



## CODE ENFORCEMENT OFFICE

645A Pine St, PO Box 849  
Burlington, VT 05402-0849  
VOICE (802) 863-0442  
FAX: (802) 652-4221

### **INSTRUCTIONS FOR FILLING OUT THE VACANT BUILDING PERMIT APPLICATION FORM**

*This application form and the ordinance can be found at <http://www.ci.burlington.vt.us/codeenforcement/>*

- The vacant building property owner to whom the bill and all other correspondence is to go must be listed as the "primary code owner".
- Vacant building property owners must provide their actual residential address, not just a post office box number. If the mailing address of the owner is different from the actual residential address, please provide both.
- Vacant building property owners must provide their name, address, phone numbers, e-mail, date of birth and state their military status (active or not). This is required for **all** owners.
  - *If the property is owned by a corporation, partnership or LLC, provide the official name, principal business address, phone numbers, e-mail, date of incorporation and military status of the president of the corporation and general partners. Also provide the name of the registered corporate or partnership agent and address, phone number, e-mail and military status of the agent.*
- **If the owner's official residence is not in Chittenden County**, nor does the owner reside in Chittenden County, there **MUST** be a designated person listed as the Local Property Manager, Service of Process and Emergency Contact. Use the principal business address of a corporation, LLC or partnership entity to determine residence. This is the person/entity to whom official papers and notifications will be mailed, and could be designated as a representative for inspections of the property.
  - *The date of birth and military status are required for the person designated as "service of process" contact.*
- **The Emergency Contact designee** and information **must be different** from the Owner/Primary Code Owner.
- The Request for Trespass Notice is part of the application and must be completed so that it can be filed with the Burlington Police Department.
- Fee waiver requests will be considered only if the application is complete and there are no violations.

#### **You may be ticketed for the following violations pursuant to Sec. 8-49 of the City of Burlington Ordinance for Vacant Buildings:**

- (A) *Failure to apply for a vacant building permit or the filing of an incomplete application; (due 10/10/10)*
- (B) *Failure to pay the vacant building fee; (\$500.00 due quarterly)*
- (C) *Failure to schedule an inspection or to show up for an inspection for which notice has been given;*
- (D) *Failure to comply with the obligations set forth in Sec. 8-46; and*
- (E) *Failure to comply with an order of the enforcement officer in the time required, with each separate deficiency ordered to be corrected being deemed a separate order.*

If you have questions, please contact Linda Ayer, Code Administrator @ 863-0442.

Information available in alternative media forms for people with disabilities.  
For disability access information call (802) 865-7121 or (802) 863-0450 TTY.  
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**VACANT BUILDING PERMIT APPLICATION**

Date \_\_\_\_\_

**Instructions: Please complete in ink. The completed application must be signed and submitted to our office within 10 days of receipt.**

**I. Identification**

**Building Address:** \_\_\_\_\_

**Owner(s) Name(s) :** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip \_\_\_\_\_

Phone (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_ (e-mail) \_\_\_\_\_

Date of Birth/Incorporation: \_\_\_\_\_ Military Service (check one): Active \_\_ Inactive \_\_ N/A \_\_

**Primary Code Owner:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip \_\_\_\_\_

Phone (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_ (e-mail) \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Military Service Status (check one): Active \_\_ Inactive \_\_ N/A \_\_

**Registered Agent for Service of Process:** \_\_\_\_\_

Address/City/State/Zip \_\_\_\_\_

Phone (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_ (e-mail) \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Military Service Status (check one): Active \_\_ Inactive \_\_ N/A \_\_

**Contractor/Property Manager:** \_\_\_\_\_

Street Address/City/State/Zip \_\_\_\_\_

Phone (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_ (e-mail) \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Military Service Status (check one): Active \_\_ Inactive \_\_ N/A \_\_

**Emergency (LOCAL) Contact Person:** \_\_\_\_\_

Street Address/City/State/Zip \_\_\_\_\_

Phone (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_ (e-mail) \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Military Service Status (check one): Active \_\_ Inactive \_\_ N/A \_\_

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**II. Main Use of Building** (i.e., Single-family home, office, residential, parking, restaurant, etc.)

Most recent use: \_\_\_\_\_ No. of dwelling units: \_\_\_\_\_  
Proposed use: \_\_\_\_\_ No. of dwelling units: \_\_\_\_\_

**III. Maintenance**

Date of vacancy: \_\_\_\_\_

Approximate end date of vacancy: \_\_\_\_\_

**Plan & timeline for lawful occupancy, rehabilitation, removal or demolition** (attach additional sheets if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Initial & Continuing Obligations** – Please state if you have taken the following actions:

Removed all combustible waste and refuse from the structure (Y/N) \_\_\_\_\_

Removed all waste, rubbish, debris or excessive vegetation from the yards surrounding the building or structure (Y/N) \_\_\_\_\_

Locked, barricaded or secured all doors, windows or other openings (Y/N) \_\_\_\_\_

Complied with any vacant building orders issued in the time required (Y/N) \_\_\_\_\_

**Maintenance Plan** – Vacant buildings and structures must meet vacant building maintenance standards. This plan is to assure the Code Office that the continuing obligations and the vacant building maintenance standards will be met throughout the duration of the vacancy. Please indicate how you intend to comply with the ordinance (§§ 8-46 & 8-47(e)) throughout the next three (3) months of vacancy.

**Basic Obligations: HOW will you ensure** that all combustible waste and refuse in the structure and all waste, rubbish, debris or excessive vegetation the yards surrounding the building or structure are immediately removed; all doors, windows or other openings are continuously locked, barricaded or secured; all vacant building orders are in compliance with in the time required?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Building Openings: HOW will you ensure** that doors, windows, areaways and other openings are weather-tight and secured against entry by birds, vermin, and trespassers and free from graffiti? (Note: missing or broken doors, windows, and other such openings must be covered by glass or other rigid transparent materials):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Roofs:** HOW will you ensure that the roof and flashings are sound and tight, not admit moisture or have defects the might admit moisture, rain or roof drainage, and allow for drainage?

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**Drainage:** HOW will you ensure that the storm drainage system is functional, is installed in an approved manner, and allows discharge in an approved manner?

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**Building Structure:** HOW will you ensure that the building is maintained in good repair, structurally sound and free from debris, rubbish, and garbage? The building must be sanitary. It must not pose a threat to public health and safety.

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**Structural Members:** HOW will you ensure that the structural members are free of deterioration and capable of safely bearing imposed dead and live loads?

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**Foundation Walls:** HOW will you ensure that the foundation walls are maintained, are structurally sound and in a sanitary condition? The foundation must be free from cracks, breaks, leaks and graffiti. The foundation must be capable of supporting necessary loads and must be animal and rat-proof.

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**Exterior Walls:** HOW will you ensure that the exterior walls are free of graffiti, holes, breaks, and loose or rotting materials? Exposed metal, wood, or other surfaces must be protected from the elements and against decay, corrosion or rust.

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**Decorative Features:** HOW will you ensure that all decorative features are free from graffiti, kept in good repair and maintained in a safe and anchored condition? Exposed metal, wood, or other surfaces must be protected from the elements and against decay, corrosion or rust.

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**Overhanging Extensions:** **HOW will you ensure** that all balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar features are free from graffiti, kept in good repair and maintained in a safe, anchored condition? Exposed metal, wood, or other surfaces must be protected from the elements and against decay, corrosion or rust.

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**Chimneys and Towers:** **HOW will you ensure** that chimneys, cooling towers, smokestacks, and similar appurtenances are free from graffiti, maintained structurally safe and in good repair? Exposed metal, wood, or other surfaces must be protected from the elements and against decay, corrosion or rust.

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**Walkways:** **HOW will you ensure** that walkways are maintained safe for pedestrian travel?

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**Accessory and Appurtenant Structures:** **HOW will you ensure** that accessory and appurtenant structures such as garages, sheds, and fences are maintained free from safety, health, and fire hazards and comply with all applicable vacant building maintenance standards?

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**Premises:** **HOW will you ensure** that the premises upon which the structure or building is located are kept clean, safe, and sanitary? The premises must be kept free from waste, rubbish, debris, and excessive vegetation.

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**Authorized Persons** - Please list all persons authorized to be present on the premises below and on the attached Trespass Notice. In addition, please sign the attached Trespass Notice, authorizing the arrest for trespass of individuals not on the list (attach additional sheets if necessary):

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**\*Note: Completion and submission of the attached notice of trespass form is required.**

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**IV. Fee**

**Please attach \$500.00 fee with the application even if applying for a waiver. If you are granted a waiver, \$425 will be returned. Sufficient evidence must be provided. Incomplete requests will not be considered.**

**FEE WAIVER INFORMATION:**

Pursuant to § 8-47(f), \$425 of this fee is waived upon a showing that:

1) the building is being actively marketed for sale or lease and is being maintained pursuant to maintenance standards and other obligations of the ordinance *(This waiver is limited to 8 permit periods (24 months).)*

or

(2) the building is being rehabilitated pursuant to all required and applicable city permits and the owner has spent at least 5% of the assessed value of the building or structure on rehabilitation, not including the cost of permits, in the prior 3 month period.

or

(3) the property owner has secured all duly required state and local demolition permits. *(This waiver is limited to a period within 3 months of securing of the demolition permits.)*

**A. Marketing for Sale or Lease & Maintenance**

This waiver requires that you maintain the structure or building according to the standards and obligations of the law and provide the information related to marketing for sale or lease. Please submit the following:

- Documentary proof of continuous marketing for the sale or lease of the building or structure
- Documentary proof that the building or structure is publicly available and viewable for sale or lease to prospective buyers or lessees until it is under contract
- Documentary proof of the asking price for the property

**B. Rehabilitation**

This waiver requires you to provide information showing that the structure or building is being rehabilitated under all applicable permits (zoning, building, fire) and that you have spent at least 5% of the assessed value of the building or structure on the rehabilitation, not counting the cost of permits, in the 3 months prior to this application. Please provide the following:

- the current assessed value of the building: \_\_\_\_\_
- the building, fire and zoning permit numbers for this rehabilitation work:

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- Please submit copies of bills detailing the cost of rehabilitation in the past 3 months.

**C. Demolition**

This waiver requires you to have secured all the required state and local permits to demolish the building or structure. Demolition must occur within 3 months of securing the permits; this waiver is void and the full permit fee is owed if the demolition does not occur within this time. A request for an extension of the 3

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month demolition requirement must be submitted in writing; the request must demonstrate that the extension is needed for good cause.

Please provide a copy of each demolition permit or provide the following information: the permitting authority (i.e. building), permit number, date issued, expiration date, and all conditions for each demolition permit you have secured.

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**V. Variances**

Owners may appeal Code Enforcement decisions (i.e. orders or waiver determinations) or seek a variance from the provisions of the Vacant Building Ordinance. Appeals or variance requests must be made in writing within 10 days of the Code action. Appeals must explain the reasons why the owner is appealing. Variance requests must explain the circumstances or conditions that make strict compliance unusually difficult, unduly expensive, or would create an undue hardship and state the specific relief requested.

Appeals and variance requests must be submitted to the Public Works Commission, c/o Norm Baldwin, 645A Pine St., Burlington, VT.. You may contact the Department of Public Works Customer Service at (802) 863-9094 for more information.

**VI. Applicant Signature**

Please sign the certification below:

<p>I/We, _____, do hereby swear and certify that the information provided in this application is true and accurate to the best of my knowledge.</p>	
<p>_____</p> <p>Owner/Agent Signature</p>	<p>_____</p> <p>Date</p>

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**Request for Trespass Notice  
And List of Authorized Property Users  
For Vacant Building Property**

PROPERTY: \_\_\_\_\_ WARD: \_\_\_\_\_

OWNER(S): \_\_\_\_\_ PHONE: \_\_\_\_\_

**AUTHORIZED USERS:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

I request the Burlington Police Department to serve a Notice Against Trespass and make arrest as necessary for any person not on the above list for the subject property.

I also request that a Notice Against Trespass be served to the following persons, to remain in effect until

\_\_\_\_\_ :  
(date)

1. Name: \_\_\_\_\_ D.O.B. \_\_\_\_\_
2. Name: \_\_\_\_\_ D.O.B. \_\_\_\_\_
3. Name: \_\_\_\_\_ D.O.B. \_\_\_\_\_

Issued by (Owner or Agent Duly Authorized):

\_\_\_\_\_  
Owner/Agent Printed Name

\_\_\_\_\_  
Owner/Agent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**Owner/Agent:** Please submit this form to the City of Burlington Code Enforcement Office. This form will be delivered to the Burlington Police Department upon receipt. A copy will be kept on file in the Code Enforcement Office.

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