

RECORD OF ORDINANCES

Ordinance No. 16-15

Passed _____, 20____

AN ORDINANCE CREATING A PARKING VIOLATIONS BUREAU IN THE VILLAGE OF GENOA; AND DECLARING AN EMERGENCY

WHEREAS, The Village of Genoa has determined it is in the best interest of the Village to create a Parking Violations Bureau.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GENOA:

SECTION 1. GENERAL REQUIREMENTS.

(a) Except as provided in Codified Ordinance Section 351.04 pertaining to handicap parking, a parking ticket shall be the summons and complaint for purposes of issuing parking ticket citations: The provisions of this, chapter and all actions taken pursuant to this chapter are civil and remedial in nature and not designed to punish the offender and are not criminal offenses. No violation of this chapter shall be considered a misdemeanor of any class, and no person shall be arrested for a violation of this chapter.

(b) Each parking citation issued shall contain the following information:

- (1) The address and phone number of the Genoa Parking Violations Bureau;
- (2) The location as to where the person cited appears to pay the citation and the time by which the person must appear and who the person must appear in front of;
- (3) The procedure to contest the citation;
- (4) The specific ordinance allegedly violated with a description of the offense; and
- (5) Any penalty for not paying the ticket within the time prescribed.
- (6) Any other information as required by Section 2(a).

SECTION 2. PROCEDURES.

- (a) A parking enforcement officer or police officer who issues a parking ticket for a parking infraction shall complete the ticket by identifying the parking infraction charged, recording the license plate number, type, and make or model of the vehicle, and indicating the date, time, and place of the parking infraction charged. The officer shall sign the ticket and affirm the facts it contains. If the operator of the vehicle is present, the officer also shall record on the ticket the name of the operator in a space provided on the ticket for identification of the offender; and then shall personally serve the parking ticket upon the operator. If the operator of the vehicle is not present, the officer shall insert the word "owner" in the space provided on the ticket for identification of the offender, and then shall constructively serve the parking ticket upon the owner of the vehicle by affixing the ticket to the vehicle in a conspicuous place.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 16-15

Passed _____, 20____

D. Be a former law enforcement officer or present attorney licensed to practice law within the State of Ohio.

(3) The Mayor shall assign such other duties to Village personnel as is necessary to properly operate the Parking Violations Bureau.

(4) All fines and penalties established for a parking infraction shall be collected by the Fiscal Officer and paid into the Village Treasury.

SECTION 4. ANSWER TO CHARGES.

(a) A person who is served with a parking ticket charging the commission of a parking infraction may answer the charge by personal appearance at the Genoa Village Hall during normal business hours or by mail. The answer shall be made within seven calendar days of the issuance of the parking ticket and shall be either:

(1) An admission that the person committed the parking infraction by payment of the fine; or

(2) An admission that the person committed the parking infraction with an explanation; or

(3) A denial that the infraction occurred and a request for a hearing.

(b) A denial must be written on the back of the ticket when a denial is entered. Otherwise, the person need only pay the fine to the Clerk.

(c) When person denies that he/she has committed a parking violation he shall be granted a hearing which shall be civil in nature. The 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 the Hearing Examiner in accordance with R.C. Section 4521.08 which is incorporated herein by reference.

(d) A person who admits that he committed a parking infraction shall, and a person who admits that he committed a parking infraction with explanation may, when he makes his answer, pay the fine arising out of the infraction admitted to the violations clerk of the bureau to which the answer is made.

(e) If a person fails to timely answer to a parking ticket citation, after that person has been personally or constructively served with the citation charging the offense, the Clerk or Deputy Clerk of the Village of Genoa Parking Violations Bureau shall issue a notice of infraction and shall proceed pursuant to Section 5 below. Failure to answer a charge may result in the imposition of additional penalties set forth in this chapter.

SECTION 5. FAILURE TO ANSWER; PROCEDURES.

(a) When a person is personally or constructively served with a parking ticket charging the commission of a parking infraction and the person fails to answer the charge within the time specified by Section 4(a), the Clerk or Deputy Clerk of the Genoa Parking Violations Bureau shall send notifications of infraction as follows:

