

Licensure/Exemption and Insurance Coverage Certifications

Chapter 87, Article 1 of the N.C. General Statutes prohibits the County from issuing a building permit unless and until the applicant has complied with the general contractor licensing and insurance coverage requirements in that article (see attached copies of Sections 87-1 and 87-14). To ensure such compliance, the County requires that the applicant make the following certifications.

The undersigned applicant for a building permit certifies that the person, firm, or corporation performing, superintending, or managing the proposed construction or alteration, whether the applicant or another person, firm, or corporation contracted to do so, either:

- Is duly licensed as a **general contractor** under Chapter 87, Article 1 of the N.C. General Statutes and maintains that license in good standing.

Licensee name: _____ **License number:** _____

OR

- Is **exempt from the statutory licensing requirements for general contractors** because:
 - the cost of the proposed construction is less than \$30,000;
 - the building being constructed or altered is located on **land owned by the applicant** and is intended solely for occupancy by the applicant (and family, if a person) for at least 12 months after its completion (i.e., the project is not a "speculation" project); or
 - I am the **owner** of the proposed building. It is my intention to act as my own general contractor, and I understand that the problems which may arise, such as inaccurate or insufficient construction will be solely my responsibility, and I will be left with no resource and must assume total liability for correction of the problems. I personally have a thorough knowledge of all of the NC State construction codes.
 - the applicant is engaged in the business of farming, owns the land containing the constructed or altered building, and intends to use the building for the business of farming after its completion;

OR

Modular Installation Contractor

- I am providing to Onslow County Code Enforcement Department a \$5,000.00 surety bond in accordance with **N.C.G.S. § 143-139.1**

AND

Insurance Coverage: The undersigned applicant also certifies that the person, firm, or corporation performing, superintending, or managing the proposed construction or alteration, as well as any subcontractor doing so:

- Carries workers' compensation insurance for employees as required by Chapter 97 of the N.C. General Statutes and will maintain that coverage for the duration of the permit construction or alteration; and
- Will provide certificates of insurance if requested by the Planning and Development Department before issuance of the permit or any time during the permitted construction or alteration.
- N/A Owner assumes insurance liability.

The undersigned applicant further acknowledges that, pursuant to Chapter 87, Article 1A of the N.C. General Statutes, the County will collect a \$10.00 fee with applications for construction or alteration of a single-family dwelling unit and forward \$9.00 of the fee to the N.C. Licensing Board for General Contractors, which will deposit it into the Homeowners Recovery Fund for subsequent use in reimbursing homeowners' losses for construction by general contractors.

Applicant's Name: _____

Signer's Name and Title (if firm or corporation): _____

Signature: _____ Date: _____

Chapter 87.**Contractors.**

Article 1.

General Contractors.

§ 87-1. "General contractor" defined; exceptions.

For the purpose of this Article any person or firm or corporation who for a fixed price, commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to superintend or manage, on his own behalf or for any person, firm, or corporation that is not licensed as a general contractor pursuant to this Article, the construction of any building, highway, public utilities, grading or any improvement or structure where the cost of the undertaking is thirty thousand dollars (\$30,000) or more, or undertakes to erect a North Carolina labeled manufactured modular building meeting the North Carolina State Building Code, shall be deemed to be a "general contractor" engaged in the business of general contracting in the State of North Carolina.

This section shall not apply to persons or firms or corporations furnishing or erecting industrial equipment, power plan equipment, radial brick chimneys, and monuments.

This section shall not apply to any person or firm or corporation who constructs or alters a building on land owned by that person, firm or corporation provided such building is intended solely for occupancy by that person and his family, firm, or corporation after completion; and provided further that, if such building is not occupied solely by such person and his family, firm, or corporation for at least 12 months following completion, it shall be presumed that the person, firm, or corporation did not intend such building solely for occupancy by that person and his family, firm, or corporation.

This section shall not apply to any person engaged in the business of farming who constructs or alters a building on land owned by that person and used in the business of farming, when such building is intended for use by that person after completion. (1925, c. 318, s. 1; 1931, c. 62, s. 1; 1937, c. 429, s. 1; 1949, c. 936; 1953, c. 810; 1971, c. 246, s. 1; 1975, c. 279, s. 1; 1981, c. 783, s. 1; 1989, c. 109, s. 1; c. 653, s. 1; 1991 (Reg. Sess., 1992), c. 840, s. 1.)

§ 87-14. Regulations as to issue of building permits.

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 he be entitled to the issuance of such permit, furnish satisfactory proof to such inspector or authority that he 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 same, and that he has paid the license tax required by the Revenue Act of the State of North Carolina then in force so as to be qualified to bid upon or contract for the work for which the permit has been applied, and that he has in effect Workers' Compensation insurance as required by Chapter 97 of the General Statutes; and it shall be unlawful for such building inspector or other authority to issue or allow the issuance of such building permit unless and until the applicant has furnished evidence that he is either exempt from the provisions of this Article 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 paid the license tax required by the State Revenue Act then in force so as to be qualified to bid upon or contract for the work covered by the permit; 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 such 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).)