

**AGENDA
CODE ENFORCEMENT COMMISSION
March 5, 2009**

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

**CODE ENFORCEMENT COMMISSION PANEL # 1
Nicholas Lambajian, Panel Chair
Jon Brookhart
Michael Warner**

STAFF

**Roderick A. Olguin, Building and Neighborhood Revitalization Manager
Jon Pollard, Code Compliance Manager
Tony Escamilla, Code Compliance Officer
Carolyn Williams, Assistant City Attorney
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/homeceec.asp>*

CODE ENFORCEMENT COMMISSION
March 5, 2009

Regular Public Meeting 4:00 P.M.
City of Pasadena Permit Center
Hearing Room
175 N. Garfield Avenue
Pasadena, California 91101

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

Please limit comments to three minutes for each speaker.

4. PUBLIC HEARING: REGULAR CASES

A. Case No. CTP2008-03521 – 1735 Summit Avenue – Council District # 1

Violations:

General penalty – Pasadena Municipal Code Section 1.24.10(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.”

Section 14.50.040:

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:

Subsection (24):

Parking or storage of commercial or construction vehicles or equipment in areas zoned for residential use.

Subsection (29)(a)(b)(c)(e)(f)(h):

Oversized vehicles (including but not limited to motor homes, recreational vehicles, trailers, camper shells, slide-in campers, boats, or parts thereof) parked or stored other than in covered parking or on a paved area at the

rear of the property Such prohibition shall not apply if the rear yard is inaccessible to the vehicle, in which case parking may be permitted on a paved driveway subject to the following restrictions:

a. The vehicle shall be parked at least 5 feet beyond the front yard property line if there is a sidewalk between the property and the street. If there is no sidewalk between the property and the street curb, the vehicle must be parked at least 5 feet from the paved edge of the street.

b. If the oversized vehicle owner's driveway adjoins a driveway of neighboring property, the location of the oversized vehicle in the driveway shall not create a safety hazard or obstruct the view within 15 feet of the sidewalk or edge of the roadway of that neighbor when entering or leaving his/her driveway.

c. An oversized vehicle parked in the driveway shall not prevent the parking spaces in the garage from being readily accessible. "Readily accessible" means that the oversized vehicle does not have to be moved in order for a second vehicle to enter or exit the garage or carport.

e. An oversized vehicle parked in the driveway shall be fully operational, completely assembled, supported only by inflated tires, in good repair, neat and clean. Wrecked, dismantled, unregistered or inoperative vehicles shall not be parked in the driveway or in the rear yard, subject to other sanctions as set forth in this code.

f. An oversized vehicle parked in the driveway shall be moved out of the driveway periodically (i.e., at least once every 30 days) to permit the surface underneath to be cleaned.

h. Vehicle shall be owned or leased by the residents of the property and licensed with a current registration.

Subsection 30:

Storage of abandoned, wrecked, dismantled, unregistered or inoperative automobile, trailer, camper, recreational vehicle, boat or other such vehicles or equipment on residential property.

Code Compliance Officer: Tony Escamilla

Staff's Recommendation: It is recommended that the Commission orders JT and Grace Robinson to take the following corrective actions within ten (10) calendar days from the mailing date of the Order of the Code Enforcement Commission:

1. Remove the commercial vehicle from the residential driveway.
2. Upon removal of the vehicle, JT and Grace Robinson contact Code Compliance Officer Tony Escamilla at (626) 744-7893, to schedule a re-inspection of the property.

5. OLD BUSINESS (See attached table for old business referred to City Prosecutor's Office.)

A. Case No. CTP2008-00367 – 1015 N. Hudson Ave. – Council District # 5

Violations: Municipal code violations. Construction without the required building permit. Enclosure of patio cover attached to garage and construction/addition of a bathroom within garage structure without required planning approval and building permits.

Code Compliance Officer: Sharon Gray

Panel Decision (Commissioners Lambajian, Wong and Zitter): The Commission ordered Onecimo "Ricardo" Granados and/or Luz M. Velez to take the following corrective actions within thirty (30) calendar days (unless otherwise noted) from the mailing date of the Order of the Code Enforcement Commission:

1. Submit a completed building permit application and pay all required fees for the building permits and obtain all land-use approval and building permits required to retain the enclosed patio structure and bathroom; or
2. Return the enclosed patio structure to its original configuration (unenclosed) and remove all components of the bathroom from within the garage;
3. Meet all permit requirements of the Pasadena Municipal Code and complete all modifications required to bring the enclosed patio structure and bathroom within the garage into compliance within 60 calendar days from the mailing date of the Order of the Code Enforcement Commission;
4. Contact Code Compliance Officer Sharon Gray at (626) 744-3974 to schedule a re-inspection of the property upon meeting all zoning, code and building permit requirements, and after receiving a final inspection by one of the City's Building Inspectors.

Compliance Date: March 25, 2009 (30 days) and April 24, 2009 (60 days).

Status: Ongoing.

B. Milts Liquor – 400 E. Orange Grove Avenue – Council District # 5

Violation: Violation of the Pasadena Municipal Code Section 8.18.060 – Performance Standards. Operation of a public nuisance.

Deemed Approved Administrator: Rod Olguin

Panel Decision (Commissioners Lambajian, Wong and Zitter): The Commission ordered the addition and imposition of the following conditions to ensure conformity with the performance standards and hereby directed R & P Khinda, Inc. and its President, Parshotan S. Kamboj to take the following corrective actions within thirty (30) calendar days from the mailing date of the Order of the Code Enforcement Commission:

1. The sale or stocking of wine products with an alcohol content greater than 14.9%

are prohibited.

2. The sale or stocking of fortified beer and/or malt beverages with an alcohol content greater than 5.7% are prohibited.
3. The sale or stocking of single containers of beer, malt beverages, and wine coolers in sizes of 12 oz. or less is prohibited, but may be sold in manufacturer pre-packaged multi-unit quantities.
4. The licensee is prohibited from packing merchandise in anything other than translucent plastic bags. It shall be at the City's discretion to modify this requirement as local ordinance dictates.
5. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 and ABC 253 dated (Pursuant to Condition a).
6. Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on ABC-257 and ABC-253 dated December 11, 2008 (Pursuant to Condition a).
7. Signs advertising types of alcoholic beverages for sale at the subject site shall not be visible from anywhere off the site.
8. Alcohol sales shall be for off-site consumption only.
9. Management shall patrol the business premises and the surrounding vicinity, including the Orange Grove Boulevard, Los Robles Avenue, and McGrew Alley rights-of-way adjacent to the property, during all hours of business operation for a distance of 50 feet in each direction from the subject site to ensure that no littering, loitering, or consumption of alcohol occurs. It shall be the responsibility of the business owner / operators of the business to remove such litter from the public right-of-way, and make prompt notification to the Pasadena Police Department of instance of loitering or the public consumption of alcohol. Such patrol of the premises and surrounding vicinity shall occur a minimum of three times daily including one-time each before the hours of 11:00 a.m., 4:00 p.m., and 10:00 p.m. of each business day. The foregoing should be predicated on Business and Professions Code Section 24200(B) that reads as follows:

Requesting those persons engaging in activities causing objectionable conditions to cease those activities, unless the licensee, or his or her agents or employees, feel that their personal safety would be threatened in making that request.
10. The site and surrounding area shall be maintained free of graffiti. Any graffiti that occurs on the site shall be removed within 48 hours.
11. The parking area shall be sufficiently lit to discourage loitering, disturbances of the peace, illegal drug activity, public consumption of alcohol, public drunkenness, public urination, gambling and/or late night activity that is prohibited by law. Such lighting shall be at an amount of not less than two footcandle nor more than three footcandle.
12. Three signs shall be posted on the premises prohibiting loitering and the consumption of alcohol on site. Such signs shall be a minimum of 24 inches wide and 18 inches tall with letters not less than two inches high.
13. The hours of operation shall not exceed 7 a.m. to 11:30 p.m.

14. No pay telephone shall be maintained on the exterior of the premises.
15. There shall be no coin operated games or video machines maintained on the premises at any time.
16. The ownership or management shall comply with all decisions, orders, or directives of the Department of Alcoholic Beverage Control.
17. The ownership or management shall obtain all required planning approval and building permits for items, signs, lighting fixtures or other appurtenances required as a result of this recommended corrective action.

Compliance Date: March 25, 2009

Status: Ongoing.

6. APPROVAL OF MINUTES

Approval of minutes of the Regular Meeting of February 5, 2009.

7. REPORTS AND COMMENTS FROM COMMITTEES

8. REPORTS AND COMMENTS FROM STAFF


A. Monthly InterCon Report

Per Bill Kimura, Environmental Health Program Manager in the Public Health Department, InterCon reported three dog report incidents for the period January and February 2009 (see attached report).

9. REPORTS AND COMMENTS FROM COMMISSION

10. 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 2nd day of March 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.



Jon Pollard, Code Compliance Manager



Josette Pastrana, Recording Secretary

Old Business
List of Cases Referred to City Prosecutor's Office
As of February 2009

<u>Case Number</u>	<u>Property Owner / Property Address</u>	<u>Hearing Date</u>	<u>Violation</u>	<u>Hearing Commission</u>	<u>Disposition</u>
CTP2006-04048	Thomas V. Girardi 100 Los Altos Drive	06/05/08	Installation of gate and fence within the required corner side yard that exceeds the six foot maximum height limit without building permits and planning approval.	G. Rowland, M. Martin Booker, G. Hughes	Rejected as a criminal filing.
Case No. A07-009316	Marco and Hada Tapia 565 Lincoln Ave.	02/07/08	Public Nuisance Dog	N. Lambjian, P. Wong, M. Zitter	Arrest Warrant issued on 11/14/08. Outstanding.
CTP2005-00991	Rudolf Alexander Eleff / 762 Eaton Drive	9/7/2006	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.	G. Hughes, M. Zitter	Preparing paperwork for receivership. Ongoing.

INTERCON BARKING DOG REPORT FOR JANUARY & FEBRUARY 2009

January 21, 2009

504 Champlain Avenue

Complainant called InterCon at 02:25 AM regarding a barking dog at above address. Officer arrived at the location at 02:50 AM. The officer heard a dog barking for a couple of seconds and then stop and the officer was unable to find the exact location of the dog.

February 14, 2009

1906 Los Robles Avenue

Complainant called InterCon at 04:30 AM regarding a barking dog at above address. The Officer did verify a dog barking at the address. The Officer reported the incident.

February 19, 2009

2234 Cooley Place

Complainant called InterCon at 12:20 AM regarding a barking dog at above address. The Officer did verify a dog barking at the address. The Officer reported the incident.