

Bob Breyer: No laws in Niwot against marijuana

By Bob Breyer

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Some Niwotians have protested against a proposed marijuana growing and selling business opening in their community. I can't see why they would do this, because the owners' proposed business is what's known as "use by right." The state has legalized this kind of business, Boulder County has shown no reticence, the property is properly zoned, and there are no local laws or injunctions against it.

That last part is the most telling. The reason there are no laws in Niwot against marijuana businesses is that there are no laws in Niwot at all. Niwot is not an incorporated town, but merely a collection of subdivisions that calls themselves by the name of an old Arapahoe Indian chief. Don't be fooled by the green sign on the Diagonal, Niwot is not a city, town, or village, so the citizens have essentially ceded all decision-making to Boulder County when it comes to things like the pot facility.

Why is Niwot unincorporated? Because Niwotians, although being some of the most affluent people in the state, are unwilling to pay the extra taxes needed to form a true city. They quail at the idea of paying for fire and police protection that they presently believe they "get for free" from the county. Much smaller communities than Niwot are incorporated in Boulder County, including Lyons and Nederland.

Over the past 25 years, a small group of us in Niwot have tried to garner support for incorporation, but we have always been rebuffed by the business and community leaders. The argument against is always about money and taxes. Self-determination comes with a price, and Niwotians are not willing to pay that price.

I hope that Boulder County approves of the pot grow and retail business opening in Niwot. It is not that I support or oppose this business, but it will serve to wake up the Niwot community that self-rule may cost a little bit, but it comes with some benefits, too. If any Niwotians are interested in the process for incorporating in Colorado, this link offers a great overview:

<http://www.cml.org/Issues/Home-Rule/2012-05-01-Overview-of-Colorado-Municipal-Home-Rule/>

Bob Breyer is a Niwot resident