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STATE OF VERMONT
COUNTY OF CHITTENDEN

CITY OF BURLINGTON, VERMONT CODE ENFORCEMENT OFFICE
SUPPORTING AFFIDAVIT OF PROBABLE CAUSE
FOR PUBLIC SAFETY VIOLATION

Re: Public Safety Violations at 111 North Winooski Ave., Burlington, Vermont

Now comes Code Enforcement Officer John P. Ryan, Affiant, after being duly sworn and on oath deposes and says that he has probable cause to believe that George G. Munson, Owner(s) of record for the subject property, has committed the crime of non-compliance with a public safety order and has allowed various related property violations to exist at the subject premises located at 111 North Winooski Ave., and that the Affiant has probable cause to believe that the above-mentioned property constitutes a dangerous and unsafe property in violation of Article III. Abatement and Rehabilitation of Vacant Buildings and Dangerous Structures as established in the Code of Ordinances of the City of Burlington, Vermont and that the violations located upon the above-described premises have occurred based upon the following facts:

1. On or about July 26, 2002 and at all times following, I have held the position of Code Enforcement Officer for the City of Burlington, have also been qualified by the National Fire Protection Association as a Certified Fire Inspector, and have been vested with the authority to enforce various sections of the Code of Ordinances of the City of Burlington including regulations pertaining to the municipal ordinances.

2. BCO (Burlington Code of Ordinances) Sec. 8-45(a) Obligations of owners of dangerous structures and buildings states that a building or structure or part thereof that is or becomes dangerous or unsafe shall be made safe and secure. If the building cannot be made safe or secure, the owner shall take down and remove the building.

3. BCO Sec. 8-45(e) states that if the owner continues such refusal or neglects to remove or make the building safe, the director shall cause it to be taken down or otherwise made safe and the costs and charges shall constitute a lien upon the real estate upon such building is situated...

4. BCO Sec. 8-45(b) states that the director shall inspect a building or structure upon receiving information that the building or structure or anything attached or connected therewith is in violation of

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the specifications of all applicable building, fire prevention, and public safety ordinances and codes adopted herein...

5. On September 22, 2005 I conducted a vacant building inspection of the premises accompanied by William Sears of the City Fire Marshall's office. During the course of the inspection, numerous unsafe conditions, substandard housing conditions, and zoning violations were found. Remedial action was required at the following per BCO 8-47 Vacant building permit; inspection; maintenance standards; fees:

- (1) Building openings
- (2) Roofs
- (3) Building structure
- (4) Exterior walls
- (5) Decorative features
- (6) Overhanging extensions
- (7) Chimneys and towers
- (8) Accessory and appurtenant structure
- (9) Premises

7. On September 23, 2005 I sent a Notice of Violation notifying the property owner of my findings, with orders to take corrective action by October 25, 2005.

8. On February 8, 2006 I conducted a follow up inspection of the subject premises. I found substantial non-compliance with the Order of September 22, 2005 at the premises, and that the majority of unsafe conditions remained uncorrected.

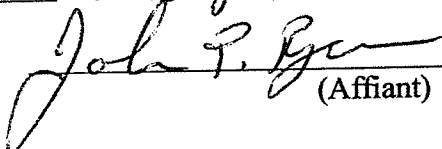
9. Since February 8, 2006 I have had numerous conversations with the owner trying to get him to secure the out building and begin a process to remove or rehab the building with no success.

10. Mr. Munson has stated numerous times that the out building is a dangerous building at least because the roof appears to have fallen in, the upper level has collapsed into the ground floor level. Recently Mr. Munson stated to me that persons are breaking into the building through the rear of the building.

11. On August 29, 2006 I inspected the buildings at 111 North Winooski Ave. with Bill Sears of the City Fire Marshall's office. I observed the following:

- (1) The Notice of Violation report dated September 22, 2005 has not been complied with.
- (2) The condition of the house continue to deteriorate: more ceiling and wall damage due to leaking roof, more broken windows, more graffiti on the side of the house.
- (3) It appeared as though some one tried to enter through a window on the south side of the front porch.
- (4) The out building is not secure. The owner has stated to me several times that persons have been entering the building.
- (5) There continues to be a large amount of unattended vegetation around the out building.

DATED at Burlington this 25th day of September, 2006.



(Affiant)