

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

In the Matter of

Civil Citation No. 121663

James Goff
C/o Patricia Mulkey
558 Dowitcher Court
Pasadena, MD 21122

955 Arncliffe Road

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 22, 2013, for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-4-201(d) & 13-7-310(a): garbage not stored in container(s) with tight fitting lids; accumulation of trash, debris, etc. on residential property.

On December 7, 2012, pursuant to BCC § 3-6-205, Inspector Justin Olszewski 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 \$500.00 (Five hundred dollars).

The following persons appeared for the Hearing and testified: Patricia Mulkey on behalf of Respondent, and Justin Olszewski, Baltimore County Code Enforcement Officer.

Evidence was presented that in the course of a community sweep on December 7, 2012, an inspection of the subject property revealed the presence and use of a garbage can without a proper lid, and the presence of junk and debris in the yard. A Citation was issued, mailed and posted. The Inspector presented supporting photographs, which were shown to the Respondent. The Respondent offered an explanation but did not contest the allegation.

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 \$500.00 (Five hundred dollars).

IT IS FURTHER ORDERED that \$450.00 of the \$500.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

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 within 1 year of the date of this Order.

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.

ORDERED this ___28___ day of January, 2013.

Signed: Original Signed
John E. Beverungen
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.