

**As Introduced**

**127th General Assembly  
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**H. B. No. 511**

**Representative DeGeeter**

**Cosponsors: Representatives Fende, Dyer, Yuko, Evans, Dodd,  
McGregor, J., Foley, Hagan, R., Letson, Szollosi**

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**A B I L L**

To amend sections 1545.09 and 1545.99 of the Revised 1  
Code to provide increased penalties for violations 2  
of a bylaw or rule adopted by a board of park 3  
commissioners of a park district in a county and 4  
to permit a board of park commissioners to adopt 5  
penalties for any such violation provided the 6  
penalties do not exceed in severity the penalty 7  
designated by state law for a similar violation 8  
under state law. 9

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1545.09 and 1545.99 of the Revised 10  
Code be amended to read as follows: 11

**Sec. 1545.09.** (A) The board of park commissioners shall adopt 12  
such bylaws and rules as the board ~~deems~~ considers advisable for 13  
the preservation of good order within and adjacent to parks and 14  
reservations of land, and for the protection and preservation of 15  
the parks, parkways, and other reservations of land under its 16  
jurisdiction and control and of property and natural life therein. 17  
The board shall also adopt bylaws or rules establishing a 18

procedure for contracting for professional, technical, consulting, 19  
and other special services. Any competitive bidding procedures of 20  
the board do not apply to the purchase of benefits for park 21  
district officers or employees when such benefits are provided 22  
through a health and welfare trust fund administered through or in 23  
conjunction with a collective bargaining representative of the 24  
park district employees, as authorized in section 1545.071 of the 25  
Revised Code. The bylaws and rules shall be published as provided 26  
in case of ordinances of municipal corporations before taking 27  
effect. 28

(B)(1) As used in division (B)(2) of this section, "similar 29  
violation under state law" means a violation of any section of the 30  
Revised Code, other than division (C) of this section, that is 31  
similar to a violation of a bylaw or rule adopted under division 32  
(A) of this section. 33

(2) The board of park commissioners may adopt by bylaw a 34  
penalty for a violation of any bylaw or rule adopted under 35  
division (A) of this section, and any penalty so adopted shall not 36  
exceed in severity whichever of the following is applicable: 37

(a) The penalty designated under the Revised Code for a 38  
violation of the state law that is similar to the bylaw or rule 39  
for which the board adopted the penalty; 40

(b) For a violation of a bylaw or rule adopted under division 41  
(A) of this section for which the similar violation under state 42  
law does not bear a penalty or for which there is no similar 43  
violation under state law, a fine of not more than one hundred 44  
fifty dollars for a first offense and not more than one thousand 45  
dollars for each subsequent offense. 46

(3) Any bylaw adopted under division (B)(2) of this section 47  
shall be published as provided in case of ordinances of municipal 48  
corporations before taking effect. 49

(C) No person shall violate any ~~of such~~ bylaws or rules 50  
adopted under division (A) of this section. All fines collected 51  
for any violation of this section shall be paid into the treasury 52  
of such park board. 53

**Sec. 1545.99.** ~~(A)~~ Whoever violates division (C) of section 54  
1545.09 of the Revised Code shall be punished as follows: 55

(A) Except as otherwise provided in division (B) of this 56  
section, the offender shall be fined not more than one hundred 57  
fifty dollars for a first offense+ and not more than one thousand 58  
dollars for each subsequent offense ~~such person shall be fined not~~ 59  
more than five hundred dollars. 60

(B) If the board of park commissioners that adopted the bylaw 61  
or rule that the offender violated and that was the basis of the 62  
offender's violation of division (C) of section 1545.09 of the 63  
Revised Code has adopted a penalty for the violation under 64  
division (B) of that section, the offender shall be penalized in 65  
accordance with the penalty so adopted for the violation. 66

**Section 2.** That existing sections 1545.09 and 1545.99 of the 67  
Revised Code are hereby repealed. 68