



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT COMMISSION

CERTIFIED RETURN
RECEIPT REQUESTED

Doyle and Kalika Johnson
1055 Pine Bluff Dr.
Pasadena, CA. 91107

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ORDER OF THE
CODE ENFORCEMENT
COMMISSION
CASE NO. A18-254866

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On May 3, 2018, a public hearing was held Panel No. 3 regarding violations of the Pasadena Municipal Code at the property located at:

1055 Pine Bluff Drive
Pasadena, CA 91107

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

Pursuant to Pasadena Municipal Code Section 6.18.040(G)(3), the Pasadena Humane Society recommends that FOZZIE be released with terms, conditions and restrictions governing her handling and maintenance and that the Code Enforcement Commission make the following findings of fact:

1. That FOZZIE is a spayed adult Tibetan Mastiff dog owned by Doyle and Kalika Johnson on the date and time of the incident described in the undersigned report;
2. That Doyle and Kalika Johnson were notified of the alleged violations of the Pasadena Municipal Code with respect to "running at large" as set forth in Pasadena Municipal Code Section 6.12.010(A), and "prohibited activities" as set forth in Section 6.18.015, subsections 1,2, 3 and 7, and that Doyle and Kalika Johnson were properly informed of the scheduled date of this hearing before the Code Enforcement Commission;
3. That the dog's owners, Doyle and Kalika Johnson, appeared at the hearing and testified;
4. That the following document was received into evidence at the hearing on May 3, 2018:
 - i. Exhibit "A" – Pasadena Humane Society Staff Report

5. That Lt. Nemesio 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 exhibited 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 this hearing have 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 FOZZIE remain off-site until such time that Doyle and Kalika Johnson comply with all corrective actions consistent with the purpose and intent of this Order;
2. That it shall be the Order of this Commission that Doyle and Kalika Johnson raise the height of the chain-link fence which enclose the rear yard to six feet in height;
3. That Doyle and Kalika Johnson replace the two chain-link gates of the rear yard with gates that are six feet in height and which must be fitted with an automatic closing device and padlock and hasp, which may include gravity hinges, spring hinges, torsion spring closers, or hydraulic closers or other similar hardware approved by the Pasadena Humane Society, and that such gate(s) be maintained in the closed position at all times when not in use;
4. The entire property shall be enclosed with fencing six feet in height and a six-foot auto-closing gate on the driveway placed parallel to the front façade of the property to the adjacent northwest on Pine Bluff Drive.
5. That installation of the aforementioned items be completed within 30 days from the signing of the Order of the Code Enforcement Commission;

6. That fencing/gates at the property be continuously maintained free of disrepair and in such condition that a dog of FOZZIE'S size, stature and physical capacity be unable to go over, under, around or through the fence/gate;
7. That once FOZZIE is returned to the property at 1055 Pine Bluff Drive that she be kept within the fenced and gated property.
8. That in the event that Doyle and Kalika Johnson fail to complete the aforementioned items within 30 days from the signing Order of the Code Enforcement Commission FOZZIE shall become the property of the Pasadena Humane Society & SPCA.
9. All above referenced modifications shall be approved by the Pasadena Humane Society & SPCA prior to Fozzie's return to the property.



Commissioner William "Bill" Francis, Panel Chair



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: _____