

**IN THE MARIETTA MUNICIPAL COURT
WASHINGTON COUNTY, OHIO**

FILED

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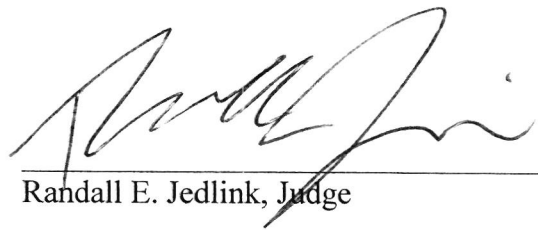
MUNICIPAL COURT
MARIETTA, OHIO

JOURNAL ENTRY

The following Schedule for waiverable fines and costs and misdemeanor bond schedule is hereby adopted by the Marietta Municipal Court, effective February 13, 2024. This Order shall remain in effect until further order of the Court.

All Fine and Bond Schedules previously adopted by the Marietta Municipal Court, which are inconsistent herewith, are VACATED and REPEALED.

IT SO ORDERED.



Randall E. Jedlink, Judge

Dated: 02/13/24

**IN THE MARIETTA MUNICIPAL COURT
MISDEMEANOR BOND SCHEDULE**

Pursuant to R.C. Section 2937.011(I)(1), the misdemeanor bond schedule for misdemeanor charges, including traffic offenses, **unless excluded below in #2**, shall be set as follows:

1. Personal recognizance is the general rule for Ohio Residents.

However, if the police officer or prosecutor, based on the circumstances of the case, reasonably believes that a personal recognizance bond is insufficient to assure the Defendant's appearance, the attached form must be completed and provided to the jail and the Court. Once the form is completed, the conditions of release shall be set pursuant to R.C. Section 2937.011(I)(1) (current bond schedule).

When the Judge has previously set bail in a case, or has ordered a new amount in its last warrant, that bail shall remain in effect unless otherwise ordered by the Judge.

Charges **excluded** from rebuttable presumption of Personal Recognizance:

2. Misdemeanor charges, regardless of residency and regardless of whether charged under the Ohio Revised Code, local ordinance, or other statutory provision for:
 - A. Domestic violence or any other offense of violence if the victim is a family or household member (see R.C. 2919.251)
 - B. Violation of any protection order
 - C. Violation of community control or probation
 - D. The following offenses if the accused was subject to a protection order and/or has a prior conviction involving the same complainant/victim, pursuant to R.C. 2903.212:
 - Aggravated menacing (R.C. 2903.21), Menacing by stalking (R.C. 2903.211), Menacing (R.C. 2903.22), Aggravated trespass (R.C. 2911.211), Any sexually oriented offense as defined by R.C. 2950.01
 - E. Any other offense when the victim, police officer, or prosecutor is seeking a protection order, no contact order, or other conditions of bond.
3. Non-waiverable criminal and traffic misdemeanors where the accused is a non-resident see current bond schedule, unless the arresting officer reasonably believes that the accused will appear after signing a personal recognizance bond.

Note: The Court will establish bond for felony offenses on a case-by-case basis at Defendant's initial court appearance in custody.

SCHEDULE OF MISDEMEANOR BONDS – CRIMINAL

This schedule is published pursuant to R.C. Section 2937.011. The Court will establish bond for felony offenses on a case-by-case basis at arraignment.

For all misdemeanor offenses for which there are currently no specific bonds provided by Court schedule, bonds shall be as follows:

Regardless of Defendant's residency

Domestic Violence M-1 and M-4 (2919.25)	Court to set bond.
Any misdemeanor charge that a TPO is requested	Court to set bond.
TPO violations (2919.27).	Court to set bond.

Residence outside of Ohio, history of failure to appear or PR Bond insufficient per Officer/Prosecutor and form is completed and given to the Jail and the Court.

OVI, OVUAC, Physical Control	\$2,500
DUS 4510.037 (12 pt), 4510.11 (Court), 4510.14 (OVI)	\$2,500
All other DUS and never licensed 4510.12	\$500
Misdemeanor 1	\$1,000
Misdemeanor 2	\$750
Misdemeanor 3	\$500
Misdemeanor 4	\$250
Minor Misdemeanor (in custody)	\$150

**NOTE: A \$25.00 surcharge is to be paid on all cash and surety bonds at the time of posting. This is an additional fee imposed by State law.
Bond may be posted by cash, surety or credit card.**

Schedule of Waivers and Bonds
Minor Misdemeanor Traffic and Criminal

<u>State Code</u>	<u>Mtta. Ord.</u>	<u>Description of Offense</u>	<u>Waiver</u>	<u>Bond</u>
4511.21	333.03	Speed Violations 55 MPH and below		
If cited for 25 and over the speed limit, the citation is a mandatory appearance.				
		Exceeding Speed Limit by		
		First Offense		
		1 to 10 mph	\$182	\$225
		11 to 20 mph	\$212	\$275
		21 to 24 mph	\$272	\$325
		Exceeding Speed Limit by		
		Second Offense in 1 year		
		1 to 10 mph	\$207	\$250
		11 to 20 mph	\$237	\$300
		21 to 24 mph	\$297	\$350
		Excessive Speed	MA	\$400
		Third Offense in 1 year		
4511.21	333.03	Speed Violations 60 MPH and over		
If cited for 30 and over the speed limit, the citation is a mandatory appearance.				
		Exceeding Speed Limit by		
		First Offense		
		1 to 15 mph	\$182	\$225
		16 to 25 mph	\$212	\$275
		26 to 29 mph	\$272	\$325
		Exceeding Speed Limit by		
		Second Offense in 1 year		
		1 to 15 mph	\$207	\$250
		16 to 25 mph	\$237	\$300
		26 to 29 mph	\$297	\$350
		Excessive Speed	MA	\$400
		Third Offense in 1 year		
		Other Speeding Offenses	MA	\$400
		Business District (Marietta City only) - Faster than 35 mph in a 25 mph zone		
		School Zone – Faster than 35 mph in a 20 mph zone during restricted hours		
		Marietta City Limits – Faster than 50 mph in a Municipal Corp.		

<u>State Code</u>	<u>Mtta. Ord.</u>	<u>Description of Offense</u>	<u>Waiver</u>	<u>Bond</u>
4511.204		Driving while texting (1st offense, contact the Court, any prior offenses in a 2-year period is a mandatory appearance)		\$275
		Distracted Driving	Contact the Court	
4511.213		Approach Stationary Public Safety Vehicle	\$247	\$300
4513.263		Operating without a Seatbelt (driver)	\$148	\$175
		Passenger	\$138	\$175
Non-Moving Traffic Violations			\$168	\$200
All Minor Misdemeanor Moving Traffic Violations (except speed, reckless operation, distracted driving, driving while texting and approach stationary public safety vehicle)				
		1 st offense	\$197	\$225
		2 nd offense within 1 year	\$222	\$250
		3 rd offense or more within 1 year	MA	\$350
4510.12C2	335.01A	Expired OL (1st or 2nd in 3 years, 3rd in 3 years, MA)	\$250	\$300
4511.20	333.02A	Reckless Operation on Highway	MA	\$300
4511.201	333.02B	Reckless Operation off Highway	MA	\$300
4510.111		DUS (License Forfeiture or Child Support Suspension)	\$450	\$500
4510.16	335.072	DUS (FRA or Judgment Suspension)	\$450	\$500
4510.21	335.073	Failure to Reinstate	\$450	\$500
		Minor misdemeanor criminal charges (out of custody)	\$250	\$300

Note: The waiver amount on this table represents the total of the fine plus court costs. Court costs are \$147 for traffic offenses (seatbelt \$118) and \$137 for criminal offenses.

NOTE: A \$25.00 surcharge is to be paid on all cash and surety bonds at the time of posting. This is an additional fee imposed by State law.
Bond may be posted by cash, surety or credit card.

Schedule for Wildlife Officer Charges

Wildlife Violation Bond Forfeiture Schedule

Misdemeanor 4	\$400
Misdemeanor 3	\$500
Misdemeanor 2	Mandatory Appearance
Misdemeanor 1	Mandatory Appearance

Bond for all other offenses see Schedule of Misdemeanor Bonds – Criminal

OVERLOADS

SCHEDULE OF FINE AND COSTS (waiver), AND BONDS

<u>State Code</u>	<u>Mtta. Ord.</u>	<u>Description of Offense</u>	<u>Waiver</u>	<u>Bond</u>
		Minimum Fine for Axle Overload	\$200	\$250
		Minimum Fine for Gross Overload	\$250	\$300
5577.04 .041	339.01	Overload Violations (Gross or Axle)		
		First 2,000 pounds	\$200	\$250
		Over 2,000 to 5,000 pounds \$100 plus \$1 per 100 pounds	Computed Plus Court Cost	
		OVER 5,000 to 10,000 pounds \$130 plus \$2 per 100 pounds OR 30 days OR both (Minimum \$230)	MA	Computed Plus Court Cost
		Over 10,000 pounds \$160 plus \$3 per 100 pounds	MA	Computed Plus Court Cost
5728.04(A)(1)		Operation without permit		\$250
5728.04(A)(2)		Operation without permit		\$1,000