



## Legislation Details (With Text)

**File #:** 2010-0556      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/11/2010      **In control:** Budget and Fiscal Management Committee

**On agenda:** 11/8/2010      **Final action:** 11/15/2010

**Enactment date:** 11/22/2010      **Enactment #:** 16978

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

**Sponsors:** Julia Patterson

**Indexes:** Budget, Sheriff

**Code sections:** 4.104.010 -

**Attachments:** 1. 16978.pdf, 2. 2010-0556 Transmittal Letter.doc, 3. 2010-0556 Fiscal Note.xls, 4. 2010-0556 Regulatory Note.doc, 5. 2010-0529--0542 & 2010-0556 fee hearing notice.doc, 6. Staff Report 10-26 & 10-27, 7. Staff Report 11-02 & 11-03

Date	Ver.	Action By	Action	Result
11/15/2010	1	Metropolitan King County Council	Hearing Held	
11/15/2010	1	Metropolitan King County Council	Passed	Pass
11/12/2010	1	Budget and Fiscal Management Committee		
11/11/2010	1	Budget and Fiscal Management Committee		
11/9/2010	1	Budget and Fiscal Management Committee		
11/8/2010	1	Metropolitan King County Council	Deferred	
11/8/2010	1	Metropolitan King County Council	Hearing Held	
11/3/2010	1	Budget and Fiscal Management Committee		
11/2/2010	1	Budget and Fiscal Management Committee		
10/27/2010	1	Budget and Fiscal Management Committee		
10/26/2010	1	Budget and Fiscal Management Committee		
10/11/2010	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/08/2010

AN ORDINANCE relating to sheriff's civil unit fees; and amending Ordinance 14792, Section 2, as amended, 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 current fees are significantly lower than adjacent counties and do not cover operating costs to provide the service.

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, as amended, 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	<del>(\$15.00)</del> <u>\$30.00</u>
2. Serve two or more defendants, same address	<del>(\$19.00)</del> <u>\$40.00</u>
3. All returns	<del>(\$10.00)</del> <u>\$23.00</u>
4. Nonresident returns	<del>(\$10.00)</del> <u>\$23.00</u>
5. Notary fee	<del>(\$8.00)</del> <u>\$10.00</u>
6. Mileage ( per mile)	Federal standard mileage rate

B. Attachment, writ - personal property:

1. Levy, per hour	<del>(\$45.00)</del> <u>\$67.00</u>
2. Serve, each defendant	<del>(\$19.00)</del> <u>\$40.00</u>
3. Return to court	<del>(\$10.00)</del> <u>\$23.00</u>

4. Mileage (per mile) Federal  
standard  
mileage rate

C. Attachment, writ - real property:

1. Levy (per hour) ((~~\$45.00~~)) \$67.00  
2. Notice of levy ((~~\$4.00~~)) \$5.00  
    Per Location ((~~\$1.50~~)) \$2.00  
3. Filing with auditor and auditor's filing fee ((~~\$15.00~~)) \$30.00  
4. Serve defendant (if required) ((~~\$19.00~~)) \$40.00  
5. Return to court ((~~\$10.00~~)) \$23.00  
6. Mileage (per mile) Federal  
standard  
mileage rate

D. Execution - personal property:

1. Levy (per hour) ((~~\$45.00~~)) \$67.00  
2. Notice of sale and copies (first copy) ((~~\$1.50~~)) \$2.00  
3. Additional copies (each) \$1.00  
4. Posting of each notice \$15.00  
5. Conducting sale (per hour) ((~~\$45.00~~)) \$67.00  
6. Bill of sale (each) ((~~\$45.00~~)) \$67.00  
7. Return to court ((~~\$10.00~~)) \$23.00  
8. Serve defendant ((~~\$19.00~~)) \$40.00  
9. Serve notice (defendant) ((~~\$19.00~~)) \$40.00  
10. Postponement notice (each) \$15.00

11. Mileage (per mile) Federal  
standard  
mileage rate

12. Mailing Actual costs of  
postage

E. Warrants:

1. Serve (each) ((~~\$45.00~~)) \$67.00

2. Return to court ((~~\$10.00~~)) \$23.00

3. Mileage (per mile) Federal  
standard  
mileage rate

F. Subpoena:

1. Serve (each) ((~~\$19.00~~)) \$40.00

2. Return to court ((~~\$10.00~~)) \$23.00

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)              | <del>(\$45.00)</del> <u>\$67.00</u> |
| 2. Notice to publisher          | <del>(\$1.50)</del> <u>\$2.00</u>   |
| 3. Recording with auditor       | <del>(\$15.00)</del> <u>\$30.00</u> |
| 4. Notice of sale (plus copies) | <del>(\$2.50)</del> <u>\$3.00</u>   |
| 5. Conducting sale (per hour)   | <del>(\$45.00)</del> <u>\$67.00</u> |
| 6. Certificate of sale          | <del>(\$45.00)</del> <u>\$67.00</u> |
| 7. Return to court              | <del>(\$10.00)</del> <u>\$23.00</u> |
| 8. Posting of notice (each)     | \$15.00                             |
| 9. Affidavit of posting         | \$10.00                             |
| 10. Postponement (each notice)  | \$15.00                             |
| 11. Mileage (per mile)          | Federal<br>standard<br>mileage rate |
| 12. Mailing                     | Actual cost of<br>postage           |

J. Writ of garnishment:

- |                                  |                                     |
|----------------------------------|-------------------------------------|
| 1. Serve garnishee               | <del>(\$19.00)</del> <u>\$40.00</u> |
| 2. Return to court               | <del>(\$10.00)</del> <u>\$23.00</u> |
| 3. Serve defendant (if required) | <del>(\$19.00)</del> <u>\$40.00</u> |
| 4. Mileage (per mile)            | Federal<br>standard<br>mileage rate |

5. Mailing	Actual cost of postage
K. Writ of replevin - affidavit, claim and delivery:	
1. Serve defendant with writ - affidavit and bond	<del>(\$19.00)</del> <u>\$40.00</u>
2. Serve summons and complaint (one)	<del>(\$15.00)</del> <u>\$30.00</u>
3. Serve summons and complaint (two or more)	<del>(\$19.00)</del> <u>\$40.00</u>
4. Levy (per hour)	<del>(\$45.00)</del> <u>\$67.00</u>
5. Return to court	<del>(\$10.00)</del> <u>\$23.00</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)	<del>(\$38.00)</del> <u>\$46.00</u>
2. Service with aid of county (oust and eject)	<del>(\$61.00)</del> <u>\$87.00</u>
3. Cost per hour after first hour	<del>(\$45.00)</del> <u>\$67.00</u>
4. Return to court	<del>(\$10.00)</del> <u>\$23.00</u>
5. Mileage (per mile)	Federal standard mileage rate
M. Redemption:	
1. Serve notice of intent	<del>(\$19.00)</del> <u>\$40.00</u>
2. Certificate of redemption	<del>(\$45.00)</del> <u>\$67.00</u>
3. Copies	In accordance with RCW

36.18.040

N. Deed issuance	<del>(\$45.00)</del> <u>\$67.00</u>
O. Habeas corpus, order to assist:	
1. Serve only	<del>(\$19.00)</del> <u>\$40.00</u>
2. Executing of (per hour)	<del>(\$45.00)</del> <u>\$67.00</u>
3. Return to court	<del>(\$10.00)</del> <u>\$23.00</u>
P. Internal-only criminal history record check:	<del>(\$12.00)</del> <u>\$15.00</u>
Q. Notarizing documents:	<del>(\$8.00)</del> <u>\$10.00</u>
R. All other documents and supporting papers for which no other fee is provided in this section:	<del>(\$19.00)</del> <u>\$40.00</u>
S. Fingerprinting:	
1. Noncriminal purpose up to two sets	<del>(\$12.00)</del> <u>\$15.00</u>
2. Each additional set	<del>(\$4.00)</del> <u>\$5.00.</u>

SECTION 3. This ordinance takes effect January 1, 2011.

10 days prior, official paper

Newspaper: Seattle Times

Publish: Wednesday, October 27<sup>th</sup>

Public Hearing: November 8, 11am