

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

In the Matter of

Civil Citation No. 107217

Harold T. Stafford
9118 Orbitan Road
Baltimore, MD 21234

8015 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 April 4, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201(d), failure to store garbage in container with tight fitting lids on residential property.

On March 5, 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 \$150.00 (one hundred and fifty dollars).

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

Testimony was presented that as a result of a community sweep on 3/5/12, an inspection of the subject property revealed the presence and use of trash cans without proper lids. A Citation was issued, mailed and posted. The Respondent testified that he has arranged to be at the property prior to garbage pick ups. He stated that the tenant had a care giver on premises who has died. She's purchased additional cans and will see that the property is kept in full compliance.

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 \$150.00 (one hundred and fifty dollars).

IT IS FURTHER ORDERED that the \$150.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$150.00 civil penalty will be imposed if the subject property is not brought into immediate compliance pursuant to this Order.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$150.00 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 April 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.