



# INTEROFFICE MEMORANDUM

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**Date:** August 3, 2015

**To:** Code Services Staff

**From:** Brad Claussen, Building Official

**Subject:** Owner Acting As General Contractor

There are instances when a property owner would like to act as the general contractor on a permitted project. Section 8-1 of the City Code of Ordinances allows this to an extent. These projects may range from something small such as a deck addition up to larger projects such as construction of a new single family dwelling. It is important to note that the ordinance which exempts property owners limits that exemption to **single family dwellings** in which the owner resides or will reside.

Clearly the exemption for license is to allow an owner the opportunity to perform work on projects on their own home. If that owner decides to hire and compensate a contractor though, that contractor is not exempt. Let's take a deck construction project for example. If a homeowner/occupant wishes to construct that deck, they have the right to do so without a license. If, however, that owner decides to hire someone to build that deck, that person or company is required to be licensed. Owners may have family or friends assisting them since those people are not being compensated or advertising as contractors. Another example of a project that might fall under this scenario is an owner building their own house. In that case, they may again act as their own contractor assuming they are conducting the work themselves. If they are hiring major or trade subs though, those persons/companies are required to have a contractors license. Those major or trade subs on a typical home would be framing, foundation, electrical, mechanical, plumbing and drainlayer.

We should also be alert to someone who builds homes for speculation, even though they may live in those homes for a short while. If we become aware of someone who is building a house less than every two years, that may be considered building speculative houses and a license may then be required.

As always, there may be situations that do not fall neatly under one of the examples above. In those cases or if you have any questions on this topic, please let me know.