

**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 for services of the Clerk-Recorder to adjust for increased costs of doing business and the provision of additional 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, 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, the present fees for administering the services provided by the Clerk-Recorder have remained unchanged since 2003; 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;

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

That the fees set forth in the fee schedule established by this Ordinance are hereby adopted pursuant to section 54985 of the California Government Code. Said fees are to be assessed against all persons where permitted by law and are to become effective **March 1, 2009**.

Resolution 08-336, effective July 14, 1988 and 99-230, effective June 19, 1999 are hereby repealed on the above-mentioned date that the fees imposed by this Ordinance become effective. The repeal of said resolutions shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in effect after said resolution is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____ **2009** by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
CHAIR, SALUD CARBAJAL
BOARD OF SUPERVISORS

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DENNIS MARSHALL,
COUNTY COUNSEL

By _____
Deputy County Counsel

APPROVED AS TO FORM:
ROBERT GEIS,
AUDITOR-CONTROLLER

By _____
Deputy

**CLERK-RECORDER OFFICE
FEE SCHEDULE**

<u>Service Description</u>	<u>FEE</u>
RECORDER FEES:	
1. Daily CD of Official Records Digital Images	24.00
Mail Preparation-Priority	4.00
Mail Preparation-First Class	2.00
Priority Mail Fee	Actual Cost
2. CD of Monthly Official Record Digital Images	65.00
Mail Preparation-Priority	4.00
Mail Preparation-First Class	2.00
Priority Mail Fee	Actual Cost
3. Customer Made OR Microfilm Copies- per page	0.50
4. Official Record Copy - Per Page	2.00
5. Involuntary Lien Notice & Mailing	12.00
Mail Preparation -1st Class	2.00
6. Involuntary Lien Notice & Mailing-Addtl Debtors	4.00
Mail Preparation -1st Class	2.00
7. Recording/Filing/Indexing MAP-1st Page (Subdivision & Parcel Maps)	40.00
Recording/Filing/Indexing MAP-Addtl Pages (All maps)	6.00
8. Recording/Filing/Indexing MAP-1st Page (All other Maps)	28.00
Recording/Filing/Indexing MAP-Addtl Pages (All maps)	6.00
9. MAP Certification	8.00
10. Official Record Certification	2.00
11. Official Record Conformed Copy	2.00
12. Clerk Translation Verification	20.00
13. 20-Day Preliminary Notice	36.00
CLERK FEES:	
14. Vital Record Expedite Service - IVR Request	10.00
Mail Preparation - Priority	4.00
Priority Mail Fee	Actual Cost
15. Vital Record Expedite Service - Fax Request	6.00
Mail Preparation - Priority	4.00

	Actual Cost
Priority Mail Fee	
16. Vital Record Expedite Service - Website Requests	-
Mail Preparation - Priority	4.00
Priority Mail Fee	Actual Cost
17. Filing/Indexing -Miscellaneous Filings	14.00
18. Clerk Certification (signed official seal)	2.00
19. Clerk File Copy – Set-up	4.00
Clerk Record Search (per record)	6.00
Clerk File Copy Fee - per page	0.49
20. Clerk Filing Confirmation Certificate	6.00
Clerk Record Search (per record)	6.00
21. Surety-Financial Statement Filing	12.00
22. Surety -Certificate of Surety Authority Filing	12.00
23. Surety - Power of Attorney Filing/ Can/Revoc/WD	10.00
24. Surety - Power of Attorney Filing each Addtl name	2.25
25. Statement of Domestic Partnership (DMP) Filing	42.00
26. DMP Statement of Amend/Term/Death	28.00
27. DMP Certified Copy of Original Stmt Filed	10.00
28. DMP Re-Issuance of Certificate	26.00
29. Notary Public Bond Filing/Canc/Revok/WD	32.00
30. Notary Bond Certificate of Filing	6.00
Clerk Record Search (per record)	6.00
31. Notary Journal Return Receipt	2.00
32. Notary Journal Page Copy - Setup	2.00
Clerk Record Search (per record)	6.00
Clerk File Copy Per page	0.49
33. Certificate to Official Capacity of a Public Official	12.00
34. Fictitious Business Name Filing	40.00
FBN Notice of Expiration	1.00
Fictitious Business Name Filing - Addtl Names/Partner	4.00
Fictitious Business Name Websearch (for LLC or Corp.)	4.00
35. Fictitious Business Name Renewal	40.00
36. FBN Aband/WD	26.00
37. FBN Certified Copy	4.00
Clerk Record Search (per record)	6.00
Clerk Certification (signed seal)	2.00
38. FBN Regular Copy	4.00

	Clerk Record Search (per record)	6.00
39.	FBN Monthly CD	44.00
	Mail Preparation-Priority	4.00
	Priority Mail Fee	Actual Cost
40.	FBN List (Hard Copy List)	6.00
	Mail Preparation -1st Class	
41.	Passport Photo	14.00
42.	Regular Marriage License	57.00
	60-day Notice	2.00
	State Fees	28.00
43.	Confidential Marriage License	67.00
	State Fees	28.00
44.	Declaration of Marriage (SB County)	67.00
	State Fees	28.00
45.	Declaration of Marriage (Other County)	77.00
	State Fees	28.00
46.	Non-Clergy Marriage License	63.00
	State Fees	28.00
47.	Expedite Marriage License Recording	10.00
48.	Marriage Lic Duplicate	48.00
49.	Confidential Marriage Lic Duplicate	48.00
50.	Confidential Marriage License Amendment	30.00
51.	Marriage Commissioner Appointment	44.00
52.	Marriage Officiants Training	59.00
53.	Marriage Ceremony	83.00
54.	Marriage Ceremony Witness Fee	44.00
55.	Process Server Registration	
	Proc Srvr-Perm ID Cards	12.00
	Proc Srvr-Perm ID Cards Laminated (optional)	16.00
	Proc Srvr Bond Filing/Can/Revok/WD	18.00
56.	Professional Photocopier Registration	
	Prof Photocopier Addtl ID Cards	12.00
	Prof Photocopier Addtl ID Cards Laminated (Optional)	16.00
	Prof Photocopier Filing/Canc/Revok/WD	18.00
57.	Unlawful Detainer Asst & Legal Doc Asst	
	UD &LA Addtl ID Cards	12.00
	UD &LA Addtl ID Cards Laminated (optional)	16.00
	UD &LA Filing/Can/Revok/WD	18.00

MISC FEES:	
58. Mail Preparation -1st Class	2.00
59. Mail Preparation - Priority	4.00
60. Priority Mail Fee	Actual Cost
61. Misc File Copy per Page (OR or Clerk File)	0.49
62. NSF Fee	70.00
63. Credit Card Surcharge	1.00

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Santa Barbara County Clerk-Recorder's Office

Based on a preliminary review of the project, the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s) N / A

Case No: N / A

Location: COUNTY OF SANTA BARBARA

Project Title: ADOPTION OF CLERK-RECORDER FEE ORDINANCE

Project Description: ORDINANCE ESTABLISHING FEES FOR THE OFFICE OF THE COUNTY CLERK-RECORDER PURSUANT TO GOVERNMENT CODE COMMENCING WITH §27360, §26820, AND §54985; BUSINESS AND PROFESSIONS CODE COMMENCING WITH §6404, §17929, §22352, AND §22453; COUNTY CODE §42-5; AND SANTA BARBARA COUNTY POLICY ON FEES GENERALLY.

Exempt Status: (Check One)

Ministerial Statutory Categorical Exemption Emergency Project

No Possibility of Significant Effect [Sec 15061(b,3)].

Cite specific CEQA Guideline Section:

14 CCR 15273 * PUBLIC RESOURCES CODE SECTION 21080(b)(8)(A) and (B)

Reasons to support exemption findings (attach additional material, if necessary):

THIS ORDINANCE IS TO ENABLE THE OPERATION OF REGULATORY PROGRAMS AND AS SUCH IS CATEGORICALLY AND STATUTORILY EXEMPT FROM CEQA. FEES WILL BE USED TO MEET OPERATING EXPENSES.

Joseph E. Holland
Santa Barbara County Clerk, Recorder, and Assessor

Date

NOTE: A copy must be posted in the County of Santa Barbara Planning & Development Department at least six days prior to consideration of the activity by the decision makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35 day statute of limitation on legal challenges.

Distribution: Planning & Development Department

Date Filed with the County Clerk