

Building and Safety Division

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Exemptions and Disclosures

NRS 624.031

NRS 624.031 Applicability of chapter: Exemptions. The provisions of this chapter do not apply to:

- 1) Work performed exclusively by an authorized representative of the United States Government, the State of Nevada, or an incorporated city, county, irrigation district, or other municipal or political corporation or subdivision of this State.
- 2) An officer of the court acting within the scope of his or her office.
- 3) Work performed exclusively by a public utility operating to the regulations of the Public Utilities Commission of Nevada on construction, maintenance and development work incidental to its business.
- 4) An owner of property who is building or improving a residential structure on the property for his or her own occupancy and not intended for sale or lease. The sale or lease, or the offering for sale or lease, of the newly built structure within 1 year after its completion creates a rebuttable presumption for the purposes of this section that the building of the structure was performed with the intent to sell or lease that structure. An owner of property who requests an exemption pursuant to this subsection must apply to the Board for the exemption. The Board shall adopt regulations setting forth the requirements for granting the exemption.
- 5) Any work to repair or maintain property the value of which is less than \$1,000, including labor and materials, unless:
 - a) A building permit is required to perform the work;
 - b) The work is of a type performed by a plumbing, electrical, refrigeration, heating or air-conditioning contractor;
 - c) The work is of a type performed by a contractor licensed in a classification prescribed by the Board that significantly affects the health, safety and welfare of members of the general public;
 - d) The work is performed as a part of a larger project;
 - i) The value of which is \$500 or more; or
 - ii) For which contracts of less than \$500 have been awarded to evade the provisions of this chapter; or
 - e) The work is performed by a person who is licensed pursuant to this chapter or by an employee of that person.
- 6) The sale or installation of any finished product, material or article of merchandise which is not fabricated into and does not become a permanent fixed part of the structure.
- 7) The construction, alteration, improvement or repair of personal property.

- 8) The construction, alteration, improvement or repair financed in whole or in part by the Federal Government and conducted within the limits and boundaries of a site or reservation, the title of which rests in the Federal Government.
- 9) An owner of property, the primary use of which is as an agricultural or farming enterprise, building or improving a structure on the property for his or her own use or occupancy and not intended for sale or lease.
- 10) Construction oversight services provided to a long-term recovery group by a qualified person within a particular geographic area that is described in a proclamation of a state of emergency or declaration of disaster by the State of Federal Government, including, without limitation, pursuant to NRS 414.070. A long-term recovery group may reimburse such reasonable expenses as the qualified person incurs in providing construction oversight services to that group. Except as otherwise provided in this subsection, nothing in this subsection authorizes a person who is not a licensed contractor to perform the acts described in paragraphs (a) and (b) of subsection 1 of NRS 624.700. As used in this subsection:
 - a) "Construction oversight services" means the coordination and oversight of labor by volunteers.
 - b) "Long-term recovery group" means a formal group of volunteers coordinating response and recovery efforts related to a state of emergency or disaster that is proclaimed or declared by the State or Federal Government.
 - c) "Qualified person" means a person who possesses the abilities, education, experience, knowledge, skills and training that a long-term recovery group has identified as being necessary to provide construction oversight services for a project to be performed by that group.

[1:Art. III:186:1941; A 1951, 47]+[2:Art. III:186:1941; 1943 NCL 1474.14] +[3:Art. III:186:1941;A 1951, 47] +[4:Art.III:186:1941; A 1947, 307; 1951, 47] + 5:Art. III:186:1941; 1931 NCL 1474.17] + [6:Art. III:186:1941; 1931 NCL 1474.18] + [7:Art.III:186:1941; A 1951, 47] + [9:Art. III:186:1941; A 1947, 307; 1943 NCL 1474.21] -(NRS A 1975, 1167; 1987, 1730; 1989, 1629; 1997, 2019, 3162; 2001, 2409; 2007, 855; 2009, 763)

NAC 624.015 & 624.017

NAC 624.015 Exemption for owner-builder: Procedure. (NRS 624.031, 624.100)

- 1) To apply for an owner-builder exemption from the provisions of chapter 624 of NRS pursuant to subsection 4 of NRS 624.031, an owner of property must submit an Owner-Builder Disclosure Statement to:
 - a) The local building official responsible for issuing the permit for the work that will be the subject of the exemption
- 2) If the Owner-Builder Disclosure Statement submitted pursuant to subsection 1 completed fully and accurately, and signed by the applicant under penalty of perjury, the building official will approve the owner-builder exemption.
- 3) Unless the building official notifies the applicant within 10 days after he submits the Owner-Builder Disclosure Statement to the building official that the owner-builder exemption is denied, the owner-builder exemption shall be deemed to have been approved by the building official:

- 4) If the building official denies an application for an owner-builder exemption, the building official will, within 10 days after the applicant submits the Owner-Builder Disclosure Statement to the Board:
 - a) Notify the applicant that the owner-builder exemption is denied; and
 - b) Set forth the reasons for the denial
- 5) If the applicant is notified pursuant to subsection 4 that the owner-builder exemption is denied, the applicant may submit supplemental materials to the building official regarding the application for an owner-builder exemption.
- 6) If it appears to the satisfaction of the building official that the materials submitted pursuant to subsection 5 satisfy the reasons for the denial of the owner-builder exemption, the building official may approve the owner-builder exemption
- 7) As used in this section, "Owner-Builder Disclosure Statement" means the form adopted by the building official pursuant to NAC 624.017.

(Added to NAC by Contractors' Bd. By R047-03, eff. 12-4-2003)

NAC 624.017 Exemption for owner-builder: Owner-Builder Disclosure Statement. (NRS 624.031, 624.100)

- 1) The building official will adopt a form for the Owner-Builder Disclosure Statement
- 2) The form must include, without limitation:
 - a) The name, mailing address, physical address and telephone number of the owner of property applying for the owner-builder exemption from the provisions of chapter 624 of NRS pursuant to subsection 4 of NRS 624.031;
 - b) The county where the property that will be subject to the owner-builder exemption is located;
 - c) The parcel number of the county assessor for the property;
 - d) A description of the work to be performed on the property;
 - e) With regard to the work described in paragraph (d). the type of permit for which the owner of property is, or will be applying;
 - f) A description of the basis for the owner-builder exemption; and
 - g) A declaration, to be signed under penalty of perjury by the owner of property submitting the form, stating that:
 - i) The owner of property owns the property and is building or improving a residential structure on the property for his own occupancy and not intended for sale of lease;
 - ii) The information contained in the Owner-Builder Disclosure Statement is accurate and complete; and
 - iii) The owner of property will comply with all applicable statutes, regulations, ordinances and codes

(Added to NAC by Contractors' Bd. By R047-03, eff. 12-4-2003)

NRS 278.573

NRS 278.573 Statement of restrictions: delivery to owner of residence who is issued permit for construction thereon; acknowledgement of receipt; text

1. A building official who issues a permit to the owner of a residence to construct, alter, repair, add to, subtract from, improve, more, wreck or demolish the residence shall, at the same time, deliver to the owner a statement. The owner of the residence shall acknowledge in writing receipt of the statement.
2. The statement delivered by the building official must include the following text:
 - a. State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions although you do not have a license.
 - b. You must directly supervise the construction, on the job, yourself. The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you built or substantially improved yourself within 1 year after the construction is complete, it is presumed that you built or substantially improved is for sale or lease, which is a violation of this exemption and a violation of chapter 624 of NRS.
 - c. You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have the licenses required by state law and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a contractor unless the contractor is licensed to perform the work being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct FICA and withholding tax and provide industrial insurance and pay the required contribution for unemployment compensation for that employee and comply with other state and federal laws relating to employment. Your construction must comply with all applicable laws, ordinances, building codes and zoning regulations.