



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 10/20/2008 **In control:** Budget Review and Adoption Committee

On agenda: 11/10/2008 **Final action:** 11/17/2008

Enactment date: 11/19/2008 **Enactment #:** 16292

Title: AN ORDINANCE relating to sheriff's civil unit fees; and amending Ordinance 14792, Section 2, and K.C.C. 4.104.010.

Sponsors: Larry Phillips

Indexes: Budget, Fees, Sheriff

Code sections: 4.104.010 -

Attachments: 1. 16292.pdf, 2. 2008-0571 through 0583 FEES hearing notice.doc, 3. 2008-0577 Fiscal Note.xls, 4. 2008-0577 Regulatory Note.doc, 5. 2008-0577 Staff Report KCSO Fee Ordinance.doc, 6. 2008-0577 Transmittal Letter.doc

Date	Ver.	Action By	Action	Result
11/17/2008	1	Metropolitan King County Council	Hearing Held	
11/17/2008	1	Metropolitan King County Council	Passed	Pass
11/13/2008	1	Budget Review and Adoption Committee	Recommended Do Pass Consent	Pass
11/12/2008	1	Budget Review and Adoption Committee	Deferred	
11/10/2008	1	Metropolitan King County Council		
11/10/2008	1	Metropolitan King County Council		
10/20/2008	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to sheriff's civil unit fees; and amending Ordinance 14792, Section 2, and K.C.C. 4.104.010.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A. Section 2 of this ordinance proposes changes to the civil process fees to cover cost increases in administration and operation of the sheriff's civil unit.

B. These fees are assessed under RCW 36.18.040(1), which sets the base level fees that sheriff's collect for their official services. The fees have not been adjusted for five years.

C. County legislative authorities may adjust the fees to cover the costs of administration and operation under RCW 36.18.040(3).

SECTION 2. Ordinance 14792, Section 2, and K.C.C. 4.104.010 are each hereby amended to read as follows:

The following fees apply as provided in this chapter:

A. Service of civil process, service, summons and complaint, notice and complaint, summons and petition and notice of small claim:

- | | |
|---|-------------------------------------|
| 1. Serve one defendant | (\$13.00) <u>\$15.00</u> |
| 2. Serve two or more defendants, same address | (\$16.00) <u>\$19.00</u> |
| 3. All returns | (\$9.00) <u>\$10.00</u> |
| 4. Nonresident returns | (\$9.00) <u>\$10.00</u> |
| 5. Notary fee | (\$6.50) <u>\$8.00</u> |
| 6. Mileage (per mile) | Federal
standard
mileage rate |

B. Attachment, writ - personal property:

- | | |
|--------------------------|-------------------------------------|
| 1. Levy, per hour | (\$39.00) <u>\$45.00</u> |
| 2. Serve, each defendant | (\$16.00) <u>\$19.00</u> |
| 3. Return to court | (\$9.00) <u>\$10.00</u> |
| 4. Mileage (per mile) | Federal
standard
mileage rate |

C. Attachment, writ - real property:

- | | |
|--------------------|-------------------------------------|
| 1. Levy (per hour) | (\$39.00) <u>\$45.00</u> |
| 2. Notice of levy | (\$3.00) <u>\$4.00</u> |
| Per Location | (\$1.00) <u>\$1.50</u> |

- 3. Filing with auditor and auditor's filing fee ((~~\$13.00~~) \$15.00)
- 4. Serve defendant (if required) ((~~\$16.00~~) \$19.00)
- 5. Return to court ((~~\$9.00~~) \$10.00)
- 6. Mileage (per mile) Federal
standard
mileage rate

D. Execution - personal property:

- 1. Levy (per hour) ((~~\$39.00~~) \$45.00)
- 2. Notice of sale and copies (first copy) ((~~\$1.00~~) \$1.50)
- 3. Additional copies (each) ((~~\$0.70~~) \$1.00)
- 4. Posting of each notice ((~~\$13.00~~) \$15.00)
- 5. Conducting sale (per hour) ((~~\$39.00~~) \$45.00)
- 6. Bill of sale (each) ((~~\$39.00~~) \$45.00)
- 7. Return to court ((~~\$9.00~~) \$10.00)
- 8. Serve defendant ((~~\$16.00~~) \$19.00)
- 9. Serve notice (defendant) ((~~\$16.00~~) \$19.00)
- 10. Postponement notice (each) ((~~\$13.00~~) \$15.00)
- 11. Mileage (per mile) Federal
standard
mileage rate
- 12. Mailing Actual costs of
postage

E. Warrants:

- 1. Serve (each) ((~~\$39.00~~) \$45.00)

2. Return to court	(\$9.00) <u>\$10.00</u>
3. Mileage (per mile)	Federal standard mileage rate
F. Subpoena:	
1. Serve (each)	(\$16.00) <u>\$19.00</u>
2. Return to court	(\$9.00) <u>\$10.00</u>
3. Mileage	Federal standard mileage rate
G. Postage for mailing, required by statute whether regular, certified, or registered:	
	Actual cost of postage
H. Mileage fee, each mile actually and necessarily traveled in going to or returning from any place of service or attempted service:	
	Federal standard mileage rate
I. Execution - order of sale of real property:	
1. Levy (per hour)	(\$39.00) <u>\$45.00</u>
2. Notice to publisher	(\$1.00) <u>\$1.50</u>
3. Recording with auditor	(\$13.00) <u>\$15.00</u>
4. Notice of sale (plus copies)	(\$2.00) <u>\$2.50</u>
5. Conducting sale (per hour)	(\$39.00) <u>\$45.00</u>

6. Certificate of sale	(\$39.00) <u>\$45.00</u>
7. Return to court	(\$9.00) <u>\$10.00</u>
8. Posting of notice (each)	(\$13.00) <u>\$15.00</u>
9. Affidavit of posting	(\$9.00) <u>\$10.00</u>
10. Postponement (each notice)	(\$13.00) <u>\$15.00</u>
11. Mileage (per mile)	Federal standard mileage rate
12. Mailing	Actual cost of postage
J. Writ of garnishment:	
1. Serve garnishee	(\$16.00) <u>\$19.00</u>
2. Return to court	(\$9.00) <u>\$10.00</u>
3. Serve defendant (if required)	(\$16.00) <u>\$19.00</u>
4. Mileage (per mile)	Federal standard mileage rate
5. Mailing	Actual cost of postage
K. Writ of replevin - affidavit, claim and delivery:	
1. Serve defendant with writ - affidavit and bond	(\$16.00) <u>\$19.00</u>
2. Serve summons and complaint (one)	(\$13.00) <u>\$15.00</u>
3. Serve summons and complaint (two or more)	(\$16.00) <u>\$19.00</u>
4. Levy (per hour)	(\$39.00) <u>\$45.00</u>

5. Return to court	(\$9.00) <u>\$10.00</u>
6. Mileage (per hour)	Federal standard mileage rate
L. Writ of restitution or writ of assistance, or both:	
1. Service without aid of county (posting)	(\$33.00) <u>\$38.00</u>
2. Service with aid of county (oust and eject)	(\$53.00) <u>\$61.00</u>
3. Cost per hour after first hour	(\$39.00) <u>\$45.00</u>
4. Return to court	(\$9.00) <u>\$10.00</u>
5. Mileage (per mile)	Federal standard mileage rate
M. Redemption:	
1. Serve notice of intent	(\$16.00) <u>\$19.00</u>
2. Certificate of redemption	(\$39.00) <u>\$45.00</u>
3. Copies	In accordance with RCW 36.18.040
N. Deed issuance	(\$39.00) <u>\$45.00</u>
O. Habeas corpus, order to assist:	
1. Serve only	(\$16.00) <u>\$19.00</u>
2. Executing of (per hour)	(\$39.00) <u>\$45.00</u>
3. Return to court	(\$9.00) <u>\$10.00</u>
P. Internal-only criminal history record check:	(\$10.00) <u>\$12.00</u>

- Q. Notarizing documents: ((~~\$6.50~~)) \$8.00
- R. All other documents and supporting papers for which no
other fee is provided in this section: ((~~\$16.00~~)) \$19.00
- S. Fingerprinting:
1. Noncriminal purpose up to two sets ((~~\$10.00~~)) \$12.00
 2. Each additional set ((~~\$3.00~~)) \$4.00

SECTION 3. This ordinance takes effect January 1, 2009.