

Office of Administrative Hearings for Baltimore County
105 West Chesapeake Avenue Suite 103
Towson, Maryland 21204

In the Matter of

Civil Citation No. 108857

Jeanette Dove Wilson

7051 Baltimore Street

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on May 30, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-309, 13-7-310: failure to remove animal feces on residential property.

On April 18, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector David Gaine issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (five hundred dollars).

The following persons appeared for the Hearing and testified: Jeanette Dove Wilson, Respondent and, David Gaine, Baltimore County Code Enforcement Officer.

Testimony was presented that this Respondent had appeared before me on May 9, 2011 for the same violation on a citation for violations seen by the Inspector on April 12, 2012. After the hearing, the Inspector went out to the subject property once again and noted the presence of dog feces. was issued, On 5/29/12 a pre-hearing inspection noted the continued presence of dog feces. The Respondent testified that she has tried to instruct her 14 year old daughter to clean up for the dogs after school and has tried to keep up with the animal. Unfortunately, her schedule and the times the dogs are allowed in the yard result in there being feces left out when the Inspector visits. I explained to her that her schedule for pick up either has to change, or the dogs need to be retrained so that their use of the yard occurs when a member of the family can be present to clean up. She committed to dealing with the situation.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars) from the present matter and \$150.00 (one hundred fifty dollars) of the civil penalty suspended pursuant to my previous Order in case No.108857, for a total civil penalty of \$650.00 (six hundred fifty dollars).

IT IS FURTHER ORDERED that \$575.00 of the \$650.00 civil penalty be suspended, with an immediate \$75.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$575.00 civil penalty will be imposed if the subject property is not brought into compliance pursuant to this Order.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$575.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this __6__ day of June 2012

Signed: _____
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.