



**AGENDA  
CODE ENFORCEMENT COMMISSION  
SPECIAL MEETING – 4:00 P.M.  
May 28, 2020**

**PANEL NO. 3 MEMBERS  
Mary Machado Schammel, Panel Chair  
William Francis  
Patrick Cabral**

**STAFF  
Jon Pollard, Code Compliance Manager  
Nikhil Damle, Colantuono, Highsmith & Whatley, PC for the City of Pasadena  
Valeria Castillo, 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*

*Special 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.*

**PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY  
GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE FOLLOWING  
MEETING WILL TAKE PLACE SOLELY BY TELECONFERENCE /  
VIDEOCONFERENCE**

**ACCESS TO THE MEETING IS AS FOLLOWS:**

<https://zoom.us/j/95534755304>

Or By Telephone: 1 669 900 6833; ID: 955 3475 5304

**PUBLIC COMMENT INSTRUCTIONS:**

**IF YOU WISH TO PROVIDE COMMENT YOU MAY DO SO AS FOLLOWS:**

- 1. ADVANCE CORRESPONDENCE: BY SUBMITTING PUBLIC COMMENT OF ANY LENGTH TO VCASTILLO@CITYOFPASAENA.NET PRIOR TO 9:00 AM THE DAY OF THE MEETING. PLEASE BE AWARE THAT, WHILE THESE COMMENTS WILL BE PROVIDED TO THE MEMBERS OF THE BODY AND WILL BECOME PART OF THE MEETING RECORD, THEY WILL NOT BE READ ALOUD.**
- 2. MEETING DAY COMMENT: AFTER 9:00 AM ON THE DAY OF THE MEETING AND DURING THE MEETING MEMBERS OF THE PUBLIC MAY SUBMIT UP TO 200 WORDS REGARDING ITEMS ON THE AGENDA TO:**

<http://www.cityofpasadena.net/commissions/code-enforcement-commission/>

**IF YOU WANT YOUR 200 WORD COMMENT TO BE READ ALOUD DURING THE AGENDA ITEM, PLEASE INDICATE SO AT THE BOTTOM OF THE LINK ABOVE. THIS WILL SERVE AS YOUR PUBLIC COMMENT CARD FOR THE ITEM.** THE BODY RESERVES THE RIGHT TO SUMMARIZE COMMENTS IF NECESSARY FOR THE ORDERLY AND TIMELY FLOW OF THE MEETING. ALL COMMENTS IN THEIR ENTIRETY WILL BECOME PART OF THE MEETING RECORD.

**IF YOU NEED REASONABLE MODIFICATION OR ACCOMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT BECAUSE YOU ARE UNABLE TO PARTICIPATE ELECTRONICALLY AS SET FORTH ABOVE, PLEASE CONTACT THE CITY AT LEAST 72 HOURS IN ADVANCE BY CALLING (626) 744-3806**

## **PUBLIC COMMENT WILL BE LIMITED TO MATTERS ON THIS AGENDA**

1. ROLL CALL AND READING OF PROCEDURES
2. PUBLIC HEARINGS

### **REGULAR CASES**

#### **A. Case No. CTP2020-00308 219 N. Sierra Madre Blvd**

**Council District # 4**

#### **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 5.78.030 – Commercial cannabis activities prohibited unless specifically authorized by this Chapter.**

“Except as specifically authorized in this Chapter, the commercial cultivation, processing, manufacturing, testing, sale, delivery, distribution, or the transportation (other than as provided under Bus. & Prof. Code §26090(e)) of cannabis or cannabis products is expressly prohibited in the City of Pasadena.”

##### **Section 5.78.060 – Commercial cannabis permit required to engage in commercial cannabis activity.**

“No person may operate a commercial cannabis business or engage in commercial cannabis activity within the City of Pasadena including cultivation, processing, manufacturing, testing, sale, delivery, distribution, or transportation of cannabis or a cannabis product unless the person (1) has a valid commercial cannabis permit from the City of Pasadena; (2) has any and all valid state or local permits; and (3) is currently in compliance with all applicable state and local laws and regulations pertaining to the commercial cannabis business and the commercial cannabis activity, including holding the necessary State licenses to engage in commercial cannabis activity.”

##### **14.50.040(28) (35) Prohibited activities or conditions. (Operation of illegal cannabis 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, (35) Any violation of any provision of any city, state or federal regulation, ordinance or statute.”

**Code Compliance Manager:** Jon Pollard

**B. Case No. CTP2017-00908    775-779 E. Washington Blvd                      Council District #5**

**Review and Confirmation of Nuisance Abatement Costs**

The City's abatement of public nuisance conditions resulted from the operation of an illicit cannabis dispensary at 775 – 779 E. Washington Boulevard and was an outgrowth of the property owner's failure to comply with the terms and conditions of a July 25, 2019, signed stipulation in which the owner acceded to be enjoined from operating or allowing the operation of a cannabis dispensary from her property and the owner's continued failure to comply with the terms of a Permanent Injunction as set forth in Los Angeles Superior Court Case No. CC695877 for the County of Los Angeles. That Permanent Injunction enjoined the property owner: (1) From violating the Pasadena Municipal Code by operating, or allowing the operation of, any cannabis business, dispensary or collective on the property, or anywhere else in the City, (2) from providing, making available, or in any manner assisting with the provision and/or distribution of cannabis at, or from, the property and, (3) from violating the Pasadena Municipal Code by advertising or otherwise marketing, through any media, including but not limited to the Internet or any electronic social media, any cannabis business in the City. The City and property owner agreed that the court shall retain jurisdiction over the case to enforce the terms of the injunction post-judgement until the property owner fully performed according to its terms.

On April 23, 2020, the Honorable Efrain Aceves of the Superior Court of the County of Los Angeles approved the City's request for an abatement warrant to board and secure the illegal cannabis dispensary at 775-779 E. Washington Boulevard.

The City seeks the Commission's review and confirmation of the nuisance abatement costs asserting that the Court's Permanent Injunction wherein the property owner, who was represented by counsel, had been afforded adequate notice and a meaningful opportunity to be heard, along with the Court's procedural due process considerations effectively mirrored the abatement procedures set forth in Pasadena Municipal Code §14.50.060 which allows the City to seek reimbursement for the cost of the work consistent with subsection "I" therein.

**3. 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 15<sup>th</sup> day of May, 2020, by 5:00 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: <https://www.cityofpasadena.net/commissions/code-enforcement-commission/>. 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

