



## Ohio Administrative Code Rule 901:5-11-99 Civil penalties.

Effective: October 15, 2015

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(A) A civil penalty may be assessed for each violation of sections 921.01 to 921.29 of the Revised Code, any rule adopted, and any order issued under authority of these sections. The amount of the penalty shall be based on the following criteria:

(1) The cost to the department of agriculture to investigate the violation. Calculation of the cost shall include:

(a) The average salary of all state employees directly involved in pesticide use investigations with the rate being that amount charged to other agencies for grant supported activities;

(b) Fringe benefits for all state employees directly involved in the investigation;

(c) Indirect costs for hours shown in paragraph (A)(1)(a) of this rule with the rate being that amount charged to other agencies for grant supported activities;

(d) Duplicating and copying costs; and

(e) Direct and indirect costs of all laboratory analysis.

(2) When a violation results in material damage to the environment or harm to a human being, an additional civil penalty not to exceed two times the amount calculated under paragraph (A)(1) of this rule may be assessed in addition to the amount under paragraph (A)(1) of this rule.

(B) In no event shall the civil penalty assessed under paragraphs (A)(1) and (A)(2) of this rule exceed in the aggregate five thousand dollars for a first offense or ten thousand dollars for a second offense.

(C) All monies collected from civil penalties shall be deposited in the pesticide program fund of the



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DOCUMENT #268276

state treasury.

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