

2018 - 05

**AN ORDINANCE ESTABLISHING A PREDICTABLE FEE SCHEDULE FOR THE
FRANKLIN COUNTY CLERK AND RECORDER'S OFFICE**

WHEREAS, the Governor of the State of Illinois signed into law Public Act 100-0271, later codified as 55 ILCS 5/3-5018.1, which requires counties to adopt a predictable fee schedule for the Franklin County Recorder's Office; and

WHEREAS, allowed fees and distributions have been defined in accordance with 55 ILCS 5/3-5018.1 by Bellwether LLC pursuant to a cost study and a predictable fee schedule has been prepared; and

WHEREAS, for the purposes of this Ordinance, a "Nonstandard Documents" shall included a document that creates a division of then existing tax parcel identification number; a document recorded pursuant to the Uniform Commercial Code; a document which is non-conforming, as described in paragraphs (1) through (5) of Section 5/3-5018; a State Lien or a Federal Lien; a document making specific reference to more than 5 Tax Parcel Identification numbers in the county in which it is presented for recording or a document making specific reference to more than 5 other document numbers recorded in the County in which it is presented for recording; and

WHEREAS, for purposes of the Ordinance, a "Standard Document" means any document other than a Nonstandard Document; and

WHEREAS, notice of this Ordinance was posted as required by 55 ILCS 5/3-5018.1, at least 2 weeks prior, but not more than 4 weeks prior to the adoption of the predictable fees; and

WHEREAS, 55 ILCS 5/3-5018 provides that statutory County Recorder fees may be increased by the County Board if an increase is "justified by an acceptable cost study showing that the fees allowed by this Section are not sufficient to cover the cost of providing the service"; and

WHEREAS, 55 ILCS 5/3-5018 requires a statement of the costs of providing each service, program, and activity be prepared and be part of the public record; and

WHEREAS, 55 ILCS 5/3-5018 provides authority to the County Board to establish a County Recorder's Document Storage Fund to collect a \$3.00 fee for document storage for each document recorded by the Recorder; and

WHEREAS, The Franklin County Code of Ordinances establishes certain Clerk and recording fees and that the study by Bellwether LLC on all of the fees of the Franklin County Clerk and Recorder's office reveals that an overall increase in fees is necessary to efficiently provide services and to defray some of the operating costs of the office; and

WHEREAS, the Franklin County Board has obtained from the Franklin County Clerk and Recorder an analysis of the average fees collected for the recordings of each document class referred to in 55 ILCS 5/3-5018.1(c) from the date of the most recent cost study as well as an analysis of other fees for services provided pursuant to 55 ILCS 5/4-4001; and

WHEREAS, based on said analysis, the Franklin County Board agrees that the County Code should be amended to change and establish certain fees charged by the Franklin County Clerk and Recorder; and

WHEREAS, the fee schedule is set forth below and was prepared by the Franklin County Clerk and Recorder;

NOW, THEREFORE, BE IT ORDAINED, ADOPTED AND DECREED that pursuant to the authorizations provided in 55 ILCS 5/3-5018, 55 ILCS 5/4-4001, 410 ILCS 535/25 and the requirements of 55 ILCS 5/3-5018.1, the Franklin County Code of Ordinances are hereby amended and revised as follows:

- I. The County Recorder shall collect the following fees:

COUNTY RECORDER FEE SCHEDULE

FEE SCHEDULE: Charges for instruments recorded in the office of the County Recorder include:

- (1) **Thirty-Three Dollars and Ninety-One Cents (\$33.91)** Basic Recording Fee (including \$.77 county allocations, \$30.14 general fund, and \$3.00 predictable)
- (2) **Six Dollars and Fifty-Four Cents (\$6.54)** Automation Fee
- (3) **Two Dollar and Eighty-Six Cents (\$2.86)** Document Storage Fee
- (4) **Twenty-Two Dollars and Sixty-nine cents (\$22.69)** Geographic Information System (GIS) Charge (\$1.00 retained)
- (5) **Nine Dollar (\$9.00)** Rental Housing Support Program (RHSP) Fee

For a minimum of Seventy-Five Dollars (\$75.00).

(A) Nonstandard Document

\$105.00

Any document:

1. that creates a division of then existing tax parcel identification number;
2. a document recorded pursuant to the Uniform Commercial Code;
3. a document which is non-conforming, as described in paragraphs (1) through (5) of Section 5/3-5018;
4. a State Lien or a Federal Lien;
5. a document making specific reference to more than 5 Tax Parcel Identification Numbers in the county in which it is presented for recording;
6. or a document making specific reference to more than 5 other document numbers recorded in Franklin County;

(B) Standard Document

1. Deeds	\$75.00
2. Leases	\$75.00
3. Mortgages	\$75.00
4. Easements not otherwise part of another classification	\$75.00
5. Miscellaneous (Documents not falling within B(1)-B(4) and not considered a Nonstandard Documents)	\$75.00

**(C) Standard Document (Exempt from Rental Housing Support
Program Surcharge)**

1. Deeds	\$66.00
2. Leases	\$66.00
3. Mortgages	\$66.00
4. Easements not otherwise part of another classification	\$66.00
5. Miscellaneous (Documents not falling within C(1)-C(2) and not considered a Nonstandard document)	\$66.00

(D) State and Federal Liens and Releases

See Recorder

(E) Plats (Other than 8 ½ "x 11", which would be a Standard Document)

Plat of survey/subdivisions, etc. recording fee	\$100.00
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*The \$9.00 Rental Housing Support fee does not apply to the following

Documents: Utility & Right of Way Easements, State/Federal Liens & Releases

COUNTY CLERK ADDITIONAL FEE SCHEDULE

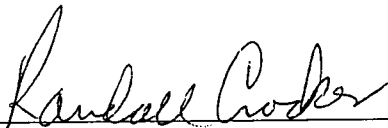
FEE SCHEDULE: Other charges for Clerk's documents and services include:

(A) Birth Certificate	\$25.00
Additional Certified Copy Birth Certificate	\$7.00
(B) Death Certificate	\$27.00
Additional Certified Copy Death Certificate	\$13.00
(C) Marriage License	\$50.00
Marriage License Certified Copy	\$21.00
Additional Certified Copy Marriage Certificate	\$9.00
(D) Business, Assumed Name	\$27.00
(E) Business, Name Change	\$27.00
(F) Notary in Person and by Mail	\$25.00
(G) Tax Redemption	\$73.00

II. **Repeal:** that all other ordinances, resolutions, or other decrees of Franklin County that are in conflict of this Ordinance are hereby repealed.


III. **Savings:** that in the event that any portion of this Ordinance is declared to be invalid, the remaining portions of this Ordinance shall survive.

This Ordinance enacted by the Franklin County Board on the
29TH day of OCTOBER, 2018 by a vote of 7 Ayes and 0 Nays and shall
become effective as of January 2, 2019.



Randall Crocker, Chairman
Franklin County Board

ATTEST:



Greg Woolard, Franklin County Clerk