

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

In the Matter of

Civil Citation No. 105504

T & J Foley
615 Chestnut Ave., Apt 1311
Baltimore, MD 21204

1304 Halstead 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 January 31, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201(d) Failure to store garbage in container w/tight fitting lids on residential property.

On January 13, 2012, pursuant to § 3-6-205, Baltimore County Code, 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 \$ 75.00 (seventy five dollars)

The following persons appeared for the Hearing and testified: Tom Foley, Respondent and owner of the property, Lenette Dent, Tenant and, Justin Olszewski, Baltimore County Code Enforcement Officer.

Testimony revealed that the respondent is guilty of storing trash in cans without tight fitting lids.

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 \$75.00 (seventy five dollars)

IT IS FURTHER ORDERED that \$65.00 of the \$75.00 civil penalty be suspended, with an immediate \$10.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$65.00 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 ___**3**___ day of February 2012

Signed: _____
Timothy M. Kotroco
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.