

**BONNEVILLE COUNTY
RESOLUTION NO. 12-11**

**A BONNEVILLE COUNTY RESOLUTION SETTING
THE BONNEVILLE COUNTY SHERIFF'S OFFICE CIVIL FEES**

WHEREAS, Idaho Code 31-3203 allows the Bonneville County Board of Commissioners to set civil fees to be charged by the Bonneville County Sheriff's Office for service of documents as listed in Idaho Code 31-3203; and

WHEREAS, the Bonneville County Sheriff has reviewed the costs of serving documents as listed in Idaho Code 31-3203 and has determined the fee for service of documents should be set according to the attached schedule; and

WHEREAS, the Bonneville County Board of Commissioners has diligently reviewed and discussed the regulations pertaining to fees charged by the Bonneville County Sheriff for the service of Civil Process;

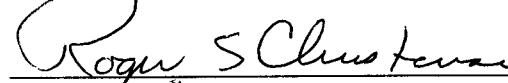
NOW THEREFORE BE IT RESOLVED, that the Bonneville County Board of Commissioners sets forth the following fees for Civil Service:

Fees for the service of papers and documents specified in Idaho Code 31-3203 by the Bonneville County Sheriff shall be as described in the attached schedule.


FURTHER BE IT RESOLVED, that Resolution No. 12-11, to be known as the Bonneville County Sheriff's Civil Process Fees, shall become effective as of October 1, 2012.

PASSED AND ADOPTED this 4th day of September, 2012, during the regular meeting of the Board of County Commissioners.

BONNEVILLE COUNTY BOARD OF COMMISSIONERS



Roger S. Christensen, Commissioner/Chairman



Lee Staker, Commissioner

Dave Radford, Commissioner

ATTACHMENTS

NOTICE OF HEARING

Pursuant to the provisions of Idaho Code 63-1311A. The Board of Commissioners will meet at 2:00 p.m., September 4, 2012 at the Commissioners Hearing Room in the Bonneville County Courthouse at 605 North Capital Ave, Idaho Falls, ID for the purpose of considering and fixing the increases of the following Bonneville County fees in amounts exceeding five percent (5%) of the amounts of these fees last collected, and for giving the reasons for such actions. The public is invited to attend and give input on these fee increases.

SHERIFF'S OFFICE FEES:

Civil Process Fee

Fee Description	Current	Proposed
1. Service & Process of each Summons and Complaint on each defendant, or each process that commences an action or proceeding to include Small Claims. <i>Summons & Complaint, Summons & Petition, Small Claims Court S/C, Summons-Juror.</i>	\$40.00	\$55.00
2. Service & Process of each and every Notice, Rule or Order, or Body Attachment. <i>Affidavit & Order, Notice of Landlord Tenant, Notice to Pay Rent or Quit, Notice to Quit, Notice to Vacate, Order for Appearance or Examination, Order to Show Cause, Serve Affidavits and/or Notices, Tenant Three Day Notice, Three Day Notice to Quit, Three Day Notice to Pay Rent or Quit.</i>	\$40.00	\$55.00
3. Service & Process of each Criminal or Civil Subpoena, for each witness summoned in an action or proceeding. <i>Subpoena-Civil, Subpoena-Criminal.</i>	\$40.00	\$55.00
4. Service & Process of each Writ of Execution where a levy is not made on Property or Cash Demand. <i>Writ of Execution, Execution, Writ of</i>	\$40.00	\$55.00
5. Service & Process of each Property Attachment, Execution Levy, Order to Deliver Person Property <i>Assistance, Writ of, Attachment, Writ of, Writ of Assistance, Writ of Attachment,</i>	\$40.00	\$55.00
6. Service & Process of each Wage Garnishment when Idaho Law allows service by mail. <i>Service of Writ & Undertaking, Service of S/C with Writ, Earnings withholding Order, Garnishments, One Time Garnishment, Continuous.</i>	\$40.00	\$55.00
7. Service & Process of each Bank Garnishment. <i>Garnishments.</i>	\$40.00	\$55.00
8. Service & Process of each Writ of Possession or Restitution, Placing Person in Possession of Premises when occupant was not removed by Deputies. <i>Claim & Delivery/Writ of Possession, Eviction (Writ of Possession R/P), Writ of Possession (Real Property), Possession, Writ of (Claim & Delivery), Possession, Writ of (Personal Property) Possession, Writ of (Claim & Delivery), Writ of Possession-Personal Property, Writ of Possession-Real Property, Writ of Restitution, Restitution, Writ of</i>	\$40.00	\$115.00
9. Service & Process of each Execution to Evict Person, and or Goods and Chattels. <i>Moving & Storage Costs, Writ of Possession-Real Property, Eviction (Writ of Possession)</i>	\$40.00	\$200.00
10. Service & Process of each Writ of Execution to Sell Real Property. Fee is required whether or not sale is completed or cancelled. <i>Execution, Writ of Foreclosures, Order for Sale, Real Property-Levy & Sell</i>	\$40.00	\$215.00
11. Each Sheriff Deed <i>Sheriff Deed</i>	\$15.00	\$15.00
12. Process & Executing each Certificate of Sale, in addition to Filing & Recording Fees <i>Certificate of Sale; (Real Property), Certificate of Sale; (Personal Property)</i>	\$10.00	\$10.00
13. Process for each Cancellation of Service before attempt to serve is made. <i>Not Found Return, Return, Cancellation of Service Before Attempt</i>	\$20.00	\$27.00
14. Process for each Cancellation of Service after Attempt to serve is made. <i>Not Found Return, Return, Cancellation of Service After Attempt</i>	\$40.00	\$55.00
15. Sheriff's Commission without Levy for each action. <i>Commission without Levy</i>	\$75.00	\$75.00
16. Sheriff's Commission on each Levy for Personal or Real Property Levied and Sold. <i>Commission with Levy</i>	\$100.00	\$200.00
17. Sheriff's Commission on each Levy for Personal or Real Property that is not sold, or the sale is cancelled by the Plaintiff <i>Commission without Levy</i>	\$75.00	\$75.00
18. Returned Check Fee (Independent of Process Fees, Rates or Commission)	\$0.00	\$25.00
19. Each Interim Return <i>Interim Return</i>	\$10.00	\$10.00
20. Each manual posting of required notice <i>Posting (Sale Notices)</i>	\$5.00	\$5.00
21. Deposit if Sheriff arranges Evictions, Personal Property & Vehicle Attachments, Move Outs, Storage, Levy to include Deputy Hourly Rate & Actual Expenses. <i>Moving & Storage Cost Advance Fee</i>	\$3,000.00	\$3,000.00
22. All Actions that exceed (2) two hours will be assessed @ appropriate hourly Civilian and or Post Certified Deputy Rate. Actual Mileage may be assessed.		See Actual Cost Addendum Below
Actual Cost Addendum	2005	2012
Civilian Deputy Average Wage/Benefits @ Regular Hourly Rate	\$18.00	\$23.70
Civilian Deputy Average Wage/Benefits @ Overtime Hourly Rate		\$35.50
Certified Peace Officer Average Wage/Benefits @ Regular Hourly Rate	\$27.77	\$34.40
Certified Peace Officer Average Wage/Benefits @ Contractual Hourly Overtime Rate		\$56.00
Mileage for actual miles traveled @ Current IRS Mileage Rate for Each Mile Traveled in order to complete process, service or action (I.C. 31-3217)	\$.40 per mile	\$.55 1/2 per mile
	Current	Proposed
Concealed Weapons Fee Description		
1. Initial Concealed Weapons License	31.03	38.53
2. CWP Renewal within 90 days	15.03	17.53
3. CWP Renewal over 90 days	25.03	27.53
4. Retired Law Enforcement Initial CWP	20.03	21.53
5. Retired Law Enforcement CWP Renewal within 90 days	12.03	13.53
6. Retired Law Enforcement CWP over 90 days	22.03	23.53
7. Retired Law Enforcement Duplicate	12.53	12.53
8. County/First Responder CWP	0	5.53
9. County/First Responder CWP Renewal Within 90 Days	0	5.53
10. County/First Responder CWP Over 90 Days	0	15.53
11. County/First Responder CWP Duplicate	0	5.53

/s/ Roger S. Christensen
Commissioner/Chairman
Bonneville County Commissioners