

Landscape Maintenance Affidavit

Please initial each statement.

- _____ 1. I have been provided a copy of NRS 624.031 regarding the type of work that I may perform without obtaining a contractor's license.

- _____ 2. I have been provided a list of services I may offer as a landscape maintenance business (see attached letter received from the State Contractor's Board).

- _____ 3. I understand that if cited by the Nevada State Contractor's Board, I am subject to fines and possible incarceration.

Nevada Contractor's Board Requirements of NRS 624

The Nevada State Contractor's Board enforces the requirements of NRS 624, which states in part, "a contractor is any person, except...who in any capacity other than as the employee of another with wages as sole compensation..." who offers an estimate or "bid...to construct, alter, repair, add to, subtract from, improve, ...any building...structure, project, development or improvement...."

Some landscape maintenance businesses have been prosecuted for contracting. The Nevada State Contractor's Board receives and investigates consumer complaints. If you are contracting, the Nevada State Contractor's Board must properly license you. **The Contractor's Board may assist you, if you do not understand their requirements. Please call 775-688-1141 or visit their website at <http://www.nscb.state.nv.us> if you have specific questions.** Your attorney may help you determine if you need a contractor's license or if NRS 624.020 paragraph 2, specifically excludes you from the requirements.

If you are exempt from the Contractor's Board jurisdiction, you may be licensed as a landscape maintenance business. A copy of this form will be placed in your business license file.

I understand I am not a licensed contractor and have been provided information on how to become a licensed contractor.

Print Name

Signature

Date

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, reclamation district, or other municipal or political corporation or subdivision of this State.

2. An officer of a court when acting within the scope of his office.

3. Work performed exclusively by a public utility operating pursuant 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 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:

(1) The value of which is \$500 or more; or

(2) 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 use or occupancy and not intended for sale or lease.

[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)



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NEVADA STATE CONTRACTORS BOARD
ADVISORY OPINION
LANDSCAPE MAINTENANCE

ISSUE: Landscape maintenance work that does not require a contractors license:

ADVISORY OPINION: The following landscape maintenance work would not require a contractors license:

- Mowing of lawns
- Edging of lawns
- Clean up and hauling of debris
- Replacement of sprinkler heads that unscrew and risers that are threaded
- Removal and trimming of trees and shrubs
- Rototilling of a garden area
- Thatching of lawns

Advisory opinions are often based upon limited information, and are therefore broad in nature. It should be noted that under NRS 624.035 there might be more stringent requirements as determined by the city or county having jurisdiction.

It is not the Board's intent, nor within the purview of the Board to decide or resolve disputes involving the award of a bid or contract. You should consult with your legal counsel regarding these matters.

Margi Grein, Executive Officer

Dated: April 1, 2004