

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

In the Matter of

Civil Citation No. 104204

Vickie Taylor
7501 Lochman Lane
Beltsville MD 20705

1436 Dartmouth Avenue

Respondent

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

This matter came before the Administrative Law Judge on January 11, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-112, 115, 310,312; 13-4-201, failure to store all garbage in containers with tight fitting lids on residential property.

On December 8, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Kim Wood 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 \$200.00 (two hundred dollars).

The following persons appeared for the Hearing and testified: Vickie Taylor, Respondent, Stacey Brant, first floor tenant and, Kim Wood, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizens complaint, an inspection of the subject property was carried out on 12/5/11, revealing three cans of garbage without proper lids. An immediate Citation was issued, mailed and posted as this property had been the subject of prior citations. A pre-hearing inspection on 1/10/12 noted that there were four new cans with proper lids on the site. The Respondent testified that he personally inspects the property and will now have his lawn care person pick up trash as necessary. He noted that he had purchased two fifty gallon trash cans; but upon being advised that they were unacceptable because of their size and weight, has replaced them with four thirty-two gallon cans. The Tenant added that she believed some of the trash on the ground was as a result of neighbors and that the trash truck had failed to make a stop there for two weeks in a row.

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 \$200.00 (two hundred dollars).

IT IS FURTHER ORDERED that \$125.00 of the \$200.00 civil penalty be suspended, with an immediate \$75.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$125.00 civil penalty will be imposed if the property is not brought into immediate compliance.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$125.00 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 19th day of January 2012

Signed: ORIGINAL 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.