

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

In the Matter of

Civil Citation No. 122751

Danny Jackson  
Barbara Jackson

73 Wiltshire 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 30, 2013 for a Hearing on a citation for violations under the Baltimore County Code (BCC) sections 13-7-309, 310: failure to remove animal feces on residential property.

On January 11, 2013, pursuant to BCC § 3-6-205, Inspector David Gaine issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondents 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: Barbara and Rachel Jackson, Respondents, and David Gaine, Baltimore County Code Enforcement Officer.

Mr. Gaine testified that he inspected the property after receiving a complaint, and observed an excessive amount of dog feces. Photographs were submitted depicting these conditions. The Respondents testified that they work each day, and attempt to clean up the dog waste every day. According to a policy on animal solid waste issued by the County on April 13, 2009, animal feces must be removed from private property "daily," and the Petitioners indicated they would comply with that requirement.

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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 the \$300.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the suspended \$300.00 civil penalty will be imposed automatically if there is a subsequent finding against the Respondents for the same violation within one year of the date of this Order.

ORDERED this \_\_\_31\_\_\_ 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