



**AGENDA
CODE ENFORCEMENT COMMISSION
February 1, 2018**

**Public Meeting 4:00 P.M.
Permit Center, Hearing Room
175 N. Garfield Avenue, Pasadena**

**PANEL NO. 1 MEMBERS
Michael Warner, Chair
Imran Chaudhry
Dr. Angel Medina**

**STAFF
Jon Pollard, Code Compliance Manager
Lt. Nemesio Arteaga, Pasadena Humane Society & SPCA
Nikhil S. Damle, Counsel from Colantuono, Highsmith & Whatley, PC for the City of Pasadena
Adrienne Burgess, 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
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February 1, 2018**

**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 CASES**

- A. **Case No. A17-247850 – 669 E. Rio Grande Street** **Council District # 5**

Violation of the Pasadena Municipal Code:

Section 1.24.010(A) – General penalty

"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 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."

Section 6.18.015 – Prohibited Activities

"It is unlawful and a public nuisance for any person to own, harbor or keep a vicious dog."

Pasadena Humane Society Staff: Lt. Nemesio Arteaga

- B. **Case No. CTP2017-01535 – 1291 E. Walnut Street** **Council District # 2**

Violation of the Pasadena Municipal Code:

Section 1.24.010 (A) - General Penalty

"No person shall violate or fail to comply with any provision of 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."

Section 14.50.040(28)(35) - Prohibited activities or conditions. (Operation of illegal marijuana dispensary.)

"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: (28) Any condition or activity recognized in law or equity as constituting a public nuisanceⁱⁱ, (35) Any violation of any provision of any city, state or federal regulation, ordinance or statute."

Code Compliance Manager: Jon Pollard

- C. Case No. A17-235499 – 1372 Edgehill Place Council District # 6**

Violation of the Pasadena Municipal Code:

Section 1.24.010(A) – General penalty

"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 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."

Section 6.18.015 – Prohibited Activities

"It is unlawful and a public nuisance for any person to own, harbor or keep a vicious dog."ⁱⁱⁱ

Pasadena Humane Society Staff: Lt. Nemesio Arteaga

- D. Case No. CTP2017-01535 – 1460 E. Walnut Street Council District # 2**

Violation of the Pasadena Municipal Code:

Section 1.24.010 (A) - General Penalty

"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."

Section 14.50.040(28)(35) - Prohibited activities or conditions. (Operation of illegal marijuana dispensary.)

"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: (28) Any condition or activity recognized in law or equity as constituting a public nuisance^{iv}, (35) Any violation of any provision of any city, state or federal regulation, ordinance or statute."

Code Compliance Manager: Jon Pollard

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 18th day of January 2018, by 6:00 p.m. The agenda will also be posted on the bulletin board outside the front entrance of the Hale Building, 175 N. Garfield Avenue. The agenda may be viewed at the City's website at: <http://ww5.cityofpasadena.net/commissions>. 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

ⁱ Section 6.18.020(A)(1)(2)(3)(7) P.M.C. states: "As used in this chapter, "public nuisance dog" or "vicious dog" means any dog that unreasonably annoys humans, endangers the life or health of other animals or persons, or substantially interferes with the rights of citizens, other than their owners or family members, to the enjoyment of life or property. The term "public nuisance dog" means and includes, but is not limited to, a dog who exhibits any of the following types of behavior: (1) When unprovoked, in a vicious and terrorizing manner, approaches any person and attempts to attack upon private or public property, except inside an owner's home or fenced rear yard to which all gates and other places of general ingress or egress to the fenced area are posted with a warning sign stating that a dog is on the premises. The letters on said sign shall be at least 1 inch in height and said sign shall be visible within 10 feet of the entrances to the fenced area. (2) Has a propensity or disposition to attack unprovoked or to cause injury to human beings or domestic animals and the owner of the dog is aware of said propensity or disposition, (3) Bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property, except inside a home or fenced rear yard to which all gates or other places of general ingress or egress to the fenced area are posted with a warning sign stating that a dog is on the premises. The letters on said sign shall be at least 1 inch in height and said sign shall be visible within 10 feet of the entrance to the fence area, (7) Molests or intimidates pedestrians, bicyclists."

ⁱⁱ Per P.M.C. Section 17.78.060 (Zoning Code / 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: 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 Chapters 1.25 (Administrative Penalties B Compliance Orders) and 1.26 (Administrative Penalties B Citations) of the Municipal Code; and (3) Summarily abated by this City.

ⁱⁱⁱ Section 6.18.020(A)(5) P.M.C. states: "As used in this chapter, "public nuisance dog" or "vicious dog" means any dog that unreasonably annoys humans, endangers the life or health of other animals or persons, or substantially interferes with the rights of citizens, other than their owners or family members, to the enjoyment of life or property. The term "public nuisance dog" means and includes, but is not limited to, a dog who exhibits any of the following types of behavior: (5) Is repeatedly found at large more than two times."

^{iv} Per P.M.C. Section 17.78.060 (Zoning Code / 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: 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 Chapters 1.25 (Administrative Penalties B Compliance Orders) and 1.26 (Administrative Penalties B Citations) of the Municipal Code; and (3) Summarily abated by this City.