



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: July 8, 2024

FROM: CITY ATTORNEY

SUBJECT: ORDINANCE AMENDING TITLE 6, CHAPTER 6.18 OF THE PASADENA MUNICIPAL CODE TO ESTABLISH A HEARING OFFICER FORM OF ADJUDICATION FOR VICIOUS, POTENTIALLY DANGEROUS, AND PUBLIC NUISANCE DOG HEARINGS

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 6, CHAPTER 6.18 OF THE PASADENA MUNICIPAL CODE TO ESTABLISH A HEARING OFFICER FORM OF ADJUDICATION FOR VICIOUS, POTENTIALLY DANGEROUS, AND PUBLIC NUISANCE DOG HEARINGS

PURPOSE OF ORDINANCE

As directed by the City Council on May 20, 2024, this ordinance amends Chapter 6.18 of Title 6 of the Pasadena Municipal Code to establish a hearing officer form of adjudication to conduct quasi-judicial hearings to determine whether a dog would be deemed a vicious, potentially dangerous, or public nuisance dog. The Code Enforcement Commission ("Commission") currently conducts all hearings on code enforcement matters, including those related to public nuisance animals or vicious dogs. The Commission's nine members are divided into three panels of three members each to conduct hearings. Appeals of determinations made by a three-member panel are heard by the full commission.

The purpose of this ordinance is to replace the three-member panel and Commission-appeal process with a hearing officer to decide whether a dog would be determined to be a vicious, potentially dangerous, or public nuisance dog.

MEETING OF 7/8/2024

AGENDA ITEM NO. 17

REASON WHY LEGISLATION IS NEEDED

A review of adjudication procedures for animal matters in use by eight other cities indicates the current process used by the City of Pasadena is an outlier.

Seven of the eight cities reviewed use a hearing officer model, which offers several benefits including enabling experienced hearing officers to efficiently satisfy due process requirements while protecting the public's health and safety. This process is required to be set for by an ordinance amending the Pasadena Municipal Code.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The City's Public Health Department, in coordination with its contracted poundmaster, will implement this ordinance.

FISCAL IMPACT

Staff estimates the cost of using a hearing officer for all animal related hearings to cost up to \$10,000 per fiscal year.

ENVIRONMENTAL DETERMINATION

On May 20, 2024, the City Council found that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required.

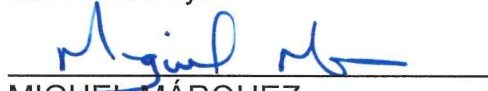
Respectfully submitted,


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