

**MINUTES
CODE ENFORCEMENT COMMISSION
SEPTEMBER 1, 2016**

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

CODE ENFORCEMENT COMMISSION PANEL NO. 3

**William Francis, Chair
Mary Machado Schammel
Ellie Podway, Alternate**

STAFF

**Jon Pollard, Code Compliance Manager
Matthew Ramos, Senior Code Compliance Officer
Ruth Guitron, Code Compliance Officer
Adrienne Burgess, Recording Secretary**

MISSION STATEMENT

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

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**MINUTES
CODE ENFORCEMENT COMMISSION
September 1, 2016
Regular Meeting
4:00pm**

**City of Pasadena Permit Center
Hearing Room
175 N. Garfield Avenue
Pasadena, California 91101**

1. CALL TO ORDER

On order of Chair William Francis the regular meeting of the Code Enforcement Commission was called to order at 4:05 pm

2. ROLL CALL

Commission Members Present:

William Francis
Mary Machado Schammel
Ellie Podway

Staff Present:

Jon Pollard, Code Compliance Manger
Matthew Ramos, Senior Code Compliance Officer
Ruth Guitron, Code Compliance Officer
Adrienne Burgess, Recording Secretary

3. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA - NONE

4. PUBLIC HEARING: REGULAR CASES

A. Case No. CTP2016-00144 --- 338 Idaho Street Council District # 1

Violations:

General Penalty - Pasadena Municipal Code: 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 Pasadena Municipal Code:

Prohibited activities or conditions – 14.50.040(1)(3)(30):

“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) [t]he 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.(3) [u]nconcealed

trash can stored in the front, corner or side yard visible from a street, sidewalk, or alley.(30)
[s]torage of abandoned, wrecked, dismantled, unregistered or inoperative automobile, trailer, camper, recreational vehicle, boat or other such vehicles or equipment on residential property.

Report from Senior Code Compliance Officer Matthew Ramos:

Senior Code Compliance Officer Matthew Ramos presented the case to the Commission regarding trash accumulated in the front yard area of the subject site, two inoperable motor vehicles parked on the open driveway of the site, and the presence of trash containers visible from the public right-of-way. Mr. Ramos provided information regarding the property and the history of compliance efforts taken in an effort to bring Mr. De Castro's property into compliance with the Pasadena Municipal code. Mr. Ramos submitted into evidence Exhibit 1, a photo of Mr. De Castro's home taken on September 1, 2016 prior to the commission hearing showing the property remains non-compliant.

Property Owner's Testimony:

Mr. Emanuel De Castro appeared and testified at the hearing of September 1, 2016. He stated that he had tried to clean up the property however the trash bins once full were too heavy for him to bring them from the back yard to the front yard area for pick-up, consequently the trash bins have remained in the front yard in view from the public-right-of way. He stated that he could get the vehicles registered and in an operable condition per Pasadena Municipal Code standards for them to remain on the open driveway. Mr. De Castro also submitted into public record as Exhibit 3 – two photocopies of receipts, reflecting his payment of the fines in the total of \$ 6,381.83.

Commission Order:

It was moved by Commissioner Podway with a second by Commissioner Schammel to order Emanuel De Castro to take the following corrective actions within sixty (60) calendar days from the mailing date of the Order of the Code Enforcement Commission:

1. Store trash containers in area that is not visible from the public right-of-way, and is consistent with all requirements of the Pasadena Municipal Code;
2. Remove the vehicles from the property, or bring the vehicles into a state of operability; or store the vehicles in a lawfully constructed, fully enclosed structure and;
3. Remove the accumulated trash, junk, and debris from open yard areas
4. Senior Code Officer Matthew Ramos within 21 calendar days from the mailing of the Order of the Code Enforcement Commission check on the compliance of the order.

The Commission voted on the motion and it was approved unanimously.

B. Case No. CTP2015-01596 -- 1944 El Sereno Avenue Council District # 1

Violations:

General Penalty – Pasadena Municipal Code: 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 Pasadena Municipal Code:

Prohibited activities or conditions – 14.50.040(1)(30)

"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) [t]he 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, (30) [s]torage of abandoned, wrecked, dismantled, unregistered or inoperative automobile, trailer, camper, recreational vehicle, boat or other such vehicles or equipment on residential property.

Report from Senior Code Compliance Officer Matthew Ramos:

Senior Code Compliance Officer Matthew Ramos presented the case to the Commission regarding the accumulation of trash, junk, debris, and the storage/keeping of inoperable vehicles in the open rear yard of the property. Mr. Ramos provided information regarding the property and the history of compliance efforts taken in an effort to bring Mr. Palacio's property into compliance with the Pasadena Municipal code. Mr. Ramos submitted into evidence Exhibit 3- six photos of Mr. Palacio's home taken on September 1, 2016 prior to the Commission hearing showing the property remains non-compliant.

Property Owner's Testimony:

Mr. Alejandro Palacio appeared and testified at the hearing on September 1, 2016. He stated that he wasn't given timely notice to appear for the hearing and objects to the facts that Senior Code Compliance Officer Matthew Ramos presented to the Commission. Mr. Palacio provided the Commission with background information regarding steps he has taken in an effort to correct the violations, as well as some difficulties he has faced. Mr. Palacio also submitted into public record Exhibit 4 – two pages of the Palacio Family History.

Commission Order:

It was moved by Commissioner Francis with a second by Commissioner Schammel to order Alejandro Palacio take the following corrective actions within ninety (90) calendar days from the mailing date of the Order of the Code Enforcement Commission:

1. Remove the vehicles from the property, or bring the vehicles into a state of operability, or store the vehicles in a lawfully constructed, full enclosed structure and;
2. Remove the accumulated trash, junk, and debris from the open yard areas.

The Commission voted on the motion and it was approved unanimously.

C. Case No. CTP2016-00076 -- 244 E. Montana Street Council District #1

Violations:

General Penalty – Pasadena Municipal Code: 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 Pasadena Municipal Code:

Permit- Separate for each building – 14.12.320

"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."

Report from Code Compliance Officer Ruth Guitron:

Code Compliance Officer Ruth Guitron presented the case to the Commission regarding several structures that have been constructed without permits. Ms. Guitron provided information about the property and the history of compliance efforts taken to bring Mr. Villatoro's property in compliance with the Pasadena Municipal Code.

Property Owner's Testimony:

Mr. Villatoro was provided timely notice of the public hearing however, he did not attend the Code Enforcement Commission Hearing.

Commission Order:

It was moved by Commissioner Francis with a second from Commissioner Schammel to order Hector Villatoro to take the following corrective actions within thirty (30) calendar days from the mailing Date of the Order of the Code Enforcement Commission:

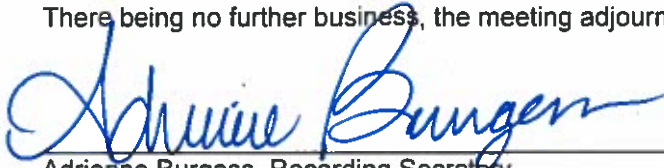
1. Submit all required completed forms, plans and fees necessary to obtain land use entitlements in an effort to legalize the unpermitted construction or;
2. Obtain all required permits necessary for demolition of all unpermitted construction and complete such demolition within said 30 day time period or,
3. Combine elements of Order subparagraphs "1" and "2" such that after-the-fact planning approval and building permits are sought; forms, plans and fees are paid for certain components desired to retain, and a demolition permit is approved for each unpermitted structure where after-the-fact approval is not sought.

The Commission further ordered that should Hector Villatoro opt to seek land use entitlements for the unpermitted construction set forth in subparagraphs "1" and "3" that he at all times work diligently and without unnecessary delay towards obtaining such approval and that such approval be completed within 180 days from the mailing date of the Order of the Code Enforcement Commission.

The Commission voted on the motion and it was approved unanimously.

5. REPORTS AND COMMENTS FROM COMMITTEES - None
6. REPORTS AND COMMENTS FROM STAFF - None
7. REPORTS AND COMMENTS FROM COMMISSION - None
8. ADJOURNMENT

There being no further business, the meeting adjourned at 6:05 pm.



Adrienne Burgess, Recording Secretary