

# Los Alamos County Citizens in Action

Municipal Nuisance Code Enforcement  
Survey Results and Community Concerns

November 7<sup>th</sup>, 2017

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# Community

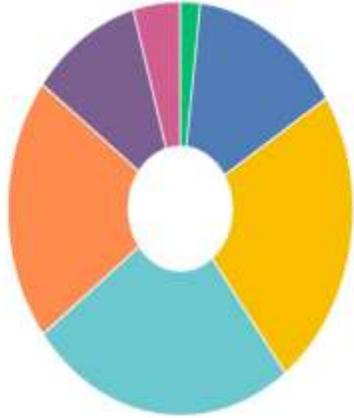
- ▶ 1. A group of people living in the same place or having a particular characteristic in common.
- ▶ 2. A feeling of fellowship with others as a result of sharing common attitudes, interests, and goals.

# Community Frustrations

- ▶ Feeling a loss of private property rights, as afforded to them in the Constitution
- ▶ Financial burdens are real issues for many receiving violations
- ▶ Fear and anxiety of what is going to be a code violation next due to unclear guidelines and irregular enforcement
- ▶ Loss of freedom to have things in their private yards, be it a garden, be it toys, bikes, strollers, campers, loss of hobbies in private driveways (project cars, furniture restorations, woodworking etc), loss of personal landscaping choices, personal yard décor, paint choices, and more
- ▶ Fear of County driven HOA style regulations put in place after a choice was made to NOT reside in an HOA
- ▶ Neighbor relations being torn apart, wondering if your neighbor was the one who reported you, or if your neighbor has an issue with you they are not talking directly to you about
- ▶ Feeling as though the county is regulating private matters
- ▶ Time constraints placed on costly repairs
- ▶ Tax expenditure for enforcement effort, vehicle maintenance and administration costs
- ▶ Trespassing in the name of code enforcement

# Demographics

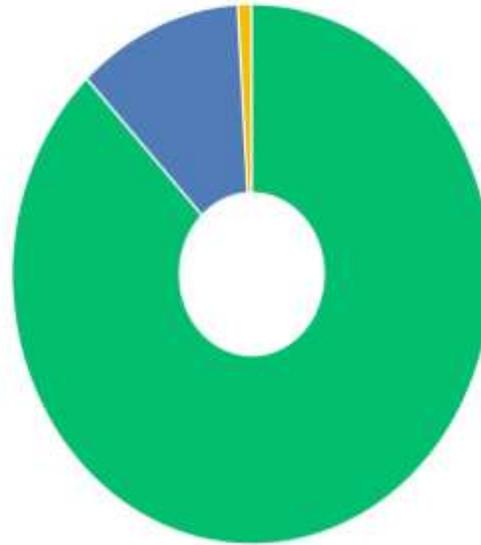
1. What is your age?



Answered: 1295 Skipped: 8

18 to 24	1.85%	24
25 to 34	14.21%	184
35 to 44	23.55%	305
45 to 54	25.02%	324
55 to 64	20.62%	267
65 to 74	10.35%	134
75 or older	4.4%	57

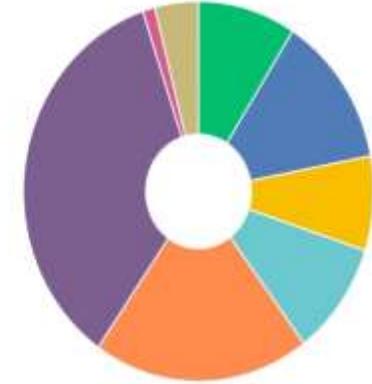
2. Do you rent or own the place where you live?



Answered: 1298 Skipped: 5

Own	87.9%	1141
Rent	11.17%	145
Neither (please specify)	0.92%	12

3. In which location do you live?



Answered: 1265 Skipped: 38

East Gate/Downtown area	9.41%	119
Western area	13.52%	171
Quemazon/Urban Park Area	8.38%	106
Golf Course area	10.12%	128
Barranca Mesa/North Mesa	20.79%	263
White Rock/Pajarito Acres	36.6%	463
I do not live in Los Alamos. I either own property there or have other significant interest in the community as it applies to Code Enforcement.	1.19%	15
Other (please specify)		53

## Question 4

- Combining option one and two, 51.67% of the respondents either have received a NOV or know someone who has.
- Further 43.29% don't have direct experience, but are aware of the increase effort by Los Alamos County in enforcement effort.
- Note: Ahead to Question 5, only 12,25% feel fully versed in what constitutes a violation.

Write in Comments:

yes, my neighbor had to clean up the over growth of weeds and brush from the front yard. this required a bobcat front end loader, 4 burly men and a week to complete. The weeds were greater the 2 feet tall, in a yard that had been xeriscaped with gravel by the previous owners. The back is still a nightmare. 10/10/2017 12:01 PM

Busybody neighbor has been aggressively reporting people. It would be nice to see the code enforcement officers inspect that person's property which has rodent infested woodpiles 10/12/2017 5:34 PM

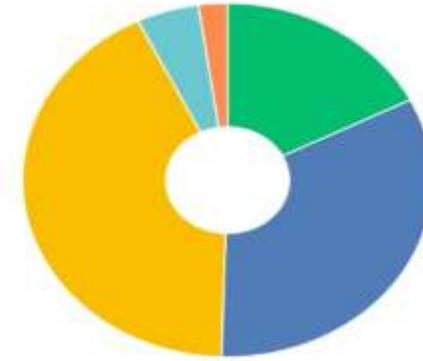
I know at least 5! People who got a violation. 10/31/2017 6:16 AM

The person cited is 93. 10/9/2017 8:48 PM

And they deserved a NOV, & they should get another one. Slobs live throughout Los Alamos and the good property owners should not have to put up with those in their neighborhoods who violate the Code! 10/9/2017 8:16 PM

You don't need a notice to be "affected"--I and many neighbors are nervous about the new stasi here in Los Ausch-mos. 10/10/2017 7:29 AM

4. Have you or someone you know been affected by the recent increased Los Alamos County Municipal Code compliance enforcement efforts?



Answered: 1289

Skipped: 14

I or a member of my family have received a Notice of Violation.	17.92%	231
I have not directly received a Notice of Violation, but I know someone that has.	33.75%	435
I do not know anyone that has been affected, but I am aware of the code compliance division and the increased enforcement efforts in Los Alamos County.	43.29%	558
I do not know anyone who has been affected and I didn't know there was an active code compliance effort in effect for Los Alamos County.	5.04%	65
Other (please specify)		30

## Question 5

- Less than 13% of respondents felt as though they were fully versed and knowledgeable on Nuisance Ordinances
  - This again indicates lacking public information and clarity in expectations as well as penalties

Write in Comments:

It is my understanding that this was supposed to be a complaint driven ordinance, not paid positions at the county. The ridiculous violations make it clear that there is no rhyme or reason to the "violations". It is a complete mockery of county management. 10/11/2017 9:15 AM

This Nuisance Code needs to be sent in paper form to every resident home /business in the county. 10/10/2017 1:32 PM

Take care of your property. Plenty of other places to live that allow your property to look like crap. 10/10/2017 8:43 AM

I became more aware after I received one. Prior to the violation I was unaware that our community was now an HOA 10/10/2017 7:51 AM

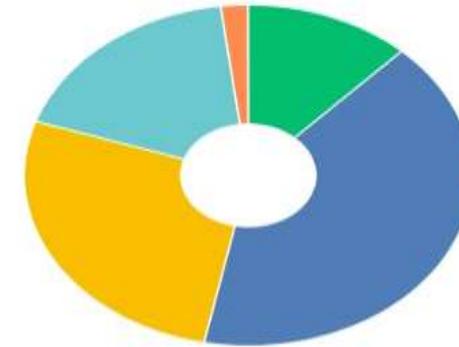
What constitutes a violation in practice is largely a matter of fashion and taste. 10/10/2017 1:24 PM

I have read the code and find it very vague and open to interpretation 10/10/2017 7:03 PM

However, the County must develop a noxious weeds / beneficial plants list. 10/13/2017 6:06 PM

ATTACHMENT F

5. Do you believe you understand the Los Alamos County Municipal Code as it applies to Nuisances and potential penalties for violation?



Answered: 1298

Skipped: 5

I am fully versed in what constitutes a violation of the Los Alamos County Municipal Code as it applies to Nuisances and I am aware of the penalties involved.	12.25%	159
I am somewhat aware of what is considered a violation, but I don't know all violations or penalties.	41.99%	545
I am vaguely familiar with the Nuisance Code and what major safety concerns would be on a person's property. I assume penalties exist, but I don't know what they are.	27.5%	357
I am not familiar at all with what constitutes a violation or penalties involved.	18.26%	237
Other (please specify)		26

## Question 6

- Less than 14% or 177 people responded in favor of avid enforcement to include aesthetics or action taken for elevating community standards and preventing blight.
  - Even when combining the second response which has some favorability toward aesthetics as a purpose, the responses still totals less than 40%.
- The third response option illustrated the concern for using the ordinance as a tool to address hazards and safety issues. This option also called for clear guidelines to be provided to the community. This option had largest number of responses.
- Almost a full quarter of the respondents indicated in favor of owner's discretion and private property rights. This option still allowed for enforcement, but only for clear safety issues and not in any way an aesthetic motivation.

### Write in Comments:

If there is something about my maintenance of my property that constitutes a safety or health threat for my neighbors, then outside intervention may be necessary. Otherwise, it's my property and I am under no obligation to maintain it to whatever standards you like. You can maintain your property that way, but it's wrong to employ the county as your bully club to try to make me see the world your way. The term "voluntary compliance" is an oxymoron, as compliance connotes adherence to some standard or law, and the threat of "volunteer or we're coming after you with citations and fines" is hardly the essence of volunteerism. 10/20/2017 7:02 PM

Enforcement should be reasonable and consistent and especially helpful and considerate. Private property is private property. Unless someone chooses to live with an HOA. 10/10/2017 7:56 PM

This should be focused on commercial property first not residential 10/18/2017 2:18 PM

How is covering an inoperable vehicle making the public safer 10/14/2017 8:19 AM

### 6. Which below is closest to your opinion regarding Nuisance Ordinances in general?



Answered: 1279

Skipped: 24

I believe that a strong Nuisance Ordinance and avid enforcement is necessary to protect safety, property values, and the beautification of a community. This is a tool that can be used to lift standards and eliminate eye-sores. Private property rights can only go so far. The community must hold high standards to prevent blight.	13.84%	177
I believe the Nuisance Ordinance is needed mostly to correct safety issues and also some aesthetics. This is because some people let their property decline and penalties need to be enforced to make them take action.	25.1%	321
I believe that Nuisance Ordinances should focus entirely on safety issues with clear guidelines as to what constitutes a hazard. Ordinances are sometimes needed to force property owners to be accountable when extreme conditions exist. Aesthetics and enhancement of peoples property is a matter of personal taste and not a concern for municipal government.	36.51%	467
I believe that private property is for use entirely at the owner's discretion with the only exception being the conditions of public safety. Nuisance Ordinance should respect private property rights above other community concerns, except in clear matters of safety.	24.55%	314

## Question 7

- Almost 16% or 189 of respondents feel that the action on the part of the county, councilors and staff is fair and balanced.
- Almost 33% are split between whether the council and leadership is steering regulations or if it is the staff.
- Just under 52% or 611 respondents agreed with the option indicating that the county is out of touch and using regulations that are punitive and aggressive to the citizenry.

### Write in Comments:

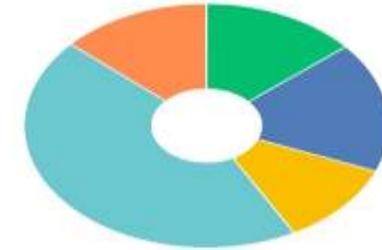
The fact that the nuisance ordinance exists at all is troubling in the implication that some are more interested in using the legal power of the local government to shape their idea of an ideal society than they are in actually representing the best for the county. By usurping the role of HOA committee for the entire county, and by allowing anonymous reporting to take place, the county government has created a divisive, mistrusting, resentful atmosphere for county residents. 10/20/2017 7:02 PM

Having served on Advisory Boards in the past, I do not feel that County managers and Council listen to the input they do not want. They seem to agree with a very small minority when it suits their preferred course of action. Council in particular spends a lot of money on things not desired by the majority of the citizens. 10/14/2017 1:30 PM

I am concerned and angry that the majority of the County Staff don't even live in Los Alamos. I am concerned and angry that I see our County manager doing things in Santa Fe then I see him out in public in Los Alamos. I am concerned and angry that I see county vehicles being used during the day to take their occupants shopping or shuttling them to restaurants. County vehicles should not be like a county employee's private vehicle. I am concerned and angry that I have overheard county employees talking about providing lousy levels of service to certain community members simply because the community members are "activists" and because the employees live out of town. I am concerned and angry that the nuisance code contains provisions for anonymous reporting that turns neighbor against neighbor and creates a tool that certain residents can use to exercise personal vendettas. Overall, the County's customer service sucks and the County has way too many people on its payroll. 10/10/2017 6:47 AM

ATTACHMENT F

7. How do you feel the Los Alamos County Councilors, Staff, and Advisory Boards relate to the citizenry of Los Alamos and White Rock?



Answered: 1187

Skipped: 116

Response Option	Percentage	Count
I feel that the councilors and managers are very in touch with the needs and wants of the community. They approach developing and implementing the Municipal Code in a way that is fair and balanced and the staff is implementing the rules in a way that is also fair and balanced.	15.92%	189
I feel that the councilors and/or managers are trying to address the needs and wants of the community by developing fair additions to the ordinance, but the staff are implementing the regulations in a way that is out of touch with the average citizen.	19.97%	237
I feel that the leaders in the county, councilors and/or managers, have lost sight of what the needs and wants are of the citizens, but the staff is trying to implement the rules in as fair a way as possible.	12.64%	150
I feel that the county councilors and managers are out of touch with the citizenry. They are developing and implementing regulations that are punitive and aggressive toward the community. I believe that the staff are seeing this example and are further pursuing an aggressive and punitive approach toward some segments of the populace.	51.47%	611

# COMMUNITY DRIVEN SOLUTIONS

- ▶ **Restore Quarterly Pick Up**
  - ▶ Consider A Semi Annual Pick Up
- ▶ **Increase Trash Pick Up to Twice A Week**
  - ▶ Addition of a yard waste roll bin
- ▶ **Rewrite the code with public input (Possible board) for clarity, specifics, and honesty in regards to what is considered a safety issue**
  - ▶ Ongoing board input to review and evaluate necessity of NOV issuance
    - ▶ **Allow “Curb Rescues”**
  - ▶ Expand the location and advertisement for upcycling at the Eco station
  - ▶ **Communication with County and Local Gardeners**
    - ▶ On going training requirements on natural horticulture
  - ▶ **A 6-month moratorium on all nuisance violations**
- ▶ **A staged restart for the ordinance with clear definitions of what constitutes a violation**



A fundamental concern for others in our individual and community lives would go a long way in making the world the better place we so passionately dreamt of.

— Nelson Mandela —

AZ QUOTES

Note: “Concern for others”  
Not: Concern for Property Values, Aesthetics, and Conformity