

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: CLERK-RECORDER

BOARD AGENDA # \*B-7

Urgent        Routine X

AGENDA DATE June 12, 2001

CEO Concurs with Recommendation YES opt NO         
(Information Attached)

4/5 Vote Required YES        NO X

SUBJECT: APPROVAL TO SET A PUBLIC HEARING FOR TUESDAY, JULY 10, 2001, AT 9:30 A.M., TO CONSIDER THE INTRODUCTION, WAIVING OF THE READING, AND ADOPTION OF AN ORDINANCE TO INCREASE/DECREASE EXISTING FEES FOR THE CLERK-RECORDER OFFICE.

STAFF RECOMMENDATIONS: APPROVAL TO SET THE PUBLIC HEARING FOR THE PROPOSED INCREASE/DECREASE OF EXISTING FEES IN THE CLERK-RECORDER & ELECTIONS DEPARTMENT FOR JULY 10, 2001, AT 9:30 A.M.

FISCAL IMPACT: The proposed fee increases and decreases are reasonable and cover no more than the actual costs to the County for these services to the public.

BOARD ACTION AS FOLLOWS:

No. 2001-424

On motion of Supervisor Caruso, Seconded by Supervisor Simon  
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2)        Denied
- 3)        Approved as amended

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk By: Deputy

**APPROVAL TO SET A PUBLIC HEARING FOR TUESDAY, JULY 10, 2001,  
AT 9:30 A.M. TO CONSIDER THE INTRODUCTION, WAIVING OF THE  
READING, AND ADOPTION OF AN ORDINANCE TO INCREASE/DECREASE  
EXISTING FEES FOR THE CLERK-RECORDER OFFICE**

**PAGE TWO**

**DISCUSSION:** The Clerk-Recorder Office receives numerous daily requests from the public for services and information. The County Clerk-Recorder is permitted -- and in some situations required by California Government Code -- to charge a fee for information or services. Government Code Sections 54985 & 54986 (Chapter 295, Stats. 1983) authorize the Board of Supervisors to increase or decrease any fee or charge which may be otherwise authorized by any other provision of law, "...in the amount reasonably necessary to recover the cost of providing any product or service..." A fee or charge may reflect the average cost of providing any product or service, including indirect costs. A public hearing is required to adjust fee schedules.

**POLICY  
ISSUE:** Board of Supervisors' approval is required to set the date of a public hearing regarding proposed increase/decrease of fees.

**STAFFING  
IMPACT:** None.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on July 10, 2001 at the hour of 9:30 a.m., the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, at 1010 10<sup>th</sup> Street, Modesto, CA, to consider the introduction, waiving of the reading and adoption of an Ordinance relating to Clerk-Recorder and Elections Department fees.

NOTICE IS FURTHER GIVEN that at the above noticed time and place, interested persons will be given an opportunity to be heard. Material submitted to the Board of Supervisors for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above proposal is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Stanislaus County Board of Supervisors, 1010 10<sup>th</sup> St., Ste. 6500, Modesto, CA 95354.

NOTICE IS FURTHER GIVEN that details of the proposed ordinance are available in the Clerk to the Board's Office. For further information call (209) 525-6414.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: June 19, 2001

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California.

BY:



Lillie Farriester, Assistant Clerk of the Board

**DRAFT** #4

ORDINANCE NO. C.S. \_\_\_\_\_

**AN ORDINANCE RELATING TO CLERK-RECORDER AND  
ELECTIONS DEPARTMENT FEES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DO ORDAIN AS FOLLOWS:

**Section 1.** Chapter 4.34 of the Stanislaus County Code is amended to read as follows:

**4.34.010.** The office of the Clerk-Recorder of the county shall charge the following fees for the following activities:

- A. Issuance of a regular and/or declared marriage license: \$70.00.
- B. Issuance of a duplicate marriage license: \$10.00.
- C. Issuance and filing of a confidential marriage license or certificate: \$76.00.
- D. Performance of a marriage ceremony: \$40.00.
- E.
  - 1. Filing a fictitious business name which may include two partners operating under that fictitious business name statement: \$30.00.
  - 2. Filing an additional fictitious business name filed on a fictitious business name statement where the additional name is doing business at the same location; or naming an additional partner operating under the same fictitious business name statement, \$7.00 for each additional fictitious business name and/or after two partners.
  - 3. Filing a statement of abandonment of use of a fictitious business name: \$30.00, and
  - 4. Filing a statement of withdrawal from partnership operating under fictitious business name: \$30.00.
- F. Fictitious business name lists:
  - 1. Copy of first page, \$3.00 and \$2.00 for each additional page.
  - 2. Subscription to CD disk is \$20.00 per month.

- G. Clerk-Recorder department copying charge of an official record is \$3.00 for the first page and \$2.00 for each additional page.
- H. Issuance of a copy of an official record, \$3.00 ... [ditto above]
- I. Filing a notary certification or bond of notary public: \$21.00; and
- J. 1. Filing, cancellation, revocation, or withdrawal, of a power of attorney for an admitted surety insurer in which one name is designated: \$10.00; and  
 2. Designating an additional name on a power of attorney for an admitted surety insurer, \$5.00 for each additional name;
- K. For each filing pursuant to Section 711.4 of the California Fish and Game Code, in addition to any filing fee pursuant thereto: \$50.00;
- L. For each filing of a preliminary twenty-day notice, in addition to performing a records search and notification to an individual: \$50.00. (Ord. CS 511 §1, 1993; Ord. CS 428 §1, 1991; Ord. 304 §1, 1988).
- M. Passport mailing and handling is \$5.00 or \$10.00 for expedited handling, with an additional fee to the United States Passport Office as determined by said office.
- N. Elections department copying charge is \$3.00 for the first page and \$2.00 for each additional page.

**Section 2.** This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the \_\_\_ Day of \_\_\_\_\_, 2001, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

---

Pat Paul, Chair of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:

Christine Ferraro Tallman  
Clerk of the Board of Supervisors of the  
County of Stanislaus, State of California

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

Michael H. Krausnick  
County Counsel

By \_\_\_\_\_  
Dean Wright  
Deputy County Counsel

Attn  
Dandy  
525-4420  
7-9-01

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

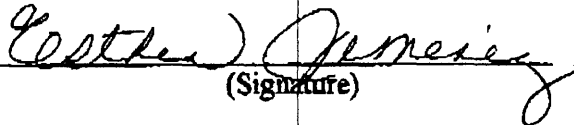
**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue thereof on the following dates, to wit:

**JUNE 24, 30, 2001**

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO, California** on

**JUNE 30, 2001**

  
(Signature)

**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that on July 10, 2001 at the hour of 9:30 a.m., the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, at 1010 10th Street, Modesto, CA, to consider the introduction, waiving of the reading and adoption of an Ordinance relating to Clerk-Recorder and Elections Department fees.  
NOTICE IS FURTHER GIVEN that at the above noticed time and place, interested persons will be given an opportunity to be heard. Material submitted to the Board of Supervisors for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above proposal is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Stanislaus County Board of Supervisors, 1010 10th St., Ste. 6500, Modesto, CA 95354.  
NOTICE IS FURTHER GIVEN that details of the proposed ordinance are available in the Clerk to the Board's Office. For further information call (209) 525-4414.  
BY ORDER OF THE BOARD OF SUPERVISORS  
DATED: June 19, 2001  
ATTEST: CHRISTINE FERRARO TALLMAN,  
Clerk of the Board of Supervisors  
of the County of Stanislaus,  
State of California.  
BY: /s/ Lillie Farrister,  
Lillie Farrister,  
Assistant Clerk of the Board  
June 24, 28, 2001