

**AGENDA  
CODE ENFORCEMENT COMMISSION  
SPECIAL PANEL HEARING  
SEPTEMBER 10, 2009  
4:00 P.M.**

**Location: Permit Center  
Hearing Room  
175 N. Garfield Avenue  
Pasadena, CA 91101**

**CODE ENFORCEMENT COMMISSION**

Nicholas Lambajian  
Michael Warner  
Martin Zitter

**STAFF**

Roderick A. Olguin, Building and Neighborhood Revitalization Manager  
Jon Pollard, Code Compliance Manager  
Carolyn Williams, Assistant City Attorney  
Lt. Nemesio Arteaga, Pasadena Humane Society  
Officer J. Cepeda, Pasadena Humane Society  
Josette Pastrana, Recording Secretary

*Any submitted materials will be made available for public review at the Permit Center, 175 North Garfield Avenue, between 8:00 a.m. to 5:00 p.m. Monday through Thursday and 8:00 a.m. to 12:00 p.m. Friday.  
Please contact the Neighborhood Services Division at (626) 744-4633 for specific time and date of availability.*

***Code Enforcement Commission regular meetings are held on the first Thursday of each month***

*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.*

*Code Enforcement Commission Agendas are also available on the internet:  
<http://cityofpasadena.net/planning/meetings/cecomm/homececec.asp>*

**AGENDA  
CODE ENFORCEMENT COMMISSION  
September 10, 2009**

**Special Panel Hearing 4:00 P.M.  
Permit Center  
Hearing Room  
175 N. Garfield Avenue  
Pasadena, CA 91101**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC COMMENT ON MATTERS ON THE AGENDA**

Please limit comments to three minutes for each speaker.

**4. PUBLIC HEARING**

**A. CASE # 09-29870 – 1303 Wentworth Avenue – Council District # 7**

Violations: Title 1 and Title 6 of the Pasadena Municipal Code

Section 1.24.010(A) (Misdemeanors, infractions and administrative penalties.)

“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 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 6.12.010 (A) – Running at large prohibited

“No person owning, having an interest in, harboring or having charge, care, control, custody or possession of any dog shall permit such dog to be in or upon any public street, alley or other public place or in or upon any unenclosed lot or premises, unless such dog is securely confined by a strong cord, chain or leash, not exceeding 6 feet, securely and continuously held by a competent person owning, having an interest in, harboring or having charge, care, control, custody or possession of such dog, unless such dog is confined to an automobile.”

Section 6.16.010 – (License and Registration Required)

“No person owning, having interest in, or having control, custody or possession of any dog shall fail, neglect or refuse to license and register any dog if over 4 months of age.”

Section 6.18.015(1)(2)(3)(7) – (Prohibited Activities)

"It is unlawful and a public nuisance for any person to own, harbor or keep a vicious dog."<sup>1</sup>

Section 6.24.010(B) – (Dog Kennels)

"In any portion of the city, excepting the manufacturing district fixed and established by the zoning plan and code of the city, as it now exists or may hereafter be amended, no person shall establish, keep or maintain, or suffer or permit to be established, kept or maintained, upon premises owned or controlled by him or it, in the city, any dog kennel<sup>2</sup>, any portion of which is situated within 1,000 feet of any dwelling house other than the dwelling house of the owner or person in control of such kennel."

**Humane Society Officer:** Lt. Nemesio Arteaga

**Staff's Recommendation:** It is recommended that the Commission orders Goodgracious Jordan Joseph to take the following corrective actions within ten (10) calendar days from the mailing date of the Order of Code Enforcement Commission:

- a. Reduce the number of dogs kept at the property which are over the age of four months to not more than four.
- b. Obtain dog licenses for each of the dogs which are intended to remain on the property.
- c. Build a kennel to house the legal number of dogs which are intended to remain on the property. The kennel shall consist of chain-link fence material securely attached to vertical and horizontal members which must have an overall height of at least six feet. The kennel must be at least 10' wide and 30' deep to house four dogs, or a pro-rated area with respective widths and depths for any number less than four. The kennel shall have an impervious floor of concrete or asphalt, a gate at least six feet in height, equipped with a hasp or other positive latching mechanism equipped and a padlock or other locking mechanism to secure the dogs within the kennel area. The kennel shall have a roof to protect the dogs from the elements of the weather (the sun and the rain).

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<sup>1</sup> Section 6.18.020(A)(1)(2)(3)(7) P.M.C. states: "As used in this chapter, "public nuisance dog" or "vicious dog" means any dog that unreasonably annoys humans, endangers the life or health of other animals or persons, or substantially interferes with the rights of citizens, other than their owners or family members, to the enjoyment of life or property. The term "public nuisance dog" means and includes, but is not limited to, a dog who exhibits any of the following types of behavior: (1) When unprovoked, in a vicious and terrorizing manner, approaches any person and attempts to attack upon private or public property, except inside an owner's home or fenced rear yard to which all gates and other places of general ingress or egress to the fenced area are posted with a warning sign stating that a dog is on the premises. The letters on said sign shall be at least 1 inch in height and said sign shall be visible within 10 feet of the entrances to the fenced area. [2] Has a propensity or disposition to attack unprovoked or to cause injury to human beings or domestic animals and the owner of the dog is aware of said propensity or disposition, [3] Bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property, except inside a home or fenced rear yard to which all gates or other places of general ingress or egress to the fenced area are posted with a warning sign stating that a dog is on the premises. The letters on said sign shall be at least 1 inch in height and said sign shall be visible within 10 feet of the entrance to the fence area, [7] Molests or intimidates pedestrians, bicyclists."


<sup>2</sup> Section 6.04.020 (Animal Ordinance General Provisions "Definitions), subsection "F" defines a "Dog kennel"[which] means any lot, building, structure, enclosure or premises wherein 5 or more canine animals 4 months of age or older are kept or permitted to remain or where any dog gives birth to 2 or more litters within a 12 month period."

- d. House any of the identified dogs: (not to exceed four dogs on the subject parcel) (Tova, Rance, Skylar, Pepper, Cayene, and Prada) in the kennel 24 hours a day, unless being walked on a leash that is continuously held by a competent person.
- e. Secure the kennel gate with a padlock at all times.
- f. That Pursuant to Section 1.30.030 of the Pasadena Municipal Code, Goodgracious Jordan Joseph pay the Pasadena Humane Society for the costs associated with the abatement of this nuisance.

## 5. ADJOURMENT

### 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 3<sup>rd</sup> day of September 2009, by 4:00 p.m. The agenda will also be posted on the bulletin board outside the front entrance of the Hale Building, 175 N. Garfield Avenue, an electronic copy sent to the Central Library for posting and the agenda may be viewed at the City's website at: <http://www.ci.pasadena.ca.us/planning/meetings/notices.asp>. Any items on this agenda will be made available at the Permit Center located at 175 N. Garfield Avenue during normal business hours.

  
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Nicholas Lambajian, Esq., Chair

  
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Josette Pastrana, Recording Secretary