



Ohio Revised Code Section 956.13 Civil penalties.

Effective: March 21, 2017

Legislation: Senate Bill 331 - 131st General Assembly

(A) The director of agriculture may assess a civil penalty against a person violating sections 956.01 to 956.18 of the Revised Code or rules adopted under it if all of the following occur:

(1) The person has received a notice and been notified of the violation by certified mail or personal service as required in section 956.12 of the Revised Code.

(2) After the time period for correcting the violation specified in the notice has elapsed, the director or the director's authorized representative has determined that the violation has not been corrected, and the director has issued a notice of an adjudication hearing pursuant to division (A)(3) of this section.

(3) The director affords the person an opportunity for an adjudication hearing under Chapter 119. of the Revised Code to challenge the director's determination that the person is not in compliance with this chapter or rules adopted under it, the imposition of the civil penalty, or both. A person may waive the opportunity for an adjudication hearing.

(B) If the opportunity for an adjudication hearing is waived or if, after an adjudication hearing, the director determines that a violation of this chapter or a rule adopted under it has occurred or is occurring, the director may assess a civil penalty. The civil penalty may be appealed in accordance with section 119.12 of the Revised Code, except that the civil penalty may be appealed only to the environmental division of the Franklin county municipal court.

(C) A person who is assessed a civil penalty under this section is liable for a civil penalty of not more than five hundred dollars for a first violation, not more than two thousand five hundred dollars for a second violation, and not more than ten thousand dollars for a third or subsequent violation.

Each day that a violation continues constitutes a separate violation.



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(D) Any person assessed a civil penalty under this section shall pay the amount prescribed to the department of agriculture. The department shall remit all money collected under this section to the treasurer of state for deposit in the high volume breeder kennel control license fund created under section 956.18 of the Revised Code.