

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

In the Matter of

Civil Citation No. 118987

William Updike  
1609 Carriage Hill Drive  
Westminster, MD 21157

2074 Larkhall 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 15, 2013, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201(d): Garbage not stored in container(s) with tight fitting lids on residential property.

On November 29, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Patrick Williams 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 \$250.00 (Two hundred fifty dollars).

The following persons appeared for the Hearing and testified: William Updike, Respondent and Patrick Williams, Baltimore County Code Enforcement Officer.

Evidence was presented that in the course of a community sweep on November 29, 2012, an inspection of the subject property revealed the presence and use of a garbage can without a proper lid. A Citation was issued, mailed and posted. The Inspector presented supporting photographs, which were shown to the Respondent. The Respondent indicated that the house was vacant at the time of the alleged violation, and he also testified that the couch and other debris in the photo was dumped in the rear yard by someone in the neighborhood.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that no civil penalty be imposed in this case.

ORDERED this \_\_\_22\_\_\_ 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