

**COUNTY OF UNION,
ILLINOIS**

**ORDINANCE ESTABLISHING CERTAIN FEES
OF THE SHERIFF AND COUNTY CLERK**

WHEREAS, pursuant to 55 ILCS 5/4-5001, a county board may by ordinance, increase certain fees of the sheriff and collect those increased fees from all persons and entities other than officers, agencies, departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by 55 ILCS 5/4-5001 are not sufficient to cover the costs of providing the service; and

WHEREAS, pursuant to 55 ILCS 5/4-4001, a county board may by ordinance, increase certain fees of the county clerk and collect those increased fees from all persons and entities other than officers, agencies, departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by 55 ILCS 5/4-4001 are not sufficient to cover the costs of providing the service; and

WHEREAS, the Board of Commissioners of the County of Union, Illinois has engaged the firm of Hudgens & Meyer, LLC, Certified Public Accounts, to conduct cost studies regarding the costs of providing certain services by the Union County Sheriff and Union County Clerk (the "Cost Studies"); and

WHEREAS, the Cost Studies and all supporting documents are public records and subject to public examination and audit; and

WHEREAS, the Cost Studies include examination and consideration of all direct and indirect costs, as defined in the United States Office of Management and Budget Circular A-87; and

WHEREAS, the Board of Commissioners of the County of Union, Illinois finds that, based upon a review of the Cost Studies, increases in the fees charged for certain services of the Union County Sheriff and Union County Clerk are justified because the fees allowed pursuant to 55 ILCS 5/4-5001 and 55 ILCS 5/4-4001 are insufficient to cover the costs of providing the services.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, ILLINOIS, AS FOLLOWS:

SECTION 1: All ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed.

SECTION 2: The Union County Code is hereby amended by the addition of the following Chapter:

ARTICLE 1

SHERIFF'S FEES

-1-1 Sheriff's Fees.

- (a) Fees of the Union County Sheriff shall be as follows:
 - (1) For taking special bail, fifty dollars (\$50).
 - (2) For taking all bonds on legal process, civil and criminal, fifty dollars (\$50).
 - (3) For serving or attempting to serve summons on each defendant, forty-five dollars (\$45).
 - (4) For serving or attempting to serve an order or judgment granting injunctive relief, forty-five dollars (\$45).
 - (5) For serving or attempting to serve each garnishee, forty-five dollars (\$45).
 - (6) For serving or attempting to serve an order for replevin, forty-five dollars (\$45).
 - (7) For serving or attempting to serve an order for attachment on each defendant, forty-five dollars (\$45).
 - (8) For serving or attempting to serve a subpoena on each witness, forty-five dollars (\$45).
 - (9) For serving or attempting to serve any other civil court document not listed in this Section, forty-five dollars (\$45).
- (b) All monies collected pursuant to Subsection (a)(1) and Subsection (a)(2) of this Section shall be non-refundable and shall be in addition to the amount of bond ordered by the court.
- (c) The Sheriff shall remit all monies collected pursuant to this Section to the Treasurer.

ARTICLE 2

COUNTY CLERK'S FEES

-2-1 County Clerk's Fees.

- (a) Fees of the Union County Clerk shall be as follows:
 - (1) For issuing each marriage license, the certificate thereof, and for recording the same, including the recording of the parent's or guardian's consent where indicated, twenty-five dollars (\$25).
 - (2) For issuing any certificate of birth or death, eight dollars (\$8).
 - (3) For cancelling tax sale and issuing and sealing certificates of redemption, thirty-three dollars (\$33).
- (b) The County Clerk shall impose an additional two dollar (\$2) charge for certified copies of vital records as defined in Section 1 of the Vital Records Act, for the purpose of developing, maintaining, and improving technology in the office of the County Clerk.

- (c) The County Clerk shall remit all monies collected pursuant to this Section to the Treasurer.
- (d) All monies collected pursuant to Subsection (b) of this Section shall be deposited in a special fund, known as the County Clerk Technology Fund, which fund shall be established by the Treasurer. Such monies shall be used exclusively for developing, maintaining, and improving technology in the office of the County Clerk.

SECTION 3: This ordinance shall be effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED at a special meeting of the Board of Commissioners of the County of Union, Illinois this 5th day of August, 2010.

Chairman: Randy Lumb voting yes.

County Commissioner: John Hamm voting YES.

County Commissioner: Donald Perry voting _____.

Subscribed and Sworn to me this 5th day of August, 2010

County Clerk: Bobby Toler Jr.