

**ORDINANCE AMENDING SERVICE FEES FOR THE CLERK-RECORDER
DIVISION OF THE CLERK, RECORDER, AND ASSESSOR DEPARTMENT**

ORDINANCE NO. _____

An ordinance of the County of Santa Barbara amending the existing fees and implementing new fees, where appropriate, for the products and services of the Clerk-Recorder Division to recover the costs of providing these product and services.

WHEREAS, pursuant to California Government Code section 27201, the County Recorder shall, upon payment of proper fees and taxes, accept for recordation any instrument, paper, or notice that is authorized or required by statute or court order to be recorded; and

WHEREAS, pursuant to California Government Code section 27360 through 27388, for services performed by him, the County Recorder shall charge and collect the fees fixed in this article; and

WHEREAS, pursuant to California Government Code section 26820 through 26861 and the Business and Professions Code section 6402; 17900 through 17930; 22350 through 22360; and 22450 through 22463, the County Clerk shall perform services related to the filing of fictitious business name statements, notary bond registrations, other miscellaneous filings, and marriage services; and

WHEREAS, pursuant to California Government Code section 26820 through 26861, the County Clerk shall charge and collect the fees fixed in this article for service performed by the Clerk, when not otherwise provided by law; and

WHEREAS, pursuant to the Business and Professions Code section 6404, 6405, 17929, 22352, and 22453, the County Clerk shall charge and collect fees fixed in these articles for the services performed by the Clerk; and

WHEREAS, pursuant to California Government Code section 54985, County Board of Supervisors of each County shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing and product or service; and

WHEREAS, the Santa Barbara County Code section 42-4 establishes that the County Clerk-Recorder shall keep a domestic partnership registry; and

WHEREAS, the Santa Barbara County Code section 42-5, provides that the Board of Supervisors shall establish the fees for filing domestic partnership statements, amendments and terminations; and

WHEREAS, pursuant to Government Code section 6157, where any personal check offered in payment is returned without payment, for any reason, the public agency shall charge for the returned check, not to exceed the actual costs incurred in processing and collection; and

WHEREAS, the Santa Barbara County Policy on Fees states that where allowed or mandated, the County will charge a fee for services and that departments are responsible for insuring that all legally allowed fees and charges are presented to the Board for adoption and for reviewing/adjusting as appropriate; and

WHEREAS, it is the wish of the County Board of Supervisors to adopt fees or charges for non-mandated products or services in an amount reasonably necessary to recover the cost of discretionary products or services; and

WHEREAS, the fees proposed in the fee schedule established by Ordinance will recover a major portion of the actual costs of administering said services; and

WHEREAS, pursuant to Government Code section 54986, the County has in connection with the proposed fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting , including a general description of the matter to be considered, in accordance with Government Code section 6062a; and

WHEREAS, the fees may be revised as needed by the Board of Supervisors, and if the revision does not occur, the existing fees shall remain in effect;

WHEREAS, Section 2-10.7 of Article 1 of Chapter 2 of the Santa Barbara County Code is hereby amended to read as follows: "The amount of any charge or fee relating to services rendered by the Clerk-Recorder-Assessor Department shall be in accordance with the fee or fee schedule adopted by the board of supervisors of the county by resolution or ordinance."

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA ORDAINS AS FOLLOWS:

That the fees set forth in the attached schedule of fees established by this Ordinance are hereby adopted pursuant to the various sections of law cited and §2-10.7 of Article 1 of Chapter 2 of the Santa Barbara County Code. Said fees are to be assessed against all persons where permitted by law and are to become effective November 1, 2011.

That Ordinance 4706 of January 27, 2009, and any previous ordinance, that covers the programs and services that are covered by this ordinance is hereby repealed on the above mentioned date that the fees imposed by this ordinance become effective. The repeal shall not affect any obligation to pay any fees uncured under said ordinance, and said obligation shall continue in effect after said ordinance is repealed.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____ 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:


COUNTY OF SANTA BARBARA

By _____
CHAIR, JONI GRAY
BOARD OF SUPERVISORS

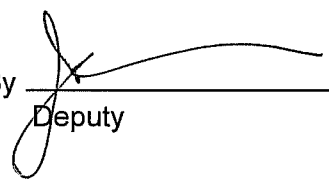
ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:
DENNIS MARSHALL,
COUNTY COUNSEL

By:  _____
Deputy County Counsel

APPROVED AS TO FORM:
ROBERT GEIS,
AUDITOR-CONTROLLER

By:  _____
Deputy

**SANTA BARBARA COUNTY
CLERK-RECORDER OFFICE
FEE SCHEDULE**

	<u>Service Description</u>	<u>FEE</u>
RECORDER FEES:		
1.	Document Recording Fees	Statutory Fees
2.	Daily CD of Official Records Digital Images	28.00
	Priority & Express Mail Delivery	
	Mail Handling	5.00
	Mail Courier Cost	Actual Cost
	First Class Mail Delivery (Postage & Handling)	2.00
3.	CD of Monthly Official Record Digital Images	77.00
	Priority & Express Mail Delivery	
	Mail Handling	5.00
	Mail Courier Cost	Actual Cost
	First Class Mail Delivery (Postage & Handling)	2.00
4.	Customer Made OR Microfilm Copies- per page	0.50
5.	Official Record Copy, per document	10.00
6.	Subscription Services:	
	Annual Subscription Service:	
	Annual Subscription Cost if paid annually	878.00
	Annual Subscription Cost if paid quarterly	920.00
	Annual Subscription Cost if paid monthly	1,031.00
	One-Day Subscription Service	16.00
	ACH Fee assessed by on-line collections provider	1.50
7.	Involuntary Lien Notice & Mailing	14.00
	First Class Mail Delivery (Postage & Handling)	2.00
8.	Involuntary Lien Notice & Mailing-Addtl Debtors	5.00
	First Class Mail Delivery (Postage & Handling)	2.00
9.	Recording/Filing/Indexing MAP-1st Page (Subdivision & Parcel Maps)	46.00
	Recording/Filing/Indexing MAP-Addtl Pages (All maps)	7.00
10.	Recording/Filing/Indexing MAP-1st Page (All other Maps)	32.00

	Recording/Filing/Indexing MAP-Addtl Pages (All maps)	7.00
11.	MAP Certification	9.00
12.	Official Record Certification	2.00
13.	Official Record Conformed Copy	2.00
14.	Clerk Translation Verification	23.00
15.	20-Day Preliminary Notice	42.00
CLERK FEES:		
16.	Vital Records Copy Fees	Per State
17.	Vital Record Expedite Service - Automated Phone System Request	12.00
	Priority & Express Mail Delivery	
	Mail Handling	5.00
	Mail Courier Cost	Actual Cost
18.	Vital Record Expedite Service - Fax Request	7.00
	Priority & Express Mail Delivery	
	Mail Handling	5.00
	Mail Courier Cost	Actual Cost
19.	Vital Record Expedite Service - Website Requests	
	Priority & Express Mail Delivery	
	Mail Handling	5.00
	Mail Courier Cost	Actual Cost
20.	Filing/Indexing -Miscellaneous Filings	16.00
21.	Clerk Certification (signed official seal)	2.00
22.	Clerk File Copy - Set-up	5.00
	Clerk Record Search (per record)	7.00
	Clerk File Copy Fee - per page	0.50
23.	Clerk Filing Confirmation Certificate	7.00
	Clerk Record Search (per record)	7.00
24.	Surety-Financial Statement Filing	14.00
25.	Surety -Certificate of Surety Authority Filing	14.00
26.	Surety - Power of Attorney Filing/ Can/Revoc/WD	12.00
27.	Surety - Power of Attorney Filing each Addtl name	2.25
28.	Statement of Domestic Partnership (DMP) Filing	49.00
29.	DMP Statement of Amend/Term/Death	32.00
30.	DMP Certified Copy of Original Stmt Filed	12.00
31.	DMP Re-Issuance of Certificate	30.00
32.	Notary Public Bond Filing/Canc/Revok/WD	37.00
33.	Notary Bond Certificate of Filing	7.00

	Clerk Record Search (per record)	7.00
34.	Notary Journal Return Receipt	2.00
35.	Notary Journal Page Copy - Setup	2.00
	Clerk Record Search (per record)	7.00
	Clerk File Copy Per page	0.50
36.	Certificate to Official Capacity of a Public Official	14.00
37.	Fictitious Business Name Filing/Renew	46.00
	FBN Notice of Expiration	1.00
	Fictitious Business Name Filing - Addtl Names/Partner	5.00
	Fictitious Business Name Websearch (for LLC or Corp.)	5.00
38.	FBN Aband/WD	30.00
39.	FBN Certified Copy	5.00
	Clerk Record Search (per record)	7.00
	Clerk Certification (signed seal)	2.00
40.	FBN Regular Copy	5.00
	Clerk Record Search (per record)	7.00
41.	FBN CD (non-refundable)	51.00
	Priority & Express Mail Delivery	
	Mail Handling	5.00
	Mail Courier Cost	Actual Cost
	First Class Mail Delivery (Postage & Handling)	2.00
42.	FBN List (Hard Copy List)	12.00
	FBN List, per page fee	0.05
	First Class Mail Delivery (Postage & Handling)	2.00
43.	Regular Marriage License	67.00
	60-day Notice	2.00
	Addtl State Fees	Per State
44.	Confidential Marriage License	79.00
	Addtl State Fees	per State
45.	Declaration of Marriage (SB County)	79.00
	Addtl State Fees	Per State
46.	Declaration of Marriage (Other County)	90.00
	Addtl State Fees	Per State
47.	Non-Clergy Marriage License	74.00
	Addtl State Fees	Per State
48.	Expedite Marriage License Recording	12.00
49.	Marriage Lic Duplicate	56.00
50.	Confidential Marriage Lic Duplicate	56.00

51.	Confidential Marriage License Amendment	35.00
52.	Marriage Commissioner Appointment	51.00
53.	Marriage Officiants Training	70.00
54.	Marriage Ceremony Reservation Fee (Non-Refundable)	23.00
55.	Marriage Ceremony- In Hall of Records	104.00
56.	Marriage Ceremony- Courthouse Grounds	116.00
57.	Marriage Ceremony Witness	51.00
58.	Process Server Registration	100.00
	Proc Svr-Perm ID Cards	14.00
	Proc Svr-Perm ID Cards Laminated (optional)	19.00
	Proc Svr Bond Filing/Can/Revok/WD	21.00
59.	Professional Photocopier Registration	175.00
	Prof Photocopier Addtl ID Cards	14.00
	Prof Photocopier Addtl ID Cards Laminated (Optional)	19.00
	Prof Photocopier Filing/Canc/Revok/WD	21.00
60.	Unlawful Detainer Asst & Legal Doc Asst Registration	175.00
	UD &LA Addtl ID Cards	14.00
	UD &LA Addtl ID Cards Laminated (optional)	19.00
	UD &LA Filing/Can/Revok/WD	21.00
OTHER FEES:		
61.	First Class Mail Delivery (Postage & Handling)	2.00
62.	Priority/Express Mail Delivery -Mail Handling	5.00
63.	Priority/Express Mail Delivery - Courier Cost	Actual Cost
64.	Misc File Copy per Page (OR or Clerk File)	0.50
65.	NSF Fee	49.00
66.	Credit Card Convenience Fee (Debit/Credit)	1.50
67.	Special Request Hourly Service Rate (Office Professional)	139.00
68.	Special Request Hourly Service Rate (EDP/Computer Analyst)	202.00
69.	Special Request Hourly Service Rate (Management)	238.00