

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

In the Matter of  
Troy Schultz  
Respondents

Civil Citation No. 121136  
1167 Foxwood Lane

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

This matter came before the Administrative Law Judge on December 19, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201(d): Failure to store garbage in container with tight fitting lids on residential property.

On November 30, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector David Gaine 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 \$150.00 (One hundred fifty dollar).

The following persons appeared for the Hearing and testified: Ms. Stokers, Respondent and, David Gaine, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a complaint, an inspection of the subject property revealed the lack of any garbage cans with tight fitting lids, with garbage in bags on the ground. A Citation was issued, mailed and posted. A re-inspection on 12/18/12 noted that a proper garbage can was in use and no garbage bags were on the ground. The Respondent explained that her teenage son had been responsible, but that he now knew the proper way to put out garbage, using the new can.

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 \$150.00 (One hundred fifty dollars).

IT IS FURTHER ORDERED that the \$150.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$150.00 civil penalty will be imposed if the subject property is not brought into compliance pursuant to this Order.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$150.00 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 \_\_\_2\_\_\_ day of January 2013

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.