

AN ORDINANCE CREATING CHAPTER 353 OF THE CODIFIED ORDINANCES OF REMINDERVILLE, OHIO ENTITLED "PARKING VIOLATIONS BUREAU."

WHEREAS, Council finds good cause to amend the Codified Ordinances of Reminderville, Ohio by adding Chapter 353 as Sections 353.01.01 through 353.07 of the Codified Ordinance of Reminderville, Ohio, relating to parking violations, now, therefore,

BE IT ORDAINED, by the Council of the Village of Reminderville, County of Summit, and State of Ohio:

SECTION 1: That Council hereby creates Chapter 353 of the Codified Ordinances of the Village of Reminderville which shall read as follows:

**CHAPTER 353
PARKING VIOLATIONS BUREAU**

- 353.01 PURPOSE
- 353.02 CREATION OF NON-CRIMINAL PARKING VIOLATIONS
- 353.03 AUTHORIZATION
- 353.04 ANSWER TO CHARGE OF PARKING VIOLATION
- 353.05 HEARING UPON DENIAL OF PARKING INFRACTION CHARGE
- 353.06 APPEALS
- 353.07 PENALTIES

353.01 PURPOSE

(A) There is hereby created in the Village of Reminderville, in accordance with Ohio Revised Code, Chapter 4521, a Parking Violations Bureau, to handle all parking infractions occurring with the Village of Reminderville, including parking infractions that are in violation of ordinances, resolutions or other local authorities that occur within the territory or the Village.

(B) The Village shall, when the same becomes necessary, appoint a violations clerk, hearing examiner(s) and necessary clerical employees as is necessary to provide for the proper functions of the Parking Violations Bureau. No person shall be employed as a hearing examiner unless the person is an attorney admitted to the practice of law in the state of Ohio or formerly was employed as a law enforcement officer.

353.02 CREATION OF NON-CRIMINAL PARKING VIOLATIONS

Violations of the Village of Reminderville Parking Ordinance shall not be considered a criminal offense for any purpose and no person who commits a violation or infraction thereof shall be arrested as a result of the commission of such violation or infraction. Violations thereof shall be handled in accordance with this Chapter and Ohio Revised Code, Chapter 4521.

353.03 AUTHORIZATION

Parking tickets shall be as authorized in accordance with Ohio Revised Code 4521.03 and, unless otherwise specified by law or the Parking Violations Bureau, the ticket shall be the Ohio Uniform Traffic Ticket, as described in Ohio Revised Code, 4521.03(B), except as provided in Reminderville Codified Ordinances, Section 351.04, for handicapped parking.

353.04 ANSWER TO CHARGE OF PARKING VIOLATION

(A) The time within which a person who is issued a parking ticket must answer to the charge on the ticket is fifteen (15) calendar days. The answer shall be made by personal appearance before the Parking Violations Bureau or my mail. If by mail, the time for answering shall be extended in accordance with the Rules of Civil Procedure. No answer may be received by telephone. The answer shall consist of:

(1) An admission that the person committed the parking infraction, by payment of any fine arising out of the parking infraction;

(2) An admission that the person committed the parking infraction, with an explanation of the circumstances surrounding the parking infraction;

(3) A denial that the person committed the parking infraction and a request for a hearing relative to the infraction. If the person desires the presence at the hearing of the law enforcement officer who issued the parking ticket, the person must request his presence in his answer.

(B) The Bureau, in the event it receives an answer which contains an explanation of the circumstances surrounding the parking infraction, may eliminate or reduce such part of the fine arising out of the parking infraction as it, in its discretion, deems appropriate. Such determination shall be made in writing and forwarded to the person making the explanation.

(C) Failure to answer shall be punishable as an additional parking infraction and shall be subject to a fine in an amount not to exceed One Hundred Dollars (\$100.00), plus costs and other administrative costs, per infraction.

353.05 HEARING UPON DENIAL OF PARKING INFRACTION CHARGE

(A) A person who denies that he committed a parking infraction shall be granted a hearing concerning the infraction. The Parking Violations Bureau shall set a date for the hearing and notify the person, in writing of the date, time and place of the hearing. The hearing shall be conducted by a hearing examiner of the parking Violations Bureau in accordance with Ohio Revised Code, Section 4521.08.

353.06 APPEALS

All appeals from the Parking Violations Bureau, its orders or judgments or any other orders entered pursuant to this Chapter, shall be made to the Stow Municipal Court, Stow, Ohio, by filing a notice of the appeal to the Parking Violations Bureau and the Stow Municipal Court within fifteen (15) days of the date of the entry of the judgment and by the paying of such

reasonable costs as the Court requires. All appeals shall be processed in accordance with procedural and substantive provisions of Ohio Revised Code, Section 4521.08(D)

353.07 PENALTIES

(A) Violations of this Chapter, unless otherwise specified herein, shall be punishable as follows:

1. Twenty-five Dollars (\$25.00) for all parking violations except as contained in Codified Ordinances, Section 351.04, regarding handicapped parking, if paid within fifteen (15) days of the issuance of the initial citation; after fifteen (15) days from the initial issuance, a Fifty Dollar (\$50.00) late fee shall be added.

2. Two Hundred Fifty Dollars (\$250.00) to Five Hundred Dollars (\$500.00) for handicapped parking violations as described in Codified Ordinances, Section 351.04 if paid within fifteen (15) days of the issuance of the initial citation; after fifteen (15) days from initial issuance, a Fifty Dollar (\$50.00) late fee will be added.

(B) No late fees will be imposed on any fine if an answer is filed in compliance with Codified Ordinances, Section 353.04 above while the appeal process is pending.

(C) The Village of Reminderville may utilize third party collection efforts to recover unpaid fines and fees, regarding any default account. The person cited shall be responsible for any fees due to the outside or third party collection agency for their services rendered to collect on behalf of Reminderville.

(D) The Chief of Police of the Reminderville Police Department may provide for the impoundment or the immobilization of any vehicle involved with violations of this Chapter after the expiration of ten (10) days from the date of any entry establishing judgment or default judgment. Such impoundment or immobilization shall occur through the auspices of the authorized village towing company. The Chief of Police shall establish a bond or cash deposit to secure the release of such impounded vehicle, provide, however, that the deposit shall not exceed One Thousand Dollars (\$1,000.00).

SECTION 2: That Council hereby requests that the Stow Municipal Court authorize the establishment of a parking violations bureau subject to the provisions of this Ordinance to handle all parking infractions occurring within the Village of Reminderville that are violations of ordinances, resolutions or regulations and that occur within the Village of Reminderville.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Adopted:

Sam Alonso, Mayor

Attestation:

Stacey Task
Clerk of Council

I, Stacey Task, Clerk of Council of the Village of Reminderville, Summit County, Ohio do hereby certify that the foregoing **ORDINANCE 08-2016** was duly and regularly adopted by the Council of the Village of Reminderville at a regular meeting of Council on the _____day of _____, 2016.

Stacey Task
Clerk of Council