

Case Details

Case Number CE17-0919

As of 6/28/2018

Type / Subtype
ANIMALS / BARKING DOG

Case Name
BARKING DOG - NOISE FROM VACATION RENTAL

Opened 3/7/2017 KAM
Closed 6/27/2017 KAM
Last Action
Follow Up

Officer KIRK MUNDT 760-435-3955
Status CLOSED

Site Address 805 WISCONSIN AVE
City, State Zip OCEANSIDE, CA 92054

Site APN
1503130200

Description

ADDITIONAL SITES

APN	Address
No Additional Sites	

CHRONOLOGY ACTIONS

TYPE OF ACTION ACTION BY	ACTION DATE	COMPLETION DATE
CASE CLOSED KIRK MUNDT 760-435-3955 (3/7/2017 4:48:09 PM KAM) Action Created	6/27/2017	6/27/2017
(6/27/2017 7:47 AM KAM) Case closed, no further complaints received. LETTER/ALLEGED VIOLATIO3/7/2017 KIRK MUNDT 760-435-3955 (3/7/2017 4:47:54 PM KAM) Action Created (3/7/2017 4:47 PM KAM) NOAV for noise from tenants and barking dog sent to PO.		3/7/2017

CONTACTS

CONTACT TYPE NAME	ADDRESS	CITY, STATE, ZIP	PHONE	FAX	EMAIL
OWNER THOMPSON A R M REVOCAB214 FARADAY AVE		CARLSBAD CA 92008			

FEES

DESCRIPTION OF FEE QUANTITY	DATE PAID AMOUNT	PAID BY	PAY METHOD	ACCOUNT
NO FEES				

INSPECTIONS

TYPE OF INSPECTION INSPECTOR	SCHEDULED DATE RESULT	COMPLETED DATE REMARKS
NO ACTIVITY		

LINKED CASES

CASE NUMBER	DATE OPENED	DATE CLOSED
OFFICER ASSIGNED	STATUS	

VIOLATIONS

TYPE OF VIOLATION	DATE OBSERVED	DATE CORRECTED
REMARKS	STATUS	LOCATION
BARKING DOG, OTHER ANIM3	7/2017	6/27/2017
	CLOSED	
OCC 38.17(e) Animal Causing Loud, Frequent, or Sustained Noise - Take whatever action necessary to eliminate loud, frequent, or sustained barking or other animal noise.		

Kirk Mundt

From: Michelle Skaggs Lawrence
Sent: Tuesday, March 07, 2017 9:19 AM
To: Kirk Mundt
Subject: RE: Ongoing barking dogs

I appreciate that; thank you

Michelle Skaggs Lawrence

City Manager
300 North Coast Hwy
Oceanside, CA 92054
760.435.3072
[Mlawrence@ci.oceanside.ca.us](mailto:mlawrence@ci.oceanside.ca.us)

*All email and voice mail to and from the City
may be considered public information and may
be disclosed upon request.*

From: Kirk Mundt
Sent: Tuesday, March 07, 2017 9:18 AM
To: Michelle Skaggs Lawrence
Subject: RE: Ongoing barking dogs

I'm never too busy for the City Manager. Your concerns are first priority. They will go out today.

Kirk

From: Michelle Skaggs Lawrence
Sent: Tuesday, March 07, 2017 9:16 AM
To: Kirk Mundt
Subject: RE: Ongoing barking dogs

Please have the letters sent out (with a cc to the one with a property manager). I would also like to be cc'd. These are both short term vacation rentals so apparently the owners allow for pets so your letter will have to be modified slightly. I know you are terribly busy but do you think the letters could go out today? Thanks much

Michelle Skaggs Lawrence

City Manager
300 North Coast Hwy
Oceanside, CA 92054
760.435.3072
[Mlawrence@ci.oceanside.ca.us](mailto:mlawrence@ci.oceanside.ca.us)

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From: Kirk Mundt
Sent: Tuesday, March 07, 2017 8:24 AM

To: Michelle Skaggs Lawrence
Subject: RE: Ongoing barking dogs

Michelle,

Yes, we send out letters to the owners of barking dogs (sample attached). Of course the letter can be slightly modified to suit the specific violation, like the rentals below. The issue we typically face is most of the complaints about barking dogs occur late at night/early morning so it makes follow up enforcement (citations) nearly impossible for us...but we can certainly send out the letters to notify the owners of the problem.

Kirk

From: Michelle Skaggs Lawrence
Sent: Tuesday, March 07, 2017 8:16 AM
To: Kirk Mundt
Subject: FW: Ongoing barking dogs

Please see below. Question: Does your office send out notice to the owners re: barking dog complaints? I'm prepared to do it but am unsure of who does what between code and OPD. Please advise.

Michelle Skaggs Lawrence

City Manager
300 North Coast Hwy
Oceanside, CA 92054
760.435.3072
[Mlawrence@ci.oceanside.ca.us](mailto:mlawrence@ci.oceanside.ca.us)

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From: Sheri Brown
Sent: Tuesday, March 07, 2017 8:13 AM
To: Michelle Skaggs Lawrence
Subject: RE: Ongoing barking dogs

Hi Michelle,

Both addresses are registered as short-term rentals. At 805 Wisconsin the water bill and the TOT registration information are the same. At 811 Wisconsin the water bill goes to the owner at the Wisconsin address but, the TOT registration includes a Agent information. Code Enforcement software has a barking dog complaint 06/19/2013 at 805 Wisconsin.

[805 Wisconsin](#)

[REDACTED]

[811 Wisconsin](#)

[REDACTED]

[REDACTED]

Agent – Maximum Properties
Denise Rodriguez
603 Seagaze Dr
Oceanside CA 92054
(888) 566-8212

Thanks,
Sheri

From: Michelle Skaggs Lawrence
Sent: Monday, March 06, 2017 6:34 PM
To: Sheri Brown
Subject: Fwd: Ongoing barking dogs

Are these two vacation rentals on our list? Can you get the owners names? I want to sent a letter re dogs. Have you had to do this before?

Michelle Skaggs Lawrence
City Manager

Begin forwarded message:

From: Chuck Lowery <chucklowery@me.com>
Date: March 6, 2017 at 5:51:00 PM PST
To: Michelle Skaggs Lawrence <mlawrence@ci.oceanside.ca.us>
Subject: Ongoing barking dogs

Hi Michelle.

There are three houses on Wisconsin with part-time occupancy. Two of them are clearly vacation rentals and are used most but not all weekends. Fine. Those two are directly behind me. Two to four cars on weekends, sidewalk blocked, whatever. NO problem.

BUT in the past few weeks, either or both of them have had visitors with dogs. That's fine too, as long as the people take care of their pets. Today one dog barked solidly for at least one hour. The neighbors across the street on South Nevada called OPD and were told "it's the first time, so we can do nothing."

That's incorrect. I've called on the same place in the past.

Can the City notify the OWNERS that they're renting these places to people who are up at all hours whenever they want (hey, they're on vacation) AND they leave their dogs barking, untended, for days on end?

The neighbor sent me an email again today about the barking dog. I was here and I heard it too.

The addresses of the two houses with short-term renters and dogs are 805 and 811 Wisconsin. It's NOT worth the TOT tax but I sure hope these two people get noise complaints. I can get the other neighbors to sign at least one.

Please advise. I know I've asked before but this is ridiculous.

Thank you.
Chuck

Kirk Mundt

From: Michelle Skaggs Lawrence
Sent: Sunday, March 19, 2017 9:16 PM
To: Fred Armijo
Cc: Frank McCoy; Kirk Mundt
Subject: Fwd: More on the neighbors

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Please see below. These are the two short term vacation rentals that you assisted on. Did OPD actually have a conversation with owners? Thoughts on next steps? Thanks.

Michelle Lawrence
City Manager
City of Oceanside

Begin forwarded message:

From: Chuck Lowery <CLowery@ci.oceanside.ca.us>
Date: March 19, 2017 at 8:12:16 PM PDT
To: Michelle Skaggs Lawrence <mlawrence@ci.oceanside.ca.us>
Subject: More on the neighbors

Good Sunday evening.

=====

Friday:

Both OPD and Code have followed up with the homeowners and property managers of 805 and 811 Wisconsin, the two party houses I live behind.

Everyone apologized to OPD and said they'd take care of it. So what happened the very first weekend at 811 Wisconsin? They partied all night, until 1:30-2:00AM. LOUD, outside the house, noisy, continuous. I have no idea when they ended but I finally went to sleep around 1:30...with every window closed in my house.

The neighbors [REDACTED] on South Nevada saw "7-8 young guys...20-30 years old...coming out, late morning Saturday, mid-day, loud obnoxious..."

Conclusion: The owner did NOTHING about their disgusting tenants who don't give a damn but think it's their world as far as anyone else is concerned. I will sign a complaint if needed.

=====

Saturday evening:

The same neighbor messaged me asking if I "hear the dog barking at 805 Alberta Ave", directly across the street from my house. [REDACTED] said they filed an incident report #1700029277...they heard the noise across two streets and over two rows of homes, and walked around to find the noise source.

I explained to [REDACTED] that the owner has three medium sized dogs who he routinely locks into the house and they are lonely and protective. They bark constantly when he's gone, and have for months. He has someone come by and feed them but leaves for up to a week or more at a time.

A little back story: The couple who own that home have rented it out for around 10-15 years. They've had a mix of tenants, mostly not an issue but most always with dogs who bark often. I've asked them in writing to "please don't rent to people with dogs because they don't give a hoot about noise..." but the owners don't care. This is what's happening now.

I believe the neighbors who filed the incident report are willing to sign a noise complaint...I would be too but I live right across the street.

I've reported barking at that house for years, police have come by, and it continues.

===

I apologize for complaining about these situations but I'm obviously not the only one who hears the noise. I request that the letter from Code to the owners and agent at 811 Wisconsin be ramped up and that their permit for vacation party rentals be denied or revoked or whatever.

Thank you for your help with this.

Chuck Lowery

[REDACTED]

Kirk Mundt

From: Sheri Brown
Sent: Monday, March 20, 2017 8:01 AM
To: Kirk Mundt
Cc: Jackie Bickford; Donna Trevizo
Subject: FW: More on the neighbors
Attachments: RE: Ongoing barking dogs

Hi Kirk,

This is the second complaint from Councilmember Lowrey. The City Manager is interested in creating a case file whereby actions escalate and could lead to revocation of the short-term rental registration. Are you the appropriate contact in Code Enforcement?

Thanks,
Sheri

From: Michelle Skaggs Lawrence
Sent: Sunday, March 19, 2017 9:14 PM
To: Sheri Brown
Subject: Fwd: More on the neighbors

These are the two stvr correct? Next steps? Can you give me the owners and property mgt contact numbers please? (I think you may have already sent them but I can't locate them). Thanks

Michelle Lawrence
City Manager
City of Oceanside

Begin forwarded message:

From: Chuck Lowery <CLowery@ci.oceanside.ca.us>
Date: March 19, 2017 at 8:12:16 PM PDT
To: Michelle Skaggs Lawrence <mlawrence@ci.oceanside.ca.us>
Subject: **More on the neighbors**

Good Sunday evening.

=====

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Thank you for your help with this.

Chuck Lowery

[REDACTED]



CITY OF OCEANSIDE

NEIGHBORHOOD SERVICES DEPARTMENT
CODE ENFORCEMENT DIVISION

NOTICE (Noise Violation – Barking Dog)

March 7, 2017

Alexandra McIntosh
2214 Faraday Ave
Carlsbad, CA 92008-7208

Dear Ms. McIntosh:

This letter is in response to complaints I have received regarding the vacation rental property at 805 WISCONSIN AVE.

The complaints state there is excessive noise from both your renters as well as the renters' barking dogs. If this is true, it is a violation of Oceanside City Codes and I need to ask you to ensure that immediate corrective action is taken to resolve this issue. Should additional complaints be received on this issue, other enforcement action such as the issuance of citations, may be taken to ensure compliance.

This letter is intended to give you the earliest possible notice and to give you ample time to voluntarily correct any violations that exist. It is also intended to efficiently provide the public, including you, with the best service possible.

The purpose of the Code Enforcement program is to assure compliance with the city codes and ordinances that are related to private property usage and which deal primarily with promoting health, safety, property preservation and community enhancement.

For further clarification of code requirements please call me at the number below. I am in the field several hours a day but have voicemail and you can leave a message any day at any time. In addition, you can always speak with the City's Customer Care Center, Monday through Thursday from 7:30 AM to 5:00 PM and on Friday from 7:30 AM to 4:00 PM at (760) 435-4500. They will be pleased to take a message and assure that your concern is forwarded to our office.

Sincerely,

KIRK MUNDT 760-435-3955
Senior Code Enforcement Officer

cc: Michelle Skaggs Lawrence, City Manager

CE17-0919