



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT COMMISSION

CERTIFIED RETURN
RECEIPT REQUESTED

Chris and Virginia Wilson)
471 S. Grand Avenue)
Pasadena, CA. 91105)
-----)

**ORDER OF THE
CODE ENFORCEMENT
COMMISSION
CASE NO. A17-251334**

On March 8, 2018, a public hearing was held by Panel No. 2 regarding violations of the Pasadena Municipal Code at the property located at:

**471 S. Grand Avenue
Pasadena, CA 91105**

As a result of that hearing and based on the testimony and evidence introduced, the Commission made the following factual findings:

1. That "KAISER" was an altered eight year old German Shepherd dog owned by Chris and Virginia Wilson on the date and time of the incident described in the undersigned report;
2. That Chris and Virginia Wilson were notified of the alleged violations of the Pasadena Municipal Code with respect to KAISER "running at large" as set forth in Pasadena Municipal Code Section 6.12.010(A), "prohibited activities" as set forth in Section 6.18.015, subsections 1,2, 3 and 7 and failure to license KAISER as set forth in Pasadena Municipal Code section 6.16.010 and that Chris and Virginia Wilson were properly informed of the scheduled date of this hearing before the Code Enforcement Commission;
3. That the dog's owners, Virginia and Chris Wilson, appeared at the hearing and testified;
4. That the following documents were received into evidence at the hearing on March 8, 2018:
 - i. Exhibit "A" – Pasadena Humane Society Staff Report
 - ii. Exhibit "B" – Three-ring binder provided by the Wilson's which contained photographs and documents of corrective actions taken to maintain "Kaiser" on premises.

5. That Lt. Arteaga of the Pasadena Humane Society appeared and testified on behalf of the City of Pasadena;
6. That the Commission has considered the following items as part of the deliberative process:
 - Any previous history of the dog attacking, biting or causing injury to a human being or other animal;
 - The nature and extent of the injuries inflicted and the number of victims involved;
 - The place where the bite, attack or injury occurred;
 - The presence or absence of any provocation for the bite, attack, or injury;
 - The extent to which property has been damaged or destroyed;
 - Whether the dog exhibit any characteristics of being trained for fighting or attack or other evidence to show such training or fighting;
 - The manner in which the dog has been maintained by its owner;
 - Any other relevant evidence concerning the maintenance of the dog;
 - Any other relevant evidence regarding the ability of the owner, or the poundmaster, to protect the public safety in the future if the dog is permitted to remain in the city.
7. That this Commission has received competent testimony and that after giving thoughtful and deliberate consideration to the testimony received during the course of the hearing has determined that the dog constitutes a public nuisance and is a threat to public safety.

Commission Corrective Action:

1. The overriding demand for public safety dictates that it shall be the Order of this Commission that KAISER remain in the custody of the Pasadena Humane Society until such time that Virginia and Chris Wilson install an automatic gate closing device on the driveway gate and;
2. That the driveway gate be maintained in the closed position at all times except to allow for passage of vehicles or pedestrians and;
3. That the metal gates on the north and south sides of the residence be maintained with automatic closing devices and that the gates be kept in the closed position at all times except to allow passage of pedestrians and;
4. That a second six-foot high gate be added on the north side of the residence to serve as a protective buffer area and that such gate shall be maintained with automatic closing devices and that the gate be kept in the closed position at all times except to allow passage of pedestrians and;
5. That a second six-foot high gate be added on the south side of the residence to serve as a protective buffer and that such gate shall be maintained with automatic closing devices and that the gate be kept in the closed position at all times except to allow passage of pedestrians and;

6. That the metal gates on the courtyard/patio area at the front of the residence be equipped with an automatic closing device, and that the gates be maintained in the closed position at all times except to allow passage of pedestrians and;
7. That any gate(s) located in the rear yard area of the subject property which are unknown to the Commission be fitted with an automatic closing device and that such gate(s) be maintained in the closed position at all times when not in use and;
8. That the front door(s) of the residence that are customarily used for ingress and egress be fitted with an automatic closing device and that the doors be kept in the closed position at all times except to allow for passage of pedestrians and;
9. That fencing/gates in the rear yard area of the site be continuously maintained free of disrepair and in such condition that a dog of KAISER'S size, stature and physical capacity be unable to go over, under, around or through the fence/gate and;
10. That installation of the aforementioned items be completed within 30 days from the signing of the Order of the Code Enforcement Commission and;
11. That the Pasadena Humane Society not release KAISER until each of the aforementioned items are installed and have been reviewed by a member of the Pasadena Humane Society to be consistent with the purpose and intent of this Order and;
12. That prior to the Pasadena Humane Society releasing KAISER that he be licensed as required under the City Ordinance and;
13. That once KAISER is released that he be kept in the rear yard area of the parcel or the residence interior, or if in other portions of the site that he be held on a leash that is being continuously held by a competent adult person and;
14. That at no time shall KAISER be allowed loose in the front yard area of the parcel.



Commissioner Robert Clinton, Panel Chair

3.15.18

Mailing Date

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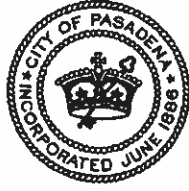
Pursuant to Section 2.55.075 of the Pasadena Municipal Code, the property owner has a right to appeal the panel determination in this case to the full Commission. They may appeal by filing the attached appeal application with the Building & Neighborhood Revitalization Division within ten (10) days following the date this order was mailed.

Section 2.55.075 (B) sets forth the basis for appeal:

The appeal application shall set forth previously unavailable new evidence regarding the matter; or state specifically the manner in which the panel determination was not supported by the record, misinterpreted the Municipal Code, misapplied established city policy, or erred in some other respect.

In order for an appeal application to be accepted for processing, it must be filed in a timely manner, and the property owner must explain how this case meets at least one (1) of the criteria set forth above.

If the property owners do not file an appeal, they must comply with the panel determination in this case. Failure to do so may result in the filing of misdemeanor criminal charges pursuant to Pasadena Municipal Code Section 1.24.010.



City of Pasadena
Code Enforcement Commission
Application for Appeal of Panel Decision

Case No. _____

Date of Hearing _____

Location of Property: _____

Please use the following lines to set forth any previously unavailable new evidence regarding the matter; or state specifically the manner in which (in your opinion) the panel determination was not supported by the record, misinterpreted the municipal code, misapplied established city policy, or erred in some other respect. You may attach your written statement to this application, if necessary.

Name of Appellant: _____

Signature: _____ Date: _____

Mailing Address: _____

Phone Number: _____