

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 11-176

Adopt a Resolution amending Article VII of the)
Monterey County Master Fee Resolution to set and)
authorize collection of Fees, including but not limited to)
Criminal Justice Administration Fees (Jail Access/)
Booking Fees), by the Sheriff's Office effective July 1,)
2011, as attached in Exhibit I.....)

THE MONTEREY COUNTY BOARD OF SUPERVISORS FINDS:

- A. Section 1.40.010 of Chapter 1.40 of Monterey County Code provides that all fees, penalties, refunds, reimbursements and charges of any kind by the County may be specified in the Monterey County Fee Resolution.
- B. The Sheriff's Office has service fees, including Criminal Justice Administration Fees, also known as Jail Access and Booking Fees, which are appropriate to specify in the Monterey County Master Fee Resolution, Article VII for fiscal year 2011-12.
- C. Any and all adjustments to charges for services reflect no more than the actual cost of the service or benefit received by the payor. Any nominal discounts or fee reductions due to inability to pay the full charge as may be required by law has a de minimus impact on the departmental budget and that discount or reduced rate does not result in increased charges to other payors.
- D. By definition, these service charges are not a 'tax' and are exempt from voter approval pursuant to Section 1 (a)(4) of Article XIII C section 1(e)(1)-(3) of the California Constitution (Prop. 26; charge imposed for specific benefit conferred/privilege/service or product/reasonable regulatory costs provided or granted to the payor).
- E. The local jurisdictions who are impacted by the Criminal Justice Administration Fees (Jail Access/Booking fees) were noticed of the proposed fees and the basis of their calculation in accordance with the requirements of Government Code section 29550(a)(2).

THE MONTEREY COUNTY BOARD OF SUPERVISORS RESOLVES:

- I. Article VII of the Monterey County Fee Resolution is amended effective July 1, 2011, for Fiscal Year 2011-12 with all schedules, tables, fees, taxes, penalties, and charges contained therein are hereby adopted as described in the attachment to this Resolution.

II. All prior resolutions regarding such fees are hereby repealed.

PASSED AND ADOPTED on this 14th day of June, 2011, upon motion of Supervisor Salinas, seconded by Supervisor Calcagno by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, and Parker

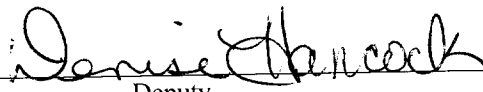
NOES: None

ABSENT: Supervisor Potter

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on June 14, 2011.

Dated: June 17, 2011
Revised: July 8, 2011

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By 
Deputy

ARTICLE VII SHERIFF OFFICE FEES

Article 7 - Sheriff/Coroner

Section 1. Sheriff's Enforcement Operations and Administration Fees

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
A. Copies of Sheriff's crime reports authorized by Government Code Section 6253		
1. Certification of Sheriff's report	\$10.00	each report
2. Copy and process photographic prints	direct cost of duplication	
B. For services rendered by the Sheriff pursuant to Monterey County Code Section 11.24.100		
1. Issuance of new card room business permit	\$150.00	each new permit
2. Renewal of current card room business permit	\$100.00	each year
3. Issuance of new card room employee permit	\$75.00	each new permit
4. Renewal of current card room employee permit	\$30.00	each year
5. Failure to obtain permit or renewal	10% of fee	each occurrence
C. For services rendered by the Sheriff pursuant to Monterey County Code Section 7.16.090		
1. Issuance of new fortune telling license	\$150.00	each new license
2. Renewal of current fortune telling license	\$100.00	each year
3. Failure to obtain permit or renewal	double fee	each occurrence
D. For services rendered by the Sheriff pursuant to Monterey County Code Section 11.25		
1. Issuance of new massage business permit	\$150.00	each new license
2. Renewal of current massage business permit	\$100.00	each year
3. Issuance of new massage technician permit	\$75.00	each new permit

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
4. Renewal of current massage technician permit	\$30.00	each year
5. Failure to obtain permit or renewal	double fee	each occurrence
6. Off-premises massage business license	\$150.00	each new license
7. Renewal of Off-premises massage business license	\$100.00	per year
8. Change of location/information	\$ 20.00	each occurrence
9. Failure to change of information or renewal	double fee	each occurrence
E. For services rendered by the Sheriff pursuant to Monterey County Code Section 7.70.070 (see endnote 1)		
1. Issuance of license to sell weapons capable of being concealed	\$150.00	each new license
2. Renewal of current license to sell weapons capable of being concealed	\$75.00	each year
3. Failure to obtain permit or renewal	10% of fee	each occurrence
F. For services rendered by the Sheriff pursuant to Monterey County Code Section 7.50.070		
1. Issuance of film permit	\$100.00	each event
2. Failure to obtain permit	double fee	each occurrence
G. For services rendered by the Sheriff pursuant to Monterey County Code Section 7.30.050 (see endnote 1)		
1. Issuance of private patrol registration card	\$100.00	each year
2. Failure to obtain card	double fee	each occurrence

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
H. For services rendered by the Sheriff pursuant to Monterey County Code Sections 7.32.050 and 7.32.160 (see endnote 1)		
1. Issuance of vehicle for hire permit	\$100.00	each year
2. Issuance of vehicle for hire driver's permit	\$50.00	each year
3. Failure to obtain permit	double fee	each occurrence
I. For services rendered by the Sheriff pursuant to Monterey County Code Section 7.20.050		
1. Issuance of itinerant vendor license	\$60.00	each new license
2. Renewal of itinerant vendor license	\$60.00	every six months
3. Failure to obtain permit or renewal	double fee	each occurrence
4. Duplication	\$10.00	each occurrence
J. For services rendered by the Sheriff pursuant to Health and Safety Code Sections 11100 et seq.		
1. Piperidine registration	\$100.00	each registration
K. For services rendered by the Sheriff pursuant to Health and Safety Code Section 12105 (see endnote 1)		
1. Issuance of annual explosives permit	\$10.00 (≤ 100 lbs: \$2.00)	each year
L. For Services rendered by the Sheriff		
1. Releasing vehicles ordered stored by the Sheriff's Office pursuant to Vehicle Code Section 22850.5 (a) – non writ related case	\$68.00	each vehicle

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
2. Impound fee pursuant to Vehicle Code Section 22850.5	25.00/per day + Actual towing cost	
3. Releasing vehicles ordered stored by the Sheriff's Office – writ related case, pursuant to Government Code Section 26751	\$15.00	each vehicle
4. For processing one record fingerprint card for non-criminal applicants	\$20.00	each card
5. Issuance of local arrest records check results	\$62.00	each clearance letter
6. Notary Fee for Sheriff's Office related documents	\$10.00	per person/document
M. For services rendered by the Sheriff pursuant to Education Code Section 45125.5.		
1. School employee criminal records check letter	\$62.00	each clearance
N. For services rendered by the Sheriff pursuant to Business and Profession Code Section 21647 and Financial Code Sections 21300 and 21301 (see endnote 1)		
1. Issuance of pawnbroker's/second hand dealer license	\$50.00	each new permit
2. Renewal of pawnbroker's/second hand dealer license	\$50.00	every two years
3. Failure to obtain permit or renewal	double fee	each occurrence
O. For services rendered by the Sheriff pursuant to Monterey County Code Section 11.08		
1. Issuance of new alarm user permit	\$50.00	initial permit
2. Renewal of alarm user permit	\$30.00	each year
3. Late alarm permit or renewal fee	\$100.00	first occurrence

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
Q. For processing and collecting funds for personal checks returned for insufficient funds	\$25.00	per check
R. For issuance of License to Carry Concealed Pistol, Revolver or other Firearm rendered by the Sheriff pursuant to Penal Code Section 12054		
1. Issuance of concealed weapons permit – total fee of \$100.00 is to be paid with two installments		
1 st installment 20%	\$ 20.00	at time of application
2 nd installment 80%	\$ 80.00	after approval of application
2. Renewal of concealed weapons permit	\$ 25.00	each year
3. Changes in permit	\$ 10.00	per occurrence
Note: This fee does not include any training costs, but reflects only the cost of the permit. Training is provided by a third party		
S. For services rendered by Sheriff in enforcing abandoned vehicles pursuant to Monterey County Code 12.72		
1. Enforcement, citation, report writing, tracking, and billing		
Abatement Officer	\$ 80.73	per hour
Abatement Supervisor	\$116.78	per hour
Abatement Accounting Technician	\$ 64.39	per hour
Abatement Office Assistant	\$ 50.87	per hour
2. Towing Fees	Actual cost	
T. For duplication services rendered by Sheriff Pursuant to Evidence Code Section 1563		
	\$15.00 + \$0.10/page for standard size	
	\$15.00 + \$0.20/page for microfilm record	
	\$15.00 + actual cost for oversize record	

Section 2. Sheriff's Custody Operations Fees

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
A. Criminal Justice Administration Fees (Jail Access and Booking) for processing prisoners at the County Jail pursuant to Government Code Section 29550 - 29551		
Access Fee	\$211.39	each eligible booking
Booking Fee	\$146.90	each eligible booking
B. Home Confinement booking at the County Jail pursuant to Penal Code Section 1208.2	\$125.00	each booking
C. Book and Release fee pursuant to court order	\$ 60.00	each booking
D. Work Alternative Program pursuant to Penal Code Section 4024.2 (e)	\$185.00	each person

Section 3. Coroner Fees

<u>Description</u>	<u>Amount</u>	<u>Unit/Time</u>
A. Custody of dead body authorized by Government Code Sections 27472 and 54985(a)		
1. Removal of body	\$175.00	each body
2. Storage of body	\$ 30.00	each day
B. Certification of Coroner's file authorized under Monterey County Code Section 5.28.020		
1. Certification of Coroner case file	\$0.25/page with minimum charge of \$5.00	
C. For Services rendered by the Coroner pursuant to Monterey County Code Section 5.28.020		
1. Preparation of facsimiles or paper transparencies of documents, papers, maps, or related items on file in, or in the custody of the Coroner	\$10.00	each report
	\$86.00/hr	full case file
2. Photographic prints	\$0.70/copy + \$86/hour	
3. Preparation of letters certification required prior to shipping body out of country	\$10.00	each body
4. Photographs on digital media	\$34.00/CD + \$0.25/per CD	
5. Private autopsies conducted pursuant to Government Code Section 27520	\$3,100.00	each body
6. Preparation of tissue slides	\$53.00	each slide

Endnotes

- 1) Fees listed do not include those fees established by State and Federal codes which are also collected.
- 2) Vehicle Release Fees will be waived for the following circumstances:
 - a. For any registered owner who claims and proves to be indigent.
 - b. When the registered owner is the innocent victim of a crime related to the impoundment of the vehicle.
- 3) Government Code Section 27472 state that such fees shall not apply:
 - a. To any person who claims and proves to be indigent
 - b. When the decedent is 14 years or younger
 - c. If the decedent is the innocent victim of a crime
 - d. For storage during the period the Coroner is performing his or her duties with regard to the body