical Inspections.

**IMPORTANT:** A copy of the ***New Construction Subterranean Termite Service Record letter must be in the Building Permit file*** in our office **before** a Final Inspection will be completed and a Certificate of Occupancy issued.

**Scheduling Building Inspections**

To schedule an inspection, phone 423 942 3527

Requests for inspections **should not** be sent via email

email is not assessible by all office staff and the request may be missed and not scheduled.

Allow one day’s notice when scheduling an inspection. Requests for Building Inspections left on the answering machine after 4:00 P.M. CST will be considered to have been received the following business day.

Provide the following information when requesting any inspection:

* Callers name and call-back number including the area code
* Building Permit Number **IMPORTANT:** This office does not use Lot Numbers
* 9 1 1 Property Address
* Type of inspection being requested
* Gate Code/Door Code if applicable

Inspections are scheduled Monday through Friday. We are unable to provide a specific time the Building Inspector will arrive. Footing Inspections are inspected first.

**The 9 1 1 address MUST be posted street side.**

**A Job Box marked with the Building Permit Number on it MUST be on site.**

**The above are required prior to any inspection being requested and performed.**

Inspections are scheduled Monday through Friday. We are unable to provide a specific time the Building Inspector will arrive. Footing Inspections are inspected first.

If re-inspections are required because the work did not pass the initial inspection, they will be made only after the requested changes are completed. The Building Official suggests a licensed tradesman/contractor be consulted if inspections are failed.

Second re-inspections will not be made until a person holding a Contractor’s license in the appropriate field has been consulted, changes have been made and the work then meets or exceeds applicable Code.

All inspections will be made when requested and one (1) re-inspection will be made without additional fees. If a second re-inspection is required, a fee of $25.00 will be charged for each additional inspection.

\*Certificate of Occupancy can only be furnished to the Owner or mortgage company if the Building Official has been requested to complete all the above required inspections and all inspections have been passed.

All individuals signing this Affidavit certify, pursuant to T.C.A. Section 13-7-117(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 50-6-405 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 \_, 2024.

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

**PLACE NOTARY SEAL**

**HERE**

Sworn to and subscribed before me.

Applicant/Property Owner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(Please PRINT)**

Notary Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on this date \_\_\_\_\_/\_\_\_\_/2024.

My Commission Expires on this date \_\_\_\_\_/\_\_\_\_/20\_\_.

**AFFIDAVIT OF EXEMPTION**

Comes the undersigned Affiant, after having been first duly sworn according to law, and hereby state as follows:

1. I am more than eighteen (18) years of age and competent to make this Affidavit.

2. I am exempt from the provisions of T.C.A. Section 13-7-117 requiring a proof of worker’s compensation insurance for issuance of a building permit because I am performing my own construction work on my own property in my County of residence or directly supervising work on my own property in my County of residence.

3. I understand the misrepresenting the facts stated herein or claiming the above exemption in violation of T.C.A. Section 13-7-117 is a criminal offense punishable as a Class “C” misdemeanor and basis for denial or revocation of a building permit.

Further the Affiant saith not.

Dated this day of \_,2024.

Signature of Affiant (Applicant/Property Owner): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PLACE NOTARY SEAL**

**HERE**

Sworn to and subscribed before me.

Affiant (Applicant/Property Owner): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(Please PRINT)**

Notary Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on this date \_\_\_\_\_/\_\_\_\_/2024.

My Commission Expires on this date \_\_\_\_\_/\_\_\_\_/20\_\_.

**PLACE NOTARY SEAL**

**HERE**

On this date \_\_\_\_\_/\_\_\_\_/2024, before me personally appeared satisfactory evidence to be the person described in and who executed the foregoing instrument and who acknowledged that he/she executed the same as his/her free act and deed.

Notary Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Commission Expires on this date \_\_\_\_\_/\_\_\_\_/20\_\_.