

1 [Amending fees County Clerk may charge for Declarations of Domestic Partnership and
2 Amendments to such Declarations; adding fee for souvenir marriage certificates]

3 **Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that**
4 **the County Clerk may impose a \$40 filing fee for all Declarations of Domestic**
5 **Partnership and all Amendments to a Declaration of Domestic Partnership, and to**
6 **provide for annual adjustment of those fees and of the fees for domestic partnership**
7 **ceremonies to reflect changes in the Consumer Price Index; and amending**
8 **Administrative Code Section 8.33.1 to provide that the County Clerk may charge \$5 for**
9 **ceremonial souvenir marriage certificates.**

10 Note: Additions are single-underline italics Times New Roman;
11 deletions are ~~strikethrough italics Times New Roman~~.
12 Board amendment additions are double underlined.
13 Board amendment deletions are ~~strikethrough normal~~.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings

16 The Planning Department has determined that the actions contemplated in this
17 Ordinance are in compliance with the California Environmental Quality Act (California Public
18 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
19 Board of Supervisors in File No. 040102 and is incorporated herein by reference.

20 Section 2.

21 The San Francisco Administrative Code is hereby amended by amending section
22 8.33.1 as follows:

23 SEC. 8.33.1. COUNTY CLERK'S FEES.

24 Pursuant to Government Code Sections 54985 through 54987 and 26831 and
25 Business and Professions Code Section 22352, the County Clerk is hereby authorized to

1 charge fees to defray the actual cost of issuance of the following documents and the provision
2 of the following services, notwithstanding the fees otherwise set or limited by State law. Any
3 persons requesting the following documents or services shall pay the following fees:

4	Public marriage license (county clerk's portion of the license	\$ 50.00
5	fee only; additional statutory surcharges apply)	
6	Confidential marriage license (county clerk's portion of the	50.00
7	license fee only; additional statutory surcharges apply)	
8	<u>Filing of Declaration of Domestic Partnership</u>	<u>40.00</u>
9	<u>Filing of Amendment to Declaration of Domestic</u>	<u>40.00</u>
10	<u>Partnership</u>	
11	Duplicate copy of marriage license	16.00
12	Amendment to marriage license	20.00
13	<u>Souvenir marriage certificate with seal</u>	<u>5.00</u>
14	Performance of marriage/domestic partnership ceremony in	
15	City Hall -	
16	During regular business hours	60.00
17	On weekends or holidays	100.00
18	Issuance of authority to perform ceremony and oath	100.00
19	Filing fictitious business name statement	37.00
20	Additional name or registrant on same statement	9.00
21	Filing affidavit of publication	6.00
22	Withdrawing partner or abandoning fictitious business	30.00
23	statement	
24		
25		

1	Administration of oath and filing notary public bond (does not include additional state fees for recording)	30.00
2	Surrender of notary journal	12.00
3	Filing, revoking, canceling <u>canceling</u> or withdrawing power of attorney (surety insurer)	27.00
4		
5	Additional name	7.00
6	Process server identification card	10.00
7	Processing of fingerprint cards (not including State Department of Justice fee)	10.00
8		
9	Authentication of public official/ notary public	10.00
10	Search of County Clerk's files	7.50
11	Copies of records on file	
12		
13	(per page, pages 1 through 3)	4.50
14	(each additional page)	0.10
15	Certifying/endorsing documents or copies of documents	1.50
16	Fictitious business name index records	
17	Records for one day	9.50
18	Records for one week	9.50
19	Records for two weeks	20.00
20	Records for one month	20.00
21	Diskette	1.00
22	New client fee	15.00
23	Delivery handling fee	10.00
24	Environmental impact report, administration fee	30.00

24 Such fees received by the County Clerk shall be deposited with the City and
25 County Treasurer. Portions of the fees for marriage licenses shall be disbursed in accordance

1 with Government Code Sections 26840, 26840.1, 26840.3, 26840.7, and 26840.8 and San
2 Francisco Administrative Code Section 10.117-21.

3 (b) Beginning with fiscal year 2003-2004, fees set in this Section may be
4 adjusted each year, without further action by the Board of Supervisors, to reflect changes in
5 the relevant Consumer Price Index, as determined by the Controller.

6 No later than April 15th of each year, the County Clerk shall submit its current
7 fee schedule to the Controller, who shall apply the price index adjustment to produce a new
8 fee schedule for the following year.

9 No later than May 15th of each year, the Controller shall file a report with the
10 Board of Supervisors reporting the new fee schedule and certifying that: (a) the fees produce
11 sufficient revenue to support the costs of providing the services for which each fee is
12 assessed, and (b) the fees do not produce revenue which is significantly more than the costs
13 of providing the services for which each fee is assessed. (Added by Ord. 323-98, App.
14 10/30/98; amended by Ord. 155-02, File No. 021079, App. 7/12/2002)

15 Sec. 3.

16 The San Francisco Administrative Code is hereby amended by amending Sections
17 62.8 and 62.9 to read as follows:

18 SEC. 62.8. FILING FEES.

19 For each filing of a Declaration of Domestic Partnership and each Amendment
20 to a Declaration of Domestic Partnership the County Clerk shall charge a fee of ~~\$10~~ \$40. This
21 fee may be adjusted pursuant to Section 8.33.1(b) of this Code to reflect changes in the relevant
22 Consumer Price Index as determined by the Controller. (Added by Ord. 2-91, App. 1/14/91;
23 amended by Ord. 155-02, File No. 021079, App. 7/12/2002)

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1 SEC. 62.9. CIVIL CEREMONY.

2 (a) The County Clerk and any other person authorized by state law to
3 perform marriage ceremonies are authorized to perform a civil ceremony solemnizing the
4 formation of a Domestic Partnership established in accordance with this Chapter. Persons
5 who either (1) present a signed Declaration of Domestic Partnership for filing to the County
6 Clerk in accordance with Section 62.3(a)(1), or who (2) present a certificate issued by the
7 County Clerk in accordance with Section 62.3(a)(1) showing that a signed Declaration of
8 Domestic Partnership for these persons has been previously filed with the County Clerk, may
9 request that the County Clerk or any other person authorized by state law to perform marriage
10 ceremonies perform a ceremony solemnizing the formation of their Domestic Partnership.
11 Each request for a Domestic Partnership ceremony by the County Clerk shall be made in
12 writing on a form provided by the County Clerk, and shall be accompanied by payment of a
13 fee of \$60, for a ceremony to be performed during regular business hours, and \$100, for a
14 ceremony to be performed on a weekend or holiday. These fees may be adjusted pursuant to
15 Section 8.33.1(b) of this Code to reflect changes in the relevant Consumer Price Index as determined
16 by the Controller.

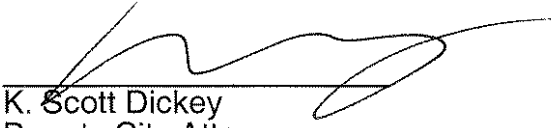
17 (b) Upon completion of the ceremony authorized by Subsection (a), the
18 County Clerk shall issue a souvenir certificate memorializing the performance of the
19 ceremony. If the ceremony is performed by a person other than the County Clerk, the
20 persons entering into Domestic Partnership shall obtain a Ceremony Request Form from the
21 County Clerk prior to the ceremony and shall return such Ceremony Request Form to the
22 County Clerk within six months following the ceremony. The Ceremony Request Form shall
23 be signed by the officiant. The County Clerk shall keep a record of all such ceremonies
24 performed, filed with the Declaration of Domestic Partnership to which they apply. The County
25 Clerk shall keep a record of Domestic Partnership ceremonies.

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(c) The County Clerk is authorized to deputize persons to solemnize Domestic Partnership ceremonies. Any person 18 years of age or older may apply to be deputized for this purpose. Approval of applicants and the terms of any such authorization shall be solely within the discretion of the County Clerk. The County Clerk shall charge a fee, as set forth in Section 8.33.1, for issuing an authorization to perform the ceremony and oath.

(d) The ceremony authorized by this Section shall have no legal effect upon the status of a Domestic Partnership established pursuant to this Chapter. (Added by Ord. 66-96, App. 2/9/96; amended by Ord. 201-99, File No. 990996, App. 7/1/99; Ord. 155-02, File No. 021079, App. 7/12/2002)

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
K. Scott Dickey
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 040102

Date Passed:

Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that the County Clerk may impose a \$40 filing fee for all Declarations of Domestic Partnership and all Amendments to a Declaration of Domestic Partnership, and to provide for annual adjustment of those fees and of the fees for domestic partnership ceremonies to reflect changes in the Consumer Price Index; and amending Administrative Code Section 8.33.1 to provide that the County Clerk may charge \$5 for ceremonial souvenir marriage certificates.

April 27, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

May 11, 2004 Board of Supervisors — FINALLY PASSED

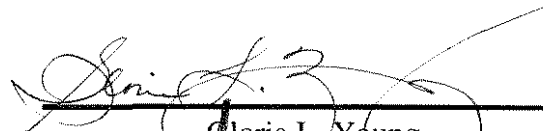
Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

File No. 040102

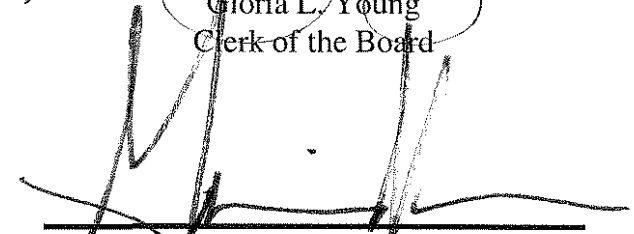
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 11, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 20 2004

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom