

NuisanceNeighbors

Good fences may make good neighbors,
but enforcement professionals
say an open dialogue is more useful in
resolving neighborhood disputes.



PHOTO BY LARYSA DODZ

By Lisa Shumate

It seems nearly anyone you ask has a tale about a nuisance neighbor: raucous parties past midnight, garage bands practicing at dawn, junk cars piled up the drive, barking dogs and thick ugly weeds that spread seeds to the neighbors' nicely manicured lawns.

If your neighbor commits any of the above scenarios, what can you do?

"Our tactics ranged from calling the [student] renters' parents at 2 a.m. to gathering on the front lawn with 10 neighbors and yanking the [transgressors] out of bed at 6 a.m. to clean up the mess" from their wild party, says Tamara Greenleaf, a marketing consultant in the process of moving to Boulder from Portland, Ore. "We drove the offenders out—finally. But I've been through the wringer."

Sally, a Boulder realtor whose noise dispute with her downstairs neighbor ended up with her tires slashed, took an even more radical step. "I sold the place and moved. I had to get out of there," she says.

Liz Carlock is still toying with her strategy. "I cannot begin to tell you the

number of times I've contemplated putting on gloves, picking up the pile of dog poop off my front lawn, placing it in a handled plastic bag and putting it on my neighbor's front doorknob," jokes Carlock, a mild-mannered, but exasperated homeowner who lives in Boulder's Newlands neighborhood.

While such creative retribution may be fun to fantasize about—if only for a moment—it's typically not necessary, say local law enforcement agents and conflict mediators. With a few calm words, and in some cases, a friendly visit from the men and women in blue, many neighborly disputes can be resolved without court visits, fines, or too many sore feelings.

"We always recommend that people try to deal with [their disputes] in person, before calling in an agency," says Steve DePuy, code enforcement supervisor for

In 2005, Boulder's code enforcement division received a whopping 3,920 complaints, including 998 for noise violations, 965 for trash violations, 777 for snow violations and 476 for weeds violations.

the city of Boulder Environmental and Zoning Enforcement division, which handles trash, noise and weed complaints. "You have to live next door to these people for who knows how long," so it's wise to try and resolve disputes.

Nonetheless, when a knock on the door and a verbal plea fail to quell the problem, laws are in place to promote civility, DePuy says.

For example, Boulder city code requires that grasses and weeds be cut and maintained at less than 12 inches tall; property owners are mandated to keep their land "free and clear of trash"; and snow must be cleared from sidewalks by noon the day after a storm.

When it comes to noise—the main complaint police receive about neighbors—local ordinances prohibit amplified sounds or "yelling and screaming" after 11 p.m., loud car stereos anytime, and use of lawn maintenance equipment between 9 p.m. and 7 a.m. (for those neighbors who earnestly fire up the John Deere at the crack of dawn on weekends).

The cities of Longmont, Louisville and Lafayette all have similar ordinances, carried out and enforced by community service officers within the police departments. For those who live in unincorporated Boulder County, the Sheriff's Department is the place to call.

And call they do. In 2005, Boulder's code enforcement division received a

WHO YOU GONNA CALL?

When you can't stand your neighbor's barking dogs, loud music, weeds, junk, trash or noise any longer, here's a list of agencies that can mediate or enforce ordinances.

- ❖ **City of Boulder Animal Care and Control:** 303-442-4030 ext. 640
- ❖ **City of Boulder Environmental and Zoning Enforcement** (noise, weeds, trash): 303-441-3239
- ❖ **Boulder County Animal Control:** 303-441-3626
- ❖ **Boulder County Sheriff's Department 24-Hour Line** (for residents in unincorporated areas, Lyons, Superior and Jamestown): 303-441-4444
- ❖ **Lafayette and Louisville 24-Hour Non-Emergency Police, Fire and Code Enforcement:** 303-441-4444
- ❖ **City of Longmont Animal Control:** 303-651-8500
- ❖ **Louisville Police Department** (nuisance barking, weeds, junk cars): 303-666-6531
- ❖ **Victim Offender Reconciliation Program of Boulder County:** 303-442-6040

—Lisa Shumate



PHOTO BY ROBERT O. BROWN PHOTOGRAPHY

whopping 3,920 complaints, including 998 for noise violations, 965 for trash violations, 777 for snow violations and 476 for weeds violations. Overall, only 611 summonses were issued—a testament to how well people respond to a letter or visit from the police.

"We try to investigate every complaint," DePuy says. "We go by, take a look and ask them to fix the problem. But we prefer compliance, as opposed to summonses. That is our goal."

Doggone-Dirty Business

If your problem is barking dogs or dogs leaving morning deliveries, city animal control officers are the ones to call (those who live in unincorporated areas or the towns of Lyons, Superior and Jamestown should call the Boulder County Sheriff's Department). Typically, the alleged offender is given ample warning before police issue a ticket.

"We try to give people the resources they need to resolve the issue," says Lisa



PHOTOS BY (FROM LEFT TO RIGHT) GREG ROLLER, ARON HSAO AND GREG ROLLER

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PHOTO BY ANASTASIYA MAKSYMENKO

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Pedersen, spokesperson for the Humane Society of Boulder Valley, which helps coordinate animal-control efforts for the city of Boulder.

Pedersen says city of Boulder Animal Care and Control officers are called out for roughly 150 noise complaints annually. Yet in 2005, they issued just 23 violations for barking dogs, according to court records. By comparison, 615 summonses were issued for dogs running at large, but that also included violations in parks and open space.

When a Boulder resident calls in to complain about a barking dog, the owner gets a letter, along with tips on how to stop the barking. (They are not told which neighbor complained.) If it happens again within a year, an officer pays a visit. If it happens again, police may issue a summons to appear in court, but it typically takes two neighbors complaining before that happens.

Denver-area resident Ken Rappe has been on both sides of the barking dog issue. At his former home, two neighbors got together to file a complaint about his barking dog, but they never bothered to talk to him beforehand.

When the tables turned and a neighbor in his new community tried to enlist him to file a barking dog complaint against another neighbor, he refused and instead paid a personal visit. It worked beautifully. "I don't believe in calling the police," Rappe says. "If you're angry, put it off. When you're calm, just go over and explain what's bothering you."

For disputes that accelerate beyond minor gripes over the fence, several cities and towns, including Longmont and Boulder, offer mediation services, and the

nonprofit Victim Offender Reconciliation Program of Boulder County (VORP) offers mediation for homeowners throughout the county.

Typically, a third party checks with both neighbors individually to make sure it's safe to bring them together. Then they all gather in a neutral place and hash it out.

"It's all about helping people realize the impact they're having on the other person," says VORP mediator Nickie Kelly. "It's amazing how much being listened to can diffuse a conflict."

Kelly says people should keep in mind that "rudeness" among neighbors can sometimes be a matter of misunderstanding. She tells the story of a group of neighbors up in arms about a homeowner's unkempt lawn. Some were crafting a plan to write a letter, but one opted to go over there instead. She discovered the residents were ill and couldn't mow the lawn for a while, so she did it for them.

"It worked out wonderfully," Kelly says. "They ended up building community, rather than tearing it down." Her advice for preventing conflicts: Get to know your neighbors.

"So many times we just don't want to be involved with people. We're losing the fine art of being neighbors," she says. "If you have the opportunity to meet a new neighbor and welcome them to the neighborhood, that is probably a good first step in avoiding conflict."

Lisa Shumate is a freelance writer who lives in Lyons with nice neighbors.

Editor's note: This is part one in a two-part series on neighborhood disputes. E-mail us your concerns at homes@brockpub.com.