

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

In the Matter of
William Gibeck
Respondents

Civil Citation No. 117510
2215 Coralthorn Road

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

This matter came before the Administrative Law Judge on October 10, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 13-7-312, Baltimore County Zoning Regulations (BCZR) section 101; 102.1; 1B01.1A; 1B01.1D: Failure to cease open dump on residential property.

On September 27, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink 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 \$400.00 (Four hundred dollars).

The following persons appeared for the Hearing and testified: Stephanie Carmon, Respondent and daughter in law of owner and, Christina Frink, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 9/10/12, revealing the presence of tall grass and weeds in excess of that allowed by code, and , in addition, a large piece of furniture was on the front porch. A Correction Notice was issued. Photographs taken by the Inspector were admitted into evidence. A re-inspection on 9/26/12 noted no change and a Citation was then issued, mailed and posted. A pre-hearing inspection noted no change. The Respondent testified that the grounds were now in compliance and that Respondents daughter would be removing the piece of furniture.

Having heard the testimony and evidence presented at the Hearing:

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IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$400.00 (Four hundred dollars).

IT IS FURTHER ORDERED that the \$400 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$400.00 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 \$400.00 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 ___19___ day of October 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.

LMS/sma