



# Agenda Report

December 4, 2017

**TO:** Honorable Mayor and City Council  
**FROM:** City Attorney/City Prosecutor  
**SUBJECT: REQUEST PREPARATION OF AN ORDINANCE AMENDING THE PASADENA MUNICIPAL CODE TO CHANGE MAXIMUM FINE AMOUNTS FROM \$50.00 TO \$1,000.00 TO CONFORM TO THE MAXIMUM FINE AMOUNTS LISTED IN CALIFORNIA GOVERNMENT CODE SECTIONS 36900 AND 36901**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the Proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060; and
2. Direct the City Attorney to draft an ordinance within 60 days consistent with the provisions set forth herein.

## **BACKGROUND:**

On May 8, 2017, the City Prosecutor's Office presented a proposal to the City Council during budget deliberations to create a program known as the Pasadena Administrative Citation Enforcement Program (PACE). The purpose of this program is to provide an alternative to prosecution through the criminal justice system of violations of the Pasadena Municipal Code. While this program would increase fines for a number of violations of the Pasadena Municipal Code, it would also take these violations out of the criminal justice system. This would give violators an incentive to paying the fine and would allow them to avoid a criminal prosecution and conviction.

PACE would greatly expand the administrative citation process to include personnel from nine City Departments and the Pasadena Humane Society while addressing quality of life issues in the City of Pasadena by offering a Citywide administrative remedy to City Code violations and preserving municipal resources and expanding potential revenue to the City.

Currently, Pasadena Municipal Code section 2.355.050 B only allows for a maximum fine of \$50.00 for violations of the Code. California Government Code section 36900 allows for a maximum fine of \$500.00 for infraction violations and up to \$1,000.00 for building code violations and California Government Code section 36901 allows for a maximum fine of \$1,000.00 for misdemeanor violations.

In line with the reasoning behind the creation of PACE and in keeping with the proposal made to the City Council on May 8, 2017, an amendment to the Pasadena Municipal Code is necessary to accomplish the goals of the PACE Program.

**COUNCIL POLICY CONSIDERATION:**

The proposed amendment of Section 2.355.050 B would help to maintain fiscal responsibility, support and promote quality of life and the local economy, ensure public safety and generate revenue for the City of Pasadena.

**ENVIRONMENTAL ANALYSIS:**

This Proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment.

**FISCAL IMPACT:**

As a result of this proposed ordinance, it is anticipated that the fines paid will increase and that the City of Pasadena will receive the fine revenue rather than the Los Angeles County Court System. At this time, the fiscal impact cannot be determined, although it is reasonable to expect additional revenue in the range of \$240,000 annually.

Respectfully submitted,

  
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