

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

In the Matter of

Civil Citation No. 86869

Bashir Imtiaz
9014 Scotts Haven Drive
Parkville, MD 21234

2111 Merritt Avenue

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 9, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 21-19-102; 21-19-103: Failure to cease the delivery of more than one unsolicited advertising circular to a residential address in the county within any six month period; Failure to include on all solicitations the notice required for notification regarding non-delivery on residential property.

On December 18, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Daniel O'Neill 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 \$1,000.00 (One thousand dollars).

The following persons appeared for the Hearing and testified: Bashir Imtiaz, Respondent, Mrs. Barker, complainant, and Daniel O'Neill, Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent operates a pizza shop at the above address. Mrs. Barker, a neighbor who lives nearby, testified she received at her home, colored advertising circulars from the Respondent's business. Mrs. Barker indicated she received two of the circulars, approximately one month apart. The Respondent testified he hired Pennysaver to distribute his advertisements by mail, and that he did not know how it was that the circulars wound up on Mrs. Barker's door and fence.

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 \$1,000.00 (One thousand dollars).

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 __10__ 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.