

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

In the Matter of

Civil Citation No. 121724

Dennis Patrick Cole, Jr.

8510 Drumwood 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 30, 2013 for a Hearing on a citation for violations under the Baltimore County Zoning Regulation (BCZR) sections 101; 102.1; 1B01.1A; 1B01.1D, Baltimore County Code (BCC) sections 13-7-112, 115, 309, 310, 312; 13-4-201; 12-3-106: failure to cease open dump conditions; failure to remove dog feces daily; failure to store garbage in containers with lids on residential property.

On January 9, 2013, pursuant to BCC § 3-6-205, Inspector Kimberly Wood 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 \$1,800.00 (One thousand eight hundred dollars).

The following persons appeared for the Hearing and testified: Dennis Cole, Jr, Respondent, and Kimberly Wood, Baltimore County Code Enforcement Officer.

Ms. Wood testified she received a complaint regarding the property, and visited the site on several occasions. She indicated the rear yard was littered with trash, debris, and dog feces. Photographs were submitted which substantiated these conditions. The Respondent stated that he rents the home, and has tried to comply with the regulations and keep the yard clean.

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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 \$1,800.00 (One thousand eight hundred dollars).

IT IS FURTHER ORDERED that \$1,700.00 of the \$1,800.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$1,700.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation within one 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 ___31___ 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.

JEB/sma