

Meeting Date: 01/10/2023 (5)

ORDINANCE NO. 10824 (N.S.)

AN ORDINANCE TO AMEND SECTIONS 86.1, 86.2, 86.3, 86.5, 86.6, 86.9, AND 86.11 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO FEES FOR SERVICES 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 adjust certain existing fees and standard time and material rates based on the current cost of providing those services; revise the time and material labor rates to remove the classifications of Departmental Information Technology Coordinator, Senior Assessment Clerk, and Supervising Assessment Clerk, and add the new classes and rates for County Records Manager, Division Chief I, and Records Management Coordinator; and make other non-substantive changes to existing Administrative Code provisions regarding Recorder and County Clerk fees.

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

SEC. 86.1. FEES 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 \$54 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 \$48 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 \$48 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 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.

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- (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 86.2 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

SEC. 86.2. FEES FOR COUNTY CLERK MARRIAGE SERVICES.

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

- (a) MARRIAGE LICENSE: A fee of \$129 for each public marriage license pursuant to Government Code sections 26840 and 54985.
- (b) CONFIDENTIAL MARRIAGE LICENSE: A fee of \$144 for each confidential marriage license pursuant to Government Code sections 26840.1 and 54985.
- (c) CIVIL CEREMONY: A fee of \$107 for each civil ceremony performed pursuant to Government Code sections 26861 and 54985.
- (d) WITNESS FOR CIVIL CEREMONY: A fee of \$58 for each witness provided for a civil ceremony pursuant to the California Constitution, Article 11, Section 7.
- (e) DEPUTY MARRIAGE COMMISSIONER APPLICATION: A fee of \$115 for each deputy marriage commissioner application pursuant to the California Constitution, Article 11, Section 7.
- (f) CONFIDENTIAL MARRIAGE CERTIFICATE AMENDMENT: A fee of \$79 for each amendment to a confidential marriage certificate registered by the County Clerk, one year or more after the date of the marriage, pursuant to the California Constitution, Article 11, Section 7.
- (g) DUPLICATE MARRIAGE LICENSE: A fee of \$79 for each duplicate public or confidential marriage license issued within one year of the date of the marriage that is not registered or recorded pursuant to Family Code sections 360 and 510.
- (h) APPLICATION OR RENEWAL OF APPROVAL TO AUTHORIZE CONFIDENTIAL MARRIAGES: A fee of \$300 for each application or renewal of approval to authorize confidential marriages pursuant to Family Code section 536.
- (i) MARRIAGE PHOTO WITH FRAME: A fee of \$10 for each marriage photo with frame purchased pursuant to California Constitution, Article 11, Section 7.

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- (j) **DECORATIVE MARRIAGE KEEPSAKE:** A fee of \$4 plus the cost of each decorative marriage keepsake purchased in a single transaction from the County Clerk pursuant to California Constitution, Article 11, Section 7.
- (k) **WEDDING RING:** A fee of \$8 plus the cost of each wedding ring purchased in a single transaction pursuant to California Constitution, Article 11, Section 7.

Section 4. Section 86.3 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

SEC. 86.3. FEES FOR PROFESSIONAL REGISTRATIONS AND NOTARY PUBLIC FILINGS.

The following fees and charges shall be collected by the Assessor/Recorder/County Clerk for professional registrations and notary public filings:

- (a) **BOND FILING:** A fee of \$35 for each bond filing, cancellation, revocation, or withdrawal for professional registrations such as legal document assistants, unlawful detainer assistants, process servers, and professional photocopiers pursuant to Business and Professions Code sections 6405, 22353, and 22455, and Government Code section 54985.
- (b) **LEGAL DOCUMENT ASSISTANT REGISTRATION:** The fee for each legal document assistant registration pursuant to Business and Professions Code section 6404.
- (c) **PROCESS SERVER REGISTRATION:** The fee for each process server registration pursuant to Business and Professions Code section 22352.
- (d) **PROFESSIONAL PHOTOCOPIER REGISTRATION:** The fee for each professional photocopier registration pursuant to Business and Professions Code section 22453.
- (e) **PROFESSIONAL PHOTOCOPIER REGISTRATION – ACTIVE PROCESS SERVER:** The fee for each professional photocopier registration where the person registering is also registered as a process server pursuant to Business and Professions Code section 22453.1.
- (f) **UNLAWFUL DETAINER ASSISTANT REGISTRATION:** The fee for each unlawful detainer assistant registration pursuant to Business and Professions Code section 6404.
- (g) **PROFESSIONAL REGISTRATION IDENTIFICATION CARD:** A fee of \$32 for each identification card issued for legal document assistants, unlawful detainer assistants, process servers, and professional photocopiers where the initial or renewal registration fee does not include the cost of the identification card or an additional card beyond the first is requested pursuant to Business and Professions Code sections 6404, 22352, 22453, and 22457, and Government Code section 54985.
- (h) **PROFESSIONAL REGISTRATION IDENTIFICATION CARD PHOTO:** A fee of \$11 for each identification card photo issued for legal document assistants, unlawful detainer

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assistants, process servers, and professional photocopiers where the initial or renewal registration fee does not include the cost of the identification card or an additional card beyond the first is requested pursuant to Business and Professions Code sections 6407, 22355, and 22457, and the California Constitution, Article 11, Section 7.

- (i) **NOTARY PUBLIC OATH AND BOND FILING:** A fee of \$64 for each notary oath and bond filing pursuant to Government Code sections 8213, 26849.1, and 54985.
- (j) **CERTIFICATE TO OFFICIAL CAPACITY OF PUBLIC OFFICIAL (SIGNATURE AUTHENTICATION):** A fee of \$21 for each certificate to the official capacity of any public official, such as a notary public or public health officer, pursuant to Government Code sections 26852 and 54985.

Section 5. 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 \$20 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 pursuant to Government Code section 26855.1.
- (c) **CERTIFICATE OF ADMITTED SURETY INSURER (CERTIFICATE OF AUTHORITY):** A fee of \$15 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 \$22 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 \$21 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.

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- (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 Business and Professions Code section 17928 and Government Code section 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 Business and Professions Code section 17928 and Government Code section 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 available document or system generated report delivered by electronic mail pursuant to Government Code section 26831.

Section 6. Section 86.6 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

SEC. 86.6. SCHEDULE OF STANDARD HOURLY LABOR TIME AND MATERIAL RATES – COUNTY CLERK.

Unless otherwise specified, all fees and deposits and time and material rates for the County Clerk shall be calculated and will be charged using the following standard hourly billing rates listed below for the actual costs incurred for services provided including, but not limited to: meetings, preparation of reports, review of reports or documents, and/or research.

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POSITION	HOURLY RATE
Administrative Analyst II	\$126.00
Administrative Secretary III	\$106.00
Assessment Clerk	\$77.00
Assistant Division Chief, Assessor/Recorder/County Clerk	\$141.00
Chief Deputy, Assessor/Recorder/County Clerk	\$288.00
County Records Manager	\$142.00
Division Chief I, Assessor/Recorder/County Clerk	\$190.00
Imaging Technician II	\$95.00
Information Technology Analyst	\$177.00
Information Technology Specialist	\$123.00
Manager, Assessor/Recorder/County Clerk	\$174.00
Records Management Coordinator	\$83.00

Section 7. Section 86.9 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

SEC. 86.9. FEES FOR VITAL RECORDS.

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

- (a) **BIRTH CERTIFICATE – GENERAL PUBLIC:** A fee pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Welfare and Institutions Code section 18966 for each certified copy of a birth record to the general public.
- (b) **BIRTH CERTIFICATE – GOVERNMENT AGENCY:** A fee pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a birth record to a government agency.
- (c) **DEATH CERTIFICATE:** A fee pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record.
- (d) **FETAL DEATH CERTIFICATE:** A fee pursuant to Health and Safety Code sections 103625, 100425, and 103650 for each certified copy of a fetal death record.
- (e) **MARRIAGE CERTIFICATE – GENERAL PUBLIC:** A fee pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public.
- (f) **MARRIAGE CERTIFICATE – GOVERNMENT AGENCY:** A fee pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a marriage record to a government agency.

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(g) COUNTY CHILDREN'S TRUST FUND: A fee of \$3.00 for a certified copy of a birth certificate pursuant to Health and Safety Code section 103625(b)(2) and Welfare and Institutions Code section 18966.

(h) DECORATIVE CERTIFICATE KEEPSAKE: A fee of \$5.20 plus the cost of each birth or marriage certificate keepsake purchased in a single transaction from the Recorder pursuant to California Constitution, Article 11, Section 7.

Section 8. Section 86.11 of the San Diego County Code of Administrative Ordinances is hereby amended to read as follows:

SEC. 86.11. SCHEDULE OF STANDARD HOURLY LABOR TIME AND MATERIAL RATES – RECORDER.

Unless otherwise specified, all fees and deposits and time and material rates for the Recorder shall be calculated and will be charged using the following standard hourly billing rates below for the actual costs incurred for services provided including, but not limited to: meetings, preparation of reports, review of reports or documents, and/or research.

POSITION	HOURLY RATE
Administrative Analyst II	\$126.00
Administrative Secretary III	\$106.00
Assistant Division Chief, Assessor/Recorder/County Clerk	\$141.00
Chief Deputy, Assessor/Recorder/County Clerk	\$288.00
County Records Manager	\$142.00
Division Chief I, Assessor/Recorder/County Clerk	\$190.00
Imaging Technician II	\$95.00
Information Technology Analyst	\$177.00
Information Technology Specialist	\$123.00
Manager, Assessor/Recorder/County Clerk	\$174.00
Recordable Documents Specialist II	\$101.00
Recordable Documents Specialist III	\$117.00
Records Management Coordinator	\$83.00

Section 9. 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 10. OPERATIVE DATE. The amendments and additions to the San Diego County Code of Administrative Ordinances made by this ordinance shall be operative commencing March 1, 2023.

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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 10th day of January 2023.



NORA VARGAS
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, Desmond
NOT PRESENT: Fletcher

ATTEST my hand and the seal of the Board of Supervisors this 10th day of January 2023.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Nancy Vizcarra, Deputy



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