

CITY OF CHEVIOT  
STATE OF OHIO

ORDINANCE NO. 24-03

**TO AMEND SECTIONS 30.17 AND 70.09 OF THE CHEVIOT CODE OF ORDINANCES TO CORRECT THE ALLOCATION OF COSTS TO COMPUTER FUNDS.**

**WHEREAS**, this Council passed legislation that amended Cheviot Code of Ordinances Section 30.17 (concerning Mayor's Court Computer Fund) and Section 70.09 (concerning payment of fines and court cost under Title VII); and

**WHEREAS**, this Council authorized the increase of court costs allocated to the Mayor's Court Computer Fund should be increased from \$3.00 to \$13.00 per payout citation and court costs from Mayor's Court; and

**WHEREAS**, Council has determined that the allocation of the court costs should have been \$3.00 to the Mayor's Court Computer Fund and \$10.00 to the Clerk of Court's Computer Fund; and

**WHEREAS**, Section 30.17, Mayor's Court Computer Fund, Subsection (A) currently reads as follows: "(A) Thirteen dollars from pay out citations and court costs from the city's Mayor's Court shall be allocated to a special fund titled the Municipal Mayor's Court Computer Fund."

**WHEREAS**, Section 70.09, Fines; Court Costs, Subsection (B) currently reads as follows:

(B) Court costs. The following court costs shall be assessed as court costs from Mayor's Court:

<u>Cost</u>	<u>Traffic</u>	<u>Criminal</u>	<u>Parking</u>
Victims of Crime (state)	\$9.00	\$9.00	-
Drug Law Enforcement Fund (state)	\$3.50	-	-
Indigent Alcohol Treatment Fund (other)	\$1.50	-	-
Indigent Defense Support Fund (state)	\$5.00	-	-
Indigent Defense Support Fund (state)	\$20.00	\$20.00	-
Computer Fund (local)	\$13.00	\$13.00	\$13.00
City General Revenue (local)	\$62.00	\$62.00	\$62.00
<b>TOTAL:</b>	<b>\$114.00</b>	<b>\$104.00</b>	<b>\$75.00</b>

Payout citations for criminal and traffic offenses shall include the court costs as stated above.

Additional costs shall be assessed as follows:

<u>Cost</u>	<u>Amount</u>
Bond administration fee	** 10% of bond posted
Certified mail fee (local)	\$8.00

Dangerous dog registration (area)	\$35.00
Sealing of Records fee (local)	\$20.00
Sealing of Records fee (state)	\$30.00
Lab work (area)	\$150.00
Late fee (local)	\$25.00
Returned check fee (local)	\$35.00
Witness fee (local)	\$6.00

**WHEREAS**, Cheviot Code of Ordinances Sections 30.17 and 70.09 shall be amended to correct the allocation to the Mayor's Court Computer Fund.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF, CONCURRING, THAT:**

Section 1. Section 30.17, Mayor's Court Computer Fund, Subsection (A) shall be amended as follows:

(A) Thirteen dollars from pay out citations and court costs from the city's Mayor's Court shall be allocated as follows:

(1) Three dollars to the Mayor's Court Computer Fund (Computerization Fund-Mayor's court); and

(2) Ten dollars to the Clerk of Courts Computer Fund (Computer Fund-Office of Clerk).

Section 2. The full text of amended Section 30.17, Mayor's Court Computer Fund, is attached hereto in Exhibit "A," and is incorporated by reference.

Section 3. Section 70.09, Fines; Court Costs, Subsection (B) is hereby amended as follows:

(B) Court costs. The following court costs shall be assessed as court costs from Mayor's Court:

<u>Cost</u>	<u>Traffic</u>	<u>Criminal</u>	<u>Parking</u>
Victims of Crime (state)	\$9.00	\$9.00	-
Drug Law Enforcement Fund (state)	\$3.50	-	-
Indigent Alcohol Treatment Fund (other)	\$1.50	-	-
Indigent Defense Support Fund (state)	\$5.00	-	-
Indigent Defense Support Fund (state)	\$20.00	\$20.00	-
Mayor's Court Computer Fund (local)	\$3.00	\$3.00	\$3.00
Clerk of Court Computer Fund (local)	\$10.00	\$10.00	\$10.00
City General Revenue (local)	\$62.00	\$62.00	\$62.00
<b>TOTAL:</b>	<b>\$114.00</b>	<b>\$104.00</b>	<b>\$75.00</b>

Payout citations for criminal and traffic offenses shall include the court costs as stated above.

Additional costs shall be assessed as follows:

<u>Cost</u>	<u>Amount</u>
Bond administration fee	** 10% of bond posted
Certified mail fee (local)	\$8.00
Dangerous dog registration (area)	\$35.00
Sealing of Records fee (local)	\$20.00
Sealing of Records fee (state)	\$30.00
Lab work (area)	\$150.00
Late fee (local)	\$25.00
Returned check fee (local)	\$35.00
Witness fee (local)	\$6.00

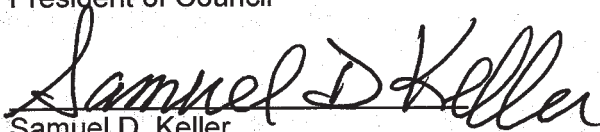
Section 4. The full text of amended Section 70.09, Fines; Court Costs, is attached hereto in Exhibit "A," and is incorporated by reference.

Section 5. The existing versions of Section 30.17 and 709.09 are hereby repealed and replaced by the amended versions.

Section 6. This Ordinance shall be in effect at the earliest time allowed by law.

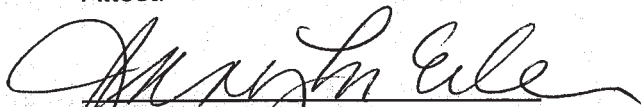
  
Kerry Smyth  
President of Council

3/5/24  
Date passed


  
Samuel D. Keller  
Mayor

3/5/24  
Date approved

Attest:

  
Jenny M. Eilermann  
Clerk of Council

Approved as to form:

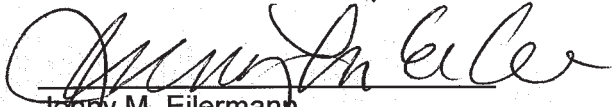
  
Kimberlee Erdman Rohr  
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Cincinnati Court Index*, a

newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) 3/8, 2024, and
- 2) 3/15, 2024.

  
Jenny M. Eilermann  
Clerk of Council

**EXHIBIT A**  
**AMENDED VERSIONS OF CHEVIOT CODE OF ORDINANCES**

**§ 30.17 MAYOR'S COURT COMPUTER FUND.**

(A) Thirteen dollars from pay out citations and court costs from the city's Mayor's Court shall be allocated as follows:

(1) Three dollars to the Mayor's Court Computer Fund (Computerization Fund-Mayor's court); and

(2) Ten dollars to the Clerk of Courts Computer Fund (Computer Fund-Office of Clerk).

(B) The City Auditor shall take all necessary measures to secure authorization from the State Auditor to establish the Municipal Mayor's Court Computer Fund.

(C) Establishment of the fund shall be effective from the date authorization from the State Auditor's office is received by the city.

(Ord. 1593, passed 7-6-93)

**§ 70.09 FINES; COURT COSTS.**

(A) All fines other than those paid in the mayor's court shall be paid at the Traffic Violations Bureau of the City of Cheviot, 3814 Harrison Avenue, Cheviot, Ohio, Monday through Friday, between the hours of 8:00 a.m. to 4:00 p.m.

(B) Court costs. The following court costs shall be assessed as court costs from Mayor's Court:

<u>Cost</u>	<u>Traffic</u>	<u>Criminal</u>	<u>Parking</u>
Victims of Crime (state)	\$9.00	\$9.00	-
Drug Law Enforcement Fund (state)	\$3.50	-	-
Indigent Alcohol Treatment Fund (other)	\$1.50	-	-
Indigent Defense Support Fund (state)	\$5.00	-	-
Indigent Defense Support Fund (state)	\$20.00	\$20.00	-
Mayor's Court Computer Fund (local)	\$3.00	\$3.00	\$3.00
Clerk of Court Computer Fund (local)	\$10.00	\$10.00	\$10.00
City General Revenue (local)	\$62.00	\$62.00	\$62.00
<b>TOTAL:</b>	<b>\$114.00</b>	<b>\$104.00</b>	<b>\$75.00</b>

Payout citations for criminal and traffic offenses shall include the court costs as stated above.

Additional costs shall be assessed as follows:

<u>Cost</u>	<u>Amount</u>
Bond administration fee	** 10% of bond posted
Certified mail fee (local)	\$8.00

Dangerous dog registration (area)	\$35.00
Sealing of Records fee (local)	\$20.00
Sealing of Records fee (state)	\$30.00
Lab work (area)	\$150.00
Late fee (local)	\$25.00
Returned check fee (local)	\$35.00
Witness fee (local)	\$6.00

(C) In addition to the costs and fees listed in division (B) above, whenever an employee of the City of Cheviot must serve a writ or a subpoena, or whenever an employee of the City of Cheviot must serve a complaint upon a defendant for a violation of §§ 136.15 or 136.18 of the Cheviot Code of Ordinances (failure to obey a citation or court order), the mayor or magistrate may assess additional costs in the amount of that employee's salary or per diem compensation, and any other extraordinary expenses, including overtime, which shall be paid into the general fund of the city. Costs shall not be assessed for use of interpreters.

(Ord. 1575, passed 2-16-93; Am. Ord. 06-05, passed 3-21-06)