

# Town of Swampscott

## Building Department

ELIHU THOMSON ADMINISTRATION BUILDING  
22 MONUMENT AVENUE  
SWAMPSCOTT, MASSACHUSETTS 01907

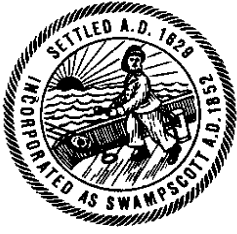
781-596-8857  
FAX 781-596-0590

INSPECTOR OF BUILDINGS

Any "homeowner" performing work for which a building permit is required shall be exempt from the licensing provisions of Massachusetts Building Code 780 CMR. 5108.3.5; provided that if a homeowner engages a person(s) for hire to do such work, that such homeowner shall act as supervisor. This exemption is limited to owner-occupied one- or two-family dwellings.

The undersigned "homeowner" understands and certifies that he/she:

1. Meets the definition of homeowner as defined by section 780 CMR 5108.3.5 of the State Building Code.
2. Assumes all responsibility for compliance with the State Building Code, the Swampscott Zoning By-Law and all of the applicable codes, by-laws, rules and regulations.
3. Assumes all liability for any construction injury caused by an unsafe workplace, or by failure to abide by applicable codes.
4. Loses the protection of the guaranty fund created by the Home Improvement Contractor's licensing Law and that he/she cannot collect from that fund in the event the contractor fails to perform his/her duties under any contract.



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### IF YOU ARE APPLYING FOR A BUILDING PERMIT AS A HOMEOWNER

- You will be personally responsible for all work on this project.
- You are responsible to see that all work meets the Massachusetts State Building Code and all Zoning Bylaw.
- You must supervise all work.
- You must call the Building Department to schedule all required building inspections.
- You must be present for all building inspections.
- You waive all rights to the Massachusetts Guaranty Fund.
- You are the General Contractor of the project and a court of law will view you as such, if you are sued, or if you sue another party.
- Your subcontractors may lien your property.
- Any worker injured on your project may sue you if you or the company they work for has no Workers' Compensation Insurance.
- Failure to carry Workers' Compensation insurance may result in criminal penalties, Fines, and/or imprisonment.

(Reference MGL c.152 § 25) If an insured person who has complied with the rules, regulations and demands of the insurer is required by a judgment of a court to pay to an employee any damages on account of personal injury sustained by such employee during the period covered by insurance, the insurer shall pay to the insured the full amount of such judgment and the cost assessed therewith if the insured shall have given the insurer written notice of the bringing of the action in which the judgment was recovered and an opportunity to appear and defend the same.

This warning has been assembled because homeowners who act as their own contractor are not aware of their legal responsibilities.