

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

In the Matter of

Civil Citation No. 118761

Charles Green
Janet Green

3703 Cedar Drive

Respondents

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

This matter came before the Administrative Law Judge on November 14, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310(a); 13-7-312; 13-7-401, 402, 403: Failure to remove discarded trash, junk and debris; Failure to cut and maintain grass to 3 inches or below on residential property.

On November 1, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Keith Parker 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: Charles Green, Respondent and owners son and, Keith Parker, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property on 10/9/12 revealed the presence of tall grass and weeds in excess of that permitted by Code, and a number of miscellaneous items of junk, trash and debris on the site. A Correction Notice was issued. A re-inspection on 11/1/121 noted no change and as a result, a Citation was issued, mailed and posted. Photographs taken by the Inspector were admitted into evidence. A pre-hearing inspection on 11/13/12 also noted no change to the conditions on the site. The Respondents acknowledged the testimony of the Inspector, offered an explanation, but did not contest the allegations.

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 \$500.00 (Five hundred dollars).

IT IS FURTHER ORDERED that \$400.00 of the \$500.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$400.00 civil penalty will be imposed if the subject property is not brought into compliance by November 29, 2012.

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 ___20___ day of November 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