

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

In the Matter of

Civil Citation No. 106178

Mundi Enterprises, Inc.
12615 Crain Hwy
Newburg, MD 20664

1601 Eastern 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 February 22, 2012 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 101; 102.1; 1B01.1A; 1B01.1D 2CPM 500.9, Baltimore County Code (BCC) section 32-3-102, failure to cease use of property as an open dump, failure to comply with site plan, illegal display of products – beyond 5 feet in front of building on residential property.

On February 10, 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 \$600.00 (six hundred dollars).

The following persons appeared for the Hearing and testified: Regina Mundi, Respondent and, Mr. Ehmed, tenant and, Ken Fonzi, witness and, Mark Gowel, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection was carried out at the subject property, which is a service garage; revealing debris, tires stored in the open and in violation of required setbacks, as well as other trash and debris. A subsequent inspection on 12/6/11 noted that the property was in compliance. A follow-up inspection on 2/8/12 unfortunately revealed tires, car parts and other debris once again on the property. A Citation was issued. A pre-hearing inspection of 2/21/12 once again noted that the property was back in compliance. The Tenant explained that he had cleaned up the property again but was advised that he had not only to clean the property, but had to also maintain it in compliance.

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 \$600.00 (six hundred dollars).

IT IS FURTHER ORDERED that \$450.00 of the \$600.00 civil penalty be suspended, with an immediate \$150.00 fine imposed at this time.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$450.00 civil penalty will be imposed if the subject property is not brought into compliance pursuant to this Order.

IT IS FURTHER ORDERED that the remaining \$450.00 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 29 day of February 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.