

VILLAGE OF HARVEYSBURG

RESOLUTION 2021- 13

RESOLUTION TO ADOPT THE WARREN COUNTY COURT BOND SCHEDULE WITH REGARDS TO VIOLATIONS/ACTIONS IN THE HARVEYSBURG MAYOR'S COURT

WHEREAS, the Village Council wishes to direct the appropriate bond payment schedule for cases originating and proceeding in the Harveysburg Mayor's Court.

Now, therefore, be it ordained by the Council of the Village of Harveysburg, Warren County, Ohio, with at least two-thirds of all members elected concurring:

Section 1: That it is necessary to establish the appropriate bond payment schedule for the Court pursuant to R.C. § 1905 et seq and R.C. § 1907 et seq.

Section 2: That the Council has determined to adopt, effective immediately, the attached bond payment schedule of the Warren County Court, attached hereto and incorporated herein, for all cases pending in the Harveysburg Mayor's Court.

Section 3: This Resolution was adopted in an open public session pursuant to section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall be deemed an emergency measure for the Village welfare and thereby the three readings as required by law are waived.

Adopted: July 26th, 2021

Mary A. Wilkie

Mary A Wilkie, Fiscal Officer

Richard (Dick) Verga

Mayor Richard (Dick) Verga

Mark Tipton

Council Pro Tempore Mark Tipton

WARREN COUNTY COURT BOND SCHEDULE

Effective: July 1, 2021

VIOLATIONS WHERE APPEARANCE MAY NOT BE REQUIRED

For the violations listed in this section, the Defendant may pay, by mail, phone or in person, the fines listed for the respective offense(s) in lieu of court attendance, except where "Required Appearance" is indicated. Traffic offenders must show proof of insurance.

Failure to either pay the fines as described or appear in Court will result in a warrant to be issued for your arrest and/or cancellation of your operator's license.

SPEEDING VIOLATIONS

Up to 15 miles over	\$ 175.00
16 to 30 miles over	\$ 195.00
31 to 34 miles over	\$ 235.00
35 and over	Required Appearance
Second speeding offense within 12 months (up to 34 miles over)	\$ 285.00
Second or more speeding offense within 12 months (35 miles & over)	Required Appearance
Third or more speeding offense within 12 months	Required Appearance
School Zone	
First offense within 12 months (up to 15 miles over)	\$ 235.00
Second offense within 12 months or 16 miles and over	Required Appearance
Construction Zone (with or without workers)-	
The fine amount will be doubled and then costs added on.	
Failure to Stop for a school bus	Required Appearance
Reckless Operation (Disregard of Safety—1st)	\$ 285.00
Expired Registration (Reg. Violation / Fail to file for Reg.)	\$ 185.00
Fictitious Registration	\$ 285.00
No Operators License (Includes No M/C Endor, Correc.Lense)	Required appearance
Expired Operators License	
Expired up to 6 months	\$ 185.00
Expired OVER 6 months	Required Appearance
Other Minor Misdemeanor <i>MOVING</i> Traffic offense without an accident	\$ 175.00
Other Minor Misdemeanor <i>NON-MOVING</i> Traffic offense without an accident	\$ 160.00
Other Minor Misdemeanor Traffic offense with accident, no injuries	\$ 205.00
Other Minor Misdemeanor Traffic offense with accident, with injuries	\$ 250.00
Unclassified Misdemeanors	Required Appearance

PARKING VIOLATIONS

Fire Lane Violation (Appearance Not Required)	\$ 135.00
Handicap Parking Violation (Appearance Not Required)	\$ 310.00
Other M-M Parking Violation (Appearance Not Required)	\$ 120.00

SAFETY VIOLATIONS (NON-MOVING VIOLATIONS)

Seat Belt	
Driver	\$ 106.00
Passenger	\$ 96.00
Child Restraint	\$ 180.00
Unsafe Vehicle	\$ 280.00
Open Container in a Motor Vehicle	\$ 225.00
Intoxicated Pedestrian on Highway	\$ 280.00
Consumption in a Motor Vehicle	\$ 320.00

NON-MOVING TRAFFIC VIOLATIONS

4301.632	Illegal Purchase Alcohol	4511.701	OCC Travel Trailer
4301.64	Consume Alcohol in Motor Vehicle	4511.70B	Interference with a Driver
4503.12	Registration Violation	4511.81	Failure to Use Child Restraint
4503.21	Tag/Sticker Violation	4513.03	No Headlights
4503.235	Immobilization Waiver	4513.04	One Headlight
4505.18	Title Violation	4513.05	No Rear Illumination
4507.071(D)	All Occupants Secure	4513.06	Red Reflectors Required
4507.30/163	Drivers License Misrep	4513.07	Safety Lighting of Commercial vehicle
4507.35	Display of License	4513.071	Stop Light Regulations/Brake Lights
4509.74	Fail to Report Accident	4513.08	Obscured Lights on Vehicle
4509.76	Driving Under Susp.	4513.09	Red Flag Required on Extended Load
4510.44	Immobilization Device Violation	4513.10	Lights Required on Parked Vehicle.
4511.121	Weigh Station Viol.	4513.12	Spot/Aux Lights
4511.194	Physical Control	4513.13	Viol. Of Cowl, Fender, & Back-up Lights
4511.203	Wrongful Entrustment (M1 – not payable)	4513.14	Two Headlights Required
4511.48	A Right of Way Yielded by Pedestrian	4513.15	Use of Headlight Beams
4511.49	Moving in Crosswalk	4513.16	Lights of Less Intensity on Slow M/V
4511.50	Walking on Roadway/Street	4513.17	Number of Lights Permitted
4511.51	Hitchhiking Prohibited on Highway	4513.18	Snow Removal Equip Viol
4511.51C	No Person Shall Ride on Outside of Vehicle	4513.19	Focus/Aim of Light
4511.51D	Operator Permit Passenger to hang on /Ride Outside of Motor Vehicle (M4)	4513.20	Brake Equipment
4511.51E	Riding in Bed of a Pickup Truck Under the Age of 16	4513.21	Horn Required
4511.51F	Violation of Riding in Enclosed Cargo area	4513.22	Mufflers Required
4511.52	Bicycle Travel	4513.23	Rear View Mirrors Required
4511.53	Operate Motorcycle Without Safety Equipment	4513.24	Windshields and Wipers
4511.54	Violation of Attaching Bikes to Vehicles	4513.241	Tinted Windows Viol
4511.55	Rules for Riding Bikes Abreast	4513.25	Solid Tire Required
4511.56	Lights/Signals on Bicycle	4513.26	No Safety Glass Where Glass Used
4511.611	Unattended Motor Vehicle	4513.261	Directional Signals
4511.70	Obstructed View	4513.262	Failed to Have Working Seat Belts In Motor Vehicle
		4513.263	Seat Belt Law
		4513.27	Requirement for Extra Signal
		4513.27A	Equipment Violation
		4513.29	Vehicle Transport Explosive

DOG & KENNEL

Fail to Give Transfer of Ownership Certificate	\$ 275.00
Violation of Rabies Quarantine	\$ 275.00
Fail to Obtain License	\$ 195.00
Fail to Confine Dog(s)	
First Offense	\$ 195.00
Second (or more) Offense within one year	Required appearance
Kinder Capture of Unregistered Dog or Examination of	
Dog Wearing Tag	\$ 195.00
Harboring Dog Wearing Unlawful Tag	\$ 195.00

PUCO

Operating an Out-of-Service Vehicle	Required Appearance
Out-of-Service Driver Operating A Vehicle	\$ 575.00
Possession of Intoxicating Beverage	Required Appearance
ALL OTHER PUCO VIOLATIONS (Example: Permit Viol.)	\$ 285.00
Insecure load, Overlength, Over width	\$ 285.00
Equipment Violation (1 st Offense)	\$ 275.00
Overweight5	
0 – 2,000 lbs.	\$ 215.00
2,001 – 2,099 lbs.	\$ 255.00
2,099 – 5,000 lbs.	
(Plus \$1.00 per hundred Wt. More than 2,000 pounds) (use \$.01)	\$ 255.00
5,001 – 5099 lbs.	\$ 365.00
5,100 – 10,000 lbs.	
(Plus \$2.00 per hundred Wt. More than 5,000 pounds) (use \$.02)	\$ 365.00
10,001 – 10,099 lbs.	\$ 595.00
10,100 – 30,000 lbs.	
(Plus \$3.00 per hundred Wt. More than 10,000 pounds) (use \$.03)	\$ 595.00

Example Formula for figuring bond amount:

If defendant is charged with 9,450 lbs. overweight:

$$9,450 \text{ lbs.} - 5,000 \text{ lbs.} = 4,450 \text{ lbs.} \times \$.02 = \$89 + \$365 = \$454.00$$

Or you can use:

$$9,450 \text{ lbs.} - 5,000 \text{ lbs.} = 4,450 \text{ lbs. divided by } 100 = \$44.50 \times \$2.00 = \$89 + \$365 = \$454.00$$

CRIMINAL AND TRAFFIC VIOLATIONS – APPEARANCE REQUIRED

HOLD FOR COURT

MURDER
RAPE
MAJOR DRUG OFFENDERS
DOMESTIC VIOLENCE
VIOLATION OF TPO

OVI OFFENSES

ANY FELONY OVI \$ 50,000.00 (NO 10% with TAD MONITOR)
OVI 1st in LIFETIME \$ 15,000.00
OVI 2nd in LIFETIME \$ 15,000.00
OVI 3rd in LIFETIME \$ 50,000.00 (with SCRAM/TAD)

FELONY OFFENSES

F-1 Offenses \$ 200,000.00 (NO 10% PERMITTED)
F-2 Offenses \$ 100,000.00 (NO 10% PERMITTED)
F-3 Offenses \$ 50,000.00 (NO 10% PERMITTED)
F-4 Offenses \$ 25,000.00 (10% PERMITTED)
F-5 Offenses \$ 12,500.00 (10% PERMITTED)

MISDEMEANOR OFFENSES

M-1 Offense \$ 15,000.00
M-2 Offense \$ 10,000.00
M-3 Offenses \$ 7,500.00
M-4 Offenses \$ 5,000.00

GENERAL PROVISIONS

Pursuant to Rule 46 of the Ohio Rules of Criminal Procedure, the following bond schedule is established for use in the Warren County Court.

Bonds may be satisfied by any of the following:

- 1) A surety bond.
- 2) A bond secured by real estate or securities as allowed by law.
- 3) The sum of ten percent (10%) of the amount of the bond in cash deposited with the Court.

Any bond money deposited with the Court will be returned to the person who deposited the bond on behalf of the defendant upon disposition of his/her case, after full payment of fines and costs and completion of all court orders, less a 10% fee retained by the Court pursuant to CrimR. 46(2).

All bail bonds posted will have a \$25.00 bail surcharge added to the defendant's case as a cost that is assessed by the State of Ohio. If the defendant is convicted, pleads guilty, or forfeits bail, the clerk sends the \$25.00 to the Treasurer of State (R.C. 2937.22).

WILDLIFE LAWS

M-1 Offenses (Required Appearance)	\$15,000.00
M-2 Offenses (Required Appearance)	\$10,000.00
M-3 Offenses (Appearance Not Required*)	\$ 275.00
M-4 Fishing Violations (Appearance Not Required*)	\$ 175.00
M-4 Offenses (Appearance Not Required*)	\$ 225.00
M-M Offenses (Appearance Not Required*)	\$ 195.00
Hunting Without License (Appearance Not Required*)	\$ 275.00

*Upon requirement of the citing officer, or if serious injuries or death occurred, the Defendant must appear.

WATERCRAFT LAWS

M-1 Offenses (Required Appearance)	\$15,000.00
M-2 Offenses (Required Appearance)	\$10,000.00
M-3 Offenses (Required Appearance)	\$7,500.00
M-4 Offenses	\$ 225.00
M-M Offenses (Appearance Not Required*)	\$ 195.00

*Upon requirement of the citing officer, or if serious injuries or death occurred, the Defendant must appear.

PARKS & RECREATION

M-1 Offenses (Required Appearance)	\$15,000.00
M-2 Offenses (Required Appearance)	\$10,000.00
M-3 Offenses (Required Appearance)	\$7,500.00
M-4 Offenses (Required Appearance)	\$5,000.00
M-M Offenses (Appearance Not Required*)	\$ 195.00
M-M Parking Violations (Appearance Not Required*)	\$ 135.00

*Upon requirement of the citing officer, or if serious injuries or death occurred, the Defendant must appear.

Speeding offenses within parks use SPEED Bond Schedule, above.

OTHER

Littering	\$ 275.00
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APPROVED:

Date: _____

Robert S. Fischer, Administrative Judge

Date: _____

Gary A. Loxley, Judge