

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

In the Matter of

Civil Citation No. 116219

Latonya McIntyre

513 Hilltop 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 October 10, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-401, Baltimore County Zoning Regulations (BCZR) section 428: Failure to cut and maintain the tall grass and weeds in the rear yard; Failure to make operable a vehicle under a cover that has a flat tire on residential property.

On September 6, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Paul Cohen 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 \$7,200.00 (Seven thousand two hundred dollars).

The following persons appeared for the Hearing and testified: Latonya McIntyre, Respondent and, Paul Cohen, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a complaint, an inspection of the subject property was carried out on 8/20/12, revealing the presence of a vehicle with a flat tire,, miscellaneous debris and tall grass and weeds in excess of that permitted. A Correction Notice was issued. Photographs taken by the Inspector were admitted into evidence. A subsequent inspection of the site on 9/6/12 noted that the debris had been removed, but that the vehicle was unchanged and the tall grass and weeds remained. A Citation was issued, mailed and posted. On 10/5/12 a re-inspection noted that the vehicle had been removed, but the tall grass and weeds remained unchanged. The Respondent testified that their lawnmower had broken, but that all violations had now been taken care of.

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 \$5,000.00 (Five thousand dollars).

IT IS FURTHER ORDERED that \$4,900.00 of the \$5,000.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$4,900.00 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 \$4,900.00 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 October 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.