

Published by Denver City Councilman Charlie Brown

Upcoming City Election 1

Pit Bull Ban 1,2

Local Hero 2

Backyard vs. Barnyard 3

Denver Composts 4

Colleague Profile 4

Tree Sale Coming 5

Old South Gaylord Pizzeria 5

Tidbits and Outrages 6

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The Email Express



March/April 2011

Ballots headed to mailboxes

The Denver city election is scheduled for May 3, but there are two important dates before then, so residents should mark their calendars now if they plan to vote.

The first deadline is April 4, the last day to register to vote. If you're not sure that you're registered, or if you've moved since you last voted, check on your registration status. You can do that www.GoVoteColorado.com, or call 311.

The second key date is April 15, when ballots will be mailed to registered voters. This is an all-mail election, so the election really starts on April 18, when those ballots start hitting your mailboxes. Ballots have to be received, either by return mail or at drop-off centers, by May 3.

This is an important election for the city. Ads for

mayoral candidates already have hit the airwaves. Voters will decide on candidates for auditor, city council, clerk and recorder and mayor.

The offices of mayor and clerk are open, all 13 council seats are on the ballot and five of 11 district council seats, plus the two at-large seats are contested. (Councilman Brown is unopposed in District 6.)

A runoff election will be held June 7 for mayoral and city council district candidates if no candidate receives a majority on May 3.

More information is available from the Denver Elections Division at this Web address: http://



Pit bull ban back in the spotlight

Denver's longstanding pit bull ban is once again in the news with implementation of a new federal rule that any breed of dog can be used as a service dog with no proof of special training.

The regulation went into effect March 15, raising questions about local laws, such as those in Denver, that ban ownership of pit bulls.

Last Dec. 7, the city council voted 9-4 to reject a measure that would exempt pit bulls trained as service dogs from the city's ban. Some members were concerned about the threat posed by pit bulls and that such a change would make it harder to enforce the city ban, enacted in 1989.

Officials of the city attorney's office have declined to comment on possible court action because of the new federal rule.



Protestor at January rally. (Westword)

(Continued on page 2)

"This is heavy-handed government intervention that doesn't respect our local authority to control our dogs."
Councilman Charlie Brown

(Continued from Page 1)

Opponents of the Denver ban rallied outside the City and County Building on Jan. 22 to protest the ban. A group named Any Given Breed is seeking to overturn the law.

The day before, Councilman Brown announced that he'd received threatening emails after he decided not to appear on the Animal Planet show "Pit Boss," which is about pit bull rescue and rehabilitation. Denver police said some of the mails were a credible threat.

The messages were sent less than a week after a gunman attacked U.S. Rep. Gabrielle Giffords and several others at a Tucson, Ariz., supermarket.

Brown has been a leader in the council's resistance to the federal law, which would prevent cities from demanding proof "that the animal has been certified, trained or licensed as a service animal."

"The first goal of any public policy in our city is to maintain safety for all our residents. Pit bulls are a danger to the entire community and we need to preserve our ban and Denver's home rule authority in regard to animal control legislation," Brown said.

The Denver law was challenged in state court in 1989 but upheld by the Colorado Supreme Court in 1991. The city won another court battle over the law in 2005.

"Denver's City Council rightly thumbed its nose at the Obama administration this past week when it rejected a measure to exempt pit bulls classified as service animals from the city's ban."

- Denver Post editorial, Dec. 11, 2010

A sampling of pit bull ban opinions

The pit bull issue sparks passionate opinions. Here's a sampling of emails received in recent months by Councilman Brown's office, starting with portions of the threatening one.

- *You tear up peoples families by killing their animals and you can't even sit behind a camera and defend your behavior???? ... You are afraid of what happened in Arizona and you should be. ALL government officials should be aware of what comes with the job. The AMERICAN PEOPLE ARE NOT AFRAID OF THEIR GOVERNMENT!!!!!!!!!!*

On the other side

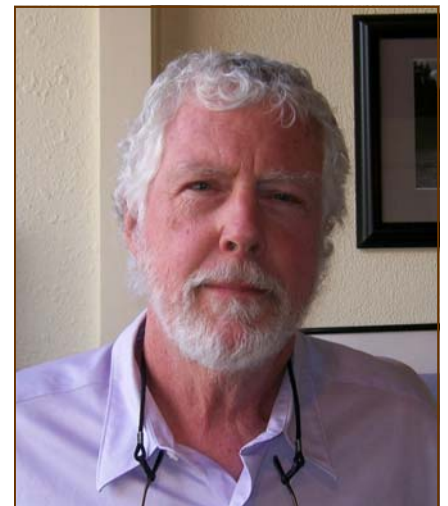
- *There may be more perfect solutions to this issue, but it sounds like the very people who would threaten violence against a council member are the ones I would keep from ownership of a somewhat unpredictable animal.*
- *Personally, I feel that pit bulls are equivalent to "land sharks."*
- *Hang in there, but be careful.*
- *You are doing the right thing—protecting public safety.*
- *Councilman Brown, stick with your position on this issue.*
- *I pray the person who is challenging and threatening you regarding dangerous dogs is found very quickly.*
- *How dare Washington dictate that Denver has no right to even question whether the pit bull is, in fact, a certified service dog.*

Neighbor recalls vivid memory of 1986 pit bull attack

There were two key incidents that led to the banning of pit bulls in Denver. In October 1986, three year old Fernando Salazar was fatally mauled in southwest Denver. Three years later, the Rev. Wilber Billingsley was attacked by a vicious pit bull in the alley behind his home in Five Points. He was saved by neighbor, Norman Cable. The attack on Billingsley generated great media attention after the attack.

In a recent interview with Cable, he addressed what happened that day and what the ban has done for the city. He had returned home from dropping his daughter off at school when he heard screaming coming from the alley. He ran outside and found Billingsley laying in the alley with the pit bull attacking him. He grabbed a nearby 2 x 4 and started beating the dog, but that did nothing but break the piece of wood. He instinctively ran inside and grabbed a shot gun. He shot the dog once, and it died immediately. Cable had later come to find out that "the dog had attacked someone else in another neighborhood the year prior."

Billingsley sustained more than 70 bites and two broken knee caps. "I think the dog would have killed him," Cable said. "He was really fortunate that I got there when I did." Cable wholeheartedly supports the ban. He says, "I kind of wonder why somebody would need a dog like that. They are structured differently. They have a gripping power in their jaws, and that's how they were bred. I'm not sure that anybody needs that anymore than I need a machine gun." The ban keeps neighborhoods safe these days, he believes.. "It was happening fairly regularly. There were gangs with pit bulls and little kids with pit bulls as pets. At the time, it was a macho thing to do to go and kill somebody else's dog."



Norman Cable, who saved the Rev. Billingsley's life in Five Points 22 years ago.

Denver Debates: Barnyard vs. Backyard

Two different opinions from South Denver residents

In Denver, the current ordinance requires residents to obtain a permit to have chickens. The proposed new ordinance does away with permit requirements. The bill will continue to be discussed in committee in April. John Beauparlant and Biddie LaBrot share their views on neighborhood chickens.

John Beauparlant lives in South Denver with his five chickens.

The Denver City Council will be considering an amendment to the zoning code that was adopted last June to permit the keeping of certain Food Producing Animals (FPAs) in one's back yard. One animal that would be permitted to be kept is a chicken.

Why should they allow chickens, you say? Let me give you many reasons:

- Chickens are beautiful, wonderful, docile, entertaining, therapeutic pets. Yes, backyard chickens truly are pets. Little kids love them! So do old folks who might have grown up on a farm.
- Chickens are not at all noisy or smelly. Dog dung is way more offensive than chicken poop, as is incessant dog barking way more offensive than chicken clucking. Honestly, your neighbors would not even know you had chickens, based on noise and smell.
- I have been blown away by how many folks walk really long distances and then down my alley just to visit my chickens. And feed them. And hold them. Keeping chickens has proven to be an amazing neighborhood-building pastime, something I had not expected when I first decided to get some chickens.
- Chickens are, indeed, the very best mousers you could ever want. They love to catch and eat mice; the mice don't stand a chance.
- Chickens are also extremely efficient insect control armies. They would rather eat bugs and worms (and mice!) more than do anything else.
- Chicken poop is the ultimate lawn and garden fertilizer! And the ladies' other perpetual undertaking, besides eating, is pooping!
- Chickens kept in back yard farms are treated like royalty compared to how at least 98 percent of the chickens in the USA live their short and unhappy and unhealthy lives in battery cages. So keeping chickens in the back yard gives them happiness that most chickens never get to experience.
- But... my major reason for keeping chickens is definitely to enjoy the most amazing eggs I have ever had and to share them with my friends. I will never not have chickens again, for many reasons. They are wonderful, food producing pets. And they should not be illegal aliens in Denver.



Biddie LaBrot lives in East Washington Park with no chickens.

Currently Denver allows FPAs (Food Producing Animals) in all zone districts as an accessory (secondary) use to a primary residential use. Before Denver residents may keep FPAs, they must submit an application to the city for a Zoning Permit with Informational Notice (ZPIN). The process for granting a ZPIN includes providing written notice to registered neighborhood organizations, as well as posting a sign on the property providing information to the public that a permit has been requested, and inviting comment. In addition to providing that standard ZPIN notice, an applicant wanting to keep FPAs must also notify abutting homeowners and request letters of support. The Denver Zoning Administrator

considers the ZPIN application and all public comments and decides whether to approve, approve with conditions or deny the permit application.

The proposed ordinance changes to the Denver Zoning Code and the Animal Code (D.M.C., Chapter 8) to change the current allowances for FPAs. FPAs include fowl (chickens, ducks) that produce eggs, and dwarf goats that produce milk. The proposed ordinance change would also eliminate the ZPIN process.

We have limited zone lots. This would create an issue for manure disposal as well as an additional burden to our already taxed NIS

(Neighborhood Inspection Services). As it is currently we cannot enforce the licensing of allowable domestic animals, which is meant to insure that they are vaccinated. We have a growing coyote population and this would more than likely increase with the addition of small animals. This ordinance also does not require input from neighbors, and we live too close to each other to not ask if they are opposed to such a change. By eliminating the ZPIN, we lose the assurance that the applicant has proper housing and knowledge of taking care of farm animals. The number of animals that are allowed in this proposed change is over 10. A maximum of eight chickens/ducks per zone lot and a maximum of two dwarf goats and any number of their offspring younger than six months per zone lot. Our small lots cannot support that many animals.

Having our children exposed to farm animals is good, and fresh eggs and milk are great, but we live in a city with small lots. Perhaps another option would be to seek out a large plot of land and have a city farm.

Denver Composts Program

Denver Composts is making sure your waste will not be harmful to the environment. Organic material is the single largest item we throw away in our landfills, and it's 100 percent compostable. You could reduce the waste your home produces to almost nothing. Acceptable items include but are not limited to: weeds, leaves, grass clippings, good and non-recyclable paper. Keeping organic material out of landfills also is an important step in reducing greenhouse gas emissions.

How it works:

- Call 311 or go to denvergov.org/DenverRecycles to see if your address is eligible to participate and sign up for a compost collection service.
- You will receive a 65 gallon green cart, a two gallon green kitchen compost pail and weekly compost collection.
- The base payment for this service is \$29.95 every three months. Payment is due within two weeks of receiving your green cart.
- Space is limited in this pilot program, so carts will be provided on a first-come, first-served basis.



Top Right: The cycle of composting
Left: What your green compost bin looks like
Above: What is allowed in the bin

Colleague Profile: Paul Lopez

Council Service: Elected in 2007 to District 3 in West Denver at 28 years of age, he is the youngest Denver City Council member.

Bio: Born and raised in Denver's Westwood and Barnum neighborhoods, he graduated from West High School and holds a B.A. in political science from the University of Colorado. He went on to work in Denver's most disadvantaged neighborhoods to protect affordable housing and quality public health care.

Family: Paul and his wife Marisol live in the Barnum West neighborhood and enjoy raising their 3 year old daughter, Nayeli.

Policy Interests: Creating safe and secure neighborhoods in which parents can raise their children and having responsible development in our communities to make sure long-term residents can maintain their homes while bringing in new neighbors.

What issues concern your constituents the most? Lack of basic city services like trash pickup and street maintenance, and the amount of graffiti in our neighborhoods.

What are your proudest accomplishments? Establishing District 3's first new park in 30 years, paving streets, empowering many wonderful new neighborhood leaders and also being invited to the White House to meet President Obama.

What has been your greatest frustration? Our 4th straight year of budget cuts, the DPS high school dropout rate and the fact that I am one of the least famous Lopez's out there.

What has surprised you the most? How simple decisions become much more complex, when they affect an entire district and the city.

What's one thing you would change about Denver? It would be great if palm trees could live in sub-zero temperatures

If you were mayor for a day, what one thing would you do? Give all the city employees a surprise paid day off on a random summer day and make it a Class 2 public nuisance to be a mosquito in Denver.

What do you do for fun? Play air guitar, dancing, and giving Councilman Brown occasional headaches.



Pizzeria plan headed to mediation

Concerns over a proposed new pizza restaurant on Old South Gaylord Street is going to mediation between the Washington Park East Neighborhood Association board and the owners of Brown Dog Pizza, a Telluride restaurant that wants to expand into Denver.

The restaurant's plans for the former Potted Garden at 1001 S. Gaylord St. have raised worries in some quarters about traffic, parking and adding another liquor license to the popular one-block shopping and dining district, which has several restaurants.

The board of the registered Washington Park East Neighborhood Association met recently and agreed to go to mediation, which will be handled by mediator Steve Charbonneau. That session is scheduled for Monday, March 28.

The restaurant applied for a building permit on Feb. 22, after a long search for a Denver location, according to Jeff Smokevitch, one of the owners.

Brown Dog is designed to appeal to children and families, Smokevitch said.

An interesting feature of Brown Dog is its free Saturday morning "Kids in the Kitchen" program that shows children how to make pizza. The restaurant also will offer a two-day Pizza School for Kids every other month. That program teaches kids how to make pizza dough and sauce and provides "junior pizza maker" certificates to students who pass written and hands-on tests.



A pizzeria has been proposed for the former site of the Potted Garden at the northern end of the Old South Gaylord Street shopping and restaurant district.

The restaurant plans to offer New York style, Detroit Sicilian (deep dish square) and Neapolitan pizzas. A full kids' menu will be offered. The interior is being designed so that customers can watch the pizzas being made.

Some residents in the immediate neighborhood have raised questions about the restaurant and its possible impact on the area, and Councilman Brown's office wrote to interested parties on March 9, offering mediation and saying, "Jeff Smokevitch is supportive of the mediation concept. This process may be very helpful in formulating binding working agreements.

"If you remember, mediation brought a positive result when Washington Park Elementary School was rezoned for re-development," according to Brown's

letter. The site now has a variety of residential units in the old school and on the former school grounds.

Under the city zoning code, a restaurant is a permitted use in the property at 1001 S. Gaylord. Smokevitch still needs to obtain a liquor license, and the date of that hearing is pending.

In an email to Brown, Smokevitch noted, "We have never had a violation of our liquor license in Telluride, and we plan to run our bar the same in Denver. ... The strict enforcement of our house rule—no swearing—will be applied in Denver."

While agreeing to mediation, the Washington Park East Neighborhood Association board hasn't taken a formal position on the liquor license application.

Annual Park People tree sale set for April 16 at Washington Park, other sites

The annual Denver Digs Trees sale will take place on Saturday, April 16 at Washington Park, City Park and Sloan's Lake from 9 a.m.

"We are excited to, once again, help Denver kick off the spring planting season with our tree yard sale," said Kim Yuan-Farrell of the Park People, which runs the event.

Trees are \$45 for bare-root and \$65 for balled and burlap-wrapped varieties. Trees will be available in two groups.

Group 1, for sale from 9 a.m. to noon: Available species include: Pacific sunset maple, Ivory silk Japanese tree lilac, Eastern redbud, Snow fountains weeping cherry.

Group 2, potentially for sale from 11 a.m. to noon: Bloodgood London planetree, English oak, Shademaster honeylocust, Cleveland select flowering pear, Triumph elm, State Street maple, Hit wings tatarian maple, Robinson crabapple.

Visit www.theparkpeople.org or call (303) 722-6262 for more information.

Tidbits and Outrages

Look for the union label

“The teachers union went to war. They said (New Jersey Governor) “Christie is trying to kill the unions, so they tried to kill him politically. They spent millions on ads trying to take him down. And it backfired. They didn’t kill him, they made him. Chris Christie is a national figure now because of the teachers union .

Peggy Noonan
 “Public Union Get too ‘Friendly’”
The Wall Street Journal
 3/5/11



New Jersey Gov. Chris Christie

We have met the enemy...and it is us

“Fat and happy government workers, however easy the caricature may be, are not the cause of our looming federal and state deficits. Neither are spineless politicians. The cause is Americans’ collective desire for low taxes and generous government. Eventually, we will have to pay for the government we want, regardless of what happens in Wisconsin.”

David Leonhardt
 “Union Pay Isn’t Busting State Budgets”
The New York Times
 3/2/11

Literacy and “savages”

“The Cherokees adopted elements of white culture, including formal education, a written language and a newspaper written both in English and Cherokee. In 1827, they adopted a written constitution that defined a government with executive, legislative and judicial branches. Soon, the tribe enjoyed a higher rate of literacy than the settlers who called them savages.”

Brian Hicks
 “The Holdouts”
Smithsonian
 March 2011

Still #1

“At least she (Nancy Pelosi) can console herself that she’s still the first female House minority leader.”

“The Week”
National Review
 1/26/11

Don’t put that on Facebook

“I’d rather have a rectal examination on live TV by a fellow with cold hands than have a Facebook page.”

George Clooney
 “The Antisocial Network”
Bloomberg Businessweek
 3/7/11

All the news that is fit to predict

“Another rap was that he (Hickenlooper) was so conflict-adverse it was sometimes hard to tell where he stood. Councilmember Brown says that there are times he wanted to say ‘John, you’re not selling fajitas anymore. You’ve got to make some people upset.’”

Councilman Brown quoted in “The Hickenlooper Exception”
 Frank Bruni
The New York Times Magazine
 1/9/11

You’ve got to know when to hold ‘em

“Part of the reason so many people spend too much, or fail to stick to self-imposed budgets, is because parting with our money has become an abstraction in our increasingly cashless society. Credit cards provide immediate gratification, but no immediate consequences. Plucking actual dollars from your pile of cash, research suggests, is more painful, and leads you to spend less.”

Tara Siegel Bernard
 “Why a Budget is Like a Debt — Ineffective”
The New York Times
 1/2/11

Ready, aim, ponder

“Obama loses respect because of tentativeness. Instead of ‘Ready Aim Fire,’ it’s ‘Ready, Aim, Aim, Aim, Aim, Aim, and Nothing.’”

Alan Simpson, former Wyoming Senator and co-leader of the Deficit Commission as quoted by Eleanor Clift, “Debt”
Newsweek
 1/3/11



Former Wyoming Senator Alan Simpson (Dewey Vanderhoff, Newsweek)