

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 19.1**  
(ID # 22116)

**MEETING DATE:**  
Tuesday, June 13, 2023

**FROM :** ASSESSOR-COUNTY-CLERK-RECORDER:

**SUBJECT:** ASSESSOR-COUNTY-CLERK-RECORDER: Public Hearing and Adoption of Amendments to Ordinance No. 729.10, an Ordinance of the County of Riverside Amending Ordinance No. 729 Establishing Fees, Charges and Rates for Assessor, County Clerk and Recorder Services, All Districts. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Open the public hearing regarding the adoption of Ordinance No. 729.10, an ordinance of the County of Riverside amending Ordinance No. 729 establishing fees, charges and rates for Assessor, County Clerk and Recorder services;
2. Upon the close of the public hearing, adopt Ordinance No. 729.10, an ordinance of the County of Riverside amending Ordinance No. 729 establishing fees, charges and rates for Assessor, County Clerk and Recorder services;
3. Direct the Clerk of the Board to publish the ordinance within fifteen (15) days pursuant to Section 25124 of the Government Code; and
4. Upon adoption, direct the Auditor-Controller to establish a subfund for the Restrictive Covenant Modification Program to account for all related revenue and expenditures.

**ACTION:Policy**


  
Kan Wang, Assistant Assessor-County-Clerk Recorder 5/30/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Gutierrez, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended and Ordinance 729.10 is adopted with waiver of the reading.

Ayes: Jeffries, Washington and Gutierrez  
Nays: None  
Absent: Spiegel, Perez  
Date: June 13, 2023  
xc: Assessor, COBcf

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$0	\$0	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b> Restrictive Covenant Modification Program Fund			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	22/23

**C.E.O. RECOMMENDATION:** Approve

**California Environmental Quality Act and Environmental Document Filing Fees**

These statutory pass-through fees pertain to the California Environmental Quality Act and Environmental Document Filing and are adjusted annually by the California Department of Fish and Wildlife effective January 1st of each year in accordance with Fish and Game Code Sections 711.4 and 713 and are uniform throughout the State of California.

To be more efficient, the Assessor, County Clerk and Recorder (ACR) is requesting to change Ordinance No. 729 (“Ordinance”) to refer to the California Department of Fish and Wildlife’s publication of these pass-through fees. Since these fees are imposed by the California Department of Fish and Wildlife, the ACR would like to streamline the process by removing the specific dollar amount on the Ordinance. This change would result in a public benefit by saving the administrative costs of annually reapproving pass-through fees in a County public hearing that have already been determined by the California Department of Fish and Wildlife. The dollar amount will be correctly reflected on the Fee Schedule as a course of normal business.

For reference, the fees effective 1/1/2023 are as follows:

	<u>Old Fee</u>	<u>New Fee</u>	<u>Increase</u>
Environmental Impact Report (pass-through revenue)	\$3,445.25	\$3,839.25	\$394.00
Negative Declaration (pass-through revenue)	\$2,480.25	\$2,764.00	\$283.75

**Copy and Certification of Vital Records Fees**

In 2021, the State Assembly passed Assembly Bill 128, which authorized an increase to the vital fees for certified copies of birth, death, and public marriage licenses referenced in Health and Safety Code Sections 100425, 103525.5, 103625, 103625(b)(2), and 103650. The fee is established by the California Department of Public Health and notice of these ministerial fees are distributed through an all-county letter. The State required the increase effective January 1, 2022.

To be more efficient, the ACR is requesting to change the Ordinance to refer to the California Department of Public Health’s determination of these fees. This change would result in a public benefit by saving the administrative costs of periodically reapproving fees in a County public hearing that have already been determined by the California Department of Public Health. The dollar amount will be correctly reflected on the Fee Schedule as a course of normal business.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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For reference, the fees effective 1/1/2022 are as follows:

	Old Fee	New Fee	Increase
Birth Certificate, copy or search	\$28.00	\$32.00	\$4.00
Birth Certificate, Government Agency fee for copy or search	\$19.00	\$22.00	\$3.00
Death Certificate, copy or search	\$21.00	\$24.00	\$3.00
Death Certificate, Government Agency fee for copy or search	\$21.00	\$24.00	\$3.00
Marriage Certificate, copy or search	\$15.00	\$17.00	\$2.00
Marriage Certificate, Government Agency fee for copy or search	\$11.00	\$12.00	\$1.00

**Restrictive Covenants Modification Program Fee**

With the passing of AB 1466 and the subsequent creation of Government Code section 27388.2, the County recorder may impose a \$2.00 fee on each real estate instrument, paper, or notice. The funds generated by this fee shall be used only by the County recorder collecting the fee for the purpose of implementing a restrictive covenants program. Creation of a subfund is necessary to track applicable revenue and expenditures. Pursuant to Government Code section 27388.2(c), the County recorder shall not charge this fee after December 31, 2027, unless it has received reauthorization by the Board of Supervisors. The County recorder shall not seek reauthorization of the fee by the Board before June 1, 2027, or after December 31, 2027. Any reauthorization period shall not exceed five (5) years.

The Restricted Covenant Modification (RCM) Program seeks to hasten the removal of the offensive covenants in three (3) ways:

1. The bill requires all county recorders throughout the state to establish an RCM program to identify and redact unlawfully restrictive covenants and make regular reports on its progress to the Legislature.
2. The bill allows any person, not just an owner, to file an RCM with the county recorder's office if they have knowledge of the unlawful restriction.
3. The bill enables a person with an ownership interest to record an RCM by waiving fees and requires title companies, realtors, and specified others who know of such restriction to notify an owner or prospective owner of the existence of the restriction, and to inform them of their right to use the RCM process.

County recorders are required to perform the duties assigned under this measure, including tracking, and maintaining a record of homes with unlawfully restrictive covenants once they have been identified, even if the Board of Supervisors does not authorize the fee.

A pro forma version of the proposed amendment to Ordinance No. 729 has been attached as Exhibit A. The Office of County Counsel has approved the Ordinance amendments as to form. The Board of Supervisors introduced the Ordinance amendment in regular session on May 23, 2023 (Item 3.55).

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA

**Impact on Residents and Businesses**

Upon Board approval of the proposed amendments to the Ordinance, the updates will be reflected on the ACR's fee schedule and made available to the public.

**Attachments:**

- Exhibit A: Ordinance No. 729.10 Pro Forma
- Exhibit B: Ordinance No. 729.10 AATF

  
Dolores Reyna, Principal Management Analyst 6/7/2023

  
Aaron Gettis, Deputy County Counsel 6/3/2023

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ORDINANCE NO. 729.10  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 729  
ESTABLISHING FEES, CHARGES AND RATES FOR ASSESSOR, COUNTY CLERK AND  
RECORDER SERVICES

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Subsection B of Section 1 of Ordinance No. 729 is amended to read as follows:

“AUTHORITY. The authority for the fees established herein is found in Government Code Sections 6157, 6253, 8201.1, 8213, 12194, 26831, 26836, 26840, 26840.1, 26840.2, 26840.3, 26840.7, 26840.8, 26849.1, 26850, 26851, 26852, 26855, 26855.1, 26855.2, 26855.3, 26861,27293, 27361, 27361.9, 27364, 27366, 27372, 27387, 27388.2, 27397,27585, 54985, 54986, 65092; Business and Professional Code 6404, 6405, 17926, 17929, 22352, 22353, 22453, 22455, 22457, 27366; Civil Code 3097; Corporations Code 14502; Family Code 360, 401, 506, 536, 1852; Fish and Game 711.4, 713; Health & Safety 100430, 103525.5, 103625; Penal Code 14251; Welfare and Institutions Code 18966.”

Section 2. Subsection B.1.f of Section 4 of Ordinance No. 729 is amended to read as follows:

“f. Certified Copy of a Marriage License: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public.”

Section 3. Subsection B.14. of Section 4 of Ordinance No. 729 is amended to read as follows:

“14. Environmental Impact Report (pass-through revenue): A fee set annually by the Department of Fish and Wildlife published on their website annually prior to November 1 for filing an environmental impact report pursuant to Fish and Game Code sections 711.4 and 713.”

Section 4. Subsection B.15. of Section 4 of Ordinance No. 729 is amended to read as follows:

1 “15. Negative Declaration (pass-through revenue): A fee set annually by the Department of  
2 Fish and Wildlife published on their website annually prior to November 1 for filing a negative  
3 declaration or mitigated negative declaration pursuant to Fish and Game Code sections 711.4  
4 and 713.”

5 Section 5. Subsection C.14. of Section 4 of Ordinance No. 729 is amended to read as follows:

6 “14. Death Certificate, copy or search: A fee as determined by the California Department of  
7 Public Health published in an all-county letter pursuant to Health and Safety Code sections  
8 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy  
9 of a death record.”

10 Section 6. Subsection C.15. of Section 4 of Ordinance No. 729 is amended to read as follows:

11 “15. Death Certificate, copy or search (Government Agency): A fee as determined by the  
12 California Department of Public Health published in an all-county letter pursuant to Health  
13 and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section  
14 14251 for each certified copy of a death record.”

15 Section 7. Subsection C.16. of Section 4 of Ordinance No. 729 is amended to read as follows:

16 “16. Birth Certificate, copy or search: A fee as determined by the California Department of  
17 Public Health published in an all-county letter pursuant to Health and Safety Code sections  
18 103625, 100425, 103525.5, 103650, plus 103625(b)(2), and Welfare and Institutions Code  
19 section 18966 for each certified copy of a birth record to the general public.”

20 Section 8. Subsection C.17. of Section 4 of Ordinance No. 729 is amended to read as follows:

21 “17. Birth Certificate, copy or search (Government Agency): A fee as determined by the  
22 California Department of Public Health published in an all-county letter pursuant to Health  
23 and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a  
24 birth record to a government agency.”

25 Section 9. Subsection C.18. of Section 4 of Ordinance No. 729 is amended to read as follows:

26 “18. Marriage Certificate, copy or search: A fee as determined by the California Department of  
27 Public Health published in an all-county letter pursuant to Health and Safety Code sections  
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1 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each  
2 certified copy of a marriage record to the general public.”

3 Section 10. Subsection C.19. of Section 4 of Ordinance No. 729 is amended to read as follows:

4 “19. Marriage Certificate, copy or search (Government Agency): A fee as determined by the  
5 California Department of Public Health published in an all-county letter pursuant to Health  
6 and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a  
7 marriage record to a government agency.”

8 Section 11. Subsection C.29. of Section 4 of Ordinance No. 729 is added to read as follows:

9 “29. Restrictive Covenant Modification (RCM) Fund \$2.00

10 Pursuant to Government Code Section 27388.2(c), the County Recorder shall not charge this  
11 fee after December 31, 2027, unless it has received reauthorization by the Board of  
12 Supervisors of the County of Riverside. The County Recorder shall not seek reauthorization of  
13 the fee by the Board before June 1, 2027, or after December 31, 2027. Any reauthorization  
14 period shall not exceed five (5) years.”

15 Section 12. This ordinance shall take effect thirty (30) days after its adoption.

16  
17 BOARD OF SUPERVISORS OF THE COUNTY  
18 OF RIVERSIDE, STATE OF CALIFORNIA

19 By: 

20 Kevin Jeffries  
21 Chair, Board of Supervisors

22 ATTEST:

23 KIMBERLY RECTOR  
24 CLERK OF THE BOARD

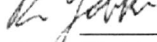
25 By: 

26 Deputy

27 (SEAL)

1 APPROVED AS TO FORM:

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3 By: 

4 Ryan Yabko  
Deputy County Counsel

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STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on June 13, 2023, the foregoing ordinance consisting of 12 Sections was adopted by the following vote:

AYES:           Jeffries, Washington, and Gutierrez

NAYS:           None

ABSENT:        Spiegel, Perez

DATE:           June 13, 2023

KIMBERLY A. RECTOR  
Clerk of the Board

BY:   
Deputy

SEAL

**ORDINANCE NO. 729  
(AS AMENDED THROUGH 729.10)  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
ESTABLISHING FEES, CHARGES AND RATES FOR  
ASSESSOR, COUNTY CLERK AND RECORDER SERVICES**

Exhibit A

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

**Section 1. PURPOSE AND SCOPE.**

- A. **PURPOSE.** The purpose of this section is to establish fees in reasonable amounts to cover the costs of rendering certain enumerated services and supplies furnished by the Assessor-County Clerk-Recorder's Office.
  
- B. **AUTHORITY.** The authority for the fees established herein is found in Government Code Sections 6157, 6253, 8201.1, 8213, 12194, 26831, 26836, 26840, 26840.1, 26840.2, 26840.3, 26840.7, 26840.8, 26849.1, 26850, 26851, 26852, 26855, 26855.1, 26855.2, 26855.3, 26861, 27293, 27361, 27361.9, 27364, 27366, 27372, 27387, 27388.2, 27397, 27585, 54985, 54986, 65092; Business and Professional Code 6404, 6405, 17926, 17929, 22352, 22353, 22453, 22455, 22457, 27366; Civil Code 3097; Corporations Code 14502; Family Code 360, 401, 506, 536, 1852; Fish and Game 711.4, 713; Health & Safety 100430, 103525.5, 103625; Penal Code 14251; Welfare and Institutions Code 18966.

**Section 2. SEVERABILITY.** Should any fee herein established be held to be invalid or otherwise unenforceable, such determination shall not affect the validity of all remaining fee provisions.

**Section 3. LISTING NOT COMPREHENSIVE.** This Ordinance is not intended to contain all fees that are or may be charged by the Assessor-County Clerk-Recorder for services and supplies and to the extent that other fees are customarily charged or are established elsewhere and are not listed below, all such fees, charges, and rates shall remain in full force and effect.

**Section 4. FEE SCHEDULE.** The Assessor-County Clerk-Recorder shall hereafter collect the following fees for the services or product rendered:

A. **Assessor-County Clerk-Recorder Fees and Charges.**

- 1. Duplicating documents and records 8-1/2" x 11" in size
  - a. First Page (In accordance with the Public Records Act) \$ 1.00
  - b. Additional Pages, per page \$ 0.10
  
- 2. Photocopy or System Page Copy
  - a. First Page \$ 1.00
  - b. Additional Pages, per page \$ 0.10
  
- 3. Processing Returned Checks or ACH Debits \$ 32.00

B. **County Clerk Fees and Charges**

- 1. Marriage:
  - a. Public Marriage License \$ 100.00
  - b. Confidential Marriage License \$ 110.00
  - c. Affidavit to amend license (within one year) \$ 11.00

d. Affidavit to amend license (after one year)	\$ 23.00
e. Duplicate Marriage License (Public and Confidential)	\$ 28.00
f. Certified Copy of a Marriage License: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public.	
g. Application for Appointment as Deputy Commissioner of Civil Marriages – One Day Appointment	\$ 59.00
h. Notary Public, Approval to Issue Confidential Marriage License	\$ 300.00
2. Marriage Ceremony:	
a. Performing Marriage Ceremony (no license included)	\$ 85.00
b. Performing Marriage Ceremony 14 <sup>th</sup> St. Chapel (no license included)	\$ 120.00
c. Performing Saturday Marriage Ceremony	\$ 128.00
d. Men's Wedding Band (optional)	\$ 20.00
e. Women's Wedding Band (optional)	\$ 15.00
3. Fictitious Business Name:	
a. Fictitious Business Name Statement (FBNS)	\$ 66.00
b. Each Additional Name at Same Address (FBNS)	\$ 2.00
c. Each Additional Registrant at Same Address (FBNS)	\$ 2.00
d. Certified copy of FBNS	\$ 2.00
e. Statement of Withdrawal/Abandonment of FBN	\$ 27.00
4. Process Server:	
a. Certificate of Registration of Process Server	\$ 208.00
b. Cancellation, Withdrawal or Revocation of Process Servers Bond/Unlawful Detainer/Legal Document Assistant	\$ 25.00
5. Unlawful Detainer:	
a. Certificate of Registration of Unlawful Detainer Assistant/Legal Document Assistant	\$ 196.00
b. Cancellation, Withdrawal or Revocation Unlawful Detainer/Legal Document Assistant	\$ 25.00
c. Identification Card for Unlawful Detainer/Legal Document Assistant	\$ 10.00
6. Photocopier:	
a. Certificate of Registration of Professional Photocopier	\$ 196.00
b. Certificate of Registration of Professional Photocopier (if already Registered as Process Server)	\$ 121.00
c. Cancellation, Withdrawal or Revocation of Photocopier Bond	\$ 25.00
d. Identification Card for Photocopier	\$ 10.00
7. Notary Public:	
a. Notary Public Registration	\$ 69.00
b. Cancellation, Withdrawal or Revocation of Notary Bond	\$ 34.00
c. Conformed copy of Notary Bond	\$ 1.00

d. Certification of Notary Signature (one name)	\$22.00
e. Certification of Notary Signature (additional requests, same name)	\$ 2.25
8. Admitted Surety Insurer:	
a. Power of Attorney for Admitted Surety Insurer-Each Name	\$ 27.00
b. Financial Statement – Admitted Surety Insurer	\$ 3.50
c. Revocation of Power of Attorney	\$ 27.00
d. Certificate of Proof Authority of Surety to Act	\$ 3.50
9. Certifying a copy of any filed paper	\$ 1.75
10. Certificate of Translation	\$ 10.00
11. Administration of Oath for Humane Officer	\$ 5.00
12. Document Handling Fee – Fish & Game	\$ 50.00
13. All papers for which a fee is not elsewhere provided	\$ 2.25
14. Environmental Impact Report (pass-through revenue): A fee set annually by the Department of Fish and Wildlife published on their website annually prior to November 1 for filing an environmental impact report pursuant to Fish and Game Code sections 711.4 and 713.	
15. Negative Declaration (pass-through revenue): A fee set annually by the Department of Fish and Wildlife published on their website annually prior to November 1 for filing a negative declaration or mitigated negative declaration pursuant to Fish and Game Code sections 711.4 and 713.	

C. Recorder Fees and Charges

1. Recording Fees	
a. First Page	\$ 14.00
b. Additional Pages, per page	\$ 3.00
c. Additional Title	\$ 14.00
2. Building Homes and Jobs Act State Fee (SB-2) Per Title up to \$225	\$75.00
3. Release of lien by government agency for each recording reference	\$8.00
4. Non-Conformed Page (any page that is not 8 ½" x 11")	\$ 3.00
5. Each page containing small print	\$ 1.00
6. Each group of 10 names or fractional portion after first 10	\$ 1.00
7. Involuntary lien notification for each debtor address against whom an involuntary lien is recorded	\$ 13.00
8. For each additional recording reference which requires additional indexing	\$ 1.00

9. Customer (Conformed) Copy Label, at the time of recordation only	\$ 2.00
10. Conformed Map Copy, at time of recordation only	\$ 20.00
11. Official Record: Regular copy per page	\$ 7.00
12. Official Record: Each additional page	\$ 1.00
13. Certification of complete regular copy	\$ 2.00
14. Death Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record.	
15. Death Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record.	
16. Birth Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, 103650, plus 103625(b)(2), and Welfare and Institutions Code section 18966 for each certified copy of a birth record to the general public.	
17. Birth Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a birth record to a government agency.	
18. Marriage Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public.	
19. Marriage Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a marriage record to a government agency.	
20. Filing Fees: First page, each map	\$ 9.00
21. Filing Fees: Each additional page	\$ 2.00
22. California Preliminary 20-Day Notice	\$ 65.00
23. Real Estate Fraud Prosecution Trust Fund	\$ 10.00
24. Documents evidencing a change of ownership, NOT accompanied	\$ 20.00

by a completed and signed Preliminary Change of Ownership Report

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|--|------------------|
| 25. Survey Monument Preservation Fund            | \$ 10.00         |
| 26. UCC filing, 1-2 pages                        | \$ 11.00         |
| 27. UCC filing, 3 pages or more                  | \$ 21.00         |
| 28. Images of Recorded Documents via FTP         | \$ 73.00/per day |
| 29. Restrictive Covenant Modification (RCM) Fund | \$2.00           |
- Pursuant to Government Code Section 27388.2(c), the County Recorder shall not charge this fee after December 31, 2027, unless it has received reauthorization by the Board of Supervisors of the County of Riverside. The County Recorder shall not seek reauthorization of the fee by the Board before June 1, 2027, or after December 31, 2027. Any reauthorization period shall not exceed five (5) years.

**Section 5. EFFECTIVE DATE.** This amendment shall become effective thirty (30) days after adoption.

- Adopted:** 729 Item 11.1 of 05/04/1993 (Eff: 06/03/1993)  
**Amended:** 729.1 Item 3.4 of 07/06/1993 (Eff: 08/05/1993)  
729.2 Item 11.3 of 07/27/1993 (Eff: 08/26/1993)  
729.3 Item 7.1 of 09/11/2001 (Eff: 10/11/2001)  
729.4 Item 9.1 of 04/27/2004 (Eff: 05/27/2004)  
729.5 Item 9.2 of 10/21/2008 (Eff: 11/20/2008)  
729.6 Item 9.1 of 11/06/2012 (Eff: 12/06/2012)  
729.7 Item 3-35 of 12/10/2013 (Eff: 01/09/2014)  
729.8 Item 19.1 of 08/27/2019 (Eff: 09/26/2019)  
729.9 Item 19.1 of 04/20/2021 (Eff: 05/19/2021)  
729.10 Item X-XX of XX/XX/XXXX (Eff: XX/XX/XXXX)

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.55  
(ID # 21931)

**MEETING DATE:**  
Tuesday, May 23, 2023

**FROM :** ASSESSOR-COUNTY-CLERK-RECORDER:

**SUBJECT:** ASSESSOR-COUNTY-CLERK-RECORDER: Introduction of Ordinance No. 729.10, an Ordinance of the County of Riverside Amending Ordinance No. 729 Establishing Fees, Charges and Rates for Assessor, County Clerk and Recorder Services, All Districts. [\$0] (Clerk to set Public Hearing on June 13, 2023)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Introduce and waive further reading of proposed Ordinance No. 729.10, an ordinance of the County of Riverside amending Ordinance No. 729 establishing fees, charges, and rates for Assessor, County Clerk and Recorder Services;
2. Direct the Clerk of the Board to set a public hearing for the proposed ordinance to be heard on June 13, 2023;
3. Direct the Clerk of the Board to provide notice of the public hearing in accordance with Section 54986 of the Government Code; and
4. Upon adoption, direct the Auditor-Controller to establish a subfund for the Restrictive Covenant Modification Program to account for all related revenue and expenditures.

**ACTION: Set for Hearing**

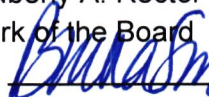
  
Kan Wang, Assistant Assessor-County-Clerk Recorder 5/11/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Spiegel, Washington, Perez, and Gutierrez  
Nays: None  
Absent: None  
Date: May 23, 2023  
xc: Assessor, COB/AB/CF

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$0	\$0	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b> Restrictive Covenant Modification Program Fund			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	22/23

**C.E.O. RECOMMENDATION:** Approve

**California Environmental Quality Act and Environmental Document Filing Fees**

These statutory pass-through fees pertain to the California Environmental Quality Act and Environmental Document Filing and are adjusted annually by the California Department of Fish and Wildlife effective January 1st of each year in accordance with Fish and Game Code Sections 711.4 and 713 and are uniform throughout the State of California.

To be more efficient, the Assessor, County Clerk and Recorder (ACR) is requesting to change Ordinance No. 729 ("Ordinance") to refer to the California Department of Fish and Wildlife's publication of these pass-through fees. Since these fees are imposed by the California Department of Fish and Wildlife, the ACR would like to streamline the process by removing the specific dollar amount on the Ordinance. This change would result in a public benefit by saving the administrative costs of annually reapproving pass-through fees in a County public hearing that have already been determined by the California Department of Fish and Wildlife. The dollar amount will be correctly reflected on the Fee Schedule as a course of normal business.

For reference, the fees effective 1/1/2023 are as follows:

	<u>Old Fee</u>	<u>New Fee</u>	<u>Increase</u>
Environmental Impact Report (pass-through revenue)	\$3,445.25	\$3,839.25	\$394.00
Negative Declaration (pass-through revenue)	\$2,480.25	\$2,764.00	\$283.75

**Copy and Certification of Vital Records Fees**

In 2021, the State Assembly passed Assembly Bill 128, which authorized an increase to the vital fees for certified copies of birth, death, and public marriage licenses referenced in Health and Safety Code Sections 100425, 103525.5, 103625, 103625(b)(2), and 103650. The fee is established by the California Department of Public Health and notice of these ministerial fees are distributed through an all-county letter. The State required the increase effective January 1, 2022.

To be more efficient, the ACR is requesting to change the Ordinance to refer to the California Department of Public Health's determination of these fees. This change would result in a public benefit by saving the administrative costs of periodically reapproving fees in a County public hearing that have already been determined by the California Department of Public Health. The dollar amount will be correctly reflected on the Fee Schedule as a course of normal business.



**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

For reference, the fees effective 1/1/2022 are as follows:

	<u>Old Fee</u>	<u>New Fee</u>	<u>Increase</u>
Birth Certificate, copy or search	\$28.00	\$32.00	\$4.00
Birth Certificate, Government Agency fee for copy or search	\$19.00	\$22.00	\$3.00
Death Certificate, copy or search	\$21.00	\$24.00	\$3.00
Death Certificate, Government Agency fee for copy or search	\$21.00	\$24.00	\$3.00
Marriage Certificate, copy or search	\$15.00	\$17.00	\$2.00
Marriage Certificate, Government Agency fee for copy or search	\$11.00	\$12.00	\$1.00

**Restrictive Covenants Modification Program Fee**

With the passing of AB 1466 and the subsequent creation of Government Code section 27388.2, the County recorder may impose a \$2.00 fee on each real estate instrument, paper, or notice. The funds generated by this fee shall be used only by the County recorder collecting the fee for the purpose of implementing a restrictive covenants program. Creation of a subfund is necessary to track applicable revenue and expenditures. Pursuant to Government Code section 27388.2(c), the County recorder shall not charge this fee after December 31, 2027, unless it has received reauthorization by the Board of Supervisors. The County recorder shall not seek reauthorization of the fee by the Board before June 1, 2027, or after December 31, 2027. Any reauthorization period shall not exceed five (5) years.

The Restricted Covenant Modification (RCM) Program seeks to hasten the removal of the offensive covenants in three (3) ways:

1. The bill requires all county recorders throughout the state to establish an RCM program to identify and redact unlawfully restrictive covenants and make regular reports on its progress to the Legislature.
2. The bill allows any person, not just an owner, to file an RCM with the county recorder's office if they have knowledge of the unlawful restriction.
3. The bill enables a person with an ownership interest to record an RCM by waiving fees and requires title companies, realtors, and specified others who know of such restriction to notify an owner or prospective owner of the existence of the restriction, and to inform them of their right to use the RCM process.

County recorders are required to perform the duties assigned under this measure, including tracking, and maintaining a record of homes with unlawfully restrictive covenants once they have been identified, even if the Board of Supervisors does not authorize the fee.

A pro forma version of the proposed amendment to Ordinance No. 729 has been attached as Exhibit A. The Office of County Counsel has approved the Ordinance amendments as to form.

**Impact on Residents and Businesses**

Upon Board approval of the proposed amendments to the Ordinance, the updates will be reflected on the ACR's fee schedule and made available to the public.

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA

**Attachments:**

- Exhibit A: Ordinance No. 729.10 Pro Forma
- Exhibit B: Ordinance No. 729.10 AATF

  
Stephanie Perez, Principal Management Analyst 5/18/2023

  
Aaron Gettis, Deputy County Counsel 5/12/2023

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Riverside, California 92501  
(951) 368-9229  
neller@scng.com

County of Riverside - Clerk of the Board  
PO Box 1147  
Riverside, California 92502

<i>Account Number:</i>	5209148
<i>Ad Order Number:</i>	0011609115
<i>Customer's Reference/PO Number:</i>	
<i>Publication:</i>	The Press-Enterprise
<i>Publication Dates:</i>	06/22/2023
<i>Total Amount:</i>	\$906.73
<i>Payment Amount:</i>	\$0.00
<i>Amount Due:</i>	\$906.73
<i>Notice ID:</i>	MKK7t1biCv7VjnZZ4eGw
<i>Invoice Text:</i>	BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA ORDINANCE NO. 729.10 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 729 ESTABLISHING FEES, CHARGES AND RATES FOR ASSESSOR, COUNTY CLERK AND RECORDER SERVICES The Board of Supervisors of the County of Riverside ordains as follows: Section 1. Subsection B of Section 1 of Ordinance No. 729 is amended to read as follows: "AUTHORITY. The authority for the fees established herein is found in Government Code Sections 6157, 6253, 8201.1, 8213, 12194, 26831, 26836, 26840, 26840.1, 26840.2, 26840.3, 26840.7, 26840.8, 26849.1, 26850, 26851, 26852, 26855, 26855.1, 26855.2, 26855.3, 26861,27293, 27361, 27361.9, 27364, 27366, 27372, 27387, 27388.2, 27397,27585, 54985, 54986, 65092; Business and Professional Code 6404, 6405, 17926, 17929, 22352, 22353, 22453, 22455, 22457, 27366; Civil Code 3097; Corporations Code 14502; Family Code 360, 401, 506, 536, 1852; Fish and Game 711.4, 713; Health & Safety 100430, 103525.5, 103625; Penal Code 14251; Welfare and Institutions Code 18966." Section 2. Subsection B.1.f of Section 4 of Ordinance No. 729 is amended to read as follows: "f. Certified Copy of a Marriage License: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public." Section 3. Subsection B.14. of Section 4 of Ordinance No. 729 is amended to read as follows: "14. Environmental Impact Report (pass-through revenue): A fee set annually by the Department of Fish

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The Press-Enterprise  
3512 14 Street  
Riverside, California 92501  
(951) 368-9229

County of Riverside - Clerk of the Board  
PO Box 1147  
Riverside, California 92502

Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: 0011609115

**FILE NO. 0011609115**


## PROOF OF PUBLICATION

I am a citizen of the United States. I am over the age of eighteen years and not party to or interested in the above-entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**06/22/2023**

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Date: June 22, 2023.  
At: Riverside, California



Signature

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 729.10  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 729  
ESTABLISHING FEES, CHARGES AND RATES FOR ASSESSOR, COUNTY CLERK AND  
RECORDER SERVICES

The Board of Supervisors of the County of Riverside ordains as follows:

**Section 1.** Subsection B of Section 1 of Ordinance No. 729 is amended to read as follows: "AUTHORITY. The authority for the fees established herein is found in Government Code Sections 6157, 6253, 8201.1, 8213, 12194, 26831, 26836, 26840, 26840.1, 26840.2, 26840.3, 26840.7, 26840.8, 26849.1, 26850, 26851, 26852, 26855, 26855.1, 26855.2, 26855.3, 26861, 27293, 27361, 27361.9, 27364, 27366, 27372, 27387, 27388.2, 27397, 27585, 54985, 54986, 65092; Business and Professional Code 6404, 6405, 17926, 17929, 22352, 22353, 22453, 22455, 22457, 27366; Civil Code 3097; Corporations Code 14502; Family Code 360, 401, 506, 536, 1852; Fish and Game 711.4, 713; Health & Safety 100430, 103525.5, 103625; Penal Code 14251; Welfare and Institutions Code 18966."

**Section 2.** Subsection B.1.f of Section 4 of Ordinance No. 729 is amended to read as follows:

"f. Certified Copy of a Marriage License: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public."

**Section 3.** Subsection B.14. of Section 4 of Ordinance No. 729 is amended to read as follows:

"14. Environmental Impact Report (pass-through revenue): A fee set annually by the Department of Fish and Wildlife published on their website annually prior to November 1 for filing an environmental impact report pursuant to Fish and Game Code sections 711.4 and 713."

**Section 4.** Subsection B.15. of Section 4 of Ordinance No. 729 is amended to read as follows:

"15. Negative Declaration (pass-through revenue): A fee set annually by the Department of Fish and Wildlife published on their website annually prior to November 1 for filing a negative declaration or mitigated negative declaration pursuant to Fish and Game Code sections 711.4 and 713."

**Section 5.** Subsection C.14. of Section 4 of Ordinance No. 729 is amended to read as follows:

"14. Death Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record."

**Section 6.** Subsection C.15. of Section 4 of Ordinance No. 729 is amended to read as follows:

"15. Death Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record."

**Section 7.** Subsection C.16. of Section 4 of Ordinance No. 729 is amended to read as follows:

"16. Birth Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, 103650, plus 103625(b)(2), and Welfare and Institutions Code section 18966 for each certified copy of a birth record to the general public."

**Section 8.** Subsection C.17. of Section 4 of Ordinance No. 729 is amended to read as follows:

"17. Birth Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a birth record to a government agency."

**Section 9.** Subsection C.18. of Section 4 of Ordinance No. 729 is amended to read as follows:

"18. Marriage Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public."

**Section 10.** Subsection C.19. of Section 4 of Ordinance No. 729 is amended to read as follows:

"19. Marriage Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650 for each certified copy of a marriage record to a government agency."

**Section 11.** Subsection C.29. of Section 4 of Ordinance No. 729 is added to read as follows:

"29. Restrictive Covenant Modification (RCM) Fund \$2.00 Pursuant to Government Code Section 27388.2(c), the County Recorder shall not charge this fee after December 31, 2027, unless it has received reauthorization by the Board of Supervisors of the County of Riverside. The County Recorder shall not seek reauthorization of the fee by the Board before June 1, 2027, or after December 31, 2027. Any reauthorization period shall not exceed five (5) years."

**Section 12.** This ordinance shall take effect thirty (30) days after its adoption.

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **June 13, 2023**, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Washington, and Gutierrez  
NAYS: None  
ABSENT: Spliegel, Perez





PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof of the following issue dates, to wit:

06/22/2023

I acknowledge that I am a principal clerk of the printer of The Desert Sun, published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.: Executed on this 22nd of June 2023 in Green Bay, WI, County of Brown.

[Handwritten signature]

DECLARANT

Ad#:0005741356
P O : Ordinance 729.10
This is not an invoice
# of Affidavits: 2

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 729.10
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 729
ESTABLISHING FEES, CHARGES AND RATES FOR ASSESSOR, COUNTY CLERK AND RECORDER SERVICES

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. Subsection B of Section 1 of Ordinance No. 729 is amended to read as follows:
"AUTHORITY. The authority for the fees established herein is found in Government Code Sections 6157, 6253, 8201.1, 8213, 12194, 26831, 26836, 26840, 26840.1, 26840.2, 26840.3, 26840.7, 26840.8, 26849.1, 26850, 26851, 26852, 26855, 26855.1, 26855.2, 26855.3, 26861, 27293, 27361, 27361.9, 27364, 27366, 27372, 27387, 27388.2, 27397, 27585, 54985, 54986, 65092; Business and Professional Code 6404, 6405, 17926, 17929, 22352, 22353, 22453, 22455, 22457, 27366; Civil Code 3097; Corporations Code 14502; Family Code 360, 401, 506, 536, 1852; Fish and Game 711.4, 713; Health & Safety 100430, 103525.5, 103625; Penal Code 14251; Welfare and Institutions Code 18966."
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Section 4. Subsection B.15. of Section 4 of Ordinance No. 729 is amended to read as follows:
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Section 5. Subsection C.14. of Section 4 of Ordinance No. 729 is amended to read as follows:
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Section 6. Subsection C.15. of Section 4 of Ordinance No. 729 is amended to read as follows:
"15. Death Certificate, copy or search (Government Agency): A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Penal Code section 14251 for each certified copy of a death record."
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Section 9. Subsection C.18. of Section 4 of Ordinance No. 729 is amended to read as follows:
"18. Marriage Certificate, copy or search: A fee as determined by the California Department of Public Health published in an all-county letter pursuant to Health and Safety Code sections 103625, 100425, 103525.5, and 103650, and Family Code sections 509 and 1852 for each certified copy of a marriage record to the general public."
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Section 12. This ordinance shall take effect thirty (30) days after its adoption.

K. Jeffries, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on June 13, 2023, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Washington, and Gutierrez
NAYS: None
ABSENT: Spiegel, Perez
Kimberly A. Rector, Clerk of the Board
By: Cindy Fernandez, Clerk of the Board Assistant
Published: June 22, 2023