

KENDALL COUNTY
Ordinance No. 20-18

An Ordinance Increasing Fees Charged by the Kendall County Sheriff's Office for the Service Attempt of Civil Process, Execute/Acknowledge Real Estate Deed of Sale, Return of Process, Replevins, Warrants, Serving Second Defendant, Take Notices/Mailings and Alias Summons

WHEREAS, the County Board of Kendall County has previously established, by resolution or ordinance, the following fees for services provided by the Kendall County Sheriff's Office:

Service Attempt of Civil Process: \$45.00

Execute/Acknowledge Real Estate Deed of Sale: \$15.00

Return of Process: \$14.50

Replevins: \$150.00

Serving Second Defendant: \$10.00

Take Notice/Mailings: \$10.00; and

WHEREAS, Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes allows the County Board of Kendall County and the Sheriff's of Kendall County to conduct a user fee study of the fees charged by the Sheriff and to allow for an increase of fees if the cost of the services provided by the Sheriff exceeds the statutory fee; and

WHEREAS, the Sheriff of Kendall County, pursuant to Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes, retained the services of MGT Consulting Group, an independent national cost accounting firm, to conduct a cost study to determine if the fees currently charged by the Sheriff for the Service Attempt of Civil Process, Execute/Acknowledge Real Estate Deed of Sale, Return of Process, Replevins, Warrants, Serving Second Defendant, Take Notice/Mailings and Alias are sufficient to cover the costs of providing the service; and

WHEREAS, the cost study and the July 9, 2020 addendum ("Addendum") prepared by MGT Consulting Group documented that the full cost of the services provided by the Sheriff of Kendall County for the Service Attempt of Civil Process, Execute/Acknowledge Real Estate Deed of Sale, Return of Process, Replevins, Warrants, Serving Second Defendant, Take Notice/Mailings and Alias exceeds the current fees received by the Sheriff of Kendall County and, therefore, the County Board of Kendall County is permitted to adjust the current fees for the Service Attempt of Civil Process, Execute/Acknowledge Real Estate Deed of Sale, Return of Process, Replevins, Warrants, Serving Second Defendant, Take Notice/Mailings and Alias Summons to recover the actual cost of the services provided; and

WHEREAS, the cost study by MGT Consulting Group documented the full cost to the Sheriff of Kendall County for the following services:

Service Attempt of Civil Process: \$65.00

Execute/Acknowledge Real Estate Deed of Sale: \$20.00

Return of Process: \$15.00

Replevins: \$155.00

Warrants: \$75.00

Serving Second Defendant: \$70.00

Take Notice/Mailings: \$70.00

Alias: \$70.00; and

WHEREAS, the Sheriff of Kendall County has reviewed the cost study by MGT Consulting Group and the Addendum and is recommending that the County Board of Kendall County increase fees for Service Attempt of Civil Process, Execute/Acknowledge Real Estate Deed of Sale, Return of Process, Replevins, Warrants, Serving Second Defendant, Take Notice/Mailings and Alias Summons to cover the full cost of services provided.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County that:

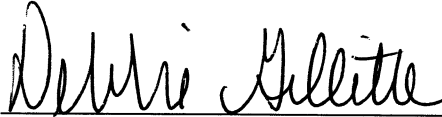
- 1). The above listed recitals are incorporated herein by reference.
- 2). The fees charged by the Sheriff of Kendall County are set as follows:
Service Attempt of Civil Process: \$65.00
Execute/Acknowledge Real Estate Deed of Sale: \$20.00
Return of Process: \$15.00
Replevins: \$155.00
Warrants: \$75.00
Serving Second Defendant: \$70.00
Take Notice/Mailings: \$70.00
Alias Summons: \$70.00
- 3). The fees listed above do not include reimburseable mileage. Any reimburseable mileage allowed by law may be added to the amount of the fee charged.
- 4). The fee requirements shall not apply to police departments or other law enforcement agencies.
- 5). This ordinance shall not supersede any other Ordinance enacted by the County Board of Kendall County which establishes or sets fees to be charged for other services provided by the Sheriff of Kendall County.
- 6). All supporting documents shall be public records and subject to public examination and audit.
- 7). This ordinance shall become effective immediately upon adoption by the County Board of Kendall County.

This ORDINANCE is hereby ADOPTED by the County Board of Kendall County, State of Illinois, on the 6 day of October, 2020



Scott R. Gryder, Kendall County Board Chair

I, Debbie Gillette, County Clerk in and said for County, in the State aforesaid, and the keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 6 day of October, 2020.



Debbie Gillette, County Clerk and Registrar

