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### **FENCE REQUIREMENTS**

1. \_\_\_ Permit application, signed & notarized by the owner and contractor
2. \_\_\_ If the permit is by the homeowner, submit:
  - a. Homeowner's affidavit
  - b. A copy of driver's license
3. \_\_\_ If the permit is by contractor, fill out the contractor's information on the permit application
  - a. Qualifier must sign and notarize
4. \_\_\_ Two copies of the survey (Less than six (6) months old)  
\_\_\_ Clearly indicate the location of the fence to be installed  
\_\_\_ Show location of gates & Provide total linear feet
5. Signed & Sealed construction details for:  
\_\_\_ PVC Fence  
\_\_\_ Metal Fence (Durafence)  
\_\_\_ Precast Concrete
6. Fence Detail (Available at the Building Department)  
\_\_\_ Wood Fence (Vertical)  
\_\_\_ Chain Link Fence  
\_\_\_ Aluminum/Iron Picket
7. \_\_\_ Utility letters may be required if encroaching or closing an easement

**Reminder: All surveys and site plans must be to scale. Reduced copies will not be accepted**

#### **Online Submittal ONLY**

**Email all required documents to: [permits@hialeahfl.gov](mailto:permits@hialeahfl.gov)**

**Foundation/Holes Inspection ONLY required for Masonry/Precast fence.**

# City of Hialeah

## Building Department

501 Palm Avenue, 2<sup>nd</sup> FL, Hialeah, FL 33010

(305) 883-5825 Fax: (305) 883-8082

www.hialeahfl.gov



# Permit Application

<b>Permit # / Type</b>		<b>Clerk:</b>		<b>Master Permit:</b>		<b>JOB ADDRESS</b>		<b>Unit #:</b>			
<b>1.</b>	<b>Owner Information</b>	Owner: _____ Address: _____ City: _____ St: _____ Zip: _____ Driver License No./I.D.: _____ Email: _____ Phone: _____ Owner-Builder <input type="radio"/>				<b>2.</b>	<b>Contractor Information</b>	Company Name: _____ Qualifier Name: _____ Address: _____ City: _____ St: _____ Zip: _____ Lic #: _____ Phone : _____ Email: _____			
<b>3.</b>	<b>Permit Type</b>	Choose only One <input type="radio"/> Building <input type="radio"/> Electrical <input type="radio"/> Mechanical <input type="radio"/> Plumbing/Gas <input type="radio"/> Paving <input type="radio"/> Drainage <input type="radio"/> Sign <input type="radio"/> Roofing	<b>4. Change to an Existing Permit</b>	Choose only One <input type="radio"/> Change Contractor <input type="radio"/> Extension <input type="radio"/> Renewal <input type="radio"/> Shop Drawing <input type="radio"/> Duplicate <input type="radio"/> Lost Plans <input type="radio"/> Early Start <input type="radio"/> Stocking Permit	<b>5.</b>	<b>Type of Improvement</b>	Choose only One <input type="radio"/> New Construction <input type="radio"/> Addition Attached <input type="radio"/> Addition Detached <input type="radio"/> Alteration Interior <input type="radio"/> Alteration Exterior <input type="radio"/> Repair/Replace <input type="radio"/> Repair Due to Fire <input type="radio"/> Demolition	<input type="radio"/> Driveway <input type="radio"/> Fence <input type="radio"/> Pool <input type="radio"/> Shed <input type="radio"/> Shutters <input type="radio"/> Windows <input type="radio"/> Doors <input type="radio"/> <b>Violation/Legalization</b>			
<b>6.</b>	<b>Architect/Engineer</b>	Name: _____ Address: _____ City: _____ St: _____ Zip: _____ Reg. #: _____ Discipline: _____ Phone: _____				<b>7.</b>	<b>Legal/Use/Work/Value</b>	Folio No. _____ No. of Units: _____ Lot: _____ Block: _____ Subdivision: _____ Pb/Pg _____ Current Use of Property: _____ Description of Work: _____ <b>Est. Value: _____ Area: _____ Length: _____</b>			
<b>10.</b>	<b>Bond</b>	Name _____ Address _____ City _____ St _____ Zip _____				<b>9.</b>	<b>Contact Info</b>	Name _____ Email _____ Phone: _____			

**NOTICE:** Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, MECHANICAL, PLUMBING, SIGNS, WELLS, POOLS, ROOFING, SHUTTERS, WINDOWS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc. In Addition to the requirements of this permit, there may be additional restrictions found in the public records, and there may be additional permits required from other governmental entities such as water management districts, or federal agencies. **OWNER AFFIDAVIT:** I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. **Owner's Electronic Submission Statement:** Under penalty of perjury, I declare that all the information contained in this building permit application and the representations made in the required disclosure statement are true and correct. **WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR ATTORNEY OR LENDER BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

X \_\_\_\_\_  
**Signature of Owner**  
**Print Name:** \_\_\_\_\_

**STATE OF FLORIDA, COUNTY OF MIAMI DADE**  
 Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_

X \_\_\_\_\_  
**Notary Signature**                      **Notary Stamp or Seal**  
 Personally Known or I.D.: \_\_\_\_\_

X \_\_\_\_\_  
**Signature of Qualifier**  
**Print Name:** \_\_\_\_\_

**STATE OF FLORIDA, COUNTY OF MIAMI DADE**  
 Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_

X \_\_\_\_\_  
**Notary Signature**                      **Notary Stamp or Seal**  
 Personally Known or I.D.: \_\_\_\_\_

### FOR OFFICIAL USE ONLY

Work Classification: \_\_\_\_\_  
 Residential    Multi-Family    Commercial    Industrial  
 Code in Effect: \_\_\_\_\_ Occupancy: \_\_\_\_\_ Const. Type: \_\_\_\_\_  
 Remarks: \_\_\_\_\_

FIRM Zone \_\_\_\_\_ Est. Bldg. Value \_\_\_\_\_  
 Imp. Value \$ \_\_\_\_\_ Zoning \_\_\_\_\_  
 Min. Elev. \_\_\_\_\_ Prop Elev. \_\_\_\_\_ GFE \_\_\_\_\_  
 Remarks: \_\_\_\_\_

**CITY OF HIALEAH**  
**BUILDING DEPARTMENT**

**OWNER BUILDER PERMIT DISCLOSURE STATEMENT AND AFFIDAVIT FORM**

Under certain circumstances, owners of property may be exempt from contractor qualification and certification requirements. To qualify for such an exemption, an owner must personally appear and be provided with a DISCLOSURE STATEMENT, and must personally sign the building permit. If you build or improve a duplex, you must live in one of the units. If the work is on a commercial building, it must be a free-standing building.

**DISCLOSURE STATEMENT**

1. I understand that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the state law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.
2. I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.
3. I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.
4. I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption.
5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction.
6. I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance.
7. I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an ownerbuilder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.
8. I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.
9. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

10. I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at (850) 922-5420 or [www.myflorida.com/dbpr](http://www.myflorida.com/dbpr) from more information about licensed contractors.
11. I am aware of, and consent to an owner-builder permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the property indicated.
12. I agree to notify **THE CITY OF HIALEAH BUILDING DEPARTMENT** immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to **THE CITY OF HIALEAH BUILDING DEPARTMENT**. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to **THE CITY OF HIALEAH** is required when the permit is issued.

***I acknowledge that I will assume full responsibility as an Owner/Builder Contractor, I am obligated to actually, physically, build the structure or do the work which I have permitted and personally supervise or perform all work allowed by law on the permitted structure.***

***I hereby acknowledge that I have read and understand the above disclosure statement/affidavit.***

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

Property Address: \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ (Name of Person Acknowledging) who is \_\_\_\_ personally known to me; or who has produced \_\_\_\_\_ (type of ID) as identification and who did/did not take an oath.

Notary Public Signature: \_\_\_\_\_

Notary Stamp or Seal: \_\_\_\_\_

**Note:** Properties held in corporate ownership are not included within this exemption and must obtain permits through licensed contractors.

# NOTICE OF COMMENCEMENT

A RECORDED COPY MUST BE POSTED ON THE JOB SITE AT TIME OF FIRST INSPECTION

PERMIT NO. \_\_\_\_\_ TAX FOLIO NO. \_\_\_\_\_

STATE OF FLORIDA:  
COUNTY OF MIAMI-DADE:

THE UNDERSIGNED hereby gives notice that improvements will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

Space above reserved for use of recording office

1. Legal description of property and street/address: \_\_\_\_\_

2. Description of improvement: \_\_\_\_\_

3. Owner(s) name and address: \_\_\_\_\_

Interest in property: \_\_\_\_\_

Name and address of fee simple titleholder: \_\_\_\_\_

4. Contractor's name, address and phone number: \_\_\_\_\_

5. Surety: (Payment bond required by owner from contractor, if any)

Name, address and phone number: \_\_\_\_\_

Amount of bond \$ \_\_\_\_\_

6. Lender's name and address: \_\_\_\_\_

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)7., Florida Statutes,

Name, address and phone number: \_\_\_\_\_

8. In addition to himself, Owners designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes.

Name, address and phone number: \_\_\_\_\_

9. Expiration date of this Notice of Commencement: \_\_\_\_\_

(the expiration date is 1 year from the date of recording unless a different date is specified)

**WARNING TO OWNER:** ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature(s) of Owner(s) or Owner(s)' Authorized Officer/Director/Partner/Manager

Prepared By \_\_\_\_\_ Prepared By \_\_\_\_\_

Print Name \_\_\_\_\_ Print Name \_\_\_\_\_

Title/Office \_\_\_\_\_ Title/Office \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_

By \_\_\_\_\_

Individually, or  as \_\_\_\_\_ for \_\_\_\_\_

Personally known, or  produced the following type of identification: \_\_\_\_\_

Signature of Notary Public: \_\_\_\_\_

Print Name: \_\_\_\_\_

(SEAL)

## **VERIFICATION PURSUANT TO SECTION 92.525, FLORIDA STATUTES**

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true, to the best of my knowledge and belief.

Signature(s) of Owner(s) or Owner(s)'s Authorized Officer/Director/Partner/Manager who signed above:

By \_\_\_\_\_ By \_\_\_\_\_



## MIAMI-DADE COUNTY CONSTRUCTION LIEN LAW FOR OWNERS

**NOTE: IF YOU SIGNED AS THE OWNER'S AGENT YOU ARE RESPONSIBLE FOR DELIVERING THIS INFORMATION SHEET TO THE OWNER OF THE PROPERTY.**

### **WARNING TO OWNER**

Florida's Construction Lien Law (Chapter 713, Part One, Florida Statutes) requires the recording with the Clerk of the Courts a Notice of Commencement for real property improvements greater than \$2,500.00. However, it does not apply to the repair or replacement of an existing heating or air conditioning system less than \$7,500.00 in value. This notice must be signed by you, the property owner.

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

### **YOU MUST FILE A NOTICE OF COMMENCEMENT**

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. You also must provide a certified copy of the recorded document at the construction site. The Notice of Commencement must be signed by you, the owner contracting the improvements, and not by your agent.

The Notice of Commencement form, provided with this information packet, must be completed and recorded within 90 days before starting the work.

A copy of the payment bond, if any is required by you and purchased by the contractor, must be attached as part of the Notice of Commencement when recorded.

If improvements described in the Notice of Commencement are not actually started within 90 days after the recording of the Notice, a new Notice of Commencement must be recorded.

You lose your protection under the Construction Lien Law if the payments are made to the contractor after the expiration of the Notice of Commencement. The Notice is good for one year after the recording date or up to the date specified under item nine of the form.

Florida law requires the Department of Regulatory and Economic Resources to be a second source of information concerning the improvements made on real property. The Building Permit Application (included with this packet) has been expanded to include information on the construction lender and the contractor's surety, if any. The new application requires your signature or your agent's, to inform you of the Construction Lien Law.

### **YOU MUST POST THE NOTICE OF COMMENCEMENT AT THE JOB SITE**

By law, the Department of Regulatory and Economic Resources is required to verify at the first inspection, after the building permit is issued, that a certified copy of the recorded Notice of Commencement, with attached bonds if any, is posted at the construction site. Failure to show the inspector a certified copy of the recorded Notice will result in a disapproved inspection, (Florida Statute 713.135(1)(d)).

### **NOTICE TO OWNER FROM SUBCONTRACTORS AND SUPPLIERS**

You may receive a Notice to Owner from subcontractors and material suppliers. This notice advises you that the sender is providing services or materials. Subcontractors and suppliers must serve a Notice to Owner within 45 days of commencing work to preserve their ability to lien your property.

If your address changes from that given in the Notice of Commencement, you should record a corrected Notice reflecting your current address. This is done to help ensure you will receive all notices.

### **RELEASE FROM LIEN FROM CONTRACTOR**

Prior to paying the contractor, you need to receive a Release of Lien and Affidavit to the extent of payment from the general contractor. The Release of Lien and Affidavit shall state either that all the subcontractors and suppliers have been paid or list those unpaid and the amount owed. The contractor is required to list on the Release of Lien and Affidavit any subcontractor or supplier that has not been paid. That amount may be withheld from the contractor's pay and paid directly to the subcontractor or suppliers after 10 days written notice to the contractor.

If the balance due to the contractor is not sufficient to pay in full all subcontractors and suppliers listed on the contractor's affidavit, you may wish to consult an attorney.

The general contractor shall furnish a final Release of Lien and Affidavit to the owner indicating all subcontractors and suppliers have been paid at the time he requests final payment. You can rely on the affidavit in making final payment to the general contractor. If you make final payment to the general contractor without obtaining the affidavit, your property can be liened for non-payment if the general contractor fails to pay the subcontractors or suppliers. You should always obtain a Release of Lien and Affidavit from the contractor to the extent of any payments being made.

### **RELY ON YOUR LENDER FOR COMPLIANCE WITH CONSTRUCTION LIEN LAW**

If you have a lender, you may rely on the lender to handle the recording of the Notice of Commencement. Learn more about the Construction Lien Law by contacting an attorney, your lender, or the Florida Department of Agricultural and Consumer Services, Division of Consumer Services.

**Documents are recorded at the Clerk of the Courts, MIAMI-DADE COUNTY RECORDER, COURTHOUSE EAST, 22 N.W. First Street, 1st Floor, Miami, FL 33128.**

You can record the Notice of Commencement by mail. The original Notice should be sent to the County Recorder, P.O. Box 011711, Flagler Station, Miami, Florida 33101. Please make sure the original Notice is signed and notarized. Also, remember to enclose the recording fee (for a single copy) and written instructions for recording and returning a certified copy of the recorded documents. For additional information on fees and recording documents call (305) 275-1155.