

Agenda Report

TO: CITY COUNCIL DATE: OCTOBER 31, 2001
FROM: TIMOTHY P WENDLER, CHAIRPERSON
SUBJECT: ANNUAL REPORT OF THE CODE ENFORCEMENT COMMISSION
JULY 2000 – JULY 2001

RECOMMENDATION

It is recommended that the City Council receive and approve the Annual Report for FY 2000/2001 for the Code Enforcement Commission.

BACKGROUND

A. Introduction

The City of Pasadena continues to place a high priority on code enforcement in order to maintain property standards in the community. To meet the City Council's goal of "assuring a safe and secure community," the Neighborhood Revitalization Division of the Planning and Development Department has implemented programs to provide proactive and complaint-based code enforcement throughout the City.

An integral part of the code enforcement process is the role of the Code Enforcement Commission. The Code Enforcement Commission is one of the City's administrative mechanisms for resolving alleged code violations.

The purpose of the commission is to hear and decide administrative code enforcement cases. These cases include alleged violations of municipal code provisions related to housing, zoning, property maintenance, animal control, vacant lots and buildings, and abandoned vehicles.

B. Major Activities

The panels of the Commission (three members each) met nine (9) times during this annual reporting period. Additionally, five (5) special meetings were held by the full Commission on October 26, 2000, December 7, 2000, February 1, 2001, June 14, 2001 and July 19, 2001 to hear appeals and to discuss ideas to improve the code enforcement process and/or the role of the commission. Specific focus was placed on working with the Pasadena Humane Society to improve the barking dog complaint process.

During this annual reporting period, twenty-five (25) code enforcement cases were brought before the Commission including four (4) public nuisance dog cases. The slight decrease in code enforcement cases from last year's twenty-seven (27) was due, in part, to the effectiveness of the newly implemented citation program (337 citations issued with penalty amounts totaling \$93,000.00). Most prominent this year were cases that involved barking or vicious dogs. These cases elicit strong emotions making careful deliberations by commissioners especially critical.

MEETING OF ~~01/14/2002~~ 3/18/02
~~11/17/2001~~

AGENDA ITEM NO. ~~3.A.(d)~~ 7.A.(1)(a)(2)
~~7.002020~~

The types of cases included, but were not limited to the following code violations: illegal construction; illegal garage conversions; illegal business operations; illegal alterations and expansions of fences and accessory structures; inoperative and unregistered vehicles illegally stored on residential properties; commercial vehicles illegally stored in residential districts; improper occupancy of buildings and accessory structures; junk, salvage materials and other debris; overgrown vegetation; public nuisance dogs (i.e., barking and dangerous dogs); and, vacant lots and buildings that require registration, a property maintenance plan and payment of required registration fee.

Of the cases that were heard during this reporting period, six (6) cases were referred to the City Prosecutor's Office. One case is open, and the other cases are pending.

C. Items of Specific Focus in the Year 2000/2001

The following items were discussed/accomplished at quarterly meetings of the full Commission:

1. In barking dog cases, three "barking dog logs" are generally required to show sufficient evidence that the dog is a nuisance. Several cases came to the Commission's attention where this threshold was not being met possibly due to distances and grade separations between houses, and/or reluctance to increase tension between neighbors. As a result, the Commission requested that the Humane Society bring these cases to the Commission if the issue persists for over 90 days. The Commission has heard several of these cases and continues to evaluate whether the Commission is the best forum for these cases or if another option such as mediation would be superior.
2. The Commission discussed City oversight of the Humane Society contract and thought that the Commission may have a role to play in this area.
3. Held over-view training sessions regarding the purpose and role of the Commission and Commissioners.
4. Discussed the problem of inconsistent appointments to vacant seats causing the current excessive number of newer, inexperienced Commissioners.
5. Redistributed Commissioners to hearing panels to achieve a better balance of experienced versus new Commissioners. At least one experienced Commissioner is scheduled to chair each hearing panel.
6. Discussed proposed City ordinances related to code enforcement including the tree ordinance.
7. The desire of the Commissioners to be included in the discussions and planning of city ordinances that are related to code enforcement, i.e., the Vacant Building and Vacant Lot Maintenance and Registration Ordinance.
8. Lengthening the term limits for Commissioners because of the critical need for experience. Recommendation was for at least two four-year terms.

D. Commissioners

The City Council approved the appointment of Kevin Brandt (Mayor) and the reappointment of Martin Zitter (District 2).

The City Council accepted the resignations of Lindy Russell and Victor Sy.

Patrick McKiernan, who was reappointed on June 18, 2001, and whose term will expire June 30, 2003, resigned from the Commission because he now resides in Sierra Madre, California.

On July 19, 2001, Commission members elected Timothy Wendler as Chairperson and Dr. Glovioell Rowland as Vice-Chairperson of the Code Enforcement Commission.

The following is a list of Commission members and the dates their terms of office expire:

Brandt, Kevin	30-Jun-04
Colburn, Ivan	30-Jun-04
Vacant	District 1
Vacant	District 6
Rowland, Glovioell	30-Jun-02
Vacant	District 3
Takenouchi, June	30-Jun-02
Wendler, Timothy	30-Jun-02
Zitter, Martin	30-Jun-03

E. Attendance Records

In accordance with Section 2.55.050, the Commissions' record of attendance is attached.

F. Work Plan FY 2001/2002

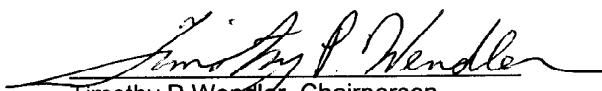
The following is the Code Enforcement Commission work plan for fiscal year 2001/2002:

1. Continue to hear and rule on cases involving violations of various sections of the City's municipal code.
2. Continue to hear and rule on appeal cases.
3. Continue to work with staff as they implement the Citywide Code Enforcement Strategy.
4. Continue to work with staff to improve communication and interaction among departments with code enforcement responsibility, i.e., cost recovery, city prosecutor.
5. Continue to hear and evaluate persistent barking dog cases.
6. Meet at least once every quarter as a full commission to share information and address issues as they surface to improve our performance as a commission, i.e. bilingual interpreters. In 2002, we plan to hold these meetings throughout the community to encourage more public input.

G. Conclusion

The Commission continues to see improvement in the maintenance of both residential and commercial properties, and the abatement of violations of housing, zoning, building, health, property maintenance and public nuisance codes.

Respectfully submitted,


Timothy P. Wendler, Chairperson
Code Enforcement Commission

ATTENDANCE ROSTER
REGULAR MEETINGS

Date of Hearing		Present	Absent	Substitute
July 6, 2000	Panel No. 3			
	Colburn, Ivan	X		
	McKiernan, Patrick	X		
	Zitter, Martin		Unexcused	
August 3, 2000	Panel No. 1			
	Hardie, Diane	X		
	Rowland, Glovioell	X	Excused	
	Sy, Victor	X		
September 7, 2000	Panel No. 2			
	Russell, Lindy	X		
	Takenouchi, June	X		
	Wendler, Timothy	X		
October 5, 2000	Panel No. 3			
	Colburn, Ivan		Excused	Wendler, Timothy
	McKiernan, Patrick		Unexcused	Sy, Victor
	Zitter, Martin	X		
November 2, 2000	Panel No. 1	Meeting cancelled		
	Hardie, Diane			
	Rowland, Glovioell			
	Sy, Victor			
December 7, 2000	Panel No. 2			
	Russell, Lindy	X		
	Takenouchi, June	X		
	Wendler, Timothy	X		
January 4, 2001	Panel No. 3	Meeting cancelled		
	Colburn, Ivan			
	McKiernan, Patrick			
	Zitter, Martin			
February 1, 2001	Panel No. 1			
	Hardie, Diane	X		
	Rowland, Glovioell	X		
	Sy, Victor		Excused	
March 1, 2001	Panel No. 2	Meeting cancelled		
	Russell, Lindy			
	Takenouchi, June			
	Wendler, Timothy			
April 5, 2001	Panel No. 3			
	Colburn, Ivan	X		
	McKiernan, Patrick	X		
	Zitter, Martin	X		

ATTENDANCE ROSTER
REGULAR MEETINGS

Date of Hearing		Present	Absent	Substitute
May 3, 2001	Panel No. 1			
	Hardie, Diane	X		
	Rowland, Gloviell	X		
	Sy, Victor		Resigned	Wendler, Timothy
June 7, 2001	Panel No. 2	Meeting cancelled		
	Russell, Lindy			
	Takenouchi, June			
	Wendler, Timothy			
July 5, 2001	Panel No. 3	Meeting cancelled		
	Colburn, Ivan			
	McKiernan, Patrick			
	Zitter, Martin			

ATTENDANCE ROSTER
SPECIAL MEETINGS

Date of Hearing	Commissioners	Present	Absent
06-Jul-00	Colburn, Ivan	X	
	Hardie, Diane	X	
	Knight, Robert	X	
	McKiernan, Patrick	X	
	Rowland, Glovioell	X	
	Sy, Victor	X	
	Takenouchi, June	X	
	Wendler, Timothy	X	
	Zitter, Martin		Excused
26-Oct-00	Colburn, Ivan		Excused
	Hardie, Diane	X	
	Knight, Robert	X	
	McKiernan, Patrick		Unexcused
	Rowland, Glovioell	X	
	Sy, Victor	X	
	Takenouchi, June	X	
	Wendler, Timothy	X	
	Zitter, Martin	X	
07-Dec-00	Colburn, Ivan		Excused
	Hardie, Diane	X	
	Knight, Robert	X	
	McKiernan, Patrick		Unexcused
	Rowland, Glovioell	X	
	Sy, Victor		Excused
	Takenouchi, June	X	
	Wendler, Timothy	X	
	Zitter, Martin	X	
01-Feb-01	Colburn, Ivan	X	
	Hardie, Diane	X	
	McKiernan, Patrick	X	
	Rowland, Glovioell	X	
	Russell, Lindy	X	
	Sy, Victor		Excused
	Takenouchi, June		Excused
	Wendler, Timothy	X	
	Zitter, Martin		Excused

ATTENDANCE ROSTER
SPECIAL MEETINGS

Date of Hearing		Commissioners	Present	Absent
14-Jun-01		Colburn, Ivan		Excused
		Hardie, Diane	X	
		McKiernan, Patrick		Excused
		Rowland, Glovioell	X	
		Russell, Lindy	X	
		Takenouchi, June	X	
		Wendler, Timothy	X	
		Zitter, Martin		Excused
		Vacant, District 3		
19-Jul-01		Colburn, Ivan	X	
		Hardie, Diane	X	
		McKiernan, Patrick	X	
		Rowland, Glovioell		Excused
		Takenouchi, June	X	
		Wendler, Timothy	X	
		Zitter, Martin		Excused
		Vacant (District 3)		
		Vacant (Mayor)		