

Are there additional insurance requirements?

You should be advised that if your day labor employees cause any damage to persons or property, or if any of your day labor employees are injured on the job, you are liable. Your regular home insurance policy ordinarily does not cover this type of liability. Please check with your insurance agent.

A pool is being constructed on my property. Am I required to erect a safety barrier?

You are required to erect an approved safety barrier around the property or pool, prior to final inspection of the pool. The safety barrier must also be inspected and approved by this Department. Failure to comply will result in the issuance of a \$500 fine to you, the property owner.

How long is my permit valid for, and are inspections required?

Permits will expire and become null and void if work authorized by such permits has not commenced within 180 days from issuance or has been suspended or abandoned at any time for a period of 180 days. If the permit holder is unable to begin work and obtain an inspection within 180 days a permit renewal is necessary prior to the permit expiration.

**City of Coral Gables
Building and Zoning Department**

Frequently Called Numbers:

Owner/Builder Representative	305-569-1803
General Information	305-460-5265
Plans Status	305-460-5246
Inspections Desk	305-460-5245
Zoning Technicians	305-460-5254
	305-460-5253
	305-569-1805
Electrical Official	305-460-5255
Mechanical Official	305-460-5243
Plumbing Official	305-460-5258
Microfilm	305-460-5262
Board of Architects	305-460-5238
Construction Reg. Board	305-460-5228
Board of Adjustment	305-460-5240
Code Enforcement	305-460-5226
Building and Zoning Director	305-460-5227
Assistant Director - Zoning	305-460-5241
Assistant Director - Building	305-460-5244
Zoning Administrator	305-460-5240
Fax (Permit)	305-460-5261
Fax (Code Enforce)	305-460-5348
Fax (Inspections Desk)	305-569-1827

This publication can be made available in large print, tape cassette, or Braille, upon request.

An equal opportunity employer and provider of services.

CORAL GABLES CITY COMMISSION

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Craig E. Leen, City Attorney

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Visit the City of Coral Gables Web site:
www.coralgables.com



**A Permit
Has Just
Been Issued
For Work
To Be
Performed
On Your
Property**



*City of
Coral Gables*

Records of the Building and Zoning Department indicate a permit was recently issued for the construction of an improvement on property you own. As a property owner, there are questions you may have and important information you need to know.

FREQUENTLY ASKED QUESTIONS

As the owner of the property, are there any requirements the homeowner needs to know?

Florida's Construction Lien Law (Chapter 713, Part One, Florida Statutes) requires the recording of a Notice of Commencement with the Clerk of the Courts for real property improvements greater than \$2,500.00. This notice must be signed by the property owner.

Under Florida law, those who work on private property or provide materials and are not paid, have a right to enforce a claim for payment against the property. This claim is known as a construction lien.

For your protection under the Construction Lien Law and to avoid the possibility of paying twice for improvements to real property, you must record a Notice of Commencement in the Clerk of the Court's Office. The Notice of Commencement must

be signed by the owner contracting the improvement, and not by an agent.

The Notice of Commencement must be completed and recorded within 90 days before starting the work. A copy is also to be posted at the job site. Please refer to the enclosed information package for more details and forms.

A homeowner has hired a licensed contractor who has obtained the permit. Is there anything else I need to know?

The City of Coral Gables Code Compliance Specialist regulates licensed contractors and provides enforcement against unlicensed contractors. By calling the Code Compliance Specialist at 305-460-5228, residents can be informed if there are any complaints against the contractor, whether or not the contractor is licensed and whether the contractor has current liability and worker's compensation insurance. Licensed contractors must have general liability and worker's compensation insurance in effect at all times.

It is also important to know that the 1995 Florida Legislature created the "Homebuyer's Protection Act." This Act amends several sections of Florida Statutes and was effective October 1, 1995. Most of the provisions are directed at commercial construction although some are directed at general construction. The following are some of the key provisions of the act.

- Section 489.1265(1) and (2), Florida Statutes, provide that a contractor may not enter into an agreement with or knowingly allow certifications to be used by a person

who is not certified or registered.

- Section 489.1265(3) provides that a contractor, except when working without compensation, may not obtain permits for construction work without first entering into a contract to perform improvements.

A violation of this provision is a misdemeanor of the first degree and a subsequent violation is a felony.

- Section 489.126 requires that a contractor who receives money totaling more than 10 percent of the contract price for work on residential property must apply for the necessary permits within 30 days after payment is made and must start work within 90 days after all permits are issued, unless the person who made payment has agreed to a longer period in writing.

- Section 489.1425 requires the contractor to notify residential property owners of a recovery fund no later than the date the owner makes the initial payment and at the time final payment is made. The contractor must inform the owner clearly and conspicuously in writing of how and where to file a claim and an explanation of consumers rights under the Construction Industry Recovery Fund.

- Section 713.165 provides the owner may request from the contractor a list of all subcontractors and suppliers. This request must be in writing and delivered by registered or certified mail. Within 10 days after receipt of the written request, the contractor must furnish the list. Failure to do so results in the forfeiture of the contractor's right to assert a lien against the owner's property.

Are there any early warning signs that the homeowner may be dealing with an unscrupulous contractor?

Yes. Early warning signs could include:

- A large down payment is required before work begins.
- Many requests for money during early phases of construction.
- A verbal contract only, as person is not willing to put all terms in writing.
- You are asked to make your check payable to an individual's name or asked to make payment in cash or to make the check payable to "cash."
- The contractor suggests doing the work without permits or asks the homeowner to obtain the permit.

What should be done before making the final payment to the contractor?

The contractor should provide you proof of all final inspections that have been approved by the Building and Zoning Department or provide a Certificate of Completion issued by the Building and Zoning Department only if required. You can verify all inspection approvals have been obtained by calling the Inspections Desk at 305-460-5245.

Additionally, you should request final release of liens from any individuals or firms who have provided labor, material or supplies, especially those who have sent you a "Notice to Owner" letter.

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