

Council Request Update

June 9, 2016

Council Request 16-118 (Chicken Waste)

Requested by: Mayor Pro Tem Gillit

Assigned to: Code Enforcement

Request: Request regarding what is being done about chicken waste and odor at 4509 S. Acoma Street.

Response: In the attached response, Sgt. Reid McGrath outlines what is being done about the chicken waste and odor coming from that residence.

Council Request 16-119 (B&C Policy)

Requested by: Mayor Jefferson

Assigned to: CMO

Request: Request to add language to the website and applications regarding Council's new Board and Commission directives.

Response: Communications Coordinator Leigh Hoffhines has added the language to the website and application: "Board and Commission members must be City of Englewood residents. or, in the case of the Alliance for Commerce in Englewood, must own or manage a business in Englewood, Volunteers can serve on up to two boards or commissions, or one quasi-judicial board (Board of Adjustment and Appeals; Liquor and Medical Marijuana Licensing Authority; Planning and Zoning Commission; Urban Renewal Authority; and Water and Sewer Board)."

2016 COUNCIL REQUESTS

Number	Request Date	Request Type	Requested by	Request	Assigned To	Due Date	Follow-up Date	Date Completed
16-031	1/19/2016	I	Barrentine	Legal Opinion - EURA Council Representative	CAO	1/22/2016		
16-032	1/12/2016	I	Russell	City Ditch - Oxford Repairs	PW	1/14/2016		1/21/2016
16-033	1/25/2016	I	Barrentine	EEF/EMRF Funds and By-Laws	EEF/EMRF	1/29/2016	3/1/2016	3/1/2016
16-034	1/25/2016	I	Barrentine	Board & Commission Eligibility Study Session	CMO	1/29/2016		1/27/2016
16-035	1/25/2016	I	Olson	StrengthsFinder/Birkman Assessment Costs	CMO	1/29/2016		3/17/2016
16-036	2/1/2016	I	Jefferson	Background: ERC Preschool Discontinuation	PRL	2/4/2016		2/3/2016
16-037	2/1/2016	I	Martinez	Study Session: Recreational Marijuana	CMO	2/4/2016		2/3/2016
16-038	2/1/2016	I	Gillit	Study Session: Council policies/conduct	CMO	2/4/2016		2/3/2016
16-039	2/1/2016	I	Barrentine	Charter Review - Council Voting/Abstentions	CAO	2/4/2016		
16-040	2/1/2016	I	Olson	Study Session: Green Vehicle Policy Review	CMO/PW	2/4/2016		2/3/2016
16-041	2/1/2016	I	Yates	Background: Public Intoxication Ordinance	PD	2/4/2016		2/2/2016
16-042	2/1/2016	I	Russell	Sewer Issue - 3400 block South Broadway	CD	2/4/2016		2/3/2016
16-043	2/1/2016	I	Jefferson	Business Notification of Regulation Changes	CMO/ALL	2/4/2016		2/3/2016
16-044	2/1/2016	I	Martinez	Service Line Warranty Cancellation Letter	CMO	2/4/2016		2/24/2016
16-045	2/1/2016	I	Martinez	Clayton Elementary Street Conditions (snow)	PW	2/4/2016		2/23/2016
16-046	2/1/2016	I	Martinez	CityCenter Evening Meeting Security	PD/EEF	2/4/2016		3/21/2016
16-047	2/1/2016	I	Council	Citizen of the Century Selection Information	CMO	2/4/2016		2/3/2016
16-048	2/3/2016	I	Jefferson	Englewood Depot Snow Removal Inquiry	PR	2/5/2016		3/4/2016
16-049	2/9/2016	I	Yates	Construction Defects Ordinance	CAO	2/12/2016		
16-050	2/13/2016	I	Barrentine	Economic Development Incentives Inquiry	CD	2/16/2016		2/16/2016
16-051	2/16/2016	S	Barrentine	Mayor/Manager/Attorney Mtg. Audio	CMO	2/19/2016		2/19/2016
16-052	2/16/2016	S	Barrentine	Meeting Audio Solution	CMO/IT	2/19/2016		2/23/2016
16-053	2/16/2016	S	Olson	Simon Center Sexual Harrassment Claims	PD	2/19/2016		2/19/2016
16-054	2/16/2016	S	Barrentine	Paseo Fence Inquiry	CD	2/19/2016		2/19/2016
16-055	2/22/2016	I	Council	FunFest Follow-up	PRL	2/25/2016		2/24/2016
16-056	3/1/2016	I	Barrentine	Paseo Fence Inquiry - Follow-up	CD	3/3/2016		3/2/2016
16-057	3/3/2016	S	Jefferson	Floyd & Bannock Code/Crime Concerns	PD	3/4/2016		3/7/2016
16-058	3/14/2016	I	Jefferson	Cherokee Kivas Construction Project Update	CD	3/17/2016		3/17/2016
16-059	3/14/2016	I	Olson	OpenEnglewood Statistics	FAS	3/17/2016		3/15/2016
16-060	3/14/2016	I	Olson	Comp. Plan Clarification - Belleview/Broadway	CD	3/17/2016		3/17/2016
16-061	3/14/2016	I	Jefferson	Microphones - Community Room	CMO	3/17/2016		3/15/2016
16-062	3/14/2016	I	Jefferson	Denver Fire - Late-night Lights and Sirens	CMO/PW	3/17/2016		4/7/2016
16-063	3/16/2016	I	Gillit	S. Lipan Code Violations - Trash	PD	3/21/2016		3/23/2016
16-064	3/18/2016	I	Gillit	3398 W. Grand Ave. -Remodelling Permit	CD	3/22/2016		3/18/2016

S = Service
I = Information

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FAS - Finance and Administrative Services; PRL - Parks, Recreation Library; MC - Municipal Court; PW - Public Works; PD - Police Department; UT-
Utilities; WW - Wastewater Treatment Plant

Number	Request Date	Request Type	Requested by	Request	Assigned To	Due Date	Follow-up Date	Date Completed
16-065	3/21/2016	I	Council	Inquiries re: Marijuana Social Clubs	CAO	3/24/2016		4/11/2016
16-066	3/21/2016	I	Olson	Revenue Comparison Chart	FAS	3/24/2016		3/30/2016
16-067	3/21/2016	I	Olson	Financial Report - Color Consistency	FAS	3/24/2016		3/30/2016
16-068	3/21/2016	I	Barrentine	Code Enforcement Stats - Last 12 years	PD	3/24/2016		3/31/2016
16-069	3/21/2016	I	Barrentine	Alta Cherry Hills - Map Corrections	CD	3/24/2016		3/30/2016
16-070	3/21/2016	I	Yates	City Ditch/Private Property Fencing	UT/PW	3/24/2016		4/18/2016
16-071	3/21/2016	I	Council	Economic Development Incentive Policy Update	CD	3/24/2016		3/24/2016
16-072	3/28/2016	I	Jefferson	ACE Business Survey Results to Council	CD	3/31/2016		3/29/2016
16-073	3/28/2016	I	Olson	Street Conditions - Xcel Energy Follow-up	PW	3/31/2016		4/1/2016
16-074	3/28/2016	I	Jefferson	Englewood Marketing Plan	CMO/CD	3/31/2016		3/30/2016
16-075	3/28/2016	I	Barrentine	Littleton Police Facility Renovation	CMO	3/31/2016		4/29/2016
16-076	3/29/2016	I	Olson	Economic Incentives Analysis	CD/FAS	3/31/2016		4/27/2016
16-077	4/5/2016	I	Olson	Equal Employment Opportunity- Job Posts, EEO La	FAS	4/8/2016		
16-078	4/5/2016	I	Olson	Cherokee Kivas - Meeting Update	BD/CMO/CA/CD	4/8/2016		4/11/2016
16-079	4/5/2016	I	Council	New Comp Plan - Arts & Crafts Home Preservation	CD	4/8/2016		4/6/2016
16-080	4/5/2016	I	Gillit	Checklist for building projects/remodels	BD	4/8/2016		4/7/2016
16-081	4/5/2016	I	Yates	Over-the-counter permitting for 10 most Common	BD	4/8/2016		4/7/2016
16-082	4/5/2016	I	Barrentine	Report of all EMRF expenses since 1999	FAS	4/8/2016		4/20/2016
16-083	4/6/2016	S	Jefferson	E-Notifications for Community Development NewsCommunications		4/8/2016		4/6/2016
16-084	4/7/2016	I	Gillit	4856 S. Lipan St. trailer parked illegally in front of a	PD	4/11/2016		4/7/2016
16-085	4/11/2016	I	Gillit	Status and type of tenant that will use space at Oxf	CD	4/14/2016		4/11/2016
16-086	4/11/2016	I	Jefferson	Englewood specific unemployment stats	CMO	4/15/2016		5/9/2016
16-087	4/11/2016	I	Olson	Impact of industrial development in a 1st tier subur	CD	4/15/2016		4/14/2016
16-088	4/11/2016	I	Olson	A primer sheet on the PUD process	CD	4/15/2016		4/14/2016
16-089	4/11/2016	I	Jefferson	Residential development positive/negative to a co	CD	4/15/2016		4/14/2016
16-090	4/11/2016	I	Council	Will TIF be generated from General Ironworks site?	CD/FAS	4/15/2016		5/4/2016
16-091	4/11/2016	I	Russell	Role of Council liaison to a Board/Commission	CMO	4/15/2016		4/27/2016
16-092	4/12/2016	I	Yates	What code requires the use of General Contractor	CD	4/15/2016		4/13/2016
16-093	4/12/2016	I	Yates	Cost to have SAFEbuilt run Building Department	CD/FAS	4/15/2016		
16-094	4/18/2016	I	Barrentine	Process of moving alternate to regular on B&Cs	CMO	4/21/2016		4/19/2016
16-095	4/18/2016	I	Yates	Provide the code that requires the use of General C	CD	4/21/2016		4/21/2016
16-096	4/21/2016	S	Jefferson	Get the lights working on gateway entry sign 2700 S	PR&L	4/26/2016		5/6/2016
16-097	4/25/2016	I	Russell	List of all zone changes in past 5 years	CD	4/28/2016		4/28/2016
16-098	4/25/2016	I	Barrentine	Unsafe tree 4898 S. Lincoln St.	CAO/PD	4/28/2016		
16-099	4/28/2016	I	Barrentine	Minutes from Council meeting re: Eminent domain	CD	5/3/2016		4/29/2016
16-100	4/28/2016	I	Barrentine	The process which established Englewood Housing	CAO/CMO	5/3/2016		

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Number	Request Date	Request Type	Requested by	Request	Assigned To	Due Date	Follow-up Date	Date Completed
16-101	5/9/2016	I	Yates	What kind of home improvements are ok without a	CD	5/12/2016		5/11/2016
16-102	5/9/2016	I	Barrentine	Look into a library fine	Library	5/12/2016		5/10/2016
16-103	5/11/2016	I	Barrentine	Does Downtown Development Authority still exist?	CD	5/16/2016		5/12/2016
16-104	5/11/2016	I	Barrentine	Does the special fund for collection of TIF still exist?	CD	5/16/2016		5/12/2016
16-105	5/11/2016	I	Barrentine	Why use a failed marketing concept from 1982 in pr	CD	5/16/2016		5/12/2016
16-106	5/11/2016	I	Barrentine	Do covenants mentioned on page 30 of Downtown	CD	5/16/2016		5/12/2016
16-107	5/11/2016	I	Barrentine	Does Medici have zoning in place? Is zoning consist	CD	5/16/2016		5/12/2016
16-108	5/11/2016	I	Barrentine	Was the permanent management structure on pag	CD	5/16/2016		5/12/2016
16-109	5/11/2016	I	Barrentine	Details on sales tax increment collected from Cinde	CD	5/16/2016		5/12/2016
16-110	5/11/2016	I	Barrentine	If TIF has expired, verify no funds, taxes or any incre	CD	5/16/2016		5/12/2016
16-111	5/13/2016	I	Yates	List the number of DUIs and fatalities by drivers co	PD	5/18/2016		5/16/2016
16-112	5/23/2016	I	Barrentine	Verbiage related to historic preservation removed f	CD	5/26/2016		5/26/2016
16-113	5/23/2016	I	Jefferson	P&Z examine lot coverage and bulk plane analysis	CD	5/26/2016		
16-114	5/23/2016	I	Olson	City Manager update on operational plan progress	CMO	5/26/2016		
16-115	5/23/2016	I	Barrentine	Analysis for housing in industrial areas and MU B1	CD	5/26/2016		5/26/2016
16-116	5/23/2016	I	Yates	What Kimco could do with their property under MU	CD	5/26/2016		5/26/2016
16-117	5/23/2016	I	Jefferson	City Manager analyze TIF issues related to General I	CMO/CD	5/26/2016		6/2/2016
16-118	5/31/2016	I	Gillit	Chicken waste and chicken odor in alley behind Aco	PD	6/6/2016		6/3/2016
16-119	6/6/2016	S	Jefferson	Add 2-board limit and 1-board limit for quasi-judicia	CMO	6/9/2016		6/7/2016

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MEMORANDUM

To: Chief of Police John Collins
From: Sergeant Reid McGrath
Date: June 3, 2016
Subject: Council Request 16-118

Council Request 16- 118
Assigned to: Police
Date Assigned: June 2, 2016

Title: Chicken Waste

Council request regarding what is being done with chicken waste and odor concerns at 4509 S. Acoma St. Also requested are policies for dealing with such concerns, which are included in Englewood Municipal Code (EMC) and at the end of this memo.

4509 S. Acoma has been a source of Code concerns and within the last year the occupants had goats in the yard. When Code directed the goats be removed they were re-located into the basement of the residence. Code, Impact and Adult Protective Services were active into solving this problem and the goats have been re-located outside of the city.

Recently Sergeant McGrath had a lengthy discussion with the neighbor of this problem property about solutions to the problem. The most effective solution to the problem would involve the neighbor being willing to testify in court as to the elements of EMC 7-1C-2 and 15-11-1. The neighbor has not been willing up to this point to move forward with the complaint. On June 2, 2016, Code Enforcement contacted the complaining neighbor and at this point they requested the property be officially posted so the problem location has another two weeks to remedy the problem. Code posted the property on June 2nd. Had the neighbor been willing to move forward Code would have issued a summons on June 2nd and bypassed the posting due to previous violations at this residence.

Code is unable to testify in court that this violation disturbs the peace or comfort (as described in 15-11-1) of the neighborhood and in order to successfully address all the concerns will need someone directly affected by the issue to cooperate with prosecution. When the property is re-inspected and not in compliance Code will again contact the neighbor in hopes they will assist in moving forward with the complaint.

Below are ordinances related to fowl in the City of Englewood. It may be appropriate for Council or Code Enforcement Advisory Committee to review and suggest updates to the EMC. Code Enforcement frequently receives inquiries and complaints related to chickens and recently had a trial related to chickens. There is no limit to the number of chickens that can be possessed and little regulation related to the care and shelter of the chickens.

7-1C-1: - Definitions.

Animal Running at Large: Any animal off of owner's premises and not accompanied by the owner as defined herein.

Avian (Fowl): A bird of any kind, including chicken, water fowl, etc.

Cattle: Animals of the bovine genus regardless of sex.

Enclosure or Inclosure: Land surrounded by some visible obstruction such as a fence.

Goat: Any of various ruminant mammals (esp. of the genus capra) regardless of sex.

Horse: An animal of the genus equus and species caballus regardless of sex.

Livestock: Farm animals, including but not limited to cows, horses, sheep and pigs.

Neighborhood: A place near an adjoining or surrounding district, a more immediate vicinity.

Premises: The area or tract of land surrounding the residence or place of business of the owner or custodian of any animal or fowl, which area or tract of land appertains to the residence or place of business.

Rabbit: Any member of the hare family regardless of sex.

Sheep: Any of numerous ruminant mammals (genus ovis) regardless of sex.

Swine: Hog, pig or any of various stout-bodied, short-legged, omnivorous mammals (family suidae).

7-1C-2: - Premises Kept Clean.

Any person who owns or controls any lot, barn, stable, shed, building or other place where domestic avian (fowl) or animals are kept, shall keep the building and premises in a clean and sanitary condition and shall remove all manure from the premises at least once each week.

15-11-1: - Animals or Fowl.

It is hereby declared to be unlawful for any person to keep or permit upon any premises in the City, any animals or fowl of any kind which, by reason of odor, uncleanliness, disease, sound or cry, shall disturb the peace and comfort of any neighborhood or interfere with any person in the reasonable and comfortable enjoyment of life or property, or in any other manner present a menace to the public health or safety.