

ANSWERING A PARKING TICKET

Section 325.05

A person, who is personally or constructively served with a parking ticket charging the commission of a parking infraction, may answer the charge by appearing personally before the Parking Violations Bureau or by mail.

An answer shall be made within ten (10) days from the date of the infraction and shall be in one of the following forms:

- 1. An admission that the person committed the parking infraction by:**
 - a. Paying the fine arising out of the parking infraction to the Parking Violations Bureau within 10 days of the date of the infraction.

- 2. An admission that the person committed the parking infraction, with an explanation of the circumstances surrounding the parking infraction by:**
 - a. Admitting you committed the parking infraction and providing an explanation and evidence in writing to the Parking Violations Bureau, explaining the circumstances surrounding the reason why you committed the infraction, within 10 days of receiving the infraction.
 - b. The Parking Violations Bureau shall promptly determine whether the explanation you provided mitigates the fact that you committed the parking infraction.
 - c. If the Parking Violations Bureau determines the explanation you provided mitigates the fact you committed the parking infraction, the Bureau shall eliminate or reduce the amount of the fine arising out of the infraction, and shall notify you in writing of its determination.
 - d. If the fine is reduced, you will need to pay the amount of the reduced fine within 10 days of receiving notice of the Bureau's determination.
 - e. If the Parking Violations Bureau determines the explanation you provided does not mitigate the fact that you committed the parking infraction, you will need to pay the entire amount of the fine arising out of the parking infraction within 10 days of receiving notice of the Bureau's determination.

- 3. A denial that the person committed the parking infraction and a request for a hearing relative to the infraction by:**
 - a. Submit a denial answer in writing to the Parking Violations Bureau within 10 days of the date of the infraction.
 - b. If you would like to have the officer present at the hearing, who issued the ticket, you shall request the officer's presence in your denial answer.
 - c. If you request the officer's presence at the hearing, the officer shall be present unless the hearing examiner determines the officer's presence is not necessary.

- d. The Parking Violations Bureau shall set a date for the hearing and notify you in writing of the date, time, and place of the hearing upon receiving your denial answer.
- e. You do not have to attend the hearing if you submit documentary evidence to the hearing examiner at the Parking Violations Bureau the day prior to the hearing.
- f. The hearing will be conducted by the hearing examiner at the Parking Violations Bureau, appointed by the Director of Safety and Service.
- g. The City of Port Clinton has the burden of proving, by a preponderance of the evidence, that you committed the parking infraction.
- h. You may present any relevant evidence and testimony you have at the hearing.
- i. The hearing examiner will consider all evidence and testimony presented at the hearing and shall determine whether the City has established, by a preponderance of evidence, that you committed the parking infraction.
- j. If the hearing examiner determines, by a preponderance of the evidence, that you committed the parking infraction, the hearing examiner will provide an order indicating the determination as a judgment against you and will require you to pay the appropriate fine and any additional penalties that are entered in the records of the Parking Violations Bureau that are applicable.
- k. If the hearing examiner does not determine, by a preponderance of evidence, that you committed the parking infraction, the hearing examiner shall enter a judgment against the City whose ordinance, resolution, or regulation allegedly was violated, shall dismiss the parking infraction against you, and shall enter the judgment and dismissal in the records of the Parking Violations Bureau.
- l. If you fail to appear at the scheduled hearing and fail to submit evidence to the hearing examiner the day prior to your hearing, the hearing examiner will determine from the evidence and testimony presented if the City has established, by a preponderance of the evidence, that you committed the parking infraction.
- m. If the hearing examiner determines the parking infraction was committed, the hearing examiner shall then enter a default judgment against you and will require you to pay the appropriate fine and any additional penalties to the Parking Violations Bureau.