



Los Angeles County Registrar-Recorder/County Clerk

Dean C. Logan
Registrar-Recorder/County Clerk

June 23, 2015

REVISED

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AUTHORIZE THE REGISTRAR-RECORDER/COUNTY CLERK (RR/CC) TO
INCREASE THE FEES FOR MARRIAGE CEREMONY AND WITNESS SERVICES
(ALL SUPERVISORAL DISTRICTS) (3 VOTES)**

SUBJECT

The Registrar-Recorder/County Clerk (RR/CC) requests Board approval to increase the Marriage Ceremony fee to \$35 and the Marriage Ceremony Witness Service fee to \$20. Fee increases for these services are necessary to ensure the Department receives cost recovery of marriage ceremony service enhancements and cost-of-living increases.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Approve the attached ordinance revising the Marriage Ceremony fee from \$25 to \$35 and the Marriage Ceremony Witness Service fee from \$18 to \$20. Both fees will become effective thirty days from the date of Board passage in accordance with Government Code § 25123.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Government Code § 26861 authorizes the RR/CC to charge a fee for performing a marriage ceremony pursuant to Section 401 of the Family Code. Government Code § ~~28620~~ 26820 authorizes the RR/CC to charge and collect fees for services when not otherwise provided by law. One such service is the provision of marriage ceremony witnesses. Los Angeles County Code § 2.32.112 authorizes a fee for the marriage ceremony witness service. It is common practice to periodically re-examine fees to ensure the Department receives full cost recovery for administering services as permitted by applicable law. Cost studies to determine appropriate marriage ceremony and witness fees consisted of research, interviews, and work observations of technical and support staff performing their duties in providing these services.

The studies included applicable costs such as salaries, employee benefits, overhead, maintenance, and supplies.

The last increase for performing marriage ceremonies was approved in 1995. The marriage ceremony witness fee was created in 2009 and has not been amended. Since these events, the RR/CC has implemented significant customer service enhancements including remodeling of the chapel and providing extended ceremony hours at the Norwalk Headquarters. Additionally, the cost of staff time has also increased steadily since 2009.

County Code 2.32.110 Marriage Ceremony Fee

Family Code § 401 (a) and (b) designates the county clerk of each county as the commissioner of civil marriages. The commissioner of civil marriages may appoint deputy commissioners of civil marriages who may solemnize marriages under the direction of the commissioner of civil marriages and shall perform other duties directed by the commissioner. The RR/CC Headquarters and branch offices perform in-house marriage ceremonies as a convenient service to the public. Deputy Commissioners are available to perform marriage ceremonies during RR/CC regular business hours at all the district offices and extended hours at the Norwalk Headquarters. The Deputy Commissioners perform both regular and confidential marriage ceremonies. After careful analysis of processing time to perform marriage ceremonies as well as necessary expenditures for robe cleaning, training, supply, and facility maintenance, the RR/CC has determined that a \$35 fee is necessary to ensure the Department receives full cost recovery for providing this service. Presently, eight of the larger counties within the State charge more than Los Angeles County to perform a marriage ceremony. The average fee of these eight counties is \$63 and the highest amount charged is \$88.

County Code 2.32.112 Marriage Ceremony Witness Fee

Pursuant to Family Code § 359 at least one, and no more than two persons, need to be witnesses to a marriage ceremony and must also be able to sign the marriage certificate. In the event the customer does not bring a third party to act as a witness, the RR/CC offers witness services as a convenience to the customer. The RR/CC staff time spent serving as a witness is accounted for in the same manner as when the staff member is performing other employment duties. Additionally, management must then spend time coordinating other staff to cover the witness's duties to ensure that the workflow of the office is not interrupted. Given that the cost of staff time has increased steadily since the witness fee creation, and after careful analysis of processing time to perform marriage ceremony witness duties, the RR/CC has determined that a \$20 fee is necessary to ensure the Department receives full cost recovery for providing this service.

Implementation of Strategic Plan Goals:

This request supports the County Strategic Plan as follows:

County Goal No. 1: Operational Effectiveness/Fiscal Sustainability: Maximize the effectiveness of processes, structure, operations, and strong fiscal management to support timely delivery of customer-oriented and efficient public service.

County Goal No. 2: Community Support and Responsiveness: Enrich lives of Los Angeles County residents by providing enhanced services, and effectively planning and responding to economic, social, and environmental challenges.

FISCAL IMPACT/FINANCING

Approval of this recommendation will increase the Marriage Ceremony fee by \$10.00 (\$25 to \$35) and the Witness Service fee by \$2.00 (\$18 to \$20). These fee increases will enable the RR/CC to fully recover costs for marriage ceremony and witness services provided. Only a party requesting these services will be charged the respective fees.

Based on anticipated volumes and an August 3, 2015 effective date, for FY 2015-16, the RR/CC is projecting additional revenues of \$160,000 for Marriage Ceremonies and \$4,000 for Witness Services, for a total of \$164,000. Additional ongoing revenues are estimated at approximately \$180,000 per fiscal year.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The fee for performing Marriage Ceremonies is authorized by Government Code § 26861. Your Board adopted this fee as County Code § 2.32.110. Government Code § ~~28620~~ 26820 authorizes the RR/CC to charge and collect fees for services it performs, including those related to marriage ceremonies. The current fee for a staff member to serve as a witness was adopted by the Board in 2009 as County Code § 2.32.112.

The fee increases recommended are permitted by Government Code § 54985. This provision authorizes the Board of Supervisors to increase the fee or charge that is otherwise authorized to be levied by another provision of law, in an amount reasonably necessary to cover the direct and indirect costs of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied.

In order for a fee increase to be adopted, a public hearing is required. Under Government Code § 66018, a public hearing at which oral or written presentations can be made is required prior to adopting an ordinance which increases an existing fee. The Executive Office of the Board of Supervisors, in accordance with Government Code § 6062(a), published an official notice of the time and place of said meeting, including a general explanation of the fees to be revised.

All fees have been reviewed and approved by the Department of Auditor-Controller. The accompanying ordinance implementing an amendment to Title 2, of the Administration Code, Sections 2.32.110 and 2.32.112 of the County Code relating to Marriage ceremonies and witness fees, has been drafted and approved by County Counsel.

IMPACT ON CURRENT SERVICES

Your approval of the recommended fee increases will ensure the RR/CC fully recovers costs associated with providing enhanced marriage ceremony and witness services to the public.

The Honorable Board of Supervisors
June 23, 2015
Page 4 of 4

CONCLUSION

Upon approval by your Board, the Executive Officer is requested to return one (1) adopted copy of this letter to:

Department of Registrar-Recorder/County Clerk
Finance and Management Division
12400 Imperial Highway, Room 5203
Norwalk, CA 90650
Attention: Michael Padron, Fee Studies Section

Respectfully submitted,



DEAN C. LOGAN
Registrar-Recorder/County Clerk

DCL:AS:mp

Attachments

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

ANALYSIS

This ordinance amends Title 2 – Administration of Chapter 2.32 of the Los Angeles County Code to increase the fees charged for performing and witnessing a marriage ceremony.

Government Code section 26820 authorizes the Registrar-Recorder/County Clerk to charge and collect fees for services when not otherwise provided by law. Government Code section 26861 authorizes a fee for performing a marriage ceremony. Government Code section 54985 authorizes the Board of Supervisors to increase established fees by ordinance to recover costs.

Section 2.32.110 is amended to increase the fee for performing a marriage ceremony from \$25.00 to \$35.00. Section 2.32.112 is amended to increase the fee for a marriage ceremony witness from \$18.00 to \$20.00.

MARK J. SALADINO
County Counsel

By


LAURA T. CARINENA
Senior Associate County Counsel
Government Services Division

LTC:ck

04/13/15 (Requested)
04/21/15 (Revised)
05/15/15 (Revised)

ORDINANCE NO. _____

An ordinance amending Title 2 - Administration of the Los Angeles County Code, relating to Marriage Ceremony and Witness Fees.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.32.110 is hereby amended to read as follows:

2.32.110 Marriage ceremony fee.

The ~~Registrar-Recorder/County Clerk~~ shall charge a fee of ~~\$25-35.00~~ for performing a marriage ceremony.

SECTION 2. Section 2.32.112 is hereby amended to read as follows:

2.32.112 Marriage ceremony witness fee.

The ~~Registrar-Recorder/County Clerk~~ shall charge a fee of ~~\$18-20.00~~ for a staff member who serves as a marriage ceremony witness.

[232110LCCC]