

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

In the Matter of

Civil Citation No. 120413

Philip Gribaudo  
3636 Sussex Road  
Baltimore, MD 21207

2626 Plainfield 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 February 13, 2013 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) sections 428: Failure to tag or remove untagged vehicle on residential property.

On December 3, 2012, pursuant to BCC § 3-6-205, Inspector Daniel O'Neill 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 \$3,000.00 (Three thousand dollars).

The following persons appeared for the Hearing and testified: Philip and Charles Gribaudo, Respondent and, Daniel O'Neill, Baltimore County Code Enforcement Officer.

Evidence was presented that upon a complaint the subject property was inspected on 11/13/12, revealing the presence of an unregistered motor vehicle and miscellaneous junk, trash and debris. A re-inspection on 12/4/12 noted that the junk, trash and debris had been removed but that the unregistered vehicle remained on the site. A Citation was issued, mailed and posted. Another inspection once again noted the presence of an unregistered vehicle on the property. A pre-hearing inspection on 2/11/13 noted that the unregistered vehicle remained, now under a tarpaulin. Photographs taken by the Inspector throughout his investigation were entered into evidence.

The Respondent testified that at one time the unregistered vehicle belonged to a neighbor; and most recently, the unregistered vehicle was going to shortly be removed to Texas, where it would be

properly registered. The Respondent noted that he has access to a fenced in storage area off site at which the vehicle can be kept.

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 \$300.00 of the \$500.00 civil penalty be suspended, with an immediate \$200.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$300.00 civil penalty will be imposed if the unregistered vehicle is not removed from the site and the subject property is not otherwise brought into compliance by February 25, 2013.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$300.00 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.

ORDERED this \_\_\_19\_\_\_ day of February 2013

Signed: Original 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.