



# City of Milton Homeowner Permit Affidavit Letter of Indemnification

Address \_\_\_\_\_ Date \_\_\_\_\_

The undersigned hereby applies for special consideration as the owner of the property listed above, desiring to build and/or serve as general contractor for the subject property. In making this request for a homeowner permit, the undersigned hereby states the following to be true;

Applicant states that the building or structure is located on real property owned by said applicant and is intended upon completion for occupancy by applicant and will not be used by the general public. Further it is hereby stated the applicant has not sold a building or structure that he/she constructed and acted as a homeowner contractor within the prior 24 months in the State of Georgia and this property is not to be offered for sale or lease as provided for under O.C.G.A. 43-41-17.

Should applicant sell the noted home/building within 24 months following issuance of the certificate of occupancy or final permit inspection approval; applicant understands he/she will be in violation of the premise of this affidavit and further not be allowed to permit another home/building project unless applicant is duly licensed by the State of GA.

Applicant shall serve as the contractor and accept inherent responsibilities and liabilities for the work authorized by the approved permit in accordance with Georgia's licensing law pertaining to Residential and General Contractors and including workman's comprehensive liability.

*Project is intended upon completion for use or occupancy solely by the owner and his or her family, firm, or corporation and its employees, and not for use by the general public and not offered for sale or lease. In so doing, such **person may act as his or her own contractor personally providing direct supervision and management of all work not performed by licensed contractors.** However, if, under this provision, , the person or his or her family, firm, or corporation has previously sold or transferred a building or structure which had been constructed by such person acting without a licensed residential or general contractor within the prior 24 month period, starting from the date on which a certificate of occupancy was issued for such building or structure, then such person may not, under this subsection, construct another separate building or structure without having first obtained on his or her own behalf an appropriate residential or general contractor license or having engaged such a duly licensed contractor to perform such work to the extent required under this chapter, or it shall be presumed that the person, firm, or corporation did not intend such building solely for occupancy by that person and his or her family, firm, or corporation. Further, such person may not delegate the responsibility to directly supervise and manage all or any part of the work relating thereto to any other person unless that person is licensed under this chapter and the work being performed is within the scope of that person's license. In any event, however, all such work must be done in conformity with all other applicable provisions of this title, the rules and regulations of the board and division involved, and any applicable county or municipal resolutions, ordinances, codes, permitting, or inspection requirements.*

As general contractor, applicant may contract with traditional specialty contractors or limited service specialty contractors who are not required to hold a State license as a residential or general contractor if performing within their specialty as provided per O.C.G.A. 43-41-17.

Applicant agrees to build in accordance with applicable codes and strictly adhere to the inspections as required by the jurisdiction. Undersigned acknowledges that inspections must be performed in an established sequence as required by the jurisdiction and that work done in violation of the building codes must be corrected or may be ordered removed.



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Applicant acknowledges that he/she is aware that a permit issued under the provisions of the code may be revoked for false statements of misrepresentations as to the material fact in the application on which the permit was based.

Applicant acknowledges that making false statements made in the permit application will subject said applicant to possible prosecution and/or fine. Georgia Criminal Code, Article 2, Section 16-10-20 (False Swearing) calls for a possible fine of not more than \$1000.00 or imprisonment for not less than one (1) nor more than five (5) years or both.

FOR GOOD AND VALUABLE CONSIDERATION (the receipt and sufficiency of which is hereby irrevocably acknowledged) the undersigned hereby agrees to and understands the merits of this document and further indemnifies and saves harmless the Indemnitee (herein the City of Milton, it's employees and agents) from and against any and all claims, demands, actions, suits, losses, costs, charges, expenses, damages and liabilities whatsoever which the Indemnitee may pay, sustain, suffer or incur by reason of or in connection with the use or the effects of the location above and the construction activity associated with this permitted scope of work, including, without limiting the generality of the foregoing, all costs and expenses (including legal expenses) incurred in connection with any such loss or damage.

Applicant Signature \_\_\_\_\_ Print Name \_\_\_\_\_

Date \_\_\_\_\_

Notary Seal

Sworn and subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_