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ORDINANCE NO. 485 APPROVING A REQUEST BY THE WALLA WALLA COUNTY SHERIFF'S OFFICE TO AMEND SHERIFF'S FEES SET BY RCW 36.18.040, PURSUANT TO RCW 36.18.040(3) AND AMENDING WALLA WALLA COUNTY CODE 3.28

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page ____ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

Additional legal is on page ____ of document.

Assessors Parcel Numbers

n/a

Additional parcel number is on page ____ of document.

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**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 485

AN ORDINANCE APPROVING A REQUEST BY THE WALLA WALLA COUNTY SHERIFF'S OFFICE TO AMEND SHERIFF'S FEES SET BY RCW 36.18.040, PURSUANT TO RCW 36.18.040(3) AND AMENDING WALLA WALLA COUNTY CODE 3.28.

Whereas, RCW 36.18.040 provides that Sheriffs shall collect certain fees for services; and

Whereas, RCW 36.18.040(3) provides that the County legislative authority may set the amounts of fees that shall be collected by the Sheriff to cover the costs of administration and operation; and

Whereas, the Walla Walla County Board of County Commissioners has considered adoption of this Ordinance during a regularly and duly called public meeting of said Commission, has given careful review and consideration to said Ordinance, and finds said Ordinance to be in the best interests of the County of Walla Walla.

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that:

Section I. The Board of County Commissioners Makes the Following Findings of Fact:

1. A proposed schedule of fees was presented by the Sheriff's Office to the Walla Walla County Board of Commissioners.
2. Notice of a Public Hearing was published in the Union Bulletin on May 7, 2020 and May 14, 2020.
3. The Board of County Commissioners held a public hearing on May 18, 2020 for the purpose of receiving testimony on the proposed amendments.
4. A Notice of Public Hearing was published in the Walla Walla Union-Bulletin on July 16, 2020 and July 23, 2020.
5. A Public Hearing on the changes was held on July 27, 2020.
6. In both Public Hearings, due to COVID-19 restrictions, the public could participate by telephone or Webex. In addition, for the July 27th hearing, anyone who was unable to

participate via telephone or Webex was invited to contact the Clerk of the Board to arrange to participate and submit testimony at a remote location.

Section II. The Board of County Commissioners Makes the Following Conclusions of Law:

1. The County has reviewed and evaluated comments received from the public.
2. The amendments are consistent with RCW 36.18.040 and cover the costs of administration and operation.

Section III. Amendments to Walla Walla County Code, Amending Chapter 3.28. The amendments to Walla Walla County Code, amending Chapter 3.28, are **adopted** as presented to the Board of County Commissioners on this date as attached in Exhibit A.

Section IV. Index. The index to any chapter of the Walla Walla County Code in which sections are added or removed or in which section titles are changed herein shall also be amended to reflect the section amendments.


Section V. Effective Date. This Ordinance is effective as of the date of signing.

Section VI. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section VII. Publication. This Ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 3rd day of August 2020.

Attest:



Diane L. Harris, Clerk of the Board



Gregory A. Tompkins Chairman, District 3

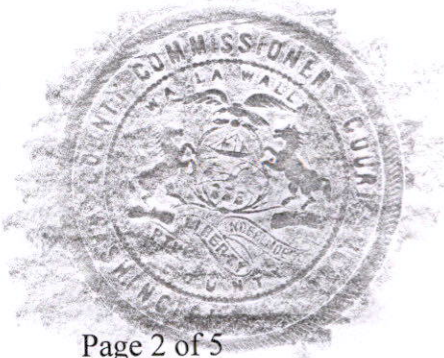


James K. Johnson, Commissioner, District 1

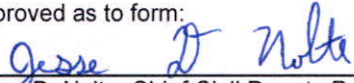


Todd L. Kimball, Commissioner, District 2

Constituting the Board of County Commissioners
of Walla Walla County, Washington



Approved as to form:



Jesse D. Nolte, Chief Civil Deputy Prosecuting Attorney



Exhibit A
Walla Walla County Code Chapter 3.28

3.28.020. Fees

The Walla Walla County Sheriff's Office shall collect the following fees for its official services:

- A. For service of each summons and complaint, notice and complaint, summons and petition, and notice of small claim on one defendant at any location, ~~twenty~~ thirty-five dollars, and on two or more defendants at the same residence, ~~thirty~~ forty-five dollars, besides mileage.
- B. For making a return, besides mileage actually traveled, ~~ten~~ fifteen dollars;
- C. For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, ~~fifty~~ sixty-five dollars per hour;
- D. For filing copy of writ of attachment or writ of execution with auditor, ~~twenty~~ thirty dollars plus auditor's filing fee;
- E. For serving writ of possession or restitution without aid of the county, besides mileage, ~~forty~~ sixty dollars;
- F. For serving writ of possession or restitution with aid of the county, besides mileage, ~~sixty~~ seventy-five dollars plus ~~fifty~~ sixty-five dollars for each hour after one hour;
- G. For serving an arrest warrant in any action or proceeding, besides mileage, ~~fifty~~ fifty-five dollars;
- H. For executing any other writ or process in a civil action or proceeding, besides mileage, ~~fifty~~ seventy-five dollars per hour;
- I. For each mile actually and necessarily traveled in going to or returning from any place of service, or attempted service, ~~fifty~~ eighty cents;
- J. For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, ~~fifty~~ sixty-five dollars;
- K. For making copies of papers when sufficient copies are not furnished, two dollars for first page and one dollar per each additional page;
- L. For the service of any other document and supporting papers for which no other fee is provided for herein, ~~twenty~~ thirty-five dollars, and on two or more defendants at the same residence, forty-five dollars, besides mileage;
- M. For posting a notice of sale, ~~or postponement,~~ ~~fifteen~~ twenty dollars besides mileage;
- N. For certificate or bill of sale of property, or certificate of redemption, ~~fifty~~ sixty dollars;
- O. For conducting a sale of property, ~~fifty~~ sixty dollars per hour spent at a sheriff's sale;
- P. For notarizing documents, ~~ten~~ fifteen dollars for each document;



- Q. For fingerprinting for noncriminal purposes, twenty-five dollars for each person for up to two sets, ten dollars for each additional set;
- R. For mailing required by statute, whether regular, certified, or registered, the actual cost of postage;
- S. For an internal criminal history records check, fifteen dollars;
- T. For the reproduction of audio, visual, or photographic material, to include magnetic microfilming, the actual cost including personnel time.
- U. For any service, if a person or entity to be served cannot be found, there shall be a twenty-five-dollar fee;
- V. No refunds of less than five dollars will be made for civil process fees;
- W. For scanning and e-mailing or electronically transmitting any documents related to civil processes, five dollars;
- X. For postponing and posting notice of postponing any execution of sale of property, fifty dollars;
- Y. For notice to publisher for Order of Sale (Real Property), five dollars. Actual publication costs will be paid by requestor.

