

### **City of Indian Wells**

44-950 Eldorado Drive Indian Wells, CA 92210-7497 (760)346-2489 or (760) 776-0230

#### LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class\_\_\_\_License No,\_\_\_\_Exp. Date \_\_\_\_

Signature of Contractor/Agent:

#### OWNER - BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors State License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors State License Law (Chapter 9, commencing with Section 7000 of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500)):

- □ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors State License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving he or she did not build or improve for the purpose of sale).
- □ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions code: The Contractors State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors State License Law).
- □ I am exempt under Sec.\_\_\_\_\_, B. & P.C. for this reason:

Date Owner

Owner/Agent

As a standard condition of this Building Permit, Owner will defend (with counsel reasonably approved by the City), indemnify, defend, and hold the City, its officials, officers, employees, agents, and authorized volunteers free and harmless from any and all claims, demands, causes of action, suits, actions, proceedings, costs, expenses, liability, judgments, awards, decrees, settlements, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, (collectively, "Claims") in any manner arising out of, pertaining to, or incident to issuance of this Building Permit, including but not limited to, any alleged acts, errors or omissions, or willful misconduct of Owner, its officials, officers, employees, subcontractors, consultants or agents in connection with the issuance of the Building Permit, the Property, the existence of any deficiencies, including without limitation the payment of all damages, expert witness fees, attorneys' fees and other related costs and expenses. This indemnification (...continued)

## **PERMIT / PLAN REVIEW APPLICATION**

(continued...) clause excludes Claims arising from the sole negligence or willful misconduct of the City. Owner's obligations under this paragraph are not restricted to insurance proceeds, if any, received by the City, its officials, officers, employees, or authorized volunteers. Owner's indemnification obligation survives the expiration or revocation of the Building Permit. This obligation runs with the land.

Date\_\_\_\_\_ Owner/Agent \_\_\_\_\_

#### WORKER'S COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following:

- □ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- □ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:

Carrier\_\_\_\_

PolicyNumber

□ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation Laws of California and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date \_\_\_\_\_ Applicant/Agent \_\_\_\_

WARNING: Failure to secure Workers' Compensation Coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to One Hundred Thousand Dollars (\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest and attorney's fees.

#### CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ.C.).

Lender's Name

Lender's Address

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this City to enter upon the property for inspection purposes.

DATE

# IMPORTANT: APPLICATION IS HEREBY MADE TO THE BUILDING OFFICIAL FOR A PERMIT SUBJECT TO THE CONDITIONS AND RESTRICTIONS SET FORTH ON THIS APPLICATION AND THE FOLLOWING:

- 1. Construction activity is prohibited on Sundays and National Holidays.
- 2. The City's approved plans and permit inspection card must remain on the job site for use by City inspection personnel.
- 3. Final inspection of the work authorized by this permit is required. A Certificate of Occupancy must be obtained prior to use and occupancy of new building and/or structure.

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TITLE

I certify that I have read this application and state that the above information is correct and that I am the owner or the duly authorized agent of the owner. I agree to comply with all city and state laws relating to building construction. I hereby authorize representatives of this City to enter upon the above-mentioned property for inspection purposes. If, after making the Certificate of Exemption from the Worker's Compensation provisions of the Labor Code, I should become subject to such provisions, I will forthwith comply. In the event I do not comply with Workmen's Compensation law, this permit shall be deemed revoked.

#### SIGNATURE/AGENT

This permit/plan review expires by time limitation and becomes null and void if the work authorized by the permit is not commenced within 180 days from the date of permit issuance or if the permit is not obtained within 180 days from the date of plan submittal. This permit expires and becomes null and void if any work authorized by this permit is suspended or abandoned for 180 consecutive days or if no progressive work has been verified by a City building inspector for a period of 180 consecutive days.

#### PROOF OF SERVICE DISRUPTION

All contractors commencing with demolition/building permits must provide proof of service disruption within 24-hours from issuance of a demolition/building permit. If contractor/owner does not provide proof of service disruption request via DIG Alert within 24-hours, the City may invalidate and pull the demolition/building permit.