

ORDINANCE NO. 10723 (N.S.)

AN ORDINANCE TO AMEND SECTIONS 86.1, 86.5, AND 86.10 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES TO ADD FEES FOR DOCUMENT COPIES PROVIDED BY ELECTRONIC MAIL BY THE RECORDER AND COUNTY CLERK

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** The Board of Supervisors finds and determines that it is necessary to establish fees to allow for full cost recovery for the Recorder and County Clerk to provide copies of uncertified fictitious business name documents, electronically available documents, non-vital record recorded documents, and system generated reports through electronic mail.

**Section 2.** Section 86.1 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

SEC. 86.1. FEE FOR FICTITIOUS BUSINESS NAME STATEMENT FILINGS.

The following fees and charges shall be collected by the Assessor/Recorder/County Clerk for fictitious business name statement filings:

- (a) FICTITIOUS BUSINESS NAME STATEMENT (ORIGINAL OR RENEWAL): A fee of \$42 for filing each fictitious business name statement pursuant to Business and Professions Code Section 17929 and Government Code Section 54985;
- (b) STATEMENT OF WITHDRAWAL FROM PARTNERSHIP: A fee of \$40 for each statement of withdrawal from partnership operating under a fictitious business name pursuant to Business and Professions Code Section 17929 and Government Code Section 54985;
- (c) STATEMENT OF ABANDONMENT: A fee of \$40 for each statement of abandonment of use of a fictitious business name pursuant to Business and Professions Code Section 17929 and Government Code Section 54985;
- (d) EACH ADDITIONAL FICTITIOUS BUSINESS NAME FILED ON THE SAME STATEMENT: A fee of \$5 for each additional fictitious business name filed on the same statement and doing business at the same location pursuant to Business and Professions Code Section 17929 and Government Code Section 54985;
- (e) EACH ADDITIONAL OWNER FILED ON THE SAME STATEMENT: A fee of \$5.00 for each additional owner filed on the same statement and doing business at the same location pursuant to Business and Professions Code Section 17929 and Government Code Section 54985.
- (f) COPY OF FICTITIOUS BUSINESS NAME DOCUMENT PROVIDED BY ELECTRONIC MAIL: A fee of \$0.45 for each uncertified copy of a fictitious business name document delivered by electronic mail pursuant to Government Code section 26831.

**Section 3.** Section 86.5 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

**SEC. 86.5. FEES FOR MISCELLANEOUS COUNTY CLERK BUSINESS SERVICES.**

The following fees and charges shall be collected by the Assessor/Recorder/County Clerk for County Clerk services:

- (a) **POWER OF ATTORNEY FILING:** A fee of \$9 for each power of attorney filing for an admitted surety insurer, or a notice of cancellation, revocation, or withdrawal of a power of attorney for an admitted surety insurer pursuant to Government Code sections 26855.1 and 54985.
- (b) **POWER OF ATTORNEY FILING - EACH ADDITIONAL NAME:** A fee for each additional name beyond the first on a power of attorney filed for an admitted surety insurer, or on a notice of cancellation, revocation, or withdrawal of a power of attorney for an admitted surety insurer pursuant to Government Code section 26855.1.
- (c) **CERTIFICATE OF ADMITTED SURETY INSURER (CERTIFICATE OF AUTHORITY):** A fee of \$7 for each certificate regarding an admitted surety insurer pursuant to Code of Civil Procedure section 995.640 and Government Code sections 26855.3 and 54985.
- (d) **HUMANE OFFICER FILING:** A fee of \$10 for the filing of each order confirming the appointment of a humane officer pursuant to Corporations Code section 14502 and Government Code section 54985.
- (e) **DOCKED HORSE REGISTRATION:** A fee for each docked horse registration pursuant to Penal Code Section 597p.
- (f) **FOREIGN LANGUAGE TRANSLATION CERTIFICATE:** A fee of \$9 per document for each translation certificate to certify the translation of a document to English from a language other than English pursuant to Government Code sections 27293 and 54985.
- (g) **ACKNOWLEDGMENT:** A fee of \$13 for each signature acknowledged pursuant to Government Code sections 26855 and 54985.
- (h) **RECORD SEARCH:** A fee of \$8 for each search of a record or a file pursuant to Government Code sections 26854 and 54985.
- (i) **DOCUMENT COPY OR SYSTEM GENERATED REPORT UP TO AND INCLUDING 11" x 17" - FIRST PAGE:** A fee of \$2 for the first page of each copy of any system generated report, record, proceeding, or paper on file with the County Clerk up to 11" x 17" in size pursuant to Government Code sections 26831.
- (j) **DOCUMENT COPY OR SYSTEM GENERATED REPORT UP TO AND INCLUDING 11" x 17" - EACH ADDITIONAL PAGE:** A fee of \$0.05 for each additional page beyond the first page of each copy of any system generated report, record, proceeding, or paper on file with the County Clerk up to 11" x 17" in size pursuant to Government Code sections 26831.
- (k) **CERTIFICATION:** A fee of \$1 for each certification certifying to a copy of any paper, record, or proceeding on file in the office of the County Clerk pursuant to Government Code sections 26833 and 54985.
- (l) **DOCUMENT COPY OR SYSTEM GENERATED REPORT PROVIDED BY ELECTRONIC MAIL:** A fee of \$0.45 for each uncertified copy of an electronically

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available document or system generated report delivered by electronic mail pursuant to Government Code section 26831.

**Section 4.** Section 86.10 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

**SEC. 86.10. FEES FOR MISCELLANEOUS RECORDER SERVICES.**

The following fees and charges shall be collected by the Assessor/Recorder/County Clerk for miscellaneous Recorder services:

- (a) **PRELIMINARY CHANGE OF OWNERSHIP REPORT:** The fee if a document evidencing a change in ownership is presented to the Recorder for recordation without the concurrent filing of a completed preliminary change in ownership report pursuant to Revenue and Taxation Code section 480.3.
- (b) **PRELIMINARY NOTICE:** A fee of \$20 for each preliminary notice filed pursuant to Government Code section 27361.9.
- (c) **DOCUMENTARY TRANSFER TAX REFUND CLAIM:** A fee of \$33 for each documentary transfer tax refund claim submitted pursuant to California Constitution, Article 11, Section 7.
- (d) **IMAGE DISTRIBUTION SYSTEM SUBSCRIPTION FOR IMAGES OF ALL RECORDED DOCUMENTS - ACCOUNT SETUP:** A fee of \$150 plus any third-party vendor costs for the setup of a subscription account for daily images of all recorded documents that are distributed electronically pursuant to California Constitution, Article 11, Section 7.
- (e) **IMAGE DISTRIBUTION SYSTEM SUBSCRIPTION FOR IMAGES OF ALL RECORDED DOCUMENTS - ELECTRONIC DISTRIBUTION:** A fee of \$0.125 per image equally divided by the number of subscribers for each subscription for daily images of all recorded documents that are distributed electronically pursuant to California Constitution, Article 11, Section 7.
- (f) **CUSTOM IMAGE DISTRIBUTION:** A fee of \$0.32 per image for custom downloads of recorded documents that are distributed electronically pursuant to California Constitution, Article 11, Section 7.
- (g) **OATH OR AFFIRMATION:** The fee to administer and certify each oath or affirmation pursuant to Government Code section 27379.
- (h) **FILING:** A fee of \$8 for filing, indexing, and keeping each paper not required by law to be recorded pursuant to Government Code sections 27380 and 54985.
- (i) **ACKNOWLEDGMENT:** A fee of \$13 to take an acknowledgment for each signature acknowledged pursuant to Government Code sections 27375 and 54985.
- (j) **RECORD SEARCH:** A fee of \$8 for each search for a document on file with the Recorder pursuant to Commercial Code section 9525, Code of Civil Procedure section 2103, and Government Code section 54985.
- (k) **DOCUMENT COPY OR SYSTEM GENERATED REPORT UP TO AND INCLUDING 11" x 17" - FIRST PAGE:** A fee of \$2 for the first page of each copy of any system generated report, record, proceeding, or paper on file with the Recorder up to 11" x 17" in size pursuant to Government Code sections 27366.

- (l) DOCUMENT COPY OR SYSTEM GENERATED REPORT UP TO AND INCLUDING 11" x 17" - EACH ADDITIONAL PAGE: A fee of \$0.05 for each additional page beyond the first page of each copy of any system generated report, record, proceeding, or paper on file with the Recorder up to 11" x 17" in size pursuant to Government Code section 27366.
- (m) CERTIFICATION: A fee of \$1 for each certification certifying to a copy of any paper, record, or proceeding on file in the office of the Recorder pursuant to Government Code section 27364.
- (n) DOCUMENT COPY OR SYSTEM GENERATED REPORT PROVIDED BY ELECTRONIC MAIL: A fee of \$0.45 for each uncertified copy of an electronically available non-vital record document or system generated report delivered by electronic mail pursuant to Government Code section 27366.

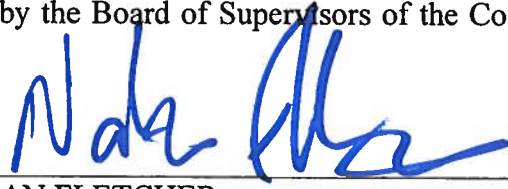
**Section 5. EFFECTIVE DATE.** This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the same in a newspaper of general circulation published in the County of San Diego.

**Section 6. OPERATIVE DATE.** The amendments and additions to the San Diego County Code of Administrative Ordinances made by this ordinance shall be operative commencing July 1, 2021.

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

By: Walter J. de Lorrell, III,  
Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 04<sup>th</sup> day of May 2021.



NATHAN FLETCHER  
Chair, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 04<sup>th</sup> day of May 2021.

ANDREW POTTER  
Clerk of the Board of Supervisors

By   
Grace Carb, Deputy



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