

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

DEPT: Clerk-Recorder  
Urgent \_\_\_\_\_ Routine XX  
CEO Concur with Recommendation YES phc NO \_\_\_\_\_  
(Information Attached)

BOARD AGENDA # 9:30 a.m.  
AGENDA DATE July 10, 2001  
4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT: APPROVAL TO INTRODUCE, WAIVE THE READING, AND ADOPT AN ORDINANCE TO INCREASE EIGHT EXISTING FEES AND DECREASE TWO EXISTING FEES IN THE CLERK-RECORDER OFFICE.

STAFF RECOMMENDATIONS: APPROVAL TO INTRODUCE, WAIVE THE READING, AND AMEND ORDINANCE CHAPTER 4.34 OF THE STANISLAUS COUNTY CODE TO INCREASE AND/OR DECREASE THE CLERK-RECORDER FEES.

FISCAL IMPACT: The proposed increase in fee recovery is estimated at \$36,000 per year, based on 1999-2000 fiscal year revenue -- the last full 12-month revenue cycle.

These proposed 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. 2001-538

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:

INTRODUCED, WAIVED THE READINGS, AND ADOPTED  
ORDINANCE C.S.763.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Christine Ferraro Deputy

File No. ORD-54-H-15

**APPROVAL TO INTRODUCE, WAIVE THE READING, AND ADOPT AN  
ORDINANCE TO INCREASE EIGHT EXISTING FEES AND DECREASE TWO  
EXISTING FEES IN THE CLERK-RECORDER OFFICE  
PAGE TWO**

**DISCUSSION:** The Clerk-Recorder's Office customarily reviews its fees every four years. The firm of Government Finance Research, Sacramento, is used to study and revise the fees as necessary. Government Finance Research is a leading authority of fee studies for many of California's 58 counties. With increased population and additional staff, the cost to produce services to the public has increased as well. 1999-2000 revenue figures were used as the basis for the study, as it was the last full 12-month revenue cycle.

In fiscal year 1999-2000, 2,347 regular marriage licenses were issued at a cost of \$66 each, resulting in the 1999-2000 regular marriage license revenue of \$154,902.00. With the proposed fee increase to \$70, the estimated revenue increase would be \$9,388.00, or \$164,290.00.

The Clerk-Recorder Office continues to receive 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.

Stanislaus County Code Chapter 4.34 relates to fees of the Clerk-Recorder Office. 10 existing fees should be increased and/or reduced to cover the cost of providing the services to the public. Attached is a list of the recommended fee adjustments, as is the Government Finance Research Clerk-Recorder Fee Study.

Occasionally Clerk-Recorder fees change due to state or federal laws. Notwithstanding, it is the plan of the Clerk-Recorder Office to review all fees every four years.

**APPROVAL TO INTRODUCE, WAIVE THE READING AND ADOPT AN  
ORDINANCE TO INCREASE EIGHT EXISTING FEES AND DECREASE TWO  
EXISTING FEES IN THE CLERK-RECORDER OFFICE**  
**Page Three**

**POLICY**

**ISSUE:**

It is the commitment and policy of the Board of Supervisors to "promote efficient government operations." The adjustment of these fees demonstrates this commitment.

**STAFFING**

**IMPACT:**

None.

**APPROVAL TO INTRODUCE, WAIVE THE READING AND ADOPT AN  
ORDINANCE TO INCREASE EIGHT EXISTING FEES AND DECREASE TWO  
EXISTING FEES IN THE CLERK-RECORDER OFFICE**

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**CLERK-RECORDER FEE ADJUSTMENT RECOMMENDATIONS**

1. Regular Marriage & Declaration of Marriage Licenses - Increase from \$66 to \$70.
2. Confidential Marriage License - Increase from \$72 to \$76.
3. Fictitious Business Name Filings - Increase from \$27 to \$30.
4. Fictitious Business Name Withdrawal & Abandonment - Increase from \$18 to \$30.
5. Fictitious Business Name Mailing Lists, Hard Copies of Listings Recorded on Disks - \$3 for the first page, \$2 for each additional page; listings on compact discs \$20 a month.
6. Issuance of Duplicate Marriage License - Increase from \$5 to \$10
7. Office Marriage Ceremony - Increase from \$35 to \$40
8. County Mailing & Handling Fee for Processing Passports - \$5, or \$10 for expedite handling.
9. Copy of Official Document, Clerk-Recorder's Office - **Reduce from \$6 for first page to \$3 for first page, and \$2 for each additional page.**
10. Copy of Official Document, Elections' Office - **Reduce from \$4.50 for first page to \$3 for first page, and \$2 for each additional page.**

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.
  - 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 for an official record is \$3.00 for the first page and \$2.00 for each additional page.
- H. Filing a notary certification or bond of notary public: \$21.00.
- I. 1. Filing, cancellation, revocation, or withdrawal of a power of attorney for an admitted surety insurer in which one name is designated: \$10.00.  
2. Designating an additional name on a power of attorney for an admitted surety insurer: \$5.00 for each additional name.
- J. 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.
- K. For each filing of a preliminary twenty-day notice, in addition to performing a records search and notification to an individual: \$50.00.
- L. Passport mailing and handling is \$5.00 for regular and \$10.00 for expedited handling.
- M. 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:

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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 *F. Dean Wright, ex. County Counsel*  
Dean Wright  
Deputy County Counsel

V:\CO\_ADMIN\WPKREIDER\DEAN\ORDINANC\Clerk-Recorder & Elections Fees.wpd



# **GOVERNMENT FINANCE RESEARCH**

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## **A Study of Costs Related to Selected Fees Charged by the Stanislaus County Recorder Clerk**

**And**

## **Estimates of Recommended Cost-Recovery and Proposed Fee Adjustments**

February, 2001



**A Study of Costs Related to  
Selected Fees Charged by the  
Stanislaus County Clerk-Recorder**

**And**

**Estimates of Recommended Cost-Recovery  
and Proposed Fee Adjustments**

February, 2001

By  
GOVERNMENT FINANCE RESEARCH, INC.

Peter Lauwerys  
Principal Consultant

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## **I. Introduction**

This study concerns the allowable full cost-recovery of selected services provided to the public by the Stanislaus County Clerk-Recorder's Department. In the fall of 2000, Government Finance Research (GFR) was commissioned by Stanislaus County to complete a cost-recovery and fee study for selected service activities of the Stanislaus County Clerk-Recorder's Department.

GFR has completed cost-recovery studies for Stanislaus County in 1988 and 1994, which studies resulted in adjusted fee schedules and some additional revenues for Stanislaus County. The charges and service fees studied are open to adjustment by the Stanislaus County Board of Supervisors under various State statutes, most particularly Government Code § 54985.

The services, charges, and license fees studied are as follows:

1. Regular Marriage Licenses issuance
2. Confidential Marriage License issuance
3. Duplicate Marriage Licenses
4. Marriage Ceremony
5. Fictitious Business Name Filing
6. Abandonment, Withdrawal FBN
7. 2nd/Additional Name Charge FBN
8. Fictitious Business Name Lists and Disks of FBN Listings
9. Notary Bond Filing
10. Notary Signature Authentication
11. Lien Notifications
12. 20-day Preliminary Notice
13. Environmental Impact Report, Clerk's Administrative Fee
14. Copy Costs, Official Records of the Clerk-Recorder and Elections Offices
15. Power of Attorney
16. Passport Applications, Mailing and Handling Charge

## **A) Legal and Statutory Background**

The Stanislaus County government provides various services and licensing and regulatory activities for which charges can be levied on the user of the service. For some of these the fee is set by State government (Gov. Code §54985). For others, local government can set the fee within certain guidelines. User fees are charged for certain services and activities that benefit or serve selected users rather than the general public. Examples of user fees include fees for the use of a publicly owned golf course, a restaurant health permit, a dog license or the filing of a notary bond. User fees pay for legitimate services that county government provides which should be paid for by the user rather than by the general public through taxes.

Government Code §§54985-54987, which became law in 1983, was amended in 1988 and 1996, states:

...a county Board of Supervisors shall have the authority to increase or decrease the fee or charge, which is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of enforcing any regulation for which the fee or charge is levied. *The fee or charge may reflect the average cost of providing any product or service or enforcing any regulation.*

Additionally, Government Code §54986(a) requires:

(a) Prior to either approving an increase in an existing fee or charge or initially imposing a new fee or charge pursuant to §54985, the board of supervisors shall hold at least one public meeting, at which oral or written presentations may be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the clerk of the board of supervisors for mailed notice of the meeting on new or increased fees or charges.

## **B) Cost-Recovery Study for County Fee and License Services**

Most fees charged by the Stanislaus County Clerk-Recorder are established by State statutes, including the Government Code. The County Board of Supervisors may change some of the fees if they can demonstrate to the public that the costs are in excess of the income derived for the particular service as allowed under Government Code §54985.

Therefore, Stanislaus County commissioned GFR (the consultants) to conduct a cost-recovery study on behalf of the County Clerk-Recorder's Department, examining those selected services for which fees may be adjusted by the County Board of Supervisors. Having successfully completed cost-recovery studies for 29 California counties, the consultants are well aware of all statutory and legislative requirements for cost-recovery studies, and the care and detail that is required of any such study.

In developing the Stanislaus County study methodology, GFR consulted with County staff, researched staff activities, and reviewed State legislation relative to local government charges and fees. This study is similar to the format and methodologies used by the consultants in earlier years in Stanislaus County, and in counties all over California for actions based on the results of the research.

Further details related to the study methodology and data recording instruments are available at the offices of the consultants in Sacramento.

### **C) Stanislaus County Clerk-Recorder Department**

State Government Codes refer to the Clerk-Recorder's duties which include maintaining files on fictitious business names and notary publics, issuing certified copies of records and handling environmental document filings. The Clerk-Recorder is commissioner of civil marriages and collects numerous fees as specified by law. This department is responsible for recording, filing and safekeeping documents pertaining to real property. These functions include indexing and reproduction of all documents, maps, papers and notices for which State law requires recording or filing. The department also registers and files marriage certificates, in addition to financial statements and related papers required by the Uniform Commercial Code. The Clerk-Recorder also performs other services which were not included in this study. Most of the duties and responsibilities of the Clerk-Recorder are prescribed by State law. However, the statutes allow that *for some functions*, fees or charges may be adjusted by the County in order to recover the full estimated cost of providing that service for the user. A detailed listing of all the Clerk-Recorder fees and charges may be found in the Appendix of this report.

In Stanislaus County, the County Clerk-Recorder is also the Registrar of Voters and supervises the County Elections Department.

## II. Study Methodology

The Stanislaus County study began with a review of cost-recovery studies prepared for the Stanislaus County Clerk-Recorder in 1988 and 1994. GFR's principal consultant then worked closely with the Clerk-Recorder Department staff to review all basic tasks and functions related to the items, licenses, fees, and charges under investigation. Time tracking and estimating forms were developed to determine typical time requirements to the closest minute for various tasks and sub-tasks.

During the 1988 and 1994 studies, Stanislaus County staff had been involved over several weeks in determining typical time requirements for various tasks and sub-tasks. The work completed in 1988 and 1994 helped validate this study. All details were carefully researched to find out what staff tasks were required *both* at the time of any public request for a license, filing, or service *and* after the individual had left the offices. Details were carefully researched to find out what tasks were required for both primary activities and for basic support services. For example, the issuance of a marriage license requires personal interviews and processing with the applicants for the license at the time the license is issued. Then this function *also* requires the Clerk-Recorder's Department to index, input data into computer files, periodically send reports to the State Department of Vital Statistics and answer detailed questions by telephone and attend statewide meetings and workshops on marriage license issues.

Since 1994, the Clerk-Recorder's Department has improved the delivery of services most particularly with the issuance of marriage licenses and the filing of fictitious business names.

Managers and supervisory staff then met with and discussed details regarding the time tracking sheets with the consultant. The consultant then tallied the calculated minutes based on the total time that staff expended on each task. Samples of those forms may be found in the Appendix of this report. The estimates of time taken for tasks were then compared with the 1988 and 1994 task-timing surveys. Adjustments were made based on detailed discussions between the consultant and county staff.

Staff salaries, employee fringe benefits, and the County's indirect and overhead costs were all computed precisely and reduced to a productive hourly rate or cost. The time expended for certain activities was averaged so that the actual minutes calculated are based on frequent repetitions of the specific task. The following section provides the results of the time study and basic calculation of the costs. The analysis is explained in some detail in order to provide the reader with the full logic of the cost formula.

### III. Cost Analysis and Determination

This section describes the steps that were used to determine costs associated with the specific activities of the County Clerk-Recorder's Department identified in Section II.

#### A) Time Calculations

All known costs incurred by the County in order to provide the services outlined in the Introduction were calculated and tallied. The number of minutes calculated for a specific service provides the analysis with a reasonable formula to determine the average cost per unit of providing a specific service (for example, the issuance of a marriage license). The calculation is as follows:

<p>Average Number of Minutes to Provide Service (Primary Activity)</p> <p><i>Plus</i></p> <p>An Allocated Number of General and Support Minutes</p> <p><i>Multiplied by</i></p> <p>Cost per Minute of Staff Time (Productive Hours and Minutes)</p> <p><i>is Equal to</i></p> <p>Average Cost per Service Unit</p>
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The following subsections describe the method used to determine the costs per minute of staff time (productive hours and minutes) used in the formula above.

## B) Analysis of Staff Costs: Calculation of Productive Hours

"Productive Hours" are those hours that a worker can be considered to actually be "on the job" in the work place. It is virtually impossible for any employee to work non-stop for eight hours a day, five days a week, 52 weeks a year. In reality, the law allows for employees to have holidays, vacation time and sick leave off from work, and break time every day at work. Productive hours are used for the calculations in this report.

GFR calculated the cumulative totals of average vacation taken by the County Clerk-Recorder staff as being 74 hours per year. Additionally, employees are allowed legal holidays (calculated at 72 hours per year). The consultant estimated the average amount of time that employees take for sick leave at 93 hours per year.

On the basis of these averages, an employee is away from his/her work 354 hours each year. The maximum potential of 2,080 working hours (full-time) is, therefore, equivalent to 1,726 *actual productive hours* (ph) per person per year.

The calculation for determining productive hours in the Stanislaus County Clerk-Recorder's Department is:

Table A

Maximum Possible Working Hours Per Year (40 Hours Per Week)	2,080
Less: Vacation Time	74
Sick Leave	93
Legal Holidays	72
Break Time for 46 Weeks at Work	<u>115</u>
Sub-Total	354
TOTAL PRODUCTIVE TIME	1,726

The "productive hours" concept is used as a base for other calculations of costs in this study. The total number of productive hours for all Stanislaus County Clerk-Recorder's office staff is 50,040 hours.



### C) Line Item Calculations, Billing Formula

Table B on page 10 identifies eight (8) line items that should be included in a calculation of the billing rate for the Stanislaus County Clerk-Recorder's Department. These follow:

1. Individual Staff Salary Cost

This figure includes both the direct wages and salaries paid to the Clerk-Recorder legal process staff and the Stanislaus County's employee insurance and fringe benefit costs. Averaged for all appropriate staff (senior level, non-managerial staff) the annual cost including fringe benefit costs is \$35,877.00.

2. County Indirect Costs

The cost to be considered for the Stanislaus County Clerk-Recorder's services should include the County's overhead costs, which are calculated on an annual basis by the Stanislaus County Auditor's Office. The process is generally referred to as the annual A-87 "cost allocation plan." The 2000-2001 calculated overhead cost of \$56,934 is utilized for this study. (Reference Stanislaus County Cost-Allocation Plan, see Appendix.)

The total "allocated" amount is then divided by the total productive hours that the regular County Clerk-Recorder's staff spent during the year. 29 full time equivalent (FTE) positions X 1726 = 50,054 hours.

$$\$56,934 \div 50,054 \text{ hours} = \$1.14 \text{ per productive hour (pph).}$$

3. Services and Supplies Indirect Costs

The indirect cost calculations are based on budgeted costs estimated for 2000-2001 for services and supplies used by the Office of the County Clerk-Recorder. Services and supplies are those costs other than actual employee costs and employee benefits costs. These costs are established as \$743,915 in the 2000-2001 Stanislaus County Budget. The cost of services and supplies for a fiscal year was divided by the number of productive hours the County Clerk-Recorder's staff performed during the year.

$$\$743,915 \div 50,054 = \$14.87 \text{ per productive hour (pph).}$$

4. Management and Supervision Costs

GFR analyzed all supervisory positions and calculated a precise billing rate to be used for this line item. The Appendix of this report includes a Chart of Organization which details the major positions and functions of the Clerk-Recorder's Department. Annual salaries (including fringe benefits) are used to calculate hourly cost rates. These salaries are divided by the annual productive hours of those employees who report to the supervisory staff. Costs are calculated at \$12.10 per productive hour.

5. Financial Services, Administrative Support Staff Costs

The Clerk-Recorder's Department incurs significant annual costs for the following basic units: the Financial Services Section accounting and administrative support. All these sections are essential to enable the Department to deliver the services under study. The Stanislaus County staff calculated these costs as being:

Accounting, Bookkeeping Staff at \$135,958

The \$135,958 total should be divided by the productive hours of the Department staff, except the Financial Services and Data Entry staff. The calculation is therefore:

$$\$135,958 \div 44,876 = \$3.03 \text{ per productive hour}$$

6. Clerk-Recorder Service Improvements, Including Software and Training

During the 1988 and 1994 cost-recovery studies, it was determined that a billing rate for the Clerk-Recorder's Office should include the costs of automation, services modernization and improvements for the public service activities of the Clerk's Office, such as marriage license issuance and indexing, or the indexing and tracking of fictitious business names. The amount was included in the billing formula, an amount derived from budgeted annual expenditure of \$80,000. \$80,000 is divided by the productive hours of all department staff, except for the Clerk-Recorder herself.

$$\$80,000 \div 50,040 = \$1.60 \text{ per productive hour}$$

7. Fee, Cost-Recovery Study Costs

A portion of the fee, cost-recovery study itself is recoverable under State Statute (Government Code 54985) as an element of the Clerk-Recorder office costs. The study costs were amortized over three years, with \$5,533.00 allocated to the billing formula.

$$\$5,533 \div 1726 = \$3.21 \text{ per productive hour}$$

8. Additional Facility, Building Costs (Beyond the Stanislaus County Overhead)

The Clerk-Recorder's office is housed in a former bank (private) building in downtown Modesto. The rental (lease) and utility costs are \$97,280 each year or \$8,107 per month. This should be divided by the productive hours of all the Clerk-Recorder staff

$$\$97,280 \div 50,040 = \$1.95 \text{ per productive hour.}$$

The following table details the calculations that were used to determine the cost per productive hour (pph) in the Stanislaus County Clerk-Recorder's Department for fiscal year 2000-2001.

**Table B**

**Table of Billing Formula for Stanislaus County Clerk-Recorder's Department  
2000-2001**

	<b>TOTAL</b>	<b>COST PER  HOUR</b>
1. Total annual individual staff salary cost per Clerk-Recorder averaged position including benefits.	\$35,877.00	\$20.79
2. County indirect costs (cost allocation A-87) (\$1.14 x 1726)	1,968.00	1.14
3. Services and supplies costs (non-staff) (\$14.87 x 1726)	25,666.00	14.87
4. Management and supervision central support (\$12.10 x 1726)	20,885.00	12.10
5. Financial services, administrative support costs (\$3.03 x 1726)	5,230.00	3.03
6. Clerk-Recorder services improvements costs, computer software, training (\$1.60 x 1726)	2,762.00	1.60
7. Fee and license study costs amortized for three years	5,533.00	3.21
8. Facility, extra building costs, lease and utilities (\$1.95 x 1726)	3,366.00	1.95
<b>TOTAL ANNUAL COSTS</b>	<b>\$101,287.00</b>	<b>\$58.69</b>
Formula Calculations – Rate Per Productive Hour \$101,287.00 ÷ 1726 = Per Productive Hour \$.99 Per Productive Minute		

The regular cost for the activities of the County Clerk-Recorder's Department is, therefore, rounded to \$59.00 per productive hour or \$.99 per minute of productive billing time.

### **E) Analysis of Time Expenditures for Selected Services**

The consultants provided the Stanislaus County staff with various functional tracking sheets for each of the services and activities identified in Section I of this report. (A selection of the forms is included in the Appendix of this report.) These forms enabled the consultants to evaluate the typical time expenditures per service unit by Stanislaus County Clerk-Recorder staff. These reported times became the basis for an allocation of minutes per service or activity being studied. Based on an evaluation of these tracking forms, the consultants recommend a certain allocation of minutes per activity.

As indicated earlier in this report, the average allocated minutes per service unit becomes the basis for the cost calculation per unit. These calculations are detailed in the next section of this report.

## IV. Cost-Recovery Estimation

The calculations below are based on data from the consultant's cost-recovery study completed in December 2000 and estimate the cost of providing specific services, filings and licenses. Each analysis contains the tabulation of time spent for each function as allocated by the consultants.

1. **Regular Marriage Licenses (certificates of Declaration of Marriage and non-denomination marriage certificates):** Government Code §26840 requires that the County collect a fee for the issuance of a marriage license and provides for distribution of that fee. Sections 26840.3 and 26840.7 provide for additional fees to be collected to support conciliation courts and domestic violence programs. The County Clerk is also authorized to issue marriage licenses called "a License and Certificate of Declaration of Marriage," for applicants who are residents of the county (Family Code §425). In addition, marriage licenses may be given to members of particular religious societies who do not utilize clergy for solemnizing a marriage. These are identified as "Licenses and Certificates for non-denominations" (Family Code §307). Government Finance Research allocated an average of 40 minutes to the issuance of regular marriage licenses. The cost to the County to issue a license is therefore:

40 minutes @ \$0.99= \$39.60

2. **Confidential Marriage Certificates:** Family Code §500 et seq. authorizes County Clerks to issue confidential marriage certificates. Family Law Code §501 authorizes the County Clerks to collect fees as required by Government Code §§26840.1 and 26840.8 and as authorized by Government Code §26840.3. Portions of the fees are for the support of conciliation courts or conciliation services (GC 26840.3) and domestic violence centers (GC 26840.7). GFR's allocation of time requirements for the Confidential Marriage Certificate issuance is 44 minutes. The County cost calculation is therefore:

44 minutes @ \$0.99= \$43.56

3. **Notary Bond Filings:** Government Code §§8212-8213 require notaries public to file a bond with the County as a condition of their commission. Government Code §8213(c) provides that the recording fee specified in Government Code §27361 shall be paid to the County Clerk who shall transmit it to the County Recorder. In addition, Government Code §26849.1 provides that the County Clerk shall collect a fee for the filing of the bond and maintenance of data on notaries. GFR determined

that the time typically spent during the filing and processing of notary bonds was 21 minutes. The County cost is computed as follows:

$$21 \text{ minutes @ } \$0.99 \text{ per minute} = \$20.79$$

4. **Fictitious Business Name Filings:** Business and Professions Code §17929 requires that the County maintain an index of individuals and associations conducting any business. During the 1994 study, the Stanislaus County Clerk-Recorder's Office staff identified activities associated with filing of a fictitious business name (FBNs) and indexing activities. These tasks are still those required in 2000. An average of 30 minutes (rounded to the nearest minute) is allocated per unit of service, *including* general and support time. The cost to the County of filing a fictitious business name statement is:

$$30 \text{ minutes @ } \$0.99 \text{ per minute} = \$29.70$$

5. **Fictitious Business Name Withdrawal and Abandonment:** During test periods, Stanislaus County Clerk-Recorder's staff identified the activities associated with abandonment or withdrawal of fictitious business name and indexing activities. An average of 30 minutes is allocated per unit of service, which includes indexing and verification of the publication of legal notices. The cost to the County is therefore:

$$30 \text{ minutes @ } \$0.99 \text{ per minute} = \$29.70$$

6. **Filing Second or Additional Parties Under an Existing Fictitious Business Name:** GFR notes that the filing fee for adding parties to an existing fictitious business name statement is presently set at 7 minutes per party. The time allocation established by GFR is 7 minutes per additional name for FBN filings. The cost to the County is as follows:

$$7 \text{ minutes @ } \$0.99 \text{ per minute} = \$6.93$$

7. **Notary Signature Authentication (Clerk's Certificates):** Government Code §26836 allows County Clerks to require a fee to issue certificates. There are numerous requests to certify and verify notary signatures. County Clerk staff required an average of 13 minutes per unit of service to perform this function. This computes to a County cost as follows:

$$13 \text{ minutes @ } \$0.99 \text{ per minute} = \$12.87$$

8. **Liens, Notices, Mailings:** §27387 of the Government Code provides for a collection of a filing fee to defray the costs of complying with §3097 of the Civil Code pertaining to the recording of involuntary liens. GFR found that an average of nine minutes per lien notice was required to receive, process, mail and index lien notices, and to notify the involved party. The County cost of providing this service is therefore:

$$9 \text{ minutes @ } \$0.99 \text{ per minute} = \$8.91$$

9. **Twenty-Day Preliminary Notices:** The Government Code §27361.9 requires the County Recorder's Office to provide 20-day preliminary notices for subcontractors of building and development projects whose general contractors file completion of project notices. The average allocated time for this activity is 50 minutes per unit. This activity is ongoing and the fee covers a two year period. The County's cost is therefore:

$$50 \text{ minutes @ } \$0.99 \text{ per minute} = \$49.50$$

10. **Official Records, Duplication (Recorder's Office Function):** In late 1993, the State Legislature passed Assembly Bill 130, which amended Government Code §27366. This now allows County Recorder's Offices to modify fees for the duplication of official records in order "to recover the direct and indirect costs of providing the product or service...." The consultants' study indicated that Stanislaus County staff spends an average of three minutes for duplication of official records. The costs are therefore:

$$3 \text{ minutes @ } \$0.99 \text{ per minute} = \$2.97$$

11. **Power of Attorney Filings:** Government Code §26855 et seq. requires that the Stanislaus County Clerk-Recorder receive filings of power of attorney for admitted surety insurers. During the study period, GFR allocated an average of 10 minutes to process each power of attorney filing. This computes to a County cost of:

$$10 \text{ minutes @ } \$0.99 \text{ per minute} = \$9.90$$

12. **Issuance of Duplicate Marriage License:** Family Code §360 authorizes the Clerk-Recorder's Office to provide duplicate marriage licenses when the original marriage license is lost, not completed, mutilated or changed with corrections on the original



copy. GFR allocated an average of 10 minutes for this activity by the Clerk-Recorder's Office. Costs are therefore:

$$10 \text{ minutes @ } \$0.99 \text{ per minute} = \$9.90$$

13. **Marriage Ceremony (In House):** Government Code §26861 allows County Clerk-Recorders to charge a fee for performing a marriage ceremony pursuant to Family Code §401. (Please note the County previously regulated the fee Clerks could charge to perform marriages off-duty and off county property. There is no statutory authority for the County to govern this fee; therefore, GFR recommends the established fee be rescinded.) The cost-recovery study allocated an **average** of 40 minutes for each marriage ceremony performed in the Clerk's Office during business hours. The cost to the County is therefore:

$$40 \text{ minutes @ } \$0.99 \text{ per minute} = \$39.60$$

14. **Environmental Impact Report, Clerk's Fees:** The Clerk's Office is required to collect an Environmental Impact Document fee for transmittal to the California Department of Fish and Game, and is permitted to charge a documentary handling fee for this process. GFR allocated an average of 40 minutes per filing based on staff costs. The cost to the County of collecting, accounting for, and transmitting the funds to the state is 50 minutes of staff time:

$$50 \text{ minutes @ } \$0.99 \text{ per minute} = \$49.50$$

15. **Passport Applications, Clerk's Mailing/Handling Charge:** GFR analyzed the typical time spent on passport applications by the Stanislaus County Clerk-Recorder's Office staff. Passport applications are considered time-consuming and difficult because staff often has to deal with confusing questions, missing data, and language problems. The average time spent on the application process was calculated at 20 minutes per application which results in the following costs.

$$20 \text{ minutes @ } \$0.99 \text{ per minute} = \$19.80$$

Rounded to the nearest dollar, this cost is \$20.00 per application to Stanislaus County.

16. **Elections Department:** Regular copying cost of documents, counter service. Stanislaus County Elections Department makes copies of documents and records at the public's request. It is estimated that three minutes is required to pull documents and make the first copy. Subsequent copies take less time.

3 minutes @ \$0.99 per minute = \$ 2.97

## V. Recommendations

1. **Regular Marriage Licenses (certificates of Declaration of Marriage and non-denomination marriage certificates):** The consultant recommends the County adjust the County portion of the fee to \$40.00, from \$36.00 (Total cost to the public - \$70.00, from the current \$66.00).
2. **Confidential Marriage Certificates:** The consultant recommends the County adjust the County portion of the fee to \$44.00, from (Total cost to the public - \$76.00, from the current \$72.00 as the State Vital Statistics Department requires \$4.00 per certificate rather than \$2.00 for a regular license)
3. **Fictitious Business Name Filings:** GFR Recommends the County increase the fee for filing a fictitious business name to \$30.00 from the current \$27.00.
4. **Fictitious Business Name Withdrawal and Abandonment:** GFR recommends the County increase the fee charged for abandonment of a FBN from \$18.00 to \$30.00 per request.
5. **Official Records, Duplication (Recorder's Office Function):** GFR an adjustment in this fee from \$6.00 to \$3.00 for the first page, \$2.00 for the second page.
6. **Issuance of Duplicate Marriage License:** GFR recommends the County increase this fee to \$10.00 from the current \$5.00.
7. **Marriage Ceremony-In House:** GFR recommends that the County increase the \$35.00 fee to \$40.00 for a marriage ceremony.
8. **Copies of Official Documents, Recorder's Office & Clerk's Office:** GFR recommends adjustments for the copies of official records fees. The \$6.00 fee for the first page of the copies should be lowered to \$3.00, while subsequent pages should be charged at \$2.00 instead of \$1.00.
9. **FBN Mailing Lists, Hard Copies of Listings Recorded on Disks:** GFR recommends that the Clerk's Office charge for regular hard-copy pages of lists at \$3.00 for the first page and \$2.00 for subsequent pages of the lists. Subscribers who request the listings on a CD disk should be billed at \$20 a month for a monthly updating of the lists.

10. **County Passport Application Mailing and Handling Fee:** GFR recommends that the mailing and handling charge of \$5.00 be added to the U.S. County Clerk-Recorder Contribution Fee of \$15.00. Applicants should be asked to pay \$20.00 to the County of Stanislaus in addition to the \$45.00 U.S. Passport Office fee.

For **expedited** mailing and handling the County should request a fee of \$25.00 added to the \$45.00 U.S. Passport Office fee.

11. **Elections Department, copying charge:** GFR recommends that the Stanislaus County Elections Department reduce the present charge of \$4.50 for the first copy of documents and records down to \$3.00. The second copy cost should be set at \$2.00 which will be consistent with the copying charge set by the County-Recorder's Office.

**IV. Estimates of Revenues from Fee Adjustments  
Stanislaus County Clerk-Recorder**

<b>ITEM</b>	<b>99/00 FY NO. OF UNITS</b>	<b>99/00 CURRENT FEE</b>	<b>99/00 FY REVENUE</b>	<b>PROPOSED FEE</b>	<b>REVENUE</b>	<b>GAIN OR LOSS</b>
Regular Marriage License	2347	\$66.00	\$154,902.00	\$70.00	\$164,290.00	+\$9,388
Declared Marriage License	2	\$66.00	\$132.00	\$70.00	\$140.00	+ \$8
Confidential Marriage License	188	\$72.00	\$13,536.00	\$76.00	\$14,288.00	+ \$752
Duplicate Marriage License (Retyping)	71	\$5.00	\$355.00	\$10.00	\$710.00	+\$355
Marriage Ceremony	413	\$35.00	\$14,455.00	\$40.00	\$16,520.00	+\$2,065
Fictitious Business Name Statement	*2480	\$27.00	\$70,439.00	\$30.00	\$77,872.00	+\$7,433
Statement of Abandonment (FBN)	256	\$18.00	\$4,608.00	\$30.00	\$7,680.00	+\$3,072
Statement of Withdrawal/Partnership (FBN)	10	\$18.00	\$180.00	\$30.00	\$300.00	+\$120
FBN Lists-hard copy	N/A	\$1 1 <sup>st</sup> pg/ .50	N/A	\$3 1 <sup>st</sup> pg/ \$2	\$300.00	+\$300
FBN List-disk	0	0	0	\$20 p/month	\$400.00	+\$400
Copy Charge, Clerk	N/A	\$1 1 <sup>st</sup> pg/ .50	\$100.00	\$3 1 <sup>st</sup> pg/ \$2	\$250.00	+\$150
Photocopy Fee, Recorder	18,575	\$6 1 <sup>st</sup> pg/ \$1	\$55,870.00	\$3 1 <sup>st</sup> pg/ \$2	\$44,725.00	-\$11,145
Passport Applications, mailing and handling charge	4,606	\$15.00	\$69,090.00	\$20.00	\$92,120.00	+\$23,030
<b>TOTALS</b>	<b>***</b>	<b>***</b>	\$383,667	<b>***</b>	\$419,595.00	\$35,928

\*Includes FBN \$27 fee & extra \$7 fee for "over 2 names" for B=FBN's

\*\*Copy Fees for Elections Counter, \$3.00 first page, \$2.00 subsequent pages.

Unit numbers and fee revenues not available.

## Appendices

- Appendix A:* Statutory Provisions, California State Law
- Appendix B:* Sample of Tracking Forms Used to Determine Staff Time Requirements
- Appendix C:* Chart of Organization, Stanislaus County Clerk-Recorder's Office
- Appendix D:* Distribution of Fee Income for Marriage Licenses
- Appendix E:* Comparison Table of County Clerk-Recorder Fees From a Sample of California Counties

*Appendix A*

*Statutory Provisions California State Law  
Government Code Sections 54985-6*

Government Code Sections 54985-6

Chapter 12.5

COUNTY FEES

Section

54985. Authority to increase or decrease fees or charges; basis; disputes; application of chapter.  
54986. Public meetings; notice; public data; action of board by ordinance; costs.  
54987. Construction of chapter.

**§ 54985. Authority to increase or decrease fees or charges; basis; disputes; application of chapter**

(a) Notwithstanding any other provision of law that prescribes an amount or otherwise limits the amount of a fee or charge that may be levied by a county, a county service area, or a county waterworks district governed by a county board of supervisors, a county board of supervisors 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 any product or service or the cost of enforcing any regulation for which the fee or charge is levied. The fee or charge may reflect the average cost of providing any product or service or enforcing any regulation. Indirect costs that may be reflected in the cost of providing any product or service or the cost of enforcing any regulation shall be limited to those items that are included in the federal Office of Management and Budget Circular A-87 on January 1, 1984.

(b) If any person disputes whether a fee or charge levied pursuant to subdivision (a) is reasonable, the board of supervisors may request the county auditor to conduct a study and to determine whether the fee or charge is reasonable.

Nothing in this subdivision shall be construed to mean that the county shall not continue to be subject to fee review procedures required by Article XIII B of the California Constitution.

(c) This chapter shall not apply to any of the following:

(1) Any fee charged or collected by a court clerk pursuant to Section 26820.4, 26823, 26824, 26826, 26827, 26827.4, 26830, 72054, 72055, 72056, 72059, 72060, or 72061 of the Government Code or Section 103470 of the Health and Safety Code, and any other fee or charge that may be assessed, charged, collected, or levied, pursuant to law for filing judicial documents or for other judicial functions.

(2) Any fees charged or collected pursuant to Chapter 2 (commencing with Section 6100) of Division 7 of Title 1.

(3) Any standby or availability assessment or charge.

(4) Any fee charged or collected by a county agricultural commissioner.

(5) Any fee charged or collected pursuant to Article 2.1 (commencing with Section 12240) of Chapter 2 of Division 5 of the Business and Professions Code.



**COUNTY FEES**  
Div. 2

**§ 54986**

(6) Any fee charged or collected by a county recorder or local registrar for filing, recording, or indexing any document, performing any service, issuing any certificate, or providing a copy of any document pursuant to Section 2103 of the Code of Civil Procedure, Section 27361, 27361.1, 27361.2, 27361.3, 27361.4, 27361.8, 27364, 27365, or 27366 of the Government Code, Section 103625 of the Health and Safety Code, or Section 9407 of the Uniform Commercial Code.

(7) Any fee charged or collected pursuant to Article 7 (commencing with Section 26720) of Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code.

(Added by Stats.1983, c. 295, § 1. Amended by Stats.1984, c. 133, § 1, eff. May 25, 1984; Stats.1988, c. 618, § 1, eff. Aug. 29, 1988; Stats.1996, c. 1023 (S.B.1497), § 99, eff. Sept. 29, 1996.)

**Historical and Statutory Notes**

Legislative findings, declaration and intent relating to Stats.1996, c. 1023 (S.B.1497), see Historical and Statutory Notes under Business and Professions Code § 690.

Subordination of legislation by Stats.1996, c. 1023 (S.B.1497), see Historical and Statutory

Notes under Business and Professions Code § 690.

Former § 54985, added by Stats.1957, c. 1382, § 1, relating to district boundaries, was repealed by Stats.1965, c. 2043, § 34. See Government Code § 56000 et seq.

**Library References**

Counties ⇌ 193.  
WESTLAW Topic No. 104.  
C.J.S. Counties § 233.

**Notes of Decisions**

**Amount of fees 1**

**1. Amount of fees**

If county board of supervisors has determined cost of providing public defender services, probate court is limited to ordering payment of no more than all or portion of such cost for public defender's representation of conservatees. Con-

servatorship of Berry (App. 4 Dist. 1989) 258 Cal.Rptr. 655, 210 Cal.App.3d 706.

Counties which have assumed responsibility for enforcement of the State Employee Housing Act are authorized to charge fees in amounts reasonably necessary to recover their costs of providing inspection and permit services, notwithstanding lower fee limits set by the Department of Housing and Community Development. 76 Ops.Atty.Gen. 249, 10-15-93.

**§ 54986. Public meetings; notice; public data; action of board by ordinance; costs**

(a) Prior to either approving an increase in an existing fee or charge or initially imposing a new fee or charge pursuant to Section 54985, the board of supervisors shall hold at least one public meeting, at which oral or written presentations may be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the clerk of the board of supervisors for mailed notice of the meeting on new or increased fees or charges. Any written request for such mailed notices shall be valid for one

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*Chapter 12.5 was added by Stats.1983, c. 295, § 1.*

**Cross References**

Processing fee for payment of delinquent taxes in installments, see Revenue and Taxation Code § 4217.

Processing of an application for separate valuation of any parcel for redemption, see Revenue and Taxation Code § 4151.

Processing of an application for separate valuation of parcel on current roll, see Revenue and Taxation Code § 2821.

**§ 54986**

**CITIES, COUNTIES, & OTHER AGENCIES**  
**Title 5**

year from the date on which it is filed unless a renewal request is filed. Renewal requests for such mailed notices shall be filed on or before April 1st of each year. The board of supervisors may establish a reasonable annual charge for sending those notices based on the estimated cost of providing that service. At least 10 days prior to the meeting, the board of supervisors shall make available to the public data indicating the amount of cost, or estimated cost, required to provide the product or service or the cost of enforcing any regulation for which the fee or charge is levied and the revenue sources anticipated to provide the product or service or the cost of enforcing any regulation, including general fund revenues.

(b) Any action by a board of supervisors to levy a new fee or charge or to approve an increase in an existing fee or charge pursuant to Section 54985 shall be taken only by ordinance.

(c) Any costs incurred by a county, a county service area, or county waterworks district governed by a county board of supervisors in conducting the meeting or meetings required pursuant to subdivision (a) may be recovered from fees charged for the product or service or the cost of enforcing any regulation which were the subject of the meeting.

(Added by Stats.1983, c. 295, § 1. Amended by Stats.1984, c. 133, § 2, eff. May 25, 1984.)

**Historical and Statutory Notes**

Former § 54986, added by Stats.1957, c. 1382, § 1, relating to boundaries, was repealed by Stats.1965, c. 2043, § 34. See Government Code § 56000 et seq.

**§ 54987. Construction of chapter**

(a) This chapter shall not be construed as granting any additional authority to levy any fee or charge which is not otherwise authorized by another provision of law nor shall its provisions be construed as granting authority to levy a new fee or charge when other provisions of law specifically prohibit the levy of a fee or charge.

(b) This chapter shall not be construed as requiring counties, county service areas, or county waterworks districts governed by a county board of supervisors to review or revise any fee or charge which is in effect January 1, 1984.

(Added by Stats.1983, c. 295, § 1.)

**Chapter 12.6**

**AERIAL TRAMWAY FEES [REPEALED]**

*Chapter 12.6, added by Stats.1982, c. 327, § 89, was repealed by Stats.1990, c. 1572 (A.B.3228), § 1.*

*Appendix B*

*Sample Tracking Forms Used to Determine  
Staff time Estimates and Requirements*

**STANISLAUS COUNTY CLERK RECORDER OFFICE  
FEE & LICENSE STUDY, DECEMBER 2000**

*SAMPLE*

Tasks and Subtasks Worksheet  
(Estimate to closest minute. No seconds.)

**FICTITIOUS BUSINESS NAME STATEMENT  
FORM 6**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

	TACKS/ACTIONS	ESTIMATED TIME
1.	Applicant receives form and information sheet. Deputy clerk explains process. Applicant checks computer registry for name availability or duplication. <i>- Ding printer information sheet</i>	5
2.	Completed statement received at counter.	1
3.	Statement reviewed for correctness/completeness. Number assigned, indexed in file, and entered into computer.	4
4.	File stamp, certify. Deputy clerk signs statement copies.	2
5.	Collect fee. Enter into cashiering system. Issue receipt.	1
6.	Explain requirements for each copy (bank, newspaper, etc.).	2
7.	Mail copies to customer (if statement sent by mail). List authorizing newspapers.	2
8.	Receive Affidavit of Publication. File stamp, add information to computer file.	5
9.	Telephone.	2
10.	End of day: Enter information into computer from statement. Separate our copies. File original, send copy to treasurer-tax collector.	5
11.	<b>OTHER</b> <i>10 g Month's Budget</i>	2

FicBusNamSta

*Total = 31*

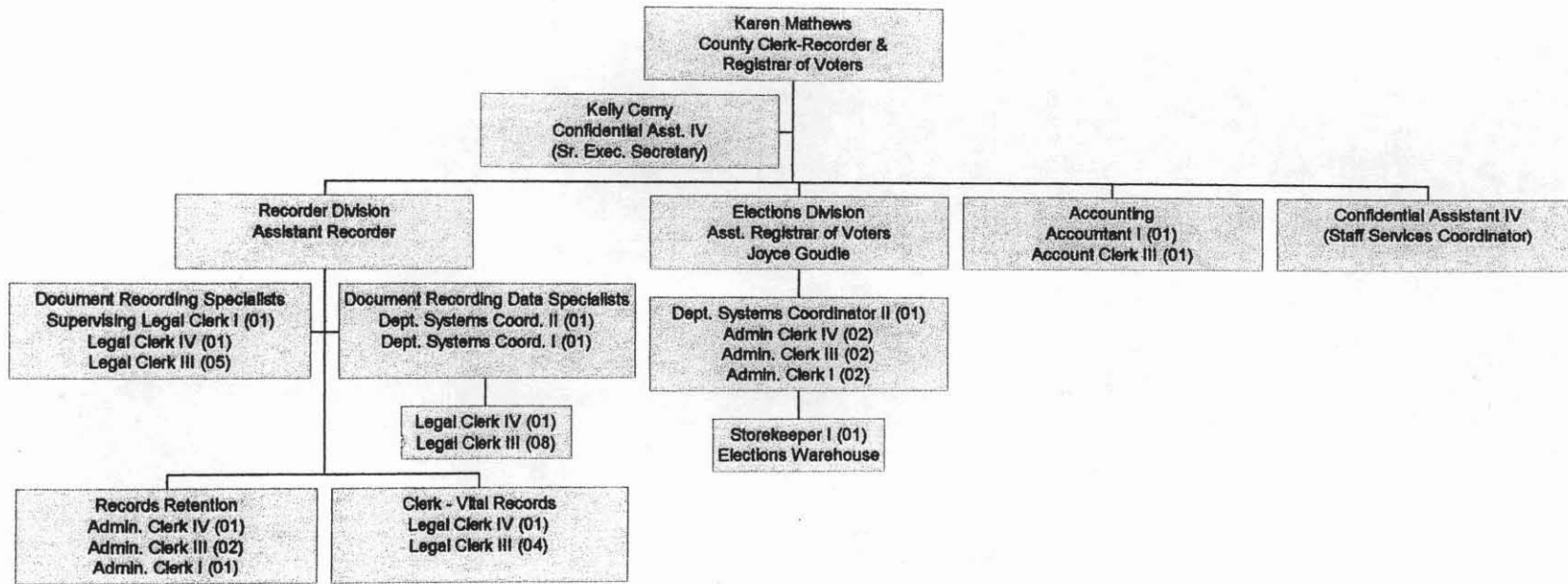
*Peter Allocates 30*

*Appendix C*

*Chart of Organization  
Stanislaus County Clerk-Recorder's Office*

# CLERK-RECORDER & ELECTIONS

10/23/00



*Appendix D*

*Distribution of Fee Income for Marriage Licenses*

**Appendix D  
Stanislaus County**

**Disbursement of Regular Marriage License Fee  
And Confidential Marriage Certificate Fees  
Due to State-Mandated Trust Fund Requirements**

TYPE OF LICENSE		FAMILY CONCILIATION COURT	DOMESTIC VIOLENCE FUND	STATE VITAL STATISTICS CHARGE	STANISLAUS COUNTY CLERK-RECORDER	PRICE TO PUBLIC TOTAL
Regular Public Marriage License	Reg. 2000	\$5.00	\$23.00	\$2.00	\$36.00	\$66.00
	Max. Proposed 2001	\$5.00	\$23.00	\$2.00	\$40.00	\$70.00
Confidential Marriage Certificate	Reg. 2000	\$5.00	\$23.00	\$4.00	\$40.00	\$72.00
	Max. Proposed 2001	\$5.00	\$23.00	\$4.00	\$44.00	\$76.00



*Appendix E*

*Comparison Table of County Clerk-Recorder Fees  
From a Sample of California Counties*

**Appendix E: Comparison Table of  
Selected Fees in a Sample of  
California Counties (Clerk-Recorders)  
Clerk's Fees  
(September 2000)**

COUNTY	MARRIAGE LICENSE (REC.)	CONFID. MARRIAGE CERTIFICATE	FICTICIOUS BUSINESS NAME	ABANDON FBN	MARRIAGE CEREMONY	OFFICIAL DOCUMENTS COPIES	DUPLICATE MARRIAGE LICENSE
El Dorado	\$50.00	\$45.00	\$30.00	\$30.00	\$37.00	\$1.00	\$5.00
Fresno	45.00	65.00	35.00	17.00	25.00	1.00	5.00
Marin	70.00	82.00	27.00	27.00	25.00	1.00	5.00
Napa	70.00	72.00	30.00	30.00	40.00	2.00	20.00
Placer	56.00	60.00	30.00	30.00	40.00	2.00	5.00
Orange	57.50	57.50	23.00	23.00	28.00	1.00	5.00
Santa Clara	73.00	78.00	37.00	37.00	N/A	1.00	25.00
San Francisco	69.00	74.00	35.00	24.00	30.00	3.00	10.00
Shasta	75.00	79.00	28.00	15.00	40.00	1.00	15.00
Stanislaus (2000)	66.00	72.00	27.00	18.00	35.00	6.00	3.00
Stanislaus Proposed (2001)	70.00	76.00	30.00	30.00	40.00	3.00	10.00

**ORDINANCE NO. C.S. 763**

**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.
  - 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.

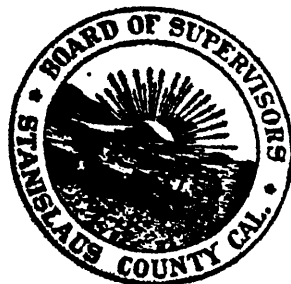
- G. Clerk-Recorder department copying charge for an official record is \$3.00 for the first page and \$2.00 for each additional page.
- H. Filing a notary certification or bond of notary public: \$21.00.
- I.
  1. Filing, cancellation, revocation, or withdrawal of a power of attorney for an admitted surety insurer in which one name is designated: \$10.00.
  2. Designating an additional name on a power of attorney for an admitted surety insurer: \$5.00 for each additional name.
- J. 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.
- K. For each filing of a preliminary twenty-day notice, in addition to performing a records search and notification to an individual: \$50.00.
- L. Passport mailing and handling is \$5.00 for regular and \$10.00 for expedited handling.
- M. 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 Caruso, seconded by Supervisor Simon, 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 10<sup>th</sup> Day of July, 2001, by the following called vote:

AYES: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul  
 NOES: Supervisors: None  
 ABSENT: Supervisors: None

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

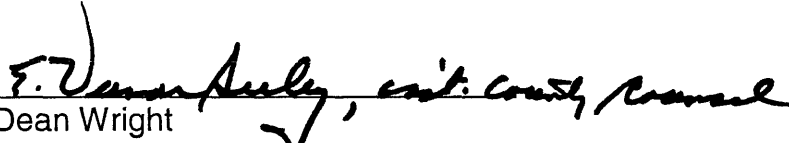


ATTEST:

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 , *ex-officio County Counsel*  
Dean Wright  
Deputy County Counsel

V:\CO\_ADMIN\WP\KREIDER\DEAN\ORDINANC\Clerk-Recorder & Elections Fees.wpd

**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:

**JULY 18, 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

**JULY 18, 2001**

  
(Signature)

**ORDINANCE NO. C.S. 763  
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:

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- 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: \$30.00.4. 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 for an official record is \$3.00 for the first page and \$2.00 for each additional page.
  - H. Filing a notary certification or bond of notary public: \$21.00.
  - I.1. Filing, cancellation, revocation, or withdrawal of a power of attorney for an admitted surety insurer in which one name is designated: \$10.00.2. Designating an additional name on a power of attorney for an admitted surety insurer: \$5.00 for each additional name.
  - J. 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.
  - K. For each filing of a preliminary twenty-day notice, in addition to performing a records search and notification to an individual: \$50.00. L. Passport mailing and handling is \$5.00 for regular and \$10.00 for expedited handling.
  - M. 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 Caruso, seconded by Supervisor Simon, 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 10th Day of July, 2001, by the following called vote:
- AYES: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul  
NOES: Supervisors: None  
ABSENT: Supervisors: None 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 Suzi Seibert  
Deputy
- APPROVED AS TO FORM:  
Michael H. Krausnick  
County Counsel  
By E. Vern Seeley  
Assistant County Counsel