

KENDALL COUNTY
Ordinance No. 15-13

An Ordinance Increasing Fees Charged by the Kendall County Sheriff's Office for the Service of Writs, Civil Process, Execute/Acknowledge Real Estate Deed of Sale and Evictions

WHEREAS, the County Board of Kendall County has previously established, by resolution or ordinance, the fees for Service of Writs, Civil Process, Execution/Acknowledge Real Estate Deed of Sale and Evictions in the amounts of \$83.00, \$53.00, \$4.00 and \$285 respectively; 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 Fiscal Choice Consulting, an independent national cost accounting firm, to conduct a cost study to determine if the fees currently charged by the Sheriff for the Service of Writs, Civil Process, Execution/Acknowledge Real Estate Deed of Sale and Evictions are sufficient to cover the costs of providing the service; and

WHEREAS, the cost study and the June 12, 2015 addendum ("Addendum") prepared by Fiscal Choice Consulting documented that the full cost of the services provided by the Sheriff of Kendall County for the Service of Writs, Civil Process, the Execution/Acknowledge Real Estate Deed of Sale and Evictions exceeds the current revenue 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 of Writs, Civil Process, the Execution/Acknowledge Real Estate Deed of Sale and Evictions to recover the actual cost of the services provided; and

WHEREAS, the cost study by Fiscal Choice Consulting documented that the full cost to the Sheriff of Kendall County for the Service of Writs, Civil Process, the Execution/Acknowledge Real Estate Deed of Sale and Evictions are \$105.00, \$59.50, \$15.00 and \$285.00 (for the first 4.5 hours), respectively; and

WHEREAS, the Addendum to the cost study documented the additional costs incurred when an Eviction lasts longer than the allotted 4.5 hours. These additional costs are \$9.20 for additional processing by the Civil Process Clerk, and \$64.82 per additional hour spent by the deputy during the Eviction.

WHEREAS, the Sheriff of Kendall County has reviewed the cost study by Fiscal Choice Consulting and the Addendum and is recommending that the County Board of Kendall County increase fees for Service of Writs, Civil Process, Execution/Acknowledge Real Estate Deed of Sale and Evictions 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 fee charged by the Sheriff of Kendall County for the Service of Writs shall be set in the amount of \$105.00. For Civil Process, the fee charged by the Sheriff of Kendall County shall be in the amount of \$59.50. For the Execute/Acknowledge Real Estate Deed of Sale, the fee charged by the Sheriff of Kendall County shall be in the amount of \$15.00. For Evictions, the fee charged by the Sheriff of Kendall County shall be in the amount of \$285.00 for the first 4.5 hours. After the first 4.5 hours of the Eviction, the additional fees to be assessed include a \$9.20 civil processing fee and \$64.82 per additional hour spent by the deputy during the Eviction..
- 3). The fee requirements shall not apply to officers, agencies and departments of the State of Illinois, police departments or other law enforcement agencies.
- 4). 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.
- 5). All supporting documents shall be public records and subject to public examination and audit.
- 6). 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 21 day of July, 2015



John A. Shaw, Kendall County Board Chairperson

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 21 day of July, 2015.



Debbie Gillette, County Clerk and Recorder