

BUILDING PERMIT GUIDE FOR RESIDENTIAL CONSTRUCTION

State of New Mexico ♦ Regulation and Licensing Department ♦ Construction Industries Division

Albuquerque Office:	5200 Oakland Ave. NE	Albuquerque, New Mexico 87113	(505) 222-9800 FAX (505) 765-5670
Las Cruces Office:	505 S. Main, Ste. 118	Las Cruces, New Mexico 88004-0939	(575) 524-6320 FAX (575) 524-6319
Santa Fe Office:	2550 Cerrillos Rd	Santa Fe, New Mexico 87505	(505) 476-4700 FAX (505) 476-4619

WHEN BUILDING PERMITS ARE REQUIRED

(New Mexico Residential Code 106.1)

Except as specified in IRC, Section 105.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a permit has first been obtained from the building official.

WHEN BUILDING PERMITS ARE NOT REQUIRED

(New Mexico Residential Code 105.2)

A building permit shall not be required for the following:

1. One story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet.
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
5. Sidewalks and drive way no more than 30 inches above adjacent grade and not over any basements or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other playground equipment accessory to a one or two-family dwelling.
9. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
10. Deck not exceeding 200 sq. ft. in area, that are not more than 30" above grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4.
11. Any work not otherwise regulated by a specific provision of the NMRBC.

NOTE: Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

SEPTIC TANK PERMIT

Obtain a PERMIT TO MODIFY OR INSTALL AN INDIVIDUAL LIQUID WASTE SYSTEM form from your local New Mexico Environment Department Office. Call 1-800-219-6157 for the nearest location.

PERMIT APPLICATION DATA

To obtain a building permit, the applicant shall fill out an APPLICATION for STATE BUILDING PERMIT form. Applicant must list property owner's name and address, contractor's company name, address and license number (if applicable), architect's name, address and license number (if applicable), specific use of building, county in which the project is located, project address, nearest city/town/village, legal description, written directions to the site, description of work, construction material, and total square footage. The qualifying party for the licensed contractor requesting the permit or the homeowner requesting a homeowner construction permit must sign the application.

The homeowner must also read sign and notarize the HOMEOWNER'S RESPONSIBILITIES FORM, FOR BUILDING A HOME OR FOR ALTERATIONS, REPAIRS OR IMPROVEMENTS TO A HOME WITH A HOMEOWNER'S PERMIT form. *A homeowner's permit may not be used to permit a project where a GB-2 or GB-98 contractor is acting as a general contractor on the project. Any contractor acting as a general contractor on a project where there is a homeowner's permit must obtain a building permit for his work, and shall be held responsible for any work performed at this site. Further, licensed subcontractors will be held responsible for their work, which also must be permitted separately.* A homeowner may not perform electrical, plumbing or mechanical work unless the homeowner applies for and passes the required CID exam for such work. Call (505) 476-

4700 for information on the homeowner electrical and plumbing permits process.

ZONING APPROVAL

Your project may be located in an area requiring zoning approval from a city or county zoning authority. You must obtain zoning approval and signature on the APPLICATION for STATE BUILDING PERMIT *before* applying to this office for the building permit. Contact the Construction Industries Division for zoning requirements in your area.

VALUATION AND FEES

- **Valuation of your project is based CID Rules New Mexico Administrative code 14.5.5.10 . The project does need the signed contract between the project owner and contractor. If you are applying for a homeowner construction permit, the Division will calculate the valuation based on established valuation tables in our office. The fee, which covers plan review, the permit notice and required inspections, is based on the valuation amount. Our office will calculate the valuation and fee for you. If you are mailing the application and plans to your nearest CID office, call any of the offices listed above for the fee prior to mailing.**

PLAN SUBMISSION

Two complete sets of plans at 1/4" = 1'-0 minimum with dimensions, on at least 8 1/2 "x 11" paper is required and will provide the following information:

1. **SITE PLAN.** Show proposed new structures and any existing buildings or structures on site, including existing adjacent structures within 10 feet of any adjacent property lines, and north arrow. Show property lines with dimensions, all streets, easements and setbacks. Show all water, sewer, electrical points of connection, proposed service routes and existing utilities on the site. Show general drainage and grading information.
2. **FOUNDATION PLAN.** Indicate size, location and depth below grade of all footings, piers, and stem walls. *If necessary, provide a geotechnical report, including soil-bearing capacity for the proposed structure at the site.*
3. **FLOOR PLAN.** Show all floors including basement. Label all the rooms and provide overall dimensions. Show all doors and windows. Provide door and window schedules. Locate smoke detection systems.
4. **FLOOR & ROOF FRAMING PLANS.** Show size, spacing and spans of joists, girders, rafters, beams and headers. Specify grade and species of all wood members. All wood trusses must be engineered and pre-manufactured. The sealed truss engineered specifications must be submitted with the drawings when applying for permit. The manufacturer's instructions on placement and attachment of all wood trusses must be at the job site for the building inspector's review.
5. **DETAILS.** Include typical interior and exterior wall sections showing floor, wall and ceiling type, size, spacing and insulation required by the Model Energy Code. Show footing and foundation depth and dimensions; detail anchor bolt size and spacing, and spacing of steel reinforcement in masonry, concrete footings and stem walls. Show stair details showing dimensions of rise and run of steps, handrail location, guardrail spacing, headroom, etc. Show fireplace details and section showing masonry reinforcement; if using pre-fabricated unit, the manufacturer's installation instructions must be at the job site for the building inspector's review and uses.
6. **TOTAL SQUARE FOOTAGE.** List the heated, garage, carport, covered porch and patio square footage on your plans. The total floor area square footage must be listed on the APPLICATION for STATE BUILDING PERMIT.
7. **ENERGY CONSERVATION CODE.** A package complying with the 2009 New Mexico Energy Conservation Code requirements must be submitted with the permit request.

SPECIAL CONDITIONS

1. **ADDITIONS.** In addition to the above requirements, the floor plan shall show the addition and all existing rooms, doors and windows that will adjoin the addition. Provide distances on all sides of the addition to property lines and existing structures. Ensure that an existing sleeping room's sole means of egress to the exterior is not blocked by the addition.

2. __ALTERATION/REPAIR. When performing alterations and repairs to an existing residence without performing structural changes, two sets of lists outlining work to be performed and materials to be used will be accepted in lieu of the above requirements. If you suspect this work will entail the handling of asbestos containing materials, call the Air Pollution Control Bureau at 1-800-224-7009 prior to commencing alterations and repairs for additional information.

3. __RELOCATED RESIDENCE. When relocating an existing residence to new site, the structure will be considered new construction and must comply with all current applicable codes. Submittal shall reflect all the requirements listed under PLAN SUBMITTAL above.

4. __DEMOLITION. Two site plans identifying the structure(s) to be demolished will be accepted in lieu of the above requirements. If you suspect this work will entail the handling of asbestos containing materials, call the Air Pollution Control Bureau at 1-800-224-7009 prior to commencing alterations and repairs for additional information.

5. __ALTERNATIVE METHODS AND MATERIALS. Utilizing alternative methods and materials (other than masonry, wood frame, adobe and rammed earth construction) requires submission of the CERTIFICATION FOR ALTERNATIVE METHODS AND MATERIALS form with the application for state building permit. The certification shall be recorded with the county clerk's office in the county where your project is located.

REQUIRED INSPECTIONS To request an inspection e-mail us at CID.Inspection@state.nm.us our call 505-222-9813 or 877-243-0979

1. FOUNDATION INSPECTION. To be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with approved nationally recognized standards; the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

2. CONCRETE SLAB or UNDER-FLOOR INSPECTION. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

3. FRAME INSPECTION. To be made after the roof, all framing, fire blocking and bracing is in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

4. WEATHER-RESISTIVE BARRIER INSPECTION. To be made after installation of the appropriate weather-resistive barrier and before such barrier is covered.

5. FINAL INSPECTION. To be made after finish grading and the building is completed and ready for occupancy. Final electrical, plumbing and mechanical inspections must be conducted prior to final general construction inspection. The Construction Inspector will issue the Certify of Occupancy to the contractor after approving final general construction inspection.

6. OTHER INSPECTIONS. In addition to the called inspections specified above, the Construction Inspector may make or require other inspections of any construction work to ascertain compliance with provisions of the New Mexico Building Code and other laws, which are enforced by the code enforcement agency. The licensed plumber and electrician performing the work under the appropriate permits are responsible for coordinating plumbing, mechanical and electrical inspections.

WHEN PROFESSIONAL SEALS ARE NOT REQUIRED (New Mexico Residential Code 106.1)

The requirement for plans and specifications to be prepared by an architect and/or engineer shall not be required of the following unless, at the discretion of the building official, exception is not in the best interest of public safety or health:

- A.** Single-family dwelling not more than two stories in height.
- B.** Multiple dwellings not more than two stories in height containing not more than four dwelling units of wood-frame construction and provided this paragraph is not construed to allow a person who is not

an architect to design multiple clusters of four dwelling units each where the total exceeds four dwelling units on each lawfully divided lot.

- C.** Garages or other structures not more than two stories in height, which are appurtenant to buildings described in paragraphs A or B of this Section.
- D.** Alterations to buildings or structures that present no unusual condition or hazards or change in occupancy.

WHEN PROFESSIONAL SEALS ARE REQUIRED

The Construction Industries Division requires, as provided under Section 14.5.2.10 B, NMAC, plans and specifications for the following construction methods be prepared and sealed by a New Mexico Registered Architect or Structural Engineer:

- 1.** Construction utilizing steel studs, structural steel members (red iron) and/or steel pipe.
- 2.** All prefabricated, premanufactured and component structures.
- 3.** Residential construction utilizing a wood foundation.
- 4.** All retaining walls over three feet in height measured from the bottom of the footing to the top of the wall.
- 5.** A second story addition to an existing first story (unless proof of previous CID approval shows current construction will support additional second story load).
- 6.** Residential construction utilizing an alternate material, design or method in construction.

CERTIFICATE OF OCCUPANCY

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certification of occupancy as provided.

APPLICABLE CODES

The Construction Industries Division currently enforces the following codes:

- 2009 New Mexico Commercial & Residential Building Code
- 2009 International Building Code
- 2009 International Residential Code
- 2009 Solar Energy Code (IAPMO)
- 2009 NM Energy Conservation Code
- ICC/ANSI A117.1-2003
- 2009 New Mexico Plumbing and Mechanical Code
- 2009 Uniform Mechanical Code (IAPMO)
- 2009 Uniform Plumbing Code (IAPMO)
- 2009 Uniform Swimming Pool, Spa and Hot Tub Code
- 2011 New Mexico Electrical Code
- 2011 National Electrical Code
- 2008 National Electrical Safety Code
- Liquefied Petroleum Gas Standards
 - 2011 NFPA 58
 - 2008 NFPA 921
 - 2009 NFPA 54
 - 2010 NFPA 52
 - 2011 NFPA 1192

CONSTRUCTION INDUSTRIES DIVISION WEB SITE

CID has developed a new information web site with "view only" information at www.rld.state.nm.us/cid. This site includes information of interest to consumers, business and the regulated community.

CONTRACTOR LICENSE LOOK-UP

A license "view only" web site has been developed at public.psiexams.com. This site includes the names, addresses and telephone numbers of licensed contractors and their license classification. It also includes information on licensing and required qualifications for license examination.

MANUFACTURED HOMES

Contact the Manufactured Housing Division, located within the CID office, at 505-476-4770 for guidance on additions, alterations and repairs to manufactured homes.



New Mexico Regulation and Licensing Department

CONSTRUCTION INDUSTRIES DIVISION

2550 Cerrillos Road ▪ Santa Fe, NM 87505 ▪ (505) 476-4700 ▪ Fax (505) 476-4685
 5200 Oakland Ave. NE ▪ Albuquerque, NM 87113 ▪ (505) 222-9800 ▪ Fax (505) 765-5670
 505 S. Main St., Suite 150 ▪ Las Cruces, NM 88004 ▪ (505) 524-6320 ▪ Fax (505) 524-6319
www.rld.state.nm.us/cid

HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR CONSTRUCTION MADE TO A RESIDENTIAL BUILDING

A Homeowner's Permit carries serious responsibilities and is not appropriate for everyone. Please read each of the following statements. If you agree with a statement and your answer to it is "yes", then place a check mark in the appropriate box. If you do not answer, "yes" to every statement, you should **seriously reconsider** applying for a Homeowner's Permit.

After marking each item and signing this form in the presence of a Notary Public, you are required to submit this checklist with your Building Permit application package. This signed checklist will be kept on record with the permit application as proof of your assumption of the risks and liabilities associated with a Homeowner's Permit. Call or visit your State or local office as to other required submittals.

Check the appropriate box:

- ☐ I plan to build a single-family home that will be owned and occupied by myself.
- ☐ I plan to alter, repair or make improvements to a home owned and occupied by me.
- ☐ I plan to build or improve a free-standing storage building 200 sq ft or more located on my residential property

☐ Yes ☐ No	I understand I must apply for my Homeowner's Permit by myself and cannot delegate this task to anyone.
☐ Yes ☐ No	I am familiar with the construction process and know enough about building to be my own homeowner-builder.
☐ Yes ☐ No	I am familiar with the New Mexico Building Code, the Construction Industries Licensing Act, the Construction Industries Division Rules and Regulations, and the building requirements of the jurisdiction in which I plan to build my home or in which my home is located.
☐ Yes ☐ No	I will comply with all applicable building codes and requirements.
☐ Yes ☐ No	I will call for inspections at appropriate times and will make my premises accessible to the inspector.
☐ Yes ☐ No	I understand that a re-inspection and a re-inspection fee will be required if any work does not meet code and/or I call for an inspection when work is not ready and/or the work to be inspected is not accessible to the inspector.
☐ Yes ☐ No	I understand that, by taking out a Homeowner's Permit, I am acting as my own homeowner-builder.
☐ Yes ☐ No	I understand that, as the homeowner-builder, I can hire subcontractor(s) to perform all or any portion of the work.
☐ Yes ☐ No	I understand that before I hire any subcontractor, I must verify with the Construction Industries Division that he is duly licensed in New Mexico to perform the type of work for which I intend to hire him.
☐ Yes ☐ No	I understand that, as the homeowner-builder, I may physically do the work myself and/or hire employees.
☐ Yes ☐ No	If I hire anyone (besides a licensed subcontractor) to assist me in building, altering or repairing, I understand that person will be my employee and under my direction.
☐ Yes ☐ No	I will pay hourly wages to my employee(s) and will offer no other form of compensation.
☐ Yes ☐ No	If I hire any employee(s), I understand I must have, or must secure, my own State and federal employer tax numbers.
☐ Yes ☐ No	I will make my State and federal employer tax numbers available to the Construction Industries Division upon request.
☐ Yes ☐ No	I will withhold all required State and federal taxes, Social Security, etc. from the wages I pay to my employee(s).
☐ Yes ☐ No	I will make my payroll records available to my inspector upon his request.
☐ Yes ☐ No	I understand that I must carry Workers' Compensation insurance if I employ a total of three or more persons (not including subcontractors)
☐ Yes ☐ No	I understand that if I have less than three employees, I may carry Workers' Compensation insurance but am not required to do so.

Construction Industries Division
**HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR
CONSTRUCTION MADE TO A RESIDENTIAL BUILDING**

☐ Yes ☐ No	I understand that if I do not carry Workers' Compensation insurance, I may be financially responsible if any of my employees are injured while working on my premises. This financial liability will include employee(s) for whom I was not required to carry Workers' Compensation insurance.
☐ Yes ☐ No	If I hire a subcontractor and he does not carry Workers' Compensation, I understand I may be financially responsible if any of his workers are injured while working on my premises.
☐ Yes ☐ No	If I hire a "construction manager" or "superintendent" or "foreman" to oversee my work, I understand such person will be my employee, and I will pay him hourly wages and no other form of compensation.
☐ Yes ☐ No	If I hire a "construction manager" or "superintendent" or "foreman" to oversee my work, I understand that, as the homeowner-builder, I am still the responsible party for compliance with all building codes and construction requirements and for the quality and completion of all contracting work performed under my Homeowner's Permit by my subcontractor(s), employee(s), and me.
☐ Yes ☐ No	If I hire a GB-2 or GB-98 licensed contractor to supervise my work, I must void my Homeowner's Permit. The licensed contractor must permit the project under his own license.
☐ Yes ☐ No	I understand that if I do not want to be responsible for the quality and completion of all work on my home and for compliance with all building codes and construction requirements, I should not obtain a Homeowner's Permit. Rather, I should hire a licensed general contractor to take over those responsibilities.
☐ Yes ☐ No	If I am building my own home and during the process of building, I decide not to own and/or occupy the home when it is completed, I understand I am no longer eligible for a Homeowner's Permit. At that time, I will immediately cancel my Homeowner's Permit and hire a licensed general contractor to complete the work.
☐ Yes ☐ No	I understand my Homeowner's Permit is only for general construction building. Any electrical, mechanical or plumbing work must be permitted separately.
☐ Yes ☐ No	I understand electrical and/or a properly licensed contractor must perform plumbing work unless I have demonstrated my ability to do such work by passing a homeowner's examination administered by the electrical or plumbing inspector for the jurisdiction in which I am building my home. This includes: (1) Having my submitted plans approved and (2) obtaining all required permits and calling for all required inspections.
☐ Yes ☐ No	I understand that, under no circumstances, can I perform HVAC or natural gas work under my Homeowner's Permit, and I must hire an appropriately licensed subcontractor who will obtain his own permit for performing such work.
☐ Yes ☐ No	I understand that if I hire a subcontractor to do the electrical and/or plumbing work, that subcontractor must obtain his own permit for his portion of the work.
☐ Yes ☐ No	I understand that if I do not cure any cited code violation within ninety (90) days, the Construction Industries Commission may assess a penalty of up to Two Hundred Dollars (\$200.00) against me.
☐ Yes ☐ No	I understand that if I fail to call for a final inspection, the Construction Industries Commission may assess a penalty of up to Five Hundred Dollars (\$500.00) against me.
☐ Yes ☐ No	I understand that I must call for and pass all required inspections, including a final Inspection, in order to obtain a Certificate of Occupancy.
☐ Yes ☐ No	I understand the law requires I may not occupy my home (or addition to my home) until a Certificate of Occupancy has been issued; by my general construction inspector.
☐ Yes ☐ No	I understand that if I disregard the law and occupy my home (or addition) prior to final inspection, no Certificate of Occupancy will be issued to me after final inspection or at any time in the future.
☐ Yes ☐ No	I understand that I may have difficulty in closing on a construction loan, refinancing my home or selling my home in the future if I do not follow all laws and procedures and obtain a Certificate of Occupancy.
☐ Yes ☐ No	I understand the Certificate of Occupancy will clearly state my home (or addition) was built under a Homeowner's Permit.
☐ Yes ☐ No	I understand that I will have limited remedies available to me through the Construction Industries Division and/or the Construction Industries Commission because I have assumed the responsibilities for this project that would have normally been assumed by a licensed general contractor.

Construction Industries Division
**HOMEOWNER'S RESPONSIBILITIES FOR ANY TYPE OF ALTERATION OR
CONSTRUCTION MADE TO A RESIDENTIAL BUILDING**

I _____ certify that I have read the above statements and understand the requirements and responsibilities that accompany a Homeowner's Permit, and I agree to be bound by all applicable codes, law, rules, regulations, requirements and responsibilities. I understand I cannot perform any electrical, mechanical or plumbing work under this permit, If I hire a licensed contractor to do any portion of this project; the contractor will apply for his own permit for this portion of the work. I understand I am required to substantiate my construction knowledge to the satisfaction of the Division.

X _____

Homeowner Signature (must be signed before a notary witness)

NOTARY

Sworn to before me this _____ of

_____, 20_____

Notary witness signature

My Commission Expires: _____

NOTE: This signed copy is to be attached to the Homeowner's Permit application. A photocopy is to be given to the homeowner named above.

Instructions for Obtaining a Homeowner Permit

- **The legislative intent of the exemption allowing a homeowner to obtain permits for constructing or altering their primary residence without becoming a licensed contractor is strictly to construct or alter a primary residence. Any other use of a homeowner's permit shall result in cancellation of the current homeowner permit and denial of any subsequent request for a homeowner permit**
- **Allows Homeowner to construct or perform work that requires a permit on primary residence only**
- **Homeowner to complete work themselves with or without W-2 employees, or subcontract out work**
- **Homeowner responsible for obtaining permits & calling for inspections, including corrections of code violations and required re-inspections to obtain Certificate of Occupancy or final inspection as applicable**
- **If contracts out portion of work, must be to licensed contractor who applies for appropriate permits and inspections, which provides recourse to homeowner for issues with contracted work**
- **Homeowner must apply for the permit with the authority having jurisdiction (AHJ) which is either CID or the local permitting authority, whichever is applicable**

A homeowner may apply for a permit as the general contractor to build, construct, alter, repair, demolish or make installations to a single-family dwelling only at the location of the homeowner's primary residence. The homeowner must comply with all provisions of CILA, regulations, standards and codes including requirements for workers compensation insurance. The homeowner permit covers general residential construction only and is limited to a single family residential dwelling unit or an appurtenant structure/free standing storage unit. A homeowner permit does not cover any commercial construction, as defined in the applicable codes, or any other residential dwellings owned by the homeowner including rental dwellings. A homeowner can work alone, hire employees to assist as long as they are paid only wages and receive no other compensation, as defined in CILA 60-13-2 (I.), or hire subcontractors. If hiring employees the homeowner shall comply with all Taxation & Revenue Department reporting requirements. All subcontractors under a homeowner permit must be licensed and shall permit their own work.

A homeowner cannot apply for, or have issued to him/her a homeowner's permit if he/she is not acting as the general contractor for a project but is merely the customer of a contractor as any homeowner would be for a particular scope of work. For example, hiring a licensed contractor to re-roof your residence requires the contractor to obtain permits and inspections without your involvement or liability in the process.

New Mexico Regulation & Licensing Dept.
CONSTRUCTION INDUSTRIES DIVISION
Instructions for Obtaining a Homeowner's Permit

In order to qualify, there are specific requirements that must be met in order to comply with the statutory and regulatory mandates of the Construction Industries Licensing Act ("CILA").

14.5.2.18 NMAC requires the homeowner sign a "Homeowner Permit Responsibility & Liabilities Acknowledgement" before obtaining such a permit explaining the Homeowner responsibilities and liabilities when assuming primary residence construction. This Instruction form must also be signed

In order for AHJ employees or local planning & zoning department to verify that a homeowner has properly completed the Acknowledgement Form and in order to fully understand his/her responsibilities and liabilities in assuming the project, the homeowner must appear in person either at the appropriate AHJ office or to a local planning and zoning department and provide the following to CID or the local permitting authority:

1. This Acknowledgement and Instruction sheet must be signed and acknowledged as accepting all responsibilities and liabilities by homeowner in person at the CID office or a local planning and zoning department prior to presenting the application packet to CID or local permitting authority.
2. Proof of identity and proof of ownership of the property for which a permit is sought. Proof of identity may include current driver's license; Proof of ownership of the property may include a deed, real estate contract or such other proof as acceptable to the division.
3. Approval of documentation from local planning and zoning office if applicable.

**THE HOMEOWNER PERMIT RESPONSIBILITIES AND LIABILITIES
ACKNOWLEDGEMENT FORM MUST BE SIGNED AND NOTARIZED!!**

I, _____ state and certify that I have read this instruction sheet completely, that I understand what I must do in order to obtain a homeowner's permit, and agree that I shall comply with the requirements.

Signature

Printed Name

Address

Telephone No.

Email address

New Mexico Regulation & Licensing Dept.
CONSTRUCTION INDUSTRIES DIVISION
Instructions for Obtaining a Homeowner's Permit

READ CAREFULLY-YOUR RIGHTS ARE AFFECTED BY OBTAINING A HOMEOWNER'S PERMIT!!!



New Mexico Regulation and Licensing Department

CONSTRUCTION INDUSTRIES DIVISION

BOX PO Box 25101 • Santa Fe, NM 87504 • Ph (505) 476-4675 • Fax (505) 476-4685
5500 San Antonio Dr. NE • Albuquerque, NM 87109 • Ph (505) 222-9800 • Fax (505) 765-5670
505 S. Main St., Suite 118 • Las Cruces, NM 88004 • Ph (575) 524-6320 • Fax (575) 524-6319
www.rld.state.nm.us/construction

HOMEOWNER PERMIT RESPONSIBILITIES AND LIABILITIES ACKNOWLEDGEMENT

Obtaining this permit allows you as the homeowner to self-perform the general construction or to act as the prime (general) contractor.

Homeowner responsibilities and liabilities are strictly monitored and must be adhered to by a homeowner seeking a homeowner's permit. Please read each of the following statements as each pertains to your application for a homeowner's permit. If you agree, you must place your initials on the line adjacent to the statement. If you have any hesitation or cannot agree to each of the conditions you will be denied a permit.

Homeowner must obtain zoning approval from local planning and zoning department prior to submittal to CID or local permitting authority. If you live in an area that does not have a planning and zoning department, you must appear in person at a CID office or a local permitting authority as applicable.

I have verified that the individual signing this document as homeowner has provided (1) proof of identity; (2) proof of ownership of the property; (3) acknowledgement review of the Instruction sheet for obtaining a homeowner's permit AND (4) has completed all portions of this document.

Signature of local permitting authority or
local planning & zoning authorized personnel

_____, Community Development
Printed Name/ Name of Department

512 S. 8th, PO Box 1188
Tucumcari, NM 88401

Address

(575)461-2143

Telephone No.
planning@cityoftucumcari.com

Email address

After initialing each item, sign the acknowledgement before a Notary Public. Present this document, proof of identity and ownership of the real property, completion of local planning & zoning documents, and the completed building permit application package in person to the AHJ office or local planning and zoning department. The signed and notarized acknowledgement shall be kept on record with the permit

New Mexico Regulation and Licensing Department
CONSTRUCTION INDUSTRIES DIVISION

application as proof of the responsibilities and liabilities you have assumed by applying for and obtaining a homeowner's permit.

THIS FORM MUST BE COMPLETED BY HOMEOWNER IN PERSON AT EITHER THE APPROPRIATE PERMITTING AUTHORITY OR THE LOCAL PLANNING AND ZONING DEPT PRIOR TO SUBMITTAL TO THAT AUTHORITY. ALL PORTIONS MUST BE INITIALED OR THIS ACKNOWLEDGEMENT IS DEEMED INCOMPLETE AND UNACCEPTABLE!

Initial adjacent to the appropriate contracting you plan on completing by obtaining the homeowner's permit.

- ☐ I plan to build/construct a single-family primary residence that will be owned and occupied by me for a minimum of two years after Certificate of Occupancy is issued. Violation of this two year requirement may result in denial of future additional homeowner permits and/or initiation of criminal [unlicensed contracting] charges against you in accordance with the requirements of the Construction Industries Licensing Act, § 60-13-52.
- ☐ I plan to alter, repair, install or make improvements to my primary residence occupied by me.
- ☐ I plan to build/construct or improve a free-standing storage building located at my primary residence that is occupied by me.

Read each statement and initial ONLY if you fully agree and acknowledge you will abide by and understand each responsibility and accompany liability.

- ☐ I fully understand that my entitlement to this Homeowner's Permit is premised on this single-family dwelling being owned and occupied by me as required by statute and rule.
- ☐ I fully understand that I am personally applying for this Homeowner's Permit and I cannot delegate this task to anyone.
- ☐ I fully understand that I must comply with all provisions of the Construction Industries Licensing Act, all regulations, and building standards and codes and acknowledge having sufficient familiarity with these laws, standards and codes to be my own homeowner/builder.
- ☐ I fully understand that I must call for each and every required inspection and make the premises accessible to the inspector.
- ☐ I fully understand that if I do not want to be responsible for the quality and completion of all work on my home and for compliance with all building standards, codes and construction requirements, I should not obtain a Homeowner's Permit but rather I should hire a licensed general contractor to be responsible for all work.
- ☐ I fully understand that should I hire anyone, who is not a licensed contractor, to assist me in this construction that I shall pay this employee strictly hourly wages and be responsible for complying with all tax and worker's compensation legal requirements including obtaining appropriate employer tax numbers, withhold and report all state, federal and social security taxes and carry workers compensation insurance as required.
- ☐ I fully understand that if I do not carry Workers' Compensation Insurance, I may be financially responsible if any of my employees are injured while working on my premises. This financial Liability will include employee(s) for whom I may not be required to carry Workers' Compensation insurance or injured workers hired by a subcontractor I hire, who does not carry his own workers compensation insurance.

- _____ I fully understand that as the homeowner-builder, I can hire subcontractor(s) to perform all or any portion of the work who will then be responsible for securing permits and obtaining all inspections for that work.
- _____ I fully understand that my Homeowner's Permit is only for the general construction portion of the work. Any electrical, mechanical or plumbing work must be permitted separately pursuant to the Construction Industries Licensing Act. This includes either passing all homeowner testing and requirements, submit approved plans, obtain all required permits and call for all required inspections or hire a licensed contractor to perform all work by appropriate permitting and inspections.
- _____ I fully understand that, under no circumstances, can I perform HVAC, natural gas or liquid propane ("LP") gas under my Homeowner's Permit and that I must hire appropriately licensed subcontractors to perform such work by obtaining their own permits.
- _____ I fully understand that if I hire a GB-02 [licensed residential contractor] or a GB-98 [licensed residential/commercial contractor] to supervise my work, to act in the capacity of a general contractor or project manager, or to perform work in a capacity other than a legal employee or subcontractor who shall obtain all appropriate permits, the homeowner's permit is automatically VOIDED and requires the licensed contractor to permit the project under his license. Any violation by the licensed contractor shall result in legal action against the contractor's license.
- _____ I fully understand that I must call for and pass all appropriate inspections including a final Inspection to obtain a Certificate of Occupancy, which must be issued prior to my occupation. Failure to call for a final inspection can result in a penalty against me of up to Five Hundred Dollars (\$500).
- _____ I fully understand that if an inspection results in a cited code violation, such violation must be cured within ninety (90) days or I can be assessed a penalty of up to Two Hundred Dollars (\$200).
- _____ I fully understand that if I occupy my home (or addition) prior to a final inspection, no Certificate of Occupancy shall be issued. The failure to obtain a Certificate of Occupancy may present issues in the future if I desire to refinance or sell my home.
- _____ I fully understand the Certificate of Occupancy shall state that my home, addition or storage building was built under a Homeowner's Permit.
- _____ I fully understand that my remedies for code violations are limited to the permitted work of my sub-contractors who obtain permits and inspections as I have assumed responsibility as prime contractor for the project at my primary residence.

I, _____, stipulate, acknowledge and certify that I have read each of the above statements and I understand each requirement, responsibility and liability that accompanies a Homeowner's Permit. I agree to be bound by all applicable laws, regulations, codes, standards, requirements and responsibilities. I further understand that I cannot perform any electrical, mechanical, plumbing, natural or LP gas work under this project. If I hire a licensed contractor to do any portion of this project, the contractor will apply for his own permit for this portion of the work. I understand I am required to substantiate my construction knowledge to the satisfaction of the Division.

Homeowner signature must be signed and acknowledged before a Notary Public

SWORN AND ACKNOWLEDGED before me this _____ day of _____, 20_____.

 Notary Public

My Commission expires: _____