

ORDINANCE NO. _____

AN ORDINANCE amending chapter 2.124.010 of the Thurston County Code setting the amounts of fees that shall be collected by the sheriff to cover the costs of administration and operation for the sheriff's official services.

WHEREAS, pursuant to RCW 36.18.040(1) the Washington Legislature established sheriff's fees for their official services; and

WHEREAS, notwithstanding RCW 36.18.040(1), the county legislative authority pursuant to RCW 36.18.040(3) may set the amounts of fees that shall be collected by the sheriff under subsection (1) to cover the costs of administration and operation; and

WHEREAS, the Washington Legislature has not increased the amounts of sheriff's fees since 1992 despite a dramatic increase in the costs associated with sheriff's service of process and other official services; and

WHEREAS, the board of commissioners finds it appropriate that costs incurred for sheriff's official services should be borne by those seeking action by the sheriff and not be assumed by Thurston County citizens, and requires the establishment of appropriate fees pursuant to the authority granted in RCW 36.18.040(3),

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

Section 1: Chapter 2.124.010 of the Thurston County Code is revised as follows:

CHAPTER 2.124 Sheriff.

Section 2.124.010 Fees.

The sheriff shall collect the following fees for official services:

1. For service of each summons and complaint, notice and complaint, summons and petition, and notice of small claim on one defendant at any location, thirty dollars, and on two or more defendants at the same residence, forty dollars, besides mileage; For making a return, besides mileage actually traveled, twenty dollars for each return of service;
2. For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, sixty dollars per hour;
3. For filing copy of writ of attachment, order of sale or writ of execution with auditor, twenty-five dollars plus auditor's filing fee;

4. For serving writ of possession or restitution without aid of the county, besides mileage, sixty dollars;
5. For serving writ of possession or restitution with aid of the county, besides mileage, eighty-five dollars plus sixty-five dollars for each hour after one hour;
6. For serving an arrest warrant in any action or proceeding, besides mileage, sixty dollars;
7. For executing any other writ or process in a civil action or proceeding, besides mileage, sixty dollars per hour;
8. For each mile actually and necessarily traveled in going to or returning from any place of service, or attempted service, mileage will be charged at the current Federal rate with a ten-dollar minimum mileage charge;
9. For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, sixty-five dollars;
10. For making copies of papers when sufficient copies are not furnished, two dollars for first page and one dollar per each additional page;
11. For the service of any other document and supporting papers for which no other fee is provided herein, thirty-five dollars;
12. For posting a notice of sale, or postponement, twenty-five dollars besides mileage;
13. For certificate or bill of sale of property, or certificate of redemption, sixty dollars;
14. For conducting a sale of property, fifty-five dollars per hour spent at a sheriff's sale;
15. For notarizing documents, ten dollars for each document;
16. For fingerprinting for non-criminal purposes, fifteen dollars for each person for up to two sets, five dollars for each additional set;
17. For mailing required by statute, whether regular, certified, or registered, the actual cost of postage;
18. For an internal criminal history records check, fifteen dollars;
19. Background checks through the Washington State Patrol will be charged fees based on the Washington State Patrol's current rate.

20. For the reproduction of audio, visual, or photographic material, to include magnetic microfilming, the actual cost including personnel time.

Fees allowable under this section may be recovered by the prevailing party incurring the same as court costs to the extent provided by RCW 36.18.040(2).

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. Effectiveness. This Ordinance shall take effect upon the date of adoption below.

ADOPTED: _____

ATTEST:

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

Clerk of the Board

Chairwoman

APPROVED AS TO FORM:

JOHN TUNHEIM
PROSECUTING ATTORNEY

Commissioner

John Skinder
Chief Deputy Prosecuting Attorney

Commissioner

THURSTON COUNTY SHERIFF'S FEE SCHEDULE
Per RCW 36.18.040

General Service (Summons, etc.)	CURRENT	PROPOSED
Serve ONE (1) Defendant	\$20.00	\$30.00
Serve TWO (2) or more (same address)	\$25.00	\$40.00
Each Return	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Mileage Minimum	\$10.00	No change
Service all other papers	CURRENT	PROPOSED
Serve ONE (1) Defendant	\$25.00	\$35.00
Serve TWO (2) or more (same address)		\$40.00
Each Return	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Mileage Minimum	\$10.00	No change
Deposit	\$50.00	\$100.00
Restitution	CURRENT	PROPOSED
With Aid	\$60.00	\$85.00
Without Aid	\$40.00	\$60.00
Cost per hour after first	\$50.00	\$65.00
Each Return	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Deposit	\$150.00	No change
Execution Personal Property	CURRENT	PROPOSED
Levy (per hour)	\$50.00	\$60.00
Notice of sale	\$1.00	\$2.00
Posting of Notice (each)	\$15.00	\$25.00
Serve ONE (1) Defendant	\$25.00	\$40.00
Serve TWO (2) or more (same address)		\$40.00
Return on Service (each)	\$10.00	\$20.00
Serve Notice		\$60.00
Conducting Sale (per hour)	\$40.00	\$55.00
Bill of Sale	\$50.00	\$60.00
Return to Court	\$10.00	\$20.00
Postponement	\$15.00	\$25.00
Mileage	\$0.50	Current Federal rate
Mailing	Actual costs	Actual costs
Deposit	\$300.00	\$400.00
Execution Real Property	CURRENT	PROPOSED
Levy (per hour)	\$50.00	\$60.00
Notice to Publisher	\$1.00	No change

	CURRENT	PROPOSED
Filing w/Aud (+Aud Fees)	\$20.00	\$25.00
Notice of Sale	\$2.00	No change
Posting Notice (each)	\$15.00	\$25.00
Return on Postings (each)	No charge	No charge
Conducting Sale (per hour)	\$40.00	\$55.00
Certificate of Sale	\$50.00	\$60.00
Return to Court	\$10.00	\$20.00
Postponement	\$15.00	\$25.00
Mileage	\$0.50	Current Federal rate
Mailing	Actual costs	Actual costs
Deposit	\$300.00	\$450.00
Deed	\$50.00	\$65.00
	CURRENT	PROPOSED
Redemption		
Serve Notice	\$25.00	\$35.00
Certificate	\$50.00	\$60.00
Deposit		\$150.00
	CURRENT	PROPOSED
Writ of Attachment		
Levy	\$50.00	\$60.00
Notice of Levy	\$1.00	No change
Filing w/Aud (+Aud Fees)	\$20.00	\$25.00
Serve Defendant	\$25.00	\$40.00
Return to Court	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Deposit	\$150.00	\$300.00
	CURRENT	PROPOSED
Writ of Garnishment		
Serve Garnishee	\$25.00	\$35.00
Serve Defendant	\$25.00	\$30.00
Return to Court	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Mailing	Actual costs	Actual costs
Deposit	\$50.00	\$100.00
	CURRENT	PROPOSED
Writ of Habeas Corpus		
Service	\$25.00	\$35.00
Execution	\$50.00	\$60.00
Return	\$10.00	\$20.00
Mileage	Don't charge	Don't charge
Deposit	\$250.00	\$250.00
	CURRENT	PROPOSED
Writ of Replevin		
Serve Defendant	\$25.00	\$40.00

	CURRENT	PROPOSED
Serve Summons	\$20.00	\$30.00
Levy	\$50.00	\$55.00
Return to Court	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Deposit	\$150.00	\$250.00
Warrants	CURRENT	PROPOSED
Serve	\$50.00	\$60.00
Return	\$10.00	\$20.00
Mileage	\$0.50	Current Federal rate
Deposit	\$60.00	\$100.00
Fingerprints	CURRENT	PROPOSED
First two cards	\$10.00	\$15.00
Each additional	\$3.00	\$5.00
Notarize	\$5.00	\$10.00
Copies	CURRENT	PROPOSED
First Page	\$2.00	No change
Each additional page	\$1.00	No change

+For the reproduction of audio, visual, or photographic material, to include a magnetic microfilming, the actual cost including personnel time.