

**MORGAN COUNTY PLANNING COMMISSION  
Courthouse  
83 Fairfax Street, Berkeley Springs, WV. 25411**

**Phone: 304-258-8540 Fax: 304-258-7305**

**WEST VIRGINIA CONTRACTOR LICENSING BOARD  
TITLE 28  
LEGISLATIVE RULES  
( Part of )**

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The Building Inspector of other authority of any Incorporated municipality or other political subdivision in this state charges with the duty of issuing building or other permits for construction as defined in this rule, shall not issue such permits to any person who does not possess a valid contractor's license when required by this rule.

No person may engage in the business of a contractor in this state without a license. Except as otherwise provided in WV. Code 21-11-1 et.seq., the following are exempt from licensure:

- 1.** Work done exclusively by employees of the United States government, the State of West Virginia, a county, municipality or municipal corporation, and any governmental subdivision or agency thereof directly in conjunction with and in the course of their employment.
- 2.** The sale or installation of a finished product, material or article or merchandise which is not actually fabricated into and does not become a permanent fixed part of a structure;
- 3.** Work performed personally by an owner or lessee of real property on property the primary use of which is for agricultural or farming enterprises;
- 4.** A material supplier who renders advice concerning use of products sold and who does not provide construction or installation services;
- 5.** Work performed by a public utility company regulated by the West Virginia Public Service Commission and its employees;
- 6.** Repair work contracted for by the owner of the equipment on an emergency basis in order to maintain or restore the operation of such equipment;

7. Work performed by an employer's regular employees, for which the employees are paid regular wages and not a contract price, on business owned or leased by the employer. The term "Business property owned or leased by the employer" shall not include any property upon which work is performed by the owner or lessee employer for the purpose of: speculative sales or leasing; or otherwise intending the sale or lease of the property for commercial or residential use by an entity other than the employer itself:
8. Work personally performed on a structure by the owner or occupant thereof **(must occupy residence for a minimum of six (6) months)** ; and
9. Work performed when the specifications for such work have been developed or approved by engineering personnel employed by the owner of a facility by registered professional engineers licensed pursuant to the laws of this state when the work to be performed because of its specialized nature or process cannot be reasonably or timely contracted for within the general area of the facility.

**I have read the above and am exempt from licensure according to**

**paragraph # \_\_\_\_\_ . I have been informed by the Permit Officer or employee(s) of the Permit Officer that a "Cease and Desist Order" will be filed should I hire a contractor not licensed in the State of West Virginia. Additional legal action may be taken by other agencies of the state.**

\_\_\_\_\_  
**PROPERTY OWNER / APPLICANT**

\_\_\_\_\_  
**DATE**