

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

In the Matter of

Civil Citation No. 109918

Lawrence Guy, Sr.
Johanna Guy

3237 Dundalk Avenue

Respondents

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

This matter came before the Administrative Law Judge on June 13, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310; 13-7-312; 13-4-201(b)(d): failure to remove trash, junk and debris from rear of property, failure to properly store trash and garbage in cans with tight fitting lids on residential property.

On May 14, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Stuart Kelly 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 \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Lawrence Guy, Sr., Respondent and, Stuart Kelly, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 5/3/12, revealing the presence and use of garbage cans without proper lids, tall grass and weeds, and general open dump conditions. Photos of the site were admitted into evidence. A Correction Notice was issued. A re-inspection on 5/14/12 noted that the grass and weeds had been taken care of, but that the cans without proper lids and dump conditions remained. A Citation was issued, mailed and posted. A pre-hearing inspection on 6/11/12 revealed that only the trash can violation remained to be resolved. The Respondent testified that he is in Pennsylvania most of the time and that his son will supervise the property and keep it in compliance.

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 the \$500.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$500.00 civil penalty will be imposed if the subject property is not brought into compliance by June 27, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$500.00 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 June 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