

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

In the Matter of

Civil Citation No. 122665

Jajistar and Son, Inc  
408 Briars Garth  
Bel Air, MD 21015

2143 Firethorn 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 20, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201(d); 13-7-203, 315: Garbage not stored in container(s) with tight fitting lids; Existence of rat harborage on residential property.

On January 9, 2013, 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 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 \$300.00 (Three hundred dollars).

The following persons appeared for the Hearing and testified: Paul Clary, Respondent and, Adam Whitlock, Baltimore County Code Enforcement Officer.

Evidence was presented that in the course of a community sweep on 01-09-13, an inspection of the subject property revealed the presence and use of a garbage can without a proper lid, bags of garbage on the ground as well as evidence of rat holes in the ground .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. The Respondent testified that they now have compliant garbage cans. In addition, they are attempting to flush the rat holes and

are treating them with poison. They will consider a professional exterminator. 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 \$300.00 (Three hundred dollars).

IT IS FURTHER ORDERED that \$225.00 of the \$300.00 civil penalty be suspended, with an immediate \$75.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$225.00 civil penalty will be imposed if the subject property is not brought into immediate compliance pursuant to this Order.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$225.00 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 \_\_\_26\_\_\_ 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.