

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF JO DAVIESS COUNTY, ILLINOIS TITLE 2, CHAPTER 3,
REGARDING FEES CHARGED BY THE COUNTY CLERK/RECORDER, THE
COUNTY SHERIFF AND THE GIS DEPARTMENT**

WHEREAS, the provisions 55 ILCS 5/4-4001 provide for the establishment of certain fees to be collected by the County Clerk, 55ILCS 5/3-5018 provides for the establishment of certain fees to be collected by County Recorder and the Geographic Information System (GIS) Department and 55 ILCS 5/4-5001 provides for the establishment of certain fees to be collected by the County Sheriff, and;

WHEREAS, the statutes set certain maximum fee levels for various services, but also provide that counties may conduct fee studies and raise fees as high as actual cost, if full cost of service exceeds the statutory fee, and;

WHEREAS, Jo Daviess County engaged the services of Fiscal Choice Consulting LLC (FCC) to conduct a comprehensive cost/fee study to account for the actual cost of providing various services, and;

WHEREAS, FCC completed a comprehensive cost/fee study for Jo Daviess County for the FY2017 budget year in accordance with OMB Circular A-87. FCC presented their findings to the Jo Daviess County Board on September 26, 2017. On November 14, 2017 the Jo Daviess County Board approved the Jo Daviess County Comprehensive Cost/Fee Study dated September 26, 2017, and;

WHEREAS, on April 9, 2018, the Jo Daviess County Board approved O2018-6 to amend the Code of Ordinances regarding fees for the County Clerk/Recorder, County Sheriff, and the GIS Department, and;

WHEREAS, on February 11, 2020, the Jo Daviess County Board approved O2020-1 to amend the Code of Ordinances regarding fees for the County Clerk/Recorder, County Sheriff, and the GIS Department, to correct a scrivener's error, and;

WHEREAS, due to the passage of SB 2664, changes in the Illinois Notary Act (5 ILCS 312/ 1-101) have removed the ability of Illinois County Clerks to require the recording of new or renewed Notary Public Commission Certificates, Signature Cards or to collect payment of fees to County Clerks, effective July 1, 2022, and;

WHEREAS, fees listed in O2018-6 and O2020-1 relating to notary commissions are hereby incorrect and unnecessary and will be removed.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF JO DAVIESS COUNTY, ILLINOIS, THAT:

SECTION 1. The following fee charged by the County Clerk/Recorder shall be removed:

- A. The fee for a notary commission shall be established at \$10.00 (\$10.00 General Fund).

SECTION 2. If any term or provision of this ordinance shall be invalid or unenforceable, the remainder of this ordinance shall not be affected thereby, and each term and provision of this ordinance shall be valid and enforced to the fullest extent permitted by law.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance amendment shall be in full force after its passage and approval as provided by law.

PASSED, APPROVED AND ADOPTED by the Jo Daviess County Board on this 13th day of September, 2022

_____ Don Hill

Don Hill, Chairperson
Jo Daviess County Board

Attest: Angela Kaiser

Angela Kaiser
Jo Daviess County Clerk

Ayes: 15

Nays: 0

Absent: 1

Abstained: 0