

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

In the Matter of

Civil Citation No. 101211

Joseph F. Evering  
331 S. E. 16<sup>th</sup> Avenue  
Pompano Beach, FL 33060

820 Chester Road

Respondents

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

This matter came before the Administrative Law Judge on February 15, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 428B, 13-7-310, 13-7-312; failure to remove all untagged and inoperable vehicles; failure to remove all trash, rubbish, etc; failure to remove all accumulation of lumber, boxes, barrels, cans, stones; failure to comply with correction notice for residential property.

On December 19, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector George Williams issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$10,000.00 (ten thousand dollars).

The following persons appeared for the Hearing and testified: Christopher Christ, Respondent and son of property trustee and, Chip Raynor and George Williams, Baltimore County Code Enforcement Officer's.

Testimony revealed that the property that is the subject of this violation is located at 820 Chester Road in the Bowley's Quarters area of Baltimore County. At one time the property was improved with a single family residence, however as a result of Tropical Storm Isabel, that house was razed by Baltimore County. The property has been the subject of a Code violation since the time that house was torn down in that there remains on the property, various unlicensed automobiles, trash, junk and debris, and a shed where no principal dwelling exists. For years the owners have stated that they intend to replace the house, however they never have and their extensions have run out. Mr. Christ flew in from Pompano Beach Florida and appeared on behalf of the property owners. He stated that he would have the unlicensed cars removed as well as the shed, junk and debris within 30 days. The entire fine was imposed but suspended, pending final cleanup of all violations within 30 days.

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 \$10,000.00 (ten thousand dollars).

IT IS FURTHER ORDERED that the \$10,000.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$10,000.00 civil penalty will be imposed if the subject property is not brought into compliance within a 30 day period or by March 16, 2012.

IT IS FURTHER ORDERED that the remaining \$10,000.00 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 if the property is not cleaned up and brought into total compliance by March 16, 2012, including the removal of the shed and all of its contents, then Baltimore County, its agents or contractors, shall be permitted to enter upon the property to abate all violations at the cost and expense of the owner of the property.

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

ORDERED this 21 day of February 2012

Signed: \_\_\_\_\_  
Timothy M. Kotroco  
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.