

IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO
BAIL BOND SCHEDULE
CRIMINAL/TRAFFIC OFFENSES, EXCLUDING MINOR MISDEMEANORS

EFFECTIVE DECEMBER 10, 2010

1. In addition to paying the bail amounts listed in paragraph 4 below – or any bail amount set by the court in a particular case – persons who post bail must also pay the following additional amounts when posting bail:

For all non-traffic misdemeanors:	\$54
For all non-traffic felonies:	\$85
For all moving-violation traffic misdemeanors:	\$64
For all moving-violation traffic felonies:	\$95
For all non-moving-violation traffic misdemeanors:	\$10

 (Those amounts are set by R.C. 2743.70(A)(1), 2937.22(B), 2949.091(A)(1)(a), and 2949.094(C)).

Persons who are released on their own recognizance without having to post any money with the court are not required to pay the amounts listed above.

2. If a person is charged with multiple offenses, bond shall be required for only the two most serious offenses. **In the event a person is arrested and has cash in his or her possession that is not evidence or contraband, the Sheriff shall permit the Defendant to immediately use that cash to post bond.**
3. Bond for the below-specified offenses shall be made available at the option of the defendant, as follows:
 - a. Ten Percent Bond. The undersigned deposits 10% of the full amount of the bond. Upon breach, the undersigned will forfeit the amount deposited and will owe the balance on the full amount of bond. Upon compliance, 90% of the amount deposited shall be returned to the Defendant or the bond depositor.
 - b. Bond in the amount specified in the court bail bond schedule guaranteed to the accused as a policy holder of a casualty insurer, or as a member of a bonafide motorists or travelers association.
 - c. Bond with sufficient solvent sureties, or bond secured by real estate in the county, or cash or securities allowed by law in lieu thereof in the amount specified in the court's bail bond schedule.
4. Unless charged with any of the offenses that are specifically excepted from the court bail bond schedule, all Delaware County residents are to be released on their own recognizance for any category of misdemeanor. The offender must execute a personal recognizance bond before being released. Bond for non-county residents is as follows:

	<u>(Non-Local Ohio Resident)</u>	<u>(Out-of-State Resident)</u>
M-1	\$2,500	\$5,000
M-2	\$2,000	\$3,500
M-3	\$1,500	\$3,000
M-4	\$1,500	\$3,000
UCM - max. fine over \$150 or possible jail days:	\$ 250 Cash only	\$ 250 Cash only
UCM - max. fine over \$150 & no possible jail days:	\$ 150 Cash only	\$ 150 Cash only
MM/UCM - max. fine not over \$150 & no possible jail days	\$ 150 Cash only	\$ 150 Cash only

Pursuant to §2935.26 O.R.C. for minor misdemeanors, the officer shall not arrest a person, but shall issue a citation, unless:

1. The offender requires medical care, or is unable to provide for his/her own safety.
2. The offender cannot, or will not, offer satisfactory evidence of his identity.
3. The offender has previously been issued a citation for that misdemeanor, and has failed to appear or forfeit the fine and costs.

EXCEPTIONS TO THE BAIL BOND SCHEDULE:

If an accused is arrested for any of the following offenses, the offender may not be released without bond being set by the court. If the offender is arrested and incarcerated over a weekend or a holiday and may spend more than 48 hours in jail before appearing in court for a bond hearing, the judge or magistrate are to be contacted at a reasonable hour in order to review the case for probable cause and set appropriate bond.

Criminal Offenses

Assault or Domestic Violence

Violation of a Temporary Protection Order or Civil Protection Order

Violation of an Anti-Stalking Protection Order

Inducing Panic

Aggravated Menacing

Menacing by Stalking

Aggravated Trespass

Endangering Children

Traffic Offenses

Third Lifetime OVI

Vehicular Homicide

Vehicular Manslaughter

Driving Under an OVI Court Suspension

Willfully Fleeing or Eluding a Police Officer

Street/Drag Racing

GENERAL

At the discretion of the jail commander, offenders otherwise eligible for release on the bond described in this schedule may be held for a bond hearing or the jail commander confirms any of the following:

1. The offender has a history of failing to appear;
2. The offender has a physical, mental, or emotional condition and appears to pose a danger to himself or herself or others;
3. The offender is currently on bond, parole or probation for another charge or in any jurisdiction; or
4. The jailer has reasonable basis to believe that the offender is a flight risk. The jail commander has a reasonable basis for believing that the offender is a flight risk if any of the following conditions exist:
 - a. The offender has two or more previous arrests for felonies, misdemeanors of the second degree or higher, or juvenile offenses that would have been felonies or misdemeanors of the second degree or higher if committed by an adult,
 - b. The offender manifests an intention to flee,
 - c. The offender is charged with a crime of which “flight” is an element or major component of the charge,
 - d. The offender has two or more previous warrants issued for his or her arrest,
 - e. The offender’s operator’s license has been cancelled two or more previous times for failure to appear and/or pay traffic fines.

WAIVERS - State code violations and their municipal code equivalent:

<u>Section</u>	<u>Description</u>	<u>Degree</u>	<u>Waiver</u>		
529.021	Delaware Ord. Underage possession/consumption.	UCM	\$309		
Various	Any Title 15 offense with maximum penalty a fine not over \$150	MM-UCM	\$125		
Various	Any M4 Title 15 offense	M4	\$155		
Various	Any NonTraffic offense with maximum penalty a fine not over \$150	MM-UCM	\$180		
2925.11	Drug Abuse (Marijuana)	MM	Must appear		
4511.20-1	Reckless Operation - On or off road	MM	\$205		
4511.20-1	Reckless Operation - On or off road	M4	Must appear		
4511.21	SPEED; ACDA – “CZ” means Construction Zone:				
		36 + in business district or school zone (M4)			
	<u>Type</u>	<u>1-15 over or ACDA</u>	<u>16-29 over</u>	<u>30 + over</u>	<u>or 51+ in muni corp outside business district</u>
	1 st w/n yr.	130 (141 CZ)	155 (191 CZ)	180 (241 CZ)	180 (241 CZ)
	2 nd w/n yr.	155 (191 CZ)	180 (241 CZ)	210 (291 CZ)	210 (291 CZ)
	3 rd w/n yr. (M4)	180 (241 CZ)	205 (291 CZ)	230 (341 CZ)	230 (341 CZ)
4511.213	Improper approach to emergency vehicle	MM	\$141 (M4 - must appear)		
4513.263	Seatbelt/Driver	MM	\$120		
4513.263	Seatbelt/Passenger	MM	\$110		
4513.36	Resisting Officer	MM	\$205 (M4 - must appear)		
Various	Any M4 not otherwise listed	M4	\$160		
Various	Any other offense w/max. penalty a fine not over \$150	MM-UCM	\$130		
5577.04	Gross/Axle Overload:				
	lbs. overweight: <u>under 2,001</u>	<u>2,001 to 5,000</u>	<u>5,001 to 10,000</u>	<u>Over 10,000/1st offense in yr.</u>	<u>Over 10,000/priors in yr.</u>
	Fine: \$199	\$1/100 lbs. + \$219	\$2/100 lbs. + \$249	\$3/100lbs. + \$279	N/A – Must appear

WAIVERS (continued)

Preservation Park District violations

1.1	Vandalism, Defacement, Destruction.....	ORC
1.2	Defacement, Destruction, or Removal of any Natural or Historic feature	\$155.00
1.3	Defacement of Surface.....	\$155.00
1.4	Aerosol Propellants Paints.....	\$155.00
1.5	Trespassing	ORC
2.1	Littering	\$155.00
2.2	Pollution	\$155.00
2.3	Household Garbage	\$155.00
3.1	Firearms.....	\$205.00
3.2	Improper Transportation Weapon	ORC
3.3	Carrying Dangerous Weapon	\$155.00
3.4	Fireworks, Explosives, Smoke Generators.....	\$130.00
3.5	Archery Equipment.....	\$155.00

WAIVERS (continued)

Preservation Park District violations (continued)

4.1	Indecent Conduct and Exposure	ORC
4.2	Loitering.....	\$155.00
4.3	Solicitation.....	ORC
5.1	Disorderly Conduct.....	ORC
5.2	Unlawful Assemblage	\$155.00
5.3	Riot	ORC
5.4	Solicit Unlawful Sales.....	\$155.00
5.5	Assault, Menacing and Hazing.....	ORC
5.6	Games of Chance.....	\$155.00
5.7	Use of Intoxicants.....	\$155.00
5.8	Use or Possession of Illegal Drugs	ORC
5.9	Use of Toluol and Ethers	\$155.00
5.10	Endangering.....	\$205.00
6.1	Smoking	\$130.00
7.1	Posting and Displaying Signs	\$130.00
8.1	Camping and Lodging without Permission	\$130.00
8.2	Leaving Personal Possessions.....	\$130.00
9.1	Unlawful Fires.....	\$130.00
10.1	Sunset to Sunrise Curfew	\$130.00
10.2	Special Curfew During Open Hours	\$130.00
10.3	Removal of Vehicle after Curfew.....	\$130.00
10.4	Nature Sanctuaries Closed to Public	\$130.00
11.1	Hunting, Trapping, and Molesting Wildlife	\$155.00
11.2	Frog Gigging.....	\$130.00
11.3	Fishing.....	\$130.00
11.4	Feeding Wildlife.....	\$130.00
11.5	Incorporation of State Wildlife Laws	ORC
12.1	Pets.....	\$130.00
12.2	Pets Swimming	\$130.00
12.3	Abandoning Domestic Plants or Animals	\$130.00
12.4	Releasing Wild or Exotic Plants or Animals	\$130.00
13.1	Horseback Riding.....	\$130.00
14.1	Swimming and Wading Prohibited.....	\$130.00
14.2	Use of Aquatic Sporting Equipment	\$130.00
15.1	Powered Models.....	\$130.00
15.2	Radios, Stereos, Tape Players, etc.....	\$130.00
16.1	Operation of Non-Registered Vehicles.....	\$130.00
17.1	Purposes of Way.....	\$130.00
17.2	Purposes of Way; Trails	\$130.00
17.3	Speed Limit	\$130.00
17.4	Parking.....	\$130.00
17.5	Testing, Washing, or Repairing Vehicles	\$130.00
17.6	Failure to Yield to Emergency Vehicles	\$155.00
17.7	Unsafe Operation of a Vehicle.....	\$155.00
17.8	Failure to Yield to Pedestrians.....	\$155.00
17.9	Operating a Motor Vehicle: Unsafe Load	\$155.00

WAIVERS (continued)

Preservation Park District violations (continued)

17.10	Leaving the Scene of an Accident.....	\$155.00
17.11	Incorporation of State Traffic Laws	ORC
18.1	Snowmobiles Prohibited	\$130.00
18.2	Sledding, Skating, and Skiing	\$130.00
19.1	Encroachment	\$130.00
19.2	Golfing	\$130.00
19.3	Construction of any Blind or Stand Prohibited.....	\$130.00
20.1	Motorized Vehicles Prohibited on Trails	\$130.00
20.2	Law Enforcement, Emergency and Maintenance Vehicles	\$130.00
20.3	Unsafe Equipment and Operation.....	\$130.00
20.4	Encroachment on Adjacent Land	\$130.00
20.5	Conduct	\$130.00
20.6	Other Rules and Regulations	\$155.00
21.1	Motors Prohibited	\$130.00
21.2	Incorporation of State Watercraft Laws.....	ORC
22.1	Failure to Obey Orders of Rangers	\$130.00

SECOND OFFENSE - MANDATORY APPEARANCE

***ORC** - Codes showing a fine amount of "ORC" means such violations will be charged under the Ohio Revised Code and will require a court appearance.

Highbanks Metro Park violations

Park Rule No.		
1.1	Defacement, destruction, or removal of natural or archeological features	mandatory appearance
1.2	Use of natural resource conservation areas	\$130.00
1.3	Special uses.....	\$130.00
2.1	Littering or dumping of garbage, sewage or noxious material	\$130.00
2.2	Facility cleanliness	\$130.00
2.3	Damage to park facilities or equipment.....	mandatory appearance
3.0	Firearms or other dangerous weapons	\$130.00
4.1	Noise.....	\$130.00
4.2	Special events and special permits.....	\$130.00
4.3	Use of fee facilities	\$130.00
4.4	Use of no-fee facilities	\$130.00
4.5	Use of intoxicants	mandatory appearance
4.6	Generators.....	\$130.00

WAIVERS (continued)

Highbanks Metro Park violations (continued)

Park Rule No.		
5.1	Advertising and signs.....	\$130.00
5.2	Decorations	\$130.00
5.3	Commercial soliciting or unlawful sales	\$130.00
6.1	Orders by employees and failure to obey	\$130.00
6.2	Permits.....	\$130.00
7.0	Camps and camping	\$130.00
8.0	Fires	\$130.00
9.1	Hours of operation	\$130.00
9.2	Special closing of areas.....	\$130.00
10.1	Hunting, trapping, collecting, harassing, harming wildlife.....	\$130.00
10.3	General public hunting area regulations.....	\$130.00
10.4	Safety zones.....	\$130.00
10.5	Feeding of animals.....	\$130.00
10.6	Fishing: hours and prohibited equipment.....	\$130.00
11.1	Pets permitted.....	\$130.00
11.2	Releasing of plants and animals prohibited	\$130.00
11.3	Horseback riding.....	\$130.00
13.0	Swimming and flotation devices prohibited	\$130.00
14.1	Golf course equipment.....	\$130.00
14.2	Practice golf.....	\$130.00
15.1	Boating areas.....	\$130.00
15.2	Motor boats prohibited.....	\$130.00
16.0	Winter sports activities.....	\$130.00
17.1	Non-registered motor vehicles.....	\$130.00
17.2	Non-motorized transportation.....	\$130.00
18.1	Use of trail and walks	\$130.00
18.2	Trail regulations.....	\$130.00
18.3	Driving on closed roads or drives	\$130.00
18.4	Motor vehicle speed limit.....	\$130.00
18.5	Operation in willful or disregard of safety	\$130.00
18.6	Parking.....	\$130.00
18.7	Storage of vehicles	\$130.00
18.8	Commercial vehicles.....	\$130.00
18.9	Repairs to vehicles.....	\$130.00
19.0	Aircraft.....	\$130.00
22.0	Greenway Trail System rules and regulations.....	\$130.00
22.1	Pets permitted on Greenway trails consistent with Metro Park Rule 11.1	\$130.00
22.2	Prohibited motor vehicles	\$130.00
22.3	Special event permits	\$130.00
22.4	Traffic sign violation and unreasonable speed.....	\$130.00