



Legislation Details (With Text)

File #: O-119-19 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 3/1/2019 **In control:** Police Operations Department
On agenda: 3/19/2019 **Final action:** 3/19/2019
Title: Establish an OVI Trust Fund for court imposed fines for operating a vehicle under the influence of alcohol or drugs (OVI); authorizing the acceptance, deposit and appropriation and expenditure of the OVI Trust Fund proceeds in compliance with Ohio Revised Code 4511.19 for costs incurred enforcing OVI law and informing the public of the dangers of operating a vehicle under the influence of alcohol and or drugs; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review 3/12/2019, 2. Audio: City Council 3/19/2019

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---|--------|
| 3/19/2019 | 1 | City Council | Dispense with the rules of Council requiring... | Pass |
| 3/19/2019 | 1 | City Council | declare emergency | Pass |
| 3/19/2019 | 1 | City Council | passage | Pass |

OVI Trust Fund
Toledo Police Department
Lt. James Brown (x3203)
Revised

Establish an OVI Trust Fund for court imposed fines for operating a vehicle under the influence of alcohol or drugs (OVI); authorizing the acceptance, deposit and appropriation and expenditure of the OVI Trust Fund proceeds in compliance with Ohio Revised Code 4511.19 for costs incurred enforcing OVI law and informing the public of the dangers of operating a vehicle under the influence of alcohol and or drugs; and declaring an emergency.

SUMMARY & BACKGROUND:

This ordinance authorizes the Mayor to establish an OVI Trust Fund for court fines imposed under ORC 4511.19. This ORC section dictates that these fines shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. The agency shall use this share to pay only those costs it incurs in enforcing this section or a municipal OVI ordinance and in informing the public of the laws governing the operation of a vehicle while under the influence of alcohol, the dangers of the operation of a vehicle under the influence of alcohol, and other information relating to the operation of a vehicle under the influence of alcohol and the consumption of alcoholic beverages.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That an OVI Trust Fund is established for the acceptance and deposit of court imposed

finest for operating a vehicle under the influence of alcohol or drugs.

SECTION 2. That the appropriation of OVI Trust Funds is authorized from the unappropriated proceeds of the OVI Trust Fund to various accounts within Account Code 2153-52000-3T32310STDSTD; and further authorizing the expenditure of same for costs incurred enforcing OVI law and informing the public of the dangers of operating a vehicle under the influence of alcohol and or drugs in compliance with Ohio Revised Code 4511.19.

SECTION 3. That the Finance Director is authorized to draw his warrant or warrants against the above mentioned Account Code in payment of the above authorized obligations upon presentation of the proper voucher or vouchers.

SECTION 4. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that it is necessary for the immediate preservation of the public peace, health, safety, and property of the City of Toledo and for the further reason that this Ordinance must be immediately effective in order to support OVI enforcement and prevention.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council