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**AGENDA
CODE ENFORCEMENT COMMISSION
October 3, 2013**

MEMBERS
Code Enforcement Commission Panel #3
Barbara King
William Francis
Michael Warner (alternate for former Commissioner Sotomayor)

STAFF
Jon Pollard, Code Compliance Manager
Gevorg Grigoryan, Senior Code Compliance Officer
Sharon Gray, Code Compliance Officer
Lorraine Nava, Recording Secretary

MISSION STATEMENT

The City of Pasadena is dedicated to delivering exemplary municipal services, responsive to our entire community and consistent with our history, culture and unique character.

In compliance with the Americans with Disabilities Act of 1990, listening assistive devices are available from the City Clerk's Office with a 24-hour advance notice. Please call (626) 744-4633 or (626) 744-4785 to request use of a listening device at least one week in advance of the meeting.

Language translation services are available for this meeting by calling (626) 744-4031 at least 24 hours in advance

Habr  servicio de interpretaci n disponible para  stas juntas llamando al (626) 744-4031 por lo menos con 24 horas de anticipaci n

*Public meeting begins at 4:00 p.m.
Items on the agenda may not be called in order listed.*

*Agendas and supporting documents are available on the Internet at
<http://ww2.cityofpasadena.net/planning/meetings/notices.asp>*

*Materials related to an item on this Agenda submitted to the Code Enforcement Commission **after** distribution of the agenda packet are available for public inspection in the Permit Center at 175 N. Garfield Avenue during normal business hours.*

**AGENDA
CODE ENFORCEMENT COMMISSION
October 3, 2013**

**Regular Public Meeting
4:00 P.M.
City of Pasadena Permit Center
Hearing Room
175 N. Garfield Ave., Pasadena**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

Please limit comments to three minutes for each speaker.

4. PUBLIC HEARING: REGULAR CASE

A. Case No. CTP2012-02239 – 76 E. Mountain Street

Council District #3

General Penalty – Pasadena Municipal Code Section 1.24.010(A):

"No person shall violate or fail to comply with any provision or requirement of this code. Any person who violates or fails to comply with any provision or requirement of this code shall be guilty of a misdemeanor, unless (1) such a violation or failure is designated as an infraction or is subsequently prosecuted as an infraction, in which case such person is guilty of an infraction; or (2) such a violation or failure is prosecuted as a civil administrative action pursuant to Chapter 1.25 or Chapter 1.26 of this title."

Violation of the Pasadena Municipal Code:

14.50.040 (1)(15)(28)

"It is declared unlawful and a public nuisance for any person owning, leasing, occupying or having charge or possession of any property in this city to maintain such property, regardless of whether such property contains a conforming or legal nonconforming use or structure, in a manner that any of the following conditions or activities are found to exist thereon: [1] The accumulation of dirt, litter, junk, salvage materials, lumber or other debris visible from a street, sidewalk, alley or neighboring property, or verified through other lawful means, [15] Any structure in a state of substantial deterioration, including but not limited to: peeling paint on a façade, broken windows, roof in disrepair, damaged porch, broken steps or other deterioration or disrepair, visible from a public street, sidewalk, or from neighboring properties, where such condition would have a tendency to depreciate substantially the aesthetic environment or property values of surrounding properties, [28] Any other condition or activity recognized in law or in equity as constituting a public nuisance.¹"

¹ Per P.M.C. 14.50.020(A) (Definitions) "Public nuisance" means any act or condition which poses a danger to health or safety or is offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or any of the prohibited activities or condition as set forth in Section 14.50.040, including a condition of visual blight."

17.40.160(F)(3)(b) Front and corner side setback pavement in residential zones

"Within a residential zoning district, no portion of any front or corner side setback area between the street property line and the building line shall be paved unless paving has been approved by the Zoning Administrator and the paving and site comply with the following requirements: (a) Not more than 30 percent of the front or corner side setback area shall be paved; (b) All unpaved areas shall be improved and maintained with landscaping."

17.78.060(A)(1)(2)(3) – Violations

"Any use of land or structure operated or maintained contrary to the provisions of this Zoning Code, any structure constructed or maintained contrary to the provisions of this Zoning Code, and any conditions of land use permit or subdivision approval not properly complied with shall be subject to the following: (A) Public nuisance. Any use or structure which is altered, constructed, converted, enlarged, erected, established, installed, maintained, moved, operated, set up, or used contrary to the provisions of this Zoning Code, including the failure to comply with or carry out any condition attached to the grant of any Certificate of Appropriateness, Conditional Use Permit, Variance or other permit or entitlement granted in compliance with this Zoning Code, is hereby declared to be unlawful and a public nuisance and shall be: (1). Subject to the remedies and penalties identified in this Chapter and Chapter 14.50 (Property Maintenance and Nuisance Abatement) of the Municipal Code, (2). Subject to the remedies and penalties identified in Chapter 1.25 (Administrative Penalties – Compliance Orders) and 1.26 (Administrative Penalties – Citations) of the Municipal Code; and (3) Summarily abated by the City."

Recommended Commission Corrective Action:

The Commission orders Gary B. Outzen to take the following corrective action:

1. **Within three (3) days of the date of the mailing of the Order**, cause all trash, junk, and debris on the site to be removed and thereafter ensure that the site is kept free of trash, junk and debris, including that which is windblown, deposited by tenants, or deposited, scattered or dumped by persons known or unknown. Any further violations of section 14.50.040(1) regarding the accumulation of trash, litter or junk will result in immediate referral to the City Prosecutor's office.
2. **Within twenty one (21) calendar days** from the mailing date of the Order of the Code Enforcement Commission repair the rubbish enclosure.
3. **Within sixty (60) calendar days** from the mailing date of the Order of the Code Enforcement Commission install landscaping in the front and corner side setback area that meets all applicable standards of the Pasadena Municipal Code and Zoning Code found therein.

B. Case No. CTP2013-00050 – 481 Avenue 64

Council District #6

General Penalty – Pasadena Municipal Code Section 1.24.010(A):

“No person shall violate or fail to comply with any provision or requirement of this code. Any person who violates or fails to comply with any provision or requirement of this code shall be guilty of a misdemeanor, unless (1) such a violation or failure is designated as an infraction or is subsequently prosecuted as an infraction, in which case such person is guilty of an infraction; or (2) such a violation or failure is prosecuted as a civil administrative action pursuant to Chapter 1.25 or Chapter 1.26 of this title.”

Violation of the Pasadena Municipal Code:

14.16.030(A) Certificate of Inspection – Required

“No person shall occupy, change the use of or sell, exchange, rent, lease or otherwise permit any unit which is hereafter vacated by the occupant thereof to be reoccupied until a certificate of inspection, quadrennial certificate of inspection or temporary certificate of inspection is issued by the administrator, as hereinafter provided. (A) With respect to single-family units and duplexes such inspection shall occur each time the unit is sold, rented, leased, or exchanged.”

14.12.270(A) Housing Code – Violation – Penalty

“No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building in the city, or cause or permit the same to be done, contrary to or in violation of any provisions of this code.”

14.12.320 Housing Code – Permit - Separate for each building

“No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building, or cause or permit the same to be done, without first obtaining a separate building permit for each such building from the housing and community development department, in the manner and according to the applicable conditions prescribed in Chapter 3 of the Pasadena building code.”

Recommended Commission Corrective Action:

The Commission orders George Hagelis to take the following corrective actions **within twenty one (21) calendar days** from the mailing date of the Order of the Code Enforcement Commission:

1. Obtain all permits and inspections required for placement of the unpermitted windows at the subject property.
2. Complete the “OIP” occupancy inspection process and obtain the required “Certificate of Inspection.”
3. Contact Code Compliance Manager Joel Murphy at (626) 744-4204 to schedule an inspection of the site to confirm that the violations noted above have been abated consistent with the Order of this Commission.

5. REPORTS AND COMMENTS FROM COMMITTEES
6. REPORTS AND COMMENTS FROM STAFF
7. REPORTS AND COMMENTS FROM COMMISSION
8. ADJOURNMENT

POSTING STATEMENT: I HEREBY CERTIFY that this Agenda, in its entirety was posted on the Council Chamber Bulletin Board S249, and the bulletin board in the rotunda area at City Hall, 100 North Garfield Avenue on the 26th day of September 2013, by 4:00 p.m. The agenda will also be posted on the bulletin board outside the front entrance of the Hale Building, 175 N. Garfield Avenue, an electronic copy sent to the Central Library for posting and the agenda may be viewed at the City's website at: <http://www.ci.pasadena.ca.us/planning/meetings/notices.asp>. Any items on this agenda will be made available at the Permit Center located at 175 N. Garfield Avenue during normal business hours.



Jon Pollard, Code Compliance Manager



Lorraine Nava, Recording Secretary