

CHAPTER 36

TAXATION

ARTICLE I - TAXPAYERS RIGHTS CODE

36-1-1 **TITLE.** This Article shall be known as, and may be cited as, the "Locally Imposed and Administered Tax Rights and Responsibility Code".

36-1-2 **SCOPE.** The provisions of this Code shall apply to the County's procedures in connection with all of the County's locally imposed and administered taxes.

36-1-3 **DEFINITIONS.** Certain words or terms herein shall have the meaning ascribed to them as follows:

(A) **Act.** "Act" means the "Local Government Taxpayers' Bill of Rights Act".

(B) **Corporate Authorities.** "Corporate Authorities" means the County Board Chairman and St. Clair County Board.

(C) **Locally Imposed and Administered Tax or "Tax".** "Locally Imposed and Administered Tax" or "Tax" means each tax imposed by the County that is collected or administered by the County not an agency or department of the State. It does not include any taxes imposed upon real property under the Property Tax Code or fees collected by the County other than infrastructure maintenance fees.

(D) **Local Tax Administrator.** "Local Tax Administrator", the St. Clair County Collector, is charged with the administration and collection of the locally imposed and administered taxes, including staff, employees or agents to the extent they are authorized by the local tax administrator to act in the local tax administrator's stead. The local tax administrator shall have the authority to implement the terms of this Code to give full effect to this Code. The exercise of such authority by the local tax administrator shall not be inconsistent with this Code and the Act.

(E) **County.** "County" means the County of St. Clair, Illinois.

(F) **Notice.** "Notice" means each audit notice, collection notice or other similar notice or communication in connection with each of the County's locally imposed and administered taxes.

(G) **Tax Ordinance.** "Tax Ordinance" means each ordinance adopted by the County that imposes any locally imposed and administered tax.

(H) **Taxpayer.** "Taxpayer" means any person required to pay any locally imposed and administered tax and generally includes the person upon whom the legal incidence of such tax is placed and with respect to consumer taxes includes the business or entity required to collect and pay the locally imposed and administered tax to the County.

36-1-4 **NOTICES.** Unless otherwise provided, whenever notice is required to be given, the notice is to be in writing mailed not less than **seven (7) calendar days** prior to the day fixed for any applicable hearing, audit or other scheduled act of the local tax administrator. The notice shall be sent by the local tax administrator as follows:

- (A) First class or express mail, or overnight mail, addressed to the persons concerned at the persons' last known address, or
- (B) Personal service or delivery.

36-1-5 **LATE PAYMENT.** Any notice, payment, remittance or other filing required to be made to the County pursuant to any tax ordinance shall be considered late unless it is:

- (A) physically received by the County on or before the due date, or
- (B) received in an envelope or other container displaying a valid, readable U.S. postmark dated on or before the due date, properly addressed to the County, with adequate postage prepaid.

36-1-6 **PAYMENT.** Any payment or remittance received for a tax period shall be applied in the following order:

- (A) first to the tax due for the applicable period;
- (B) second to the interest due for the applicable period; and
- (C) third to the penalty for the applicable period.

36-1-7 **CERTAIN CREDITS AND REFUNDS.**

(A) The County shall not refund or credit any taxes voluntarily paid without written protest at the time of payment in the event that a locally imposed and administered tax is declared invalidly enacted or unconstitutional by a court of competent jurisdiction. However, a taxpayer shall not be deemed to have paid the tax voluntarily if the taxpayer lacked knowledge of the facts upon which to protest the taxes at the time of payment or if the taxpayer paid the taxes under duress.

(B) The statute of limitations on a claim for credit or refund shall be **four (4) years** after the end of the calendar year in which payment in error was made. The County shall not grant a credit or refund of locally imposed and administered taxes, interest, or penalties to a person who has not paid the amounts directly to the County.

(C) The procedure for claiming a credit or refund of locally imposed and administered taxes, interest or penalties paid in error shall be as follows:

- (1) The taxpayer shall submit to the local tax administrator in writing a claim for credit or refund together with a statement specifying:
 - (a) the name of the locally imposed and administered tax subject to the claim;

- (b) the tax period for the locally imposed and administered tax subject to the claim;
 - (c) the date of the tax payment subject to the claim and the cancelled check or receipt for the payment;
 - (d) the taxpayer's recalculation, accompanied by an amended or revised tax return, in connection with the claim; and
 - (e) a request for either a refund or a credit in connection with the claim to be applied to the amount of tax, interest and penalties overpaid, and, as applicable, related interest on the amount overpaid; provided, however, that there shall be no refund and only a credit given in the event the taxpayer owes any monies to the County.
- (2) Within **ten (10) days** of the receipt by the local tax administrator of any claim for a refund or credit, the local tax administrator shall either:
- (a) grant the claim; or
 - (b) deny the claim, in whole or in part, together with a statement as to the reason for the denial or the partial grant and denial.
- (3) In the event the local tax administrator grants, in whole or in part, a claim for refund or credit, the amount of the grant for refund or credit shall bear interest at the rate of **five percent (5%)** per annum, based on a year of **three hundred sixty-five (365) days** and the number of days elapsed, from the date of the overpayment to the date of mailing of a refund check or the grant of a credit.

36-1-8 **AUDIT PROCEDURE.** Any request for proposed audit pursuant to any local administered tax shall comply with the notice requirements of this Code.

- (A) Each notice of audit shall contain the following information:
- (1) the tax;
 - (2) the time period of the audit; and
 - (3) a brief description of the books and records to be made available for the auditor.
- (B) Any audit shall be conducted during normal business hours and if the date and time selected by the local tax administrator is not agreeable to the taxpayer, another date and time may be requested by the taxpayer within **thirty (30) days** after the originally designated audit and during normal business hours.
- (C) The taxpayer may request an extension of time to have an audit conducted. The audit shall be conducted not less than **seven (7) days** nor more than **thirty (30) days** from the date the notice is given, unless the taxpayer and the local

tax administrator agreed to some other convenient time. In the event taxpayer is unable to comply with the audit on the date in question, the taxpayer may request another date within the **thirty (30) days**, approved in writing, that is convenient to the taxpayer and the local tax administrator.

(D) Every taxpayer shall keep accurate books and records of the taxpayer's business or activities, including original source documents and books of entry denoting the transactions which had given rise or may have given rise to any tax liability, exemption or deduction. All books shall be kept in the English Language and shall be subject to and available for inspection by the County.

(E) It is the duty and responsibility of every taxpayer to make available its books and records for inspection by the County. If the taxpayer or tax collector fails to provide the documents necessary for audit within the time provided, the local tax administrator may issue a tax determination and assessment based on the tax administrator's determination of the best estimate of the taxpayer's tax liability.

(F) If an audit determines there has been an overpayment of a locally imposed and administered tax as a result of the audit, written notice of the amount of overpayment shall be given to the taxpayer within **thirty (30) days** of the County's determination of the amount of overpayment.

(G) In the event a tax payment was submitted to the incorrect local governmental entity, the local tax administrator shall notify the local governmental entity imposing such tax.

36-1-9 **APPEAL**

(A) The local tax administrator shall send written notice to a taxpayer upon the local tax administrator's issuance of a protestable notice of tax due, a bill, a claim denial, or a notice of claim reduction regarding any tax. The notice shall include the following information:

- (1) the reason for the assessment;
- (2) the amount of the tax liability proposed;
- (3) the procedure for appealing the assessment; and
- (4) the obligations of the County during the audit, appeal, refund and collection process.

(B) A taxpayer who receives written notice from the local tax administrator of a determination of tax due or assessment may file with the local tax administrator a written protest and petition for hearing, setting forth the basis of the taxpayer's request for a hearing. The written protest and petition for hearing must be filed with the local tax administrator within **forty-five (45) days** of receipt of the written notice of the tax determination and assessment.

(C) If a timely written notice and petition for hearing is filed, the local tax administrator shall fix the time and place for hearing and shall give written notice to the taxpayer. The hearing shall be scheduled for a date within **fourteen (14) days** of receipt of the written protest and petition for hearing, unless the taxpayer requests a later date convenient to all parties.

(D) If a written protest and petition for hearing is not filed within the **forty-five (45) day** period, the tax determination, audit or assessment shall become a final bill due and owing without further notice.

(E) Upon the showing of reasonable cause by the taxpayer and the full payment of the contested tax liability along with interest accrued as of the due date of the tax, the local tax administrator may reopen or extend the time for filing a written protest and petition for hearing. In no event shall the time for filing a written protest and petition for hearing be reopened or extended for more than **ninety (90) days** after the expiration of the **forty-five (45) day** period.

36-1-10 **HEARING.**

(A) Whenever a taxpayer or a tax collector has filed a timely written protest and petition for hearing under **Section 36-1-9**, above, the local tax administrator shall conduct a hearing regarding any appeal.

(B) No continuances shall be granted except in cases where a continuance is absolutely necessary to protect the rights of the taxpayer. Lack of preparation shall not be grounds for a continuance. Any continuance granted shall not exceed **fourteen (14) days**.

(C) At the hearing the local tax administrator shall preside and shall hear testimony and accept any evidence relevant to the tax determination, audit or assessment. The strict rules of evidence applicable to judicial proceedings shall not apply.

(D) At the conclusion of the hearing, the local tax administrator shall make a written determination on the basis of the evidence presented at the hearing. The taxpayer or tax collector shall be provided with a copy of the written decision.

36-1-11 **INTEREST AND PENALTIES.** In the event a determination has been made that a tax is due and owing, through audit, assessment or other bill sent, the tax must be paid within the time frame otherwise indicated.

(A) **Interest.** The County hereby provides for the amount of interest to be assessed on a late payment, underpayment, or nonpayment of the tax to be **twelve percent (12%)** per annum, based on a year of **three hundred sixty-five (365) days** and the number of days elapsed.

(B) **Late Filing and Payment Penalties.** If a tax return is not filed within the time and manner provided by the controlling tax ordinance, a late filing penalty, of **five percent (5%)** of the amount of tax required to be shown as due on a return shall be imposed; and a late payment penalty of **five percent (5%)** of the tax due shall be imposed. If no return is filed within the time or manner provided by the controlling tax ordinance and prior to the County issuing a notice of tax delinquency or notice of tax liability, then a failure to file penalty shall be assessed equal to **twelve**

percent (12%) of the total tax due for the applicable reporting period for which the return was required to be filed. A late filing or payment penalty shall not apply if a failure to file penalty is imposed by the controlling ordinance.

36-1-12 **ABATEMENT.** The local tax administrator shall have the authority to waive or abate any late filing penalty, late payment penalty or failure to file penalty if the local tax administrator shall determine reasonable cause exists for delay or failure to make a filing.

36-1-13 **INSTALLMENT CONTRACTS.** The County may enter into an installment contract with the taxpayer for the payment of taxes under the controlling tax ordinance. The local tax administrator may not cancel any installment contract so entered unless the taxpayer fails to pay any amount due and owing. Upon written notice by the local tax administrator that the payment is **thirty (30) days** delinquent, the taxpayer shall have **fourteen (14) working days** to cure any delinquency. If the taxpayer fails to cure the delinquency within the **fourteen (14) day** period or fails to demonstrate good faith in restructuring the installment contract with the local administrator, the installment contract shall be canceled without further notice to the taxpayer.

36-1-14 **STATUTE OF LIMITATIONS.** The County, through the local tax administrator, shall review all tax returns in a prompt and timely manner and inform taxpayers of any amounts due and owing. The taxpayer shall have **forty-five (45) days** after receiving notice of the reviewed tax returns to make any request for refund or provide any tax still due and owing.

(A) No determination of tax due and owing may be issued more than **four (4) years** maximum after the end of the calendar year for which the return for the applicable period was filed or for the calendar year in which the return for the applicable period was due, whichever occurs later.

(B) If any tax return is not filed or if during any **four (4) year** period for which a notice of tax determination or assessment may be issued by the County, the tax paid was less than **seventy-five percent (75%)** of the tax due, the statute of limitations shall be **six (6) years** maximum after the end of the calendar year in which return for the applicable period was due or end of the calendar year in which the return for the applicable period was filed.

(C) No statute of limitations shall not apply if a fraudulent tax return was filed by the taxpayer.

36-1-15 **VOLUNTARY DISCLOSURE.** For any locally imposed and administered tax for which a taxpayer has not received a written notice of an audit,

investigation, or assessment from the local tax administrator, a taxpayer is entitled to file an application with the local tax administrator for a voluntary disclosure of the tax due. A taxpayer filing a voluntary disclosure application must agree to pay the amount of tax due, along with interest of **one percent (1%)** per month, for all periods prior to the filing of the application but not more than **four (4) years** before the date of filing the application. A taxpayer filing a valid voluntary disclosure application may not be liable for any additional tax, interest, or penalty for any period before the date the application was filed. However, if the taxpayer incorrectly determined and underpaid the amount of tax due, the taxpayer is liable for the underpaid tax along with applicable interest on the underpaid tax, unless the underpayment was the result of fraud on the part of the taxpayer, in which case the application shall be deemed invalid and void. The payment of tax and interest must be made by no later than **ninety (90) days** after the filing of the voluntary disclosure application or the date agreed to by the local tax administrator. However, any additional amounts owed as a result of an underpayment of tax and interest previously paid under this Section must be paid within **ninety (90) days** after a final determination and the exhaustion of all appeals of the additional amount owed or the date agreed to by the local tax administrator, whichever is longer.

36-1-16 **PUBLICATION OF TAX ORDINANCES.** Any locally administered tax ordinance shall be published via normal or standard publishing requirements. The posting of a tax ordinance on the Internet shall satisfy the publication requirements. Copies of all tax ordinances shall be made available to the public upon request at the County Clerk's office.

36-1-17 **INTERNAL REVIEW PROCEDURE.** The local tax administrator shall establish an internal review procedure regarding any liens filed against any taxpayers for unpaid taxes. Upon a determination by the local tax administrator that the lien is valid, the lien shall remain in full force and effect. If the lien is determined to be improper, the local tax administrator shall:

- (A) timely remove the lien at the County's expense;
- (B) correct the taxpayer's credit record; and
- (C) correct any public disclosure of the improperly imposed lien.

36-1-18 **APPLICATION.** This Ordinance shall be liberally construed and administered to supplement all of the County's tax ordinances. To the extent that any tax ordinance is in conflict with or inconsistent with this ordinance, this ordinance shall be controlling.

(Ord. No. 01-738; 01-29-01)

ARTICLE II – SALES TAXES

DIVISION I – USE TAX

36-2-1 **USE TAX.** A Supplementary Use Tax is hereby imposed upon the privilege of using the County of St. Clair, Illinois, any item of tangible personal property which is purchased outside Illinois at retail from a retailer, and which is titled or registered with an agency of this State's government, at a rate of **1/4 of 1 percent** of the selling price of such tangible personal property as "selling price" is defined in the "Use Tax Act", approved **July 14, 1955**, as amended. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being within the County of St. Clair, State of Illinois.

36-2-2 **ADMINISTRATION OF TAX.** Such persons in administering and accounting for the tax are subject to the same rights, remedies, privileges, immunities, powers and duties, and the same conditions, restrictions, limitations, found in the "Use Tax Act", as are now or hereafter amended, unless otherwise noted or excepted in P.A. 84-163. **(Ord. No. 4-86; 01-27-86) (See 55 ILCS 5/1-1001)**

36-2-3 **RESERVED.**

DIVISION II – SERVICE OCCUPATION TAX

36-2-4 **SERVICE OCCUPATION TAX.** A Supplementary Service Occupation Tax is hereby imposed upon all persons engaged in the business of making sales of service within the County of St. Clair, Illinois, at the rate of **1/4 of 1 percent** of the cost price of all tangible personal property transferred by such servicemen either in the form of tangible personal property or in the form of real estate as an incident to a sale of service.

36-2-5 **ADMINISTRATION OF TAX.** Such persons in administering and accounting for the tax are subject to the same rights, remedies, privileges, immunities, powers and duties, and the same conditions, restrictions, limitations, penalties, and definitions of terms, and the same mode of procedures as found in the "Service Occupation Tax Act and Retailers Occupation Tax Act", respectively, as are now or hereafter amended, unless otherwise noted. **(Ord. No. 5-86; 01-18-86)**

36-2-6 **RESERVED.**

DIVISION III – RETAIL OCCUPATION TAX

36-2-7 **USE TAX.** A Supplementary Retailers' Occupation Tax at a rate of **1/4 of 1 percent** is hereby imposed upon all persons engaged in the business of selling tangible personal property at retail within the County of St. Clair, Illinois.

36-2-8 **ADMINISTRATION OF TAX.** Such persons in administering and accounting for the tax are subject to the same rights, remedies, privileges, immunities, powers and duties, and the same conditions, restrictions, limitations, penalties, and definitions of terms, and the same mode of procedures as found in the "Retailers' Occupation Tax Act" as are now or hereafter amended, unless otherwise noted or excepted in P.A. 84-163. **(See 55 ILCS 5/1-1001) (Ord. No. 6-86; 01-27-86)**

DIVISION IV – AUTO RENT USE TAX

36-2-9 **TAX IMPOSED.** There is hereby imposed upon the privilege of using an automobile which is rented from a renter located outside the State of Illinois that is titled or registered with an agency of the State of Illinois and whose Illinois address for titling or registration purposes is given as being the unincorporated area of the County of St. Clair, Illinois, a County Automobile Renting Use Tax, at the rate of **one percent (1%)** of the rental price of such automobile.

36-2-10 **STATE COLLECTOR.** The tax imposed by this Article shall be collected and enforced by the State of Illinois Department of Revenue in accordance with the Illinois County Automobile Renting Use Tax Act. **(See 55 ILCS 5/5-10-33)**

36-2-11 **PUBLICATION.** The County Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and thereafter to transmit to the Illinois Department of Revenue, within **five (5) days** after the publication of this Ordinance, a certified copy of this Ordinance for the purpose of administering and enforcing this Ordinance. **(August 25, 1997)**

ARTICLE III – HOTEL TAX

36-3-1 **DEFINITIONS.** For the purpose of this Article, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this Article.

(A) **“Hotel Room or Motel Room”** means a room within a structure containing **thirty-five (35)** hotel or motel rooms or more offered for rental on a daily basis and containing facilities for sleeping. One room offered for rental with or without an adjoining bath shall be considered as a single hotel or motel room. The number of hotel or motel rooms within a suite shall be computed on the basis of those rooms utilized for the purpose of sleeping.

(B) **“Owner”** means any person having an ownership interest in, conducting the operation of a hotel or motel room, or receiving the consideration for the rental of such hotel or motel room.

(C) **“Person”** means any natural person, trustee, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner, or any officers, agents, employees or other representative, acting either for himself or for any other person in any capacity, or any other entity recognized by law as the subject of rights and duties. The masculine, feminine, singular or plural is included in any circumstances.

36-3-2 **TAX.** There is hereby levied and imposed a tax of **two percent (2%)** of the rent charged for the privilege and use of renting a hotel or motel room within the County for each **twenty-four (24) hour** period or any portion thereof for which a daily room charge is made.

36-3-3 **EXCLUSION.**

(A) Any hotel or motel having **thirty-five (35)** hotel or motel rooms or less is excluded from the tax imposed under this Article.

(B) The ultimate incidence of, and liability for payment of said tax is to be borne by the person who seeks the privilege of occupying the hotel or motel room, said person hereinafter referred to as “renter”.

(C) The tax herein levied shall be paid in addition to any and all other taxes and charges. It shall be the duty of the owner of every hotel or motel to secure said tax from the renter of the motel or hotel room, and to pay-over to the County Treasurer or any authorized representative of the County said tax under procedures prescribed by the County Treasurer, or as otherwise provided in this Article.

(D) Every person required to collect the tax levied by this Article shall secure said tax from the renter at the time he collects the rental payment for the hotel or motel room. Upon the invoice receipt or other statement or memorandum of the

rent given to the renter at the time of payment, the amount due under the tax provided in this Article shall be stated separately on said document.

36-3-4 **BOOKS AND RECORDS.** The County Treasurer or authorized representative, may enter the premises of any hotel or motel for inspection and examination of records in order to effectuate the proper administration of this Article, and to assure the enforcement of the collection of the tax imposed. It shall be unlawful for any person to prevent, hinder, or interfere with the County Treasurer or authorized representative in the discharge of the duties in the enforcement of this Article. It shall be the duty of every owner to keep accurate and complete books and records to which the County Treasurer, or authorized representative, shall at all times have full access, which records shall include a daily sheet showing:

(A) The number of hotel or motel rooms rented during the **twenty-four (24) hour** period, including multiple rentals of the same hotel or motel rooms where such shall occur; and

(B) The actual hotel or motel tax receipts collected for the date in question.

36-3-5 **TRANSMITTAL OF TAX REVENUE.**

(A) Commencing on **January 1, 2002**, the owner or owners of each hotel or motel within the unincorporated areas of St. Clair County shall file tax returns showing tax receipts received with respect to each hotel or motel room during each month commencing on **January 1, 2002**. The return shall be due on or before the last day of each succeeding calendar month, and the return shall indicate for what period the return is to be filed; i.e., returned for January tax receipts is due on or before the last day of February.

(B) Commencing on **January 1, 2002**, the tax return and payment for such period shall be due on or before **February 28, 2002**. Thereafter reporting periods and taxes shall be paid in accordance with the provision of this Article. At the time of filing said tax returns; the owner shall pay to the County Treasurer all taxes due for the period to which the tax return applies.

(C) If for any reason any tax is not paid when due, a penalty at the rate of **one and one-half percent (1 ½%)** compounded every **thirty (30) days** or portion thereof, from the date of delinquency, including all fees incurred to collect said tax and/or penalty shall be added and collected.

36-3-6 **COLLECTION.** Whenever any person shall fail to pay any tax as herein provided, the State's Attorney shall, upon the request of the County Board bring or cause to be brought an action to enforce the payment of said tax on behalf of the County in any court of competent jurisdiction.

36-3-7 **PROCEEDS OF TAX AND FINES.** All proceeds resulting from the imposition of the tax under this Article, including penalties shall be appropriated as follows:

(A) **Two percent (2%)** of the gross tax revenue collected each year shall be appropriated for and directed to the General Fund of St. Clair County to defray the costs of administering and processing the imposition, application and collection of the tax.

(B) All the rest, residue and remainder of the **Tax Revenue** collected each year, shall be paid to the Treasurer of the County of St. Clair into a special fund to be used and applied for the promotion and development of tourism and conventions in the County of St. Clair.

(See 55 ILCS Sec. 5/5-1030)

ARTICLE IV – MOBILE HOME TAX

36-4-1 DEFINITIONS.

“Mobile Home”. As used in this Article, “mobile home” means a factory assembled structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, and placement on a temporary foundation, at which it is intended to be a permanent habitation, and situated so as designed to permit the occupancy thereof as a dwelling place for **one (1)** or more persons, provided that any such structure resting in whole on a permanent foundation, with wheels, tongue and hitch removed at the time of registration provided for in **Section 36-4-3** of this Article, shall not be construed as a “mobile home”, but shall be assessed and taxed as real property as defined by Section 1 of the “Revenue Act of 1939”, filed **May 17, 1939**, as amended. Mobile homes owned by a corporation or partnership and on which personal property taxes are paid as required under the Revenue Act of 1939 shall not be subject to this tax. Mobile homes located on a dealer’s lot for resale purposes or as an office shall not be subject to this tax.

“Mobile Home Park”. As used in this Article, the phrase “mobile home park” has the meaning ascribed to it by Section 2.5 of “An Act to provide for, license and regulate mobile homes and mobile home parks and to repeal an act named herein”, approved **September 8, 1971**, as amended. **(See 210 ILCS 115/1)**

“Permanent Habitation”. As used in this Article, “permanent habitation” means available for habitation for a period of **two (2)** or more months.

36-4-2 TAX ESTABLISHED. Mobile homes in addition to such taxes as provided in the “Use Tax Act” shall be subject to the following local services tax, and to no ad valorem tax. Except as provided in **Section 36-4-7**, the owner of each inhabited mobile home shall pay to the County Treasurer of the County in which such mobile home is located an annual tax to be computed at the rate shown in the table below:

<u>Tax Year Following Model Year of Mobile Home</u>	<u>Tax Per Square Foot</u>
Model year and 1 st and 2 nd year following	\$.15.0
3 rd , 4 th and 5 th years following model year	\$.13.5
6 th , 7 th and 8 th years following model year	\$.12.0
9 th , 10 th and 11 th years following model year	\$.10.5
12 th , 13 th and 14 th years following model year	\$.09.0
15 th year following model year and subsequent years	\$.07.5

For purposes of this Article, the square-footage shall be based upon the outside dimensions of the mobile home excluding the length of the tongue and hitch. The owner of a mobile home on **January 1st** of any year shall be liable for the tax of that year, except that the owner of a mobile home on **July 1, 1975**, shall be liable for the tax for the period of **July 1, 1975 to December 31, 1975**.

36-4-3 REGISTRATION FORM; CONTENTS OF REGISTRATION FORM; SIGNATURE; MISINFORMATION; APPLICATION OF SECTION. The owner of each inhabited mobile home located in this County on the effective date of this Article shall, within **thirty (30) days** after such date, file with the Supervisor of Assessments a mobile home registration form containing the information hereinafter specified. Mobile home park operators shall forward a copy of the mobile home registration form provided in Section 12 of "An Act to provide for, license and regulate mobile homes and mobile home parks and to repeal an Act named herein", approved **September 8, 1971**, as amended to the Supervisor of Assessments within **five (5) days** of the entry of a mobile home into such park. The owner of a mobile home not located in a mobile home park shall, within **thirty (30) days** after initial placement of such mobile home in the County and within **thirty (30) days** after movement of such mobile home to a new location, file with the Supervisor of Assessments a mobile home registration showing the name and address of the owner and every occupant of the mobile home, the location of the mobile home, the year of manufacture, and the square feet of floor space contained in such mobile home. Such registration shall also include the license number of such mobile home and of the towing vehicle, if there be any, and the State issuing such licenses. The registration shall be signed by the owner or occupant of the mobile home. It is the duty of the Supervisor of Assessments to require timely filling of a properly completed registration for each mobile home located in his County. Any person furnishing misinformation for purposes of registration or failing to file a required registration is guilty of a Class A misdemeanor. **(See 35 ILCS 515/4 and 210 ILCS 115/1)**

36-4-4 DELIVERY OF REGISTRATION TO COUNTY CLERK. The Supervisor of Assessments, within **seven (7) days** after filing of a registration, shall deliver such registration to the County Clerk. **(See 35 ILCS 515/5)**

36-4-5 COMPUTATION OF TAX; DUE DATE; DISTRIBUTION TO DISTRICTS. Except as otherwise provided in this Section, within **sixty (60) days** of receipt of each registration form, the County Clerk shall compute the tax due, as provided in **Section 36-4-2**, and certify the tax to the County Treasurer who shall mail the tax bill to the owner of such mobile home at the time he receives the certification or the annual billing date, whichever occurs later. If the registration form is accompanied by a receipt for privilege taxes paid in Illinois for the current tax year, no further

privilege tax shall be imposed for the remainder of the current tax year. If the mobile home is initially harbored after the annual liability date, as provided in **Section 36-4-2** of this Article, the County Clerk shall reduce such tax **one-twelfth (1/12)** for each month that has passed since such annual liability date. A mobile home harbored after the **first (1st) day** of such month shall be considered to have been harbored for the entire month for the purposes of this Section. Thereafter, except for the year 1975, the County Clerk shall compute such tax as the **first (1st) day of June** of each year and certify the tax to the County Treasurer. Such tax shall be due and payable to the County Treasurer within **sixty (60) days** after the Treasurer mails the tax bill to the address of record. The County Treasurer shall distribute such taxes to the local taxing districts within the boundaries of which such mobile homes are located, in the same proportion as the property taxes collectible for each such taxing district in the prior year.

36-4-6 ERROR IN TAX BILL. If a tax bill is in error as to the square footage of the mobile home or as to the rate of tax, the owner may file an affidavit with the County Treasurer setting forth such error. If the tax bill does not show the name of the correct owner, the person whose name appears as owner on the bill may file an affidavit with the County Treasurer so stating the identifying the correct owner, if known. Upon the filing of an affidavit as provided in this Section, the County Treasurer shall issue a corrected bill and shall so indicate on his records. **(See 35 ILCS 515/7)**

36-4-7 REDUCTION OF PRIVILEGE TAX; CONDITIONS. The privilege tax shall be reduced to **eighty percent (80%)** of the tax provided for in **Section 36-4-2** of this Article for the owners of mobile homes who:

- (A) are actually residing in such mobile homes,
- (B) hold title to such mobile home as provided in the "Illinois Vehicle Code", approved **September 29, 1969**, as amended, and
- (C) are **sixty-five (65) years** of age or older or are disabled persons within the meaning of Section 3.14 of the "Senior Citizens and Disabled Persons Property Tax Relief Act" on the annual billing date.

An application for reduction of the tax shall be filed with the County Clerk by the individuals who are entitled to the reduction. If the application is filed after **May 1**, the reduction in tax shall begin with the next annual bill. Application for the reduction of tax shall be done by affidavit in substantially the following form:

APPLICATION FOR REDUCTION OF MOBILE HOME LOCAL SERVICES TAX

I hereby make application for a reduction to **eighty percent (80%)** of the total tax imposed under "An Act to provide for a privilege tax on mobile homes".

- (A) **Senior Citizens.**
 - (1) I actually reside in the mobile home...

- (2) I hold title to the mobile home as provided in the Illinois Vehicle Code...
- (3) I reached the age of **sixty-five (65)** on or before either **January 1** (or **July 1**) of the year in which this statement is filed. My date of birth is...

(B) **Disabled Persons.**

- (1) I actually reside in the mobile home...
- (2) I hold title to the mobile home as provided in the Illinois Vehicle Code...
- (3) I was totally disabled on... and have remained disabled until the date of this application. My Social Security, Veterans, Railroad or Civil Service Total Disability Claim Number is... The undersigned declares under the penalty of perjury that the above statements are true and correct.

Dated _____, 20__

Signature of Owner

Address

Approved by:

(City) (State) (Zip)

This application shall be accompanied by a copy of the applicant's most recent application filed with the Illinois Department of Revenue under the "Senior Citizens and Disabled Persons Property Tax Relief Act", approved **July 17, 1972**, as amended.

36-4-8 UNPAID TAXES; LIEN ON MOBILE HOME. If any privilege tax imposed by this Article is not paid when due, the County Treasurer of the County in which the mobile home is located shall have a lien on the mobile home for the amount of the tax, addition to the tax, penalty and interest due. Such lien shall terminate unless the County Treasurer files with the County Recorder of the County in which the mobile home is located a notice of lien and files a financing statement in the office of the Secretary of State pursuant to Article 9 of the "Uniform Commercial Code", as now or hereafter amended within **two (2) years** of such tax due date. From the time of filing, the amount set forth in the certificate also constitutes a lien upon all property of the taxpayer then owned by him or thereafter acquired by him in the period before the expiration of the lien. Such liens have the same force, effect and priority as a judgment lien and continue for **ten (10) years** from the date of the recording unless sooner released or otherwise discharged. The County Treasurer may, at any time, release all

or any portion of the property subject to any lien provided for in this Chapter or subordinate the lien to other liens if he determines that the taxes are sufficiently secured by a lien or other property of the taxpayer or that the release or subordination of the lien will not endanger or jeopardize the collection of the taxes. (See 35 ILCS 515/18)

36-4-9 INTEREST ON DELINQUENT TAXES; PENALTY FOR FRAUD.

If any privilege tax, or part thereof, imposed by this Article is not paid on or before the due date for such tax, interest on such amount at the rate of **one and one-half percent (1 ½%)** per month shall be paid for the period from such due date to the date of payment of such amount. If such failure to pay such tax is the result of fraud, there shall be added to the tax as a penalty an amount equal to **fifty percent (50%)** of the deficiency. (See 35 ILCS 515/9)

36-4-10 INVALIDITY OF PROVISIONS. If any section, subsection, sentence or clause of this Article shall be adjudged unconstitutional, such adjudication shall not affect the validity of the Article as a whole or of any section, subsection, sentence or clause thereof not adjudged unconstitutional.

36-4-11 MOBILE HOME DEALERS – NOTIFICATION. Mobile home dealers shall, within **ten (10) days** after any retail sale and delivery of a mobile home, notify the County Clerk of the County in which the point of delivery is located of the sale, the name of the purchaser, the point at which delivery to the purchaser was made, and the serial number and exterior measurements of the mobile home.

36-4-12 MOVING PERMITS – PENALTY. Before any mobile home subject to the tax imposed by this Article may be moved, the transporting company must obtain a permit from the County Treasurer certifying that the tax on the mobile home has been paid for the current tax period. It shall be a Class B misdemeanor for any person or entity to move any mobile home or cause it to be moved a distance of more than **one (1) mile** without having received such permit from the taxpayer. It shall be a Class B misdemeanor for any taxpayer to move any mobile home or cause it to be moved a distance of more than **one (1) mile** without such permit having been issued by the County Treasurer. This Section does not apply to any person or entity who moves a mobile home or causes it to be moved pursuant to a court order.

36-4-13 PENALTY. It shall be a violation of this Code to fail to submit information required under this Article or to knowingly submit any false information under this Article. (See 35 ILCS 515/1 et seq.)

ARTICLE V – GIS FEES

The following services and fees are based on the "GIS Rate Development Study" final report, dated March 2002, produced by Maximum®, Inc. shall be as follows:

SERVICE OR PRODUCT	UNIT	PRICE
Digital Orthophotographic Aerial Photos Tiff images flown in fall 1994 Section Size Tiles with 2 Foot Pixels Complete County Coverage	Tile	\$50.00
Digital Orthophotographic Aerial Photos Tiff images flown in fall 1994 Quarter Section Size Tiles with 1 Foot Pixels Urbanized County Coverage Only	Tile	\$50.00
Digital Cadastral Data ESRI Shape Files Including: Parcels, Lot/Blocks, Subdivisions, Corp Boundaries, Sections, Political Townships, Roads, Railroads, Waterways, Mineral Rights	Parcel	\$1.00
Printed LaserJet Paper Maps 8.5 x 11 Standard 11 x 17 Standard	Map Map	\$4.00 \$6.00
Printed Plotter Paper Maps 18 x 24 Standard 36 x 44 Standard	Map Map	\$10.00 \$15.00
Special Processing Fees All data request require minimum one hour processing fee. Special requests will be billed for actual time spent on project.	Hour	\$67.00

All deliveries of Orthophotographic and Cadastral Data files require a Non-Disclosure Agreement to be on file with the County.

Lease agreements shall be available for Cadastral Data files for approved agencies. The initial purchase of the data file is at full price with updates available for 50% the current sale price. Updates shall be purchased annually to keep the lease current.

Standard maps available in the Mapping Department. Specials requests available through the GIS Department and shall be billed at the Special Processing Fee hourly rate.

ARTICLE VI – “9-1-1” EMERGENCY TELEPHONE TAX

36-6-1 **IMPOSITION OF FEE.** A surcharge is hereby imposed, subject to the provisions of **Section 36-6-2** of this Article, upon all telecommunications carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of St. Clair County and terminating within the State of Illinois for funding of a “9-1-1” emergency telephone system. (**Ord. No. 88-119; 07-225-88**)

36-6-2 **FEE ESTABLISHED.** A surcharge is hereby imposed at a rate of **Sixty-Five Cents (\$0.65)** per month in-service network connection, other than those network connections assigned to the County of St. Clair, where the subscribers service address for each network connection(s) are located within the corporate limits of St. Clair County. The “service address” shall mean the location of the subscriber’s primary use of the network connection(s). A network connection shall not be deemed in-service where a subscriber’s account is uncollectible.

36-6-3 **ACCOUNTING CHARGE.** In lieu of the telecommunication carriers imposing a **three percent (3%)** accounting and collection charge on its subscribers as permitted under the “Act”, each telecommunication carrier is hereby authorized and instructed to recover said accounting and collection charge by deducting **three percent (3%)** from the amount of surcharge, which is **Sixty-Five Cents (\$0.65)** per month, per in-service network connection, otherwise due and owing the County prior to remittance under **Section 36-6-6** and **36-6-7** of this Article. (**Ord. No. 88-151; 07-25-88**)

36-6-4 **DEFINITIONS.** For the purpose of this Article, the following definitions shall apply:

(A) **“Network connection(s)”** means the number of voice grade communications channels directly between a subscriber and a telecommunication carrier’s public switched network without the intervention of any other telecommunication carrier’s switched network which would be required to carry the subscribers interpremises traffic.

(B) **“Transmitting messages”** shall have the meaning ascribed to a term in Chapter 24; Section 8-11-2 of the Illinois Municipal Code.

(C) **“Telecommunication carrier”** means any natural individual, form, trust, estate, partnership, association, joint stock company, joint adventure, corporation, municipal corporation or political subdivision of this State, or a receiver,

trustee, conservator or other representative appointed by the order of any court engaged in the business of transmitting messages by means of electricity. (Ord. No. 88-119; 07-25-88)

36-6-5 **IMPOSITION OF SURCHARGE.** The surcharge shall be imposed on the **first (1st) day** of the month following the expiration of **ninety (90) days** from the date the County Clerk certifies to any of the telecommunication carriers who are subject to the surcharge that the referendum referred to in **Section 36-6-2** of this Article has passed. (Ord. No. 88-119; 07-25-88)

36-6-6 **SURCHARGE DUE.** The amount of the surcharge due and owing shall be paid to the County not later than **thirty (30) days** after the surcharge liability accrues, net of any network or other "9-1-1" or sophisticated "9-1-1" system charge then due the particular telecommunication carrier as shown on an itemized bill and the **three percent (3%)** accounting and collection charge described in **Section 36-6-3**. (Ord. No. 88-151; 12-27-88)

36-6-7 **ESTABLISHMENT OF FUND.** The County Treasurer is to create an emergency telephone system fund in which all monies received by the surcharge imposed under this Article shall be deposited. The County Treasurer is hereby deemed to be the custodian of the Emergency Telephone System Fund. All interest accruing on the Emergency Telephone System Fund shall remain in the fund. The surcharge due and owing by the telecommunication carrier shall be remitted to the County Treasurer who shall deposit said amount in the Emergency Telephone System Fund. (Ord. No. 88-119; 07-25-88)

36-6-8 **REPORTS TO COUNTY.** Simultaneously, with the remittance of the surcharge amount to the County Treasurer, each telecommunication carrier shall make a return to the County Treasurer and to any Emergency Telephone System Board which may be created in the future, stating the following for the period for which the remittance applies:

- (A) The name of the telecommunications carrier.
- (B) The telecommunication carrier's principal place of business.
- (C) The number of network connections to which a surcharge applies.
- (D) The amount of surcharge due.
- (E) Any amounts which may have been deducted by the telecommunication carrier pursuant to this Article or pursuant to State statute.
- (F) Such other information as the County of St. Clair or an Emergency Telephone System Board, which may hereafter be created, may require. (Ord. No. 88-119; 07-25-88)

36-6-9 **AMOUNT PAID BUT NOT DUE.** If it should appear that an amount of surcharge has been paid which was not due under the provisions of this Article, whether as a result of a mistake of fact or an error of law, then such amount shall be credit against any surcharge due, or to become due, under this Article from the telecommunication carrier who made the erroneous payment. **(Ord. No. 88-119; 07-25-88)**

**(Note: See Ch. 30, Article III for "9-1-1" Board)
(See 750 ILCS Sec. 15.3)**

ARTICLE VII – LAW LIBRARY FEES

36-7-1 FEE ESTABLISHED. The County Board does hereby establish a County Law Library under the terms and provisions of “An Act in relation to the establishment, maintenance and operation of County Law Libraries” (**55 ILCS 5/5-39001**). The library shall be maintained from the funds resulting from the collection of the County Law Library fee that is hereby established at **Thirteen Dollars (\$13.00)**. The fee shall be paid at the time of filing of the first pleading, paper, or other appearance by each party in all civil cases, however no additional fee shall be required if more than **one (1) party** is represented by a single pleading. (**Ord. No. 06-926; 11-27-06**)

36-7-2 LAW LIBRARY FUND. These fees shall be in addition to other fees and charges of the Clerk, and assessable as costs, and shall be remitted monthly by the Clerk to the County Treasurer, to be retained by him in a special fund designated as the “Law Library Fund”. (**Ord. No. 06-926; 11-27-06**)

36-7-3 RESERVED.

ARTICLE VIII – SOLID WASTE MANAGEMENT FEE

36-8-1 FEE ESTABLISHED. In accordance with the **Illinois Compiled Statutes, Section 22.15(b)(1)** the fees to be assessed and collected by St. Clair County whenever more than **one hundred fifty thousand (150,000) cubic yards** of non-hazardous waste is permanently disposed of at a site in a calendar year, shall be **Sixty Cents (\$0.60)** per cubic yard or the owner or operator may weigh the quantity of the solid waste permanently disposed and pay a fee of **One Dollar Twenty-Seven Cents (\$1.27)** per ton of solid waste permanently disposed of. (**Ord. No. 97-610; 08-25-97**)

36-8-2 SOLID WASTE MANAGEMENT FUND ESTABLISHED. Collection of these fees shall begin and be in accordance with the payment schedule set by the State of Illinois. Such fees shall be made payable to the County Treasurer by the owners and operators of the landfills located in St. Clair County, Illinois, and retained by him in a fund designated as the “Solid Waste Management Fund”. This fund shall be audited by the County Auditor. The County Board shall make expenditures from this fund for payment of any costs related to solid waste management.

ARTICLE IX – RECORDER OF DEEDS

DIVISION I – TITLE TRANSFER TAX

36-9-1 **DEFINITIONS.** The following words shall have the meanings ascribed to them in this Article:

“Recordation” means the recording of deeds by the Recorder of Deeds.

“Person” means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, or a receiver, executor, trustee, conservator or other representative appointed by order of any court.

“Value” means the amount of the full actual consideration thereof, including the amount of any lien or liens assumed by the buyer.

36-9-2 **TAX IMPOSED.** A tax is imposed on the privilege of transferring title to real estate or beneficial interest in a land trust, as represented by the deed that is filed for recordation, at the rate of **Twenty-Five Cents (\$0.25)** for each **Five Hundred Dollars (\$500.00)** of value or fraction thereof stated in the declaration provided for in this Section. If, however, the real estate is transferred subject to a mortgage, the amount of the mortgage remaining outstanding at the time of transfer shall not be included in the basis of computing the tax.

 Such tax shall be collected by the Recorder of Deeds through the sale of revenue stamps whose design, denominations and form shall be prescribed by the Recorder of Deeds. The Recorder of Deeds may sell the revenue stamps at a rate of **Twenty-Five Cents (\$0.25)** per **Five Hundred Dollars (\$500.00)** of value or fraction thereof. Except as provided in No. 4 of this Article, no deed or trust document shall be accepted for filing by the Recorder of Deeds unless County revenue stamps in the required amount have been purchased from the Recorder of Deeds. Such revenue stamp shall be affixed to the deed or trust document by the Recorder of Deeds either before or after recording as requested by the grantee. A person using or affixing a revenue stamp shall cancel it and so deface it as to render it unfit for reuse by marking it with his initials and the day, month and year when the affixing occurs. Such markings shall be made by writing or stamping in indelible ink or by perforating with a machine or punch. However, the revenue stamp shall not be so defaced as to prevent ready determination of its denomination and genuineness.

 At such time as the tax levied by this Article is paid, there shall be filed with the Recorder of Deeds a fully executed and completed copy of the “Real Estate Transfer Declaration” required by provisions of **35 ILCS 305/3**.

36-9-3 **EXEMPT DEEDS AND TRUST DOCUMENTS.** The following deeds and trust documents shall be exempt from the provisions of this Article except as hereinafter provided:

- (A) Deeds or trust documents representing real estate transfers made before the adoption of this Ordinance but recorded after that date.
- (B) Deeds or trust documents to property acquired by any governmental body or from any governmental body or deeds or trust documents to property between association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes.
- (C) Deeds or trust documents which secure debt or other obligation.
- (D) Deeds or trust documents which, without additional consideration, confirm, correct, modify, or supplement a deed previously recorded.
- (E) Deeds or trust documents where the actual consideration is less than **One Hundred Dollars (\$100.00)**.
- (F) Deeds or trust documents of release of property which is security for a debt or other obligation.
- (G) Tax deeds or trust documents.
- (H) Deeds or trust documents of partition.
- (I) Deeds or trust documents made pursuant to mergers, consolidations or transfers or sales of substantially all of the assets or corporations pursuant to plans of reorganization.
- (J) Deeds or trust documents made by a subsidiary corporation to its parent corporation for no consideration other than the cancellation or surrender of the subsidiary's stock.
- (K) Deeds or trust documents wherein there in an actual exchange of real estate except that money difference or money's worth paid for one to the other shall not be exempt from the tax.
- (L) Deeds or trust documents representing transfers subject to the imposition of a documentary's stamp tax imposed by the government of the United States, except that such deeds shall not be exempt from filing the declaration.

36-9-4 **PROCEEDS TO COUNTY TREASURER.** All proceeds resulting from the collection of the tax imposed by this Article shall be paid to the County Treasurer on a daily basis.

36-9-5 **TAX ADDITIONAL TO OTHERS.** The tax herein imposed shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof.

36-9-6 **PENALTY.** Any person who willfully falsifies the value of transferred real estate on the "real estate transfer declaration value" shall be fined an amount not to exceed **One Thousand Dollars (\$1,000.00)** or imprisoned for a period not to exceed **six (6) months**, or both.

36-9-7 **PRIOR DOCUMENTS.** Documents No. A623810 through A625552 filed in the Office of the Recorder of Deeds of St. Clair County, Illinois, subsequent to **May 17, 1979**, on which have been affixed State Real Estate Transfer Tax Stamps at the rate of **Fifty Cents (\$0.50)** per **Five Hundred Dollars (\$500.00)** valuation shall be construed to be the collection of the State Real Estate Transfer Tax and the County Real Estate Transfer Tax at the rate of **Twenty-Five Cents (\$0.25)** per **Five Hundred Dollars (\$500.00)** valuation respectively.

(This Division Ord. No. 52-86)

36-9-8 **RESERVED.**

DIVISION II – MISCELLANEOUS FEES

36-9-9 **FEES ESTABLISHED.** The following fees are hereby established for the Recorder of Deeds Office.

- | | | |
|-----|---|------------------------------------|
| (A) | Minimum Fee for Recording Most Instruments
(excepting certain assignments, liens, plats,
condominiums, maps, surveys, UCC statements) | \$20.00

1.00 ea. |
| (B) | Condominium Plat | 89.00 |
| (C) | Financing Statements (UCC's)
8" x 5" standard form w/1 name
Mr/Mrs or H&W noted
Additional debtors names, address, DBA's
Assignments, amendments, partial releases
And continuations
Terminations depending on original filing data (minimum) | 26.00

13.00 |
| (D) | Financing Statement Searches
Search per debtor name/per address
Search per additional names or addresses | 13.00
13.00 |
| (E) | Liens (Ill. Dept. of Revenue) US Amer/Federal
certificates, notices affecting liens & releases,
discharge certificates, refilings, subordination
Ill. or US lien/release filings (per name) 2 pages | 11.00 |

(F)	Certification (search) liens, certificates, notices, releases, etc. (only)	
	Applies to U.S. liens, etc. (per name)	13.00
	Monument record per instrument	20.00
	Oil, gas & mineral assignments (first 2 pages)	11.00
(G)	Ordinance/public entities—water, sewer services, etc.	
	Ordinance including first 4 pages	25.00
(H)	Electronic Image	
	Copy internet (per copy)	4.00
	CD Rom copy	50.00

(Ord. No. 03-792; 06-30-03)

36-9-10 ADDITIONAL FEES. The Recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act) that does not conform to the following standards:

(A) The document shall consist of **one (1)** or more individual sheets measuring **eight and one-half (8.5) inches** by **eleven (11) inches**, not permanently bound and not a continuous form.

(B) The document shall be printed in black ink, typewritten or computer generated.

(C) The document shall be on white paper of not less than **20-pound** weight and shall have a clean margin of at least **one-half (1/2) inch**, not permanently bound and not a continuous form.

(D) The first page of the document shall contain a blank space, measuring at least **three (3) inches** by **five (5) inches**, in the upper right hand corner.

(E) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee of **Twelve Dollars (\$12.00)** required under this paragraph. This paragraph applies only to documents dated after **January 1, 1995**.

36-9-11 FEE ESTABLISHED – DOCUMENT STORAGE SYSTEM. The Recorder shall charge and collect an additional fee of **Three Dollars (\$3.00)** for filing every instrument, paper, or notice for record, in order to defray the cost of converting the County Recorder’s Document Storage System to computers or micrographics. **(Ord. No. 87-2; 01-26-87) [NOTE: This Three Dollar (\$3.00) fee is included in the above schedule of Recorder Fees.]**

36-9-12 **COMPUTER EQUIPMENT FUND ESTABLISHED.** A special fund shall be set up by the Treasurer and such funds collected pursuant to this Chapter shall be used solely for a document storage system to provide the equipment, materials and necessary expenses incurred to help defray the cost of implementing and maintaining such a document record system. **(See 55 ILCS 5/3-5018) (Ord. No. 91-269; 05-28-91)**

DIVISION III – GEOGRAPHIC INFORMATION SYSTEM FEE

36-9-13 **FEE ESTABLISHED.** There is hereby established a **Three Dollar (\$3.00)** fee for every instrument paper or notice for record in the Recorder of Deeds office. **Two Dollars (\$2.00)** of the fee shall be deposited into the special fund established by the County Treasurer's office. All these funds shall be used solely for equipment, materials and necessary expenses incurred in implementing and maintaining a Geographic Information System. The Recorder of Deeds may use the remaining **One Dollar (\$1.00)** to defray the cost of implementing and maintaining the Geographic Information System.

ARTICLE X – SHERIFF

36-10-1 RELATED FEES. The following fees shall be collected by the Sheriff's Office; to-wit:

(A)	Serving Order of Attachment	\$35.00
(B)	General Execution Order	95.00
(C)	All other Civil paper processing – in County	20.00
(D)	All other Civil paper processing – out-of-County	24.00
(E)	Warrant Service	26.00
(F)	Returning Process	11.00
(G)	Mileage for serving papers	1.00
(H)	Mileage - Transporting to/from State Institutions	.35
(I)	Serving Order of Judgment on Real Estate	48.70
(J)	Deputy Sheriff Hourly Rate	24.67
(K)	Training for Corrections Officers	544.00
(L)	Accident Report Copy	5.00
(M)	Federal Jail day rate	54.00
(N)	County Jail day rate	54.00
(O)	Bond Processing	
	Bonds requiring up to \$500 cash	10.00
	Bonds requiring \$501 to \$600 cash	20.00
	Bonds requiring \$601 to \$700 cash	30.00
	Bonds requiring greater than \$700	45.00
(P)	Eviction Fee	50.00

(Ord. No. 96-559; 02-26-96)

ARTICLE XI - CORONER

36-11-1 **FEES ESTABLISHED.** The fees of the Coroner's Office shall be as follows:

- (A) (1) A copy of a transcript of sworn testimony: **Three Dollars (\$3.00)** per page.
- (2) A copy of an autopsy report (if not included in transcript): **Thirty Dollars (\$30.00)**.
- (3) A copy of the verdict of a coroner's jury: **Five Dollars (\$5.00)**.
- (4) A copy of a toxicology report: **Fifteen Dollars (\$15.00)**.
- (5) A print of a picture obtained by the coroner: actual cost or **Three Dollars (\$3.00)**, whichever is greater.
- (6) Each copy of miscellaneous reports, including artist's drawings but not including police reports: actual cost or **Fifteen Dollars (\$15.00)**, whichever is greater.
- (7) A coroner's or medical examiner's permit to cremate a dead human body: **Ten Dollars (\$10.00)**.

(B) All fees under this Section collected by or on behalf of the Coroner's Office shall be paid over to the County Treasurer and deposited into the general fund of the County. **(Ord. No. 90-188; 04-30-90)**

ARTICLE XII – TREASURER

DIVISION I – AUTOMATION FEE – DELINQUENT TAX PARCEL

36-12-1 **FEE ESTABLISHED.** The County Treasurer as Ex-Officio County Collector shall impose a **Five Dollar (\$5.00)** per parcel automation fee to the purchaser of property for delinquent taxes.

36-12-2 **SPECIAL FUND.** The County Treasurer is hereby ordered to establish a special fund for the deposit of the monies collected as a result of said **Five Dollars (\$5.00)** per parcel automation fee. The monies collected shall be placed in said special fund and shall be used solely to provide the equipment, material and necessary expenses incurred to help defray the cost of implementing and maintaining an automation system in the County Collector's Office. **(Ord. No. 89-159; 01-26-89)**

36-12-3 **RESERVED.**

DIVISION II – PROPERTY SALES FEES

36-12-4 **FEE ESTABLISHED.** The Treasurer may impose a fee of up to **Sixty Dollars (\$60.00)**, payable to the County Collector, upon each person purchasing any property at a sale held pursuant to the Illinois Revenue Code prior to the issuance of any certificate of purchase. **(Ord. No. 95-543; 10-30-95)**

36-12-5 **SPECIAL FUND.** All sums of money received under this Section shall be deposited in a special fund with the principal and interest invested as authorized by **55 ILCS 5/3-10009 and 5/3-10002**. No payment shall be made from the fund except by order of the court declaring a sale in error under **35 ILCS 200/21-310**. Any monies accumulated in the fund in excess of **Five Hundred Thousand Dollars (\$500,000.00)** by the County Treasurer shall be paid to the General Fund of St. Clair County prior to the commencement of the annual tax sale. **(Ord. No. 95-543; 10-30-95)**

ARTICLE XIII – COUNTY CLERK

36-13-1 **DEFINITION.** Vital records means records of births, deaths, fetal deaths, marriages, dissolution of marriages, and data-related thereto.

36-13-2 **FEE ESTABLISHED.** The County Clerk shall impose an additional **Two Dollar (\$2.00)** charge for certified copies of vital records which are requested to be made by the County Clerk's office. That purpose to **55 ILCS Sec. 5/4-4001**, the additional **Two Dollar (\$2.00)** charge is to be used for the sole purpose of defraying the costs of converting the County Clerk's document storage system for said vital records to computers of micrographics, and for maintaining system.

36-13-3 **SPECIAL FUND.** The County Treasurer is hereby ordered to establish a special fund for deposit of the monies collected as a result of said additional charge. The monies collected shall be placed in said special fund and shall be used solely to provide the equipment, material and necessary expenses incurred to help defray the cost of implementing and maintaining the County Clerk's document storage system for vital records. (**Ord. No. 89-160; 01-26-89**)

36-13-4 **RELATED FEES.** The following fees shall be collected by the County Clerk; to-wit:

(A)	Certified Copies \$.50/100 words, + \$1.00 for certification	
	(1) Birth Certificates/Corrections	\$11.85
	(2) Marriage or Death Certificates - first copy	13.85**
	(3) Additional copies	4.00**
	(**State Fee \$2.00)	
(B)	Fireworks Permit	16.70
(C)	Liquor Permit	
	(1) New Liquor License	23.60
	(2) Renewal Liquor Permits	17.35
(D)	Notarized Affidavit	1.30
(E)	Vehicular License	12.00
(F)	Marriage License plus \$5.00 state fee	27.00*
(G)	Certifying Acknowledgement	1.30
(H)	Attending Tax Sales for each tract or town lot sold	29.15
(I)	Raffle Permit	16.70
(J)	Demolition Report	10.00
(K)	Birth, Death, Marriage Search	10.00
(L)	Certificate of Authority	10.00
(M)	Tax Deed	16.70

(N)	Tax Estimates/County Clerk Fee	23.55
(O)	Special Event License	5.00
(P)	Peddler/Solicitor License	10.00
(Q)	Registration of Notary	5.45
(R)	Assumed Name Filing	9.00
(S)	Plat Certifications	26.95
(T)	Freedom of Information Services	(See County Policy)
(U)	Certificate of Purchase Surrendered	32.00
(V)	Take Notice	10.00
(W)	Campaign Disclosure	13.35
(X)	Township Maps	5.00
(Y)	Candidate Petition Copies	12.70
(Z)	Absentee Ballot Listing	8.40
(AA)	Legislative District Maps	20.20
(BB)	Precinct Maps	15.15
(CC)	Petition of Discovery	410.90
(DD)	Precinct Lists	8.40
(EE)	County Voter Printout	4.25
(FF)	Mailing Labels per Label	.07
(GG)	Civil Unions plus \$5.00 state fee	27.00*

(* Denotes revised cost)

(Ord. No. 11-1042; 05-31-11)

ARTICLE XIV – PUBLIC DATA REQUESTS

36-14-1 TAX SYSTEM. Any reports or files extracted from the St. Clair County Tax System will be charged the following rates:

- (A) Staff Time \$56 per hour
- (B) Computer Time \$56 per hour

Requests to extract data from the Tax System will be submitted by the following offices and the fee for the request will be collected by the office making the request.

- (1) Assessor
- (2) Board of Review
- (3) County Clerk
- (4) Circuit Clerk
- (5) Mapping and Platting
- (6) Treasurer

36-14-2 ELECTION SYSTEM. Any reports or files extracted from the St. Clair County Election System will be charged the following rates. Information may be printed on either paper or labels.

	<u>Printed on:</u>	<u>Paper</u>	<u>Labels</u>
(A)	County-Wide Lists	\$85.00	
(B)	Voter Body	8.70	
(C)	Voter Body-Zip Code Order		62.00
(D)	Voter Body-Precinct Zip Code Order	34.00	
(E)	Precinct	3.45	5.85

The costs for an extracted file that is requested on a storage medium other than paper will be charged at the same rate as a paper list. Requests to extract data from the Election System will be submitted by the County Clerk Office and the fee for the request will be collected by the office making the request.

36-14-3 CRIMINAL JUSTICE SYSTEM, INCLUDING.

- (A) Circuit Court
- (B) Circuit Clerk
- (C) State’s Attorney
- (D) Probation
- (E) Public Defender
- (F) Sheriff

Any reports or files extracted from the St. Clair County CRIMINAL JUSTICE SYSTEM will be charged the following rates:

- (A) Staff Time \$68.00 per hour
- (B) Computer Time \$68.00 per hour

36-14-4 ALL OTHER SYSTEMS INCLUDING.

- (A) Civil Courts System
- (B) Animal Control
- (C) Recorder
- (D) Vital Records
- (E) Child Support
- (F) Personnel
- (G) Administration
- (H) Financial
- (I) Law Library

Any reports or files extracted from the systems listed above will be charged the following rates:

- (A) Staff Time \$56.00 per hour
- (B) Computer Time \$56.00 per hour

(Ord. No. 97-598; 03-31-97)

ARTICLE XV – CIRCUIT CLERK

DIVISION I – COURT AUTOMATION FEE

36-15-1 **FEE ESTABLISHED.** The Clerk of the Circuit Court of St. Clair County shall charge and collect a court automation fee of **Ten Dollars (\$10.00)** to be charged and collected by the Clerk of the Court in civil cases. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases. No additional fee shall be required if more than **one (1) party** is presented in a single pleading, paper or other appearance. **(Ord. No. 09-998; 08-31-09) (See 705 ILCS 105/27.3a)**

36-15-2 **FEE ESTABLISHED.** The Clerk of the Circuit Court of St. Clair County shall charge and collect a court automation fee of **Five Dollars (\$5.00)** to be charged and collected by the Clerk of the Court. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance, or conservation case, provided that no additional fee shall be required if more than **one (1) party** is presented in a single pleading, paper or other appearance. **(Ord. No. 09-998; 08-31-09) (See 705 ILCS 105/27.3a)**

36-15-3 **AUTOMATION FUND ESTABLISHED.** These fees shall be in addition to all other fees and charges of the Clerk, and assessable as costs, and shall be remitted monthly by the Clerk of the County Treasurer, to be retained by him in a special fund designated as the Court Automation Fund. The fund shall be audited by the County Auditor, and the Board shall make expenditures from the Fund in payment of any costs related to the automation of court records. All expenses must be approved by the Chief Judge and the Circuit Clerk, and the County Board Chairman. **(See 705 ILCS 105/27.3a) (Ord. No. 09-998; 08-31-09)**

DIVISION II – CHILD SUPPORT

36-15-4 **MAINTENANCE AND CHILD SUPPORT FUND ESTABLISHED.**
The Circuit Clerk is hereby authorized and directed to record and collect an annual fee of **Thirty-Six Dollars (\$36.00)** from the person making such payment for administering the collection and distribution of maintenance and child support payment, in accordance with rules and procedures established by the Supreme Court of the State of Illinois. The Circuit Clerk shall transfer said fees collected to the County Treasurer, monthly.

The County Treasurer shall deposit same in a separate fund account designated as the "Maintenance and Child Support Collection Fund" and make disbursements or transfers

as directed by the County Board. The County Board shall use the aforementioned funds for the purpose intended by appropriation from time to time as may be required or needed. (Ord. No. 179-86; 10-27-86)

36-15-5 RESERVED.

DIVISION III – VEHICLE VIOLATIONS FINES

36-15-6 FEE ESTABLISHED. The Circuit Clerk shall charge and collect a **Five Dollar (\$5.00)** fee to be added to all fines imposed for violation of the Illinois Vehicle Code other than Section 11-501 or violations of similar provisions contained in county or municipal ordinances committed in the county, and all civil cases, and up to a **Thirty Dollar (\$30.00)** fee to be added to all fines imposed for violation of Section 11-501 of the Illinois Vehicle Code or a violation of a similar provision contained in county or municipal ordinances committed in the county. The proceeds of such fees shall be used to finance the court system in the county. (Ord. No. 02-792; 09-30-02)

36-15-7 THE COUNTY COURT SYSTEM FINANCE FUND. The Circuit Clerk shall transfer said fees to the County Treasurer monthly. The County Treasurer shall deposit these funds in a separate fund account designated as "The County Court System Finance Fund" and make disbursements or transfers as directed by the County Board. The County Treasurer shall provide a monthly accounting of the Fund, including receipts, disbursements, transfers and any other fiscal activity, to the County Board monthly. The County Board shall use the aforementioned funds for the purpose intended by appropriation from time to time as may be required or needed. (Ord. No. 152A-86; 09-29-86)

36-15-8 RESERVED.

DIVISION IV – DOCUMENT STORAGE

36-15-9 FEE ESTABLISHED. The Circuit Clerk shall charge and collect a document storage fee of **Ten Dollars (\$10.00)**. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases. No additional fee shall be required if more than **one (1) party** is presented in a single pleading, paper, or other appearance. (Ord. No. 09-998; 08-31-09) (See 705 ILCS 105/27.3c)

36-15-10 FEE ESTABLISHED. The Circuit Clerk shall charge and collect a document storage fee of **Five Dollars (\$5.00)**. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in any felony, traffic, misdemeanor, municipal ordinance, or conservation case, provided that no additional fee shall be required if more than **one (1) party** is presented in a single pleading, paper, or other appearance. **(Ord. No. 09-998; 08-31-09)**

36-15-11 COURT DOCUMENT STORAGE FUND ESTABLISHED. The fees shall be in addition to all other fees and charges of the Clerk of the Circuit Court, shall be assessable as costs, and shall be remitted monthly by the Clerk to the County Treasurer, to be retained by the Treasurer in a special fund designated as the Court Document Storage Fund. The Fund shall be audited by the County Auditor and the County Board may make expenditures from that fund for the payment for any costs relative to the storage of court records with approval of the Clerk of the Circuit Court. **(Ord. No. 09-998; 08-31-09)**
(See 705 ILCS 105/27.3c)

DIVISION V – CRIMINAL FEES

36-15-12 CRIMINAL FEES. A fee shall be added to all fines imposed under Section 5-9-1 of the Unified Code of Corrections, pursuant to **Chapter 55, Paragraph 5/5-1101, Illinois Compiled Statutes**, as follows:

- (A) for a felony, \$50.00;
- (B) for a Class A misdemeanor, \$25.00;
- (C) for a Class B or Class C misdemeanor, \$15.00;
- (D) for a petty offense, \$10.00;
- (E) for a business offense, \$10.00.

The proceeds of all fees enacted under this Section shall be placed in the County general fund and used to finance the court system in the County.

36-15-13 RESERVED.

DIVISION VI – CHILDREN'S WAITING ROOM FEE

36-15-14 CHILDREN'S WAITING ROOM FEE. Circuit Clerk shall collect and pay to the Treasurer of St. Clair County an additional filing fee of **Five Dollars (\$5.00)** in compliance with **55 ILCS Sec. 82/1 et seq.** for the purpose of operation of Neutral Visitation Centers. The fees shall be remitted to the County Treasurer on a monthly basis and deposited in the Children's Waiting Room Fund. **(See also 705 ILCS 105127.7)**
(Ord. No. 05-863; 01-31-05)

36-15-15 RESERVED.

DIVISION VII – MENTAL HEALTH COURT

36-15-16 FEE ESTABLISHED.

(A) Effective **January 1, 2006**, the Circuit Clerk of St. Clair County shall collect a **Ten Dollar (\$10.00)** fee in all criminal felony and criminal misdemeanor cases where a judgment of conviction or grant of supervision is entered.

(B) The funds shall only be used for the operation of a County Mental Health Court.

(C) Each and every fee so collected shall be held by the Treasurer of St. Clair County in a separate fund called the St. Clair County Mental Health Court Fund. **(Ord. No. 05-890; 12-27-05)**

DIVISION VIII - CHILD ADVOCACY FEE

36-15-17 CHILD ADVOCACY FEE ESTABLISHED. The Circuit Clerk shall establish a Child Advocacy Fee of **Twenty Dollars (\$20.00)** for the purpose of supporting a Child Advocacy Center. **(Ord. No. 08-970; 06-30-08)**

DIVISION IX - GENERAL FEES

36-15-18 PRESCRIBED FEES. All fees shall be paid at the time of filing and are subject to change by ordinance or state statute.

(A) **General Information.**

Filing Fees on all Petitions and Answers Include:

- | | | |
|----|--------------------------|-----------------------------|
| 1. | Law Library | \$13.00 |
| 2. | Court System Fee | \$5.00 |
| 3. | Court Automation | \$10.00* |
| 4. | Bailiff | \$25.00 |
| 5. | Court Document Storage | \$10.00* |
| 6. | Circuit Clerk Filing Fee | determined by the case type |
| 7. | Arbitration Fee | \$8.00 |
| 8. | Visitation Center Fee | \$5.00 |

Where applicable the proper fees listed above have been added together to reflect the total fees for filings and pleadings in the Circuit Clerk’s office.

(B) **Publications.**

The cost of publication shall be paid directly to the publisher by the person seeking the publication, whether the Clerk is required by law to publish, or the parties to the suit.

(C) **Incoming Mail.**

To expedite your correspondence please address all incoming mail to the attention of the proper division. Mailing address and P.O. Box numbers for all divisions are listed on the cover page.

(D) **Record Search.**

For searching a record per year searched \$6.00

(E) **Alias Summons.**

For each alias summons issued \$5.00

(F) **Returned Checks.**

Non-sufficient fund checks \$25.00

(G) **Certified Mail.**

For each Summons, Writ or Notice the Clerk is required to mail

Certified fee of \$5.54 plus the \$10.00 mailing fee \$15.54

Restricted delivery fee of \$10.04 plus the \$10.00 mailing fee \$20.04

(H) **Jury Fee (except for Probate, Small Claims & Ordinance**

Violation Cases).

1. 6 Man Jury \$106.25

2. 12 Man Jury \$212.50

(I) **Change of Venue.**

For a court of record, charge same amount as original filing fee, however the fee for preparation and certification of record on change of venue, when original documents or copies are forwarded \$40.00

(J) **Certification or Authentication.**

Each certification or authentication for taking the acknowledgement of a deed or other instrument in writing with seal of office \$6.00

(K) **Copy Fee.**

1. First page \$2.00

2. Each additional page up to 19 pages \$0.50

3. Each additional page after 19 pages \$0.25

(L) **Appeals.**

1. Court Appeals when original documents are forwarded under 100 pages, plus delivery costs \$60.00

2. Court Appeals when original documents are forwarded over 100 pages, plus delivery costs \$150.00

3. Court Appeals when original documents are forwarded over 200 pages, an additional fee per page \$0.25

(M) **Auxiliary Proceedings.**

Any auxiliary proceeding relating to the collection of money judgment including garnishment, citation or wage deduction action:

1. When the amount does not exceed \$1,000.00 \$15.00

2. When the amount exceeds \$1,000.00 but not \$5,000.00 \$30.00

3. When the amount exceeds \$5,000.00 \$50.00

- 2a. Answer with counterclaim or third-party claim when the amount exceeds \$5,000.01 but not \$15,000.00 \$151.00*
 - 2b. Answer with counterclaim or third-party claim when the amount exceeds \$15,000.01 but not \$50,000.00 \$236.00*
 - 3a. Counterclaim or third-party claim after the answer fee has been paid when the amount exceeds \$5,000.01 but not \$15,000.00 \$15.00
 - 3b. Counterclaim or third-party claim after the answer fee has been paid when the amount exceeds \$15,000.01 but not \$50,000.00 \$100.00
- Amount equal to the fee he or she would have had to pay had he or she brought a separate action for this relief, less appearance fee previously paid.

36-15-21 SMALL CLAIMS DIVISION.

(A) **Filing Fee.**

- 1. Money or damages claimed does not exceed \$250.00 \$86.00*
- 2. Money or damages claimed exceeds \$250.00 but does not exceed \$500.00 \$96.00*
- 3. Money or damages claimed exceeds \$500.00 but not more than \$2,500.00 \$116.00*
- 4. Money or damages claimed exceeds \$2,500.00 but not more than \$5,000.00 \$151.00*

(B) **Answer Fee.**

- 1. Money or damages claimed does not exceed \$250.00 \$106.00*
- 2. Money or damages claimed exceeds \$250.00 but does not exceed \$500.00 \$106.00*
- 3. Money or damages claimed exceeds \$500.00 but does not exceed more than \$2,500.00 \$136.00*
- 4. Money or damages claimed exceeds \$2,500.00 but not more than \$5,000.00 \$136.00*

(C) **Jury Fee.**

- 1. 6 Man Jury \$12.50
- 2. 12 Man Jury \$25.00

(D) **Counterclaim; Third Party Claim.** NO FEE

36-15-22 FORCIBLE ENTRY AND DETAINER.

(A) **Filing Fee.**

- 1. For possession only \$126.00*
- 2. For possession and rent not in excess of \$15,000.00 \$126.00*
- 3. For possession and rent in excess of \$15,000.00 \$236.00*

(B) **Answer.**

- 1. For possession only \$126.00*
- 2. For possession and rent not in excess of \$15,000.00 \$136.00*
- 3. For possession and rent in excess of \$15,000.00 \$136.00*

36-15-23 LAW MAGISTRATE; REPLEVINS, FOREIGN JUDGMENT.

	(A) <u>Filing Fee.</u>	
1.	\$1.00 to \$15,000.00	\$151.00*
2.	\$15,000.01 and over	\$236.00*
	(B) <u>Answer.</u>	
1.	\$1.00 to \$15,000.00	\$136.00*
2.	\$15,000.01 and over	\$136.00*
	(C) <u>Confession of Judgment.</u>	
1.	When the amount does not exceed \$1,500.00	\$101.00*
2.	When the amount exceeds \$1,500.00 but not \$15,000.00	\$166.00*
3.	When the amount exceeds \$15,000.00	\$251.00*

36-15-24 ADMINISTRATIVE REVIEW.

	(A) <u>Filing Fee.</u>	\$236.00*
	(B) <u>Answer Fee.</u>	\$136.00*

36-15-25 FORECLOSURE.

	(A) <u>Filing Fee.</u>	
	With Lis Pendens	\$242.00*
	Without Lis Pendens	\$236.00*
	(B) <u>Answer.</u>	
	With Lis Pendens	\$136.00*
	Without Lis Pendens	\$136.00*

36-15-26 CHANCERY.

	(A) <u>Filing Fee.</u>	
	All cases seeking equitable relief including legal separation, injunctions partition suits and other chancery cases	\$236.00*
	(B) <u>Answer.</u>	\$136.00*

36-15-27 EMINENT DOMAIN.

	(A) <u>Filing Fee.</u>	
1.	Exercise of Eminent Domain	\$226.00*
2.	For each and every lot or tract of land, or right or interest therein subject to be condemned, the damages in respect to which shall require separate assessments by a jury	\$226.00*
	(B) <u>Answer.</u>	\$136.00*
	(C) <u>Half Sheet</u> 7 years @ \$6.00 each	\$42.00

(D) **Petition to Vacate or Modify.**

1. Petition to vacate or modify any final judgment or order of court except in forcible entry and detainer cases and small claims cases or a petition to reopen an estate, if filed before 30 days after the entry of the judgment or order \$50.00
2. Petition to vacate or modify any final judgment or order of court, if filed later than the 30 days after the entry of the judgment or order \$75.00
3. Petition to vacate order of bond forfeiture \$40.00

36-15-28 FAMILY DIVISION.

- | | | |
|-----|--|-----------|
| (A) | <u>Petition for Dissolution of Marriage.</u> | \$236.00* |
| (B) | <u>Entry of Appearance.</u> | \$136.00* |
| (C) | <u>Petition and Entry of Appearance.</u> | \$372.00* |
| (D) | <u>Answer to Petition.</u> | \$136.00* |
| (E) | <u>Answer and Counter Petition.</u> | \$236.00* |
| (F) | <u>Counter Petition if Answer has been filed.</u> | \$100.00 |
| (G) | <u>Petition to Modify less than 30 days.</u> | |
| | (Custody/visitation) | \$50.00 |
| (H) | <u>Petition to Modify after 30 days.</u> | |
| | (Custody/visitation) | \$75.00 |
| (I) | <u>Petition for Adoption.</u> | \$65.00 |
| (J) | <u>Petition for Adoption and Entry or Consent.</u> | \$65.00 |
| (K) | <u>Notice to Putative Father (\$10.00 mailing fee plus \$5.54 Certified Mail).</u> | \$15.54 |
| (L) | <u>Petition for Paternity.</u> | \$116.00* |
| (M) | <u>Petition for Foreign Judgment.</u> | \$236.00* |
| (N) | <u>Petition for Custody.</u> | \$236.00* |
| (O) | <u>Petition for Order of Protection.</u> | NO FEE |
| (P) | <u>Child Support/Maintenance Collection & Distribution of Maintenance and Child Support Collections Annually.</u> | \$36.00 |
| (Q) | <u>Notice to Suspend DL to Secretary of State.</u> | \$10.00 |
| | Defendants | \$10.00 |
| (R) | <u>Notice to Reinstate DL to Secretary of State.</u> | \$10.00 |
| | Defendants | \$10.00 |
| (S) | <u>Reinstatement of Drivers License (Clerks Fee).</u> | \$5.00 |
- (\$5.00 each plus \$10.00 notice fee for a total of \$45.00 payable at the time of reinstatement)

36-15-29 PROBATE AND TAX DIVISION.

- | | | |
|-----|---|-----------|
| (A) | <u>Jury Fee.</u> | |
| 1. | 6 or 12 Man Jury | \$137.50 |
| (B) | <u>Decedents Estate (Testate or Intestate) > \$15,000.00.</u> | |
| | | \$226.00* |

(C)	<u>Decedents Estate (Testate or Intestate) < \$15,000.00.</u>	\$116.00*
(D)	<u>Guardianships (Disabled Adult or Minor).</u>	
1.	Over \$15,000.00	\$151.00*
2.	Under \$15,000.00	\$116.00*
(E)	<u>Guardianship of Person Only.</u>	\$96.00*
(F)	<u>Wrongful Death > \$15,000.00.</u>	\$126.00*
	< \$15,000.00	\$96.00*
(G)	<u>Proof of Heirship Without Administration Foreign Will Admitted Without Administration or Letters Issued Without Administration of an Estate.</u>	\$116.00*
(H)	<u>Petition to Contest Will or Construction of Will Proceedings Involving Testamentary Trusts or the Appointment of Testamentary Trustees.</u>	\$131.00*
(I)	<u>Appearance for Consent or Appearance of Executor, Administrator, Administrator to Collect, Guardian, Gal. or Special Administrator.</u>	NO FEE
(J)	<u>Entry of Appearance (with the exception above).</u>	\$106.00*
(K)	<u>Petition to Sell Real Estate.</u>	\$50.00
(L)	<u>Petition to Reopen Estate.</u>	\$25.00
(M)	<u>Claims Filed Against an Estate.</u>	
1.	\$150.00 to \$499.00	\$25.00
2.	\$500.00 to \$9,999.00	\$40.00
3.	\$10,000.00 or more	\$60.00
(N)	<u>Each Accounting.</u>	
	Other than the final accounting of decedent, minor or disabled person	\$25.00
(O)	<u>Letters of Office.</u>	
	Original Fee - each Certified Copy	\$2.00
(P)	<u>Tax Objection.</u>	\$126.00*
(Q)	<u>Tax Deed.</u>	
1.	First Parcel	\$276.00*
2.	Each Additional Parcel	\$60.00

36-15-30 TRAFFIC AND CRIMINAL DIVISIONS. The following fees are added where applicable:

(A)	<u>VVC (Victims of Violent Crime).</u>	\$4.00 per \$40.00
(B)	<u>Court Automation.</u>	\$5.00
(C)	<u>Bailiff.</u>	\$25.00
(D)	<u>Document Storage.</u>	\$5.00
(E)	<u>Driver Education Fund.</u>	\$4.00 per \$40.00
(F)	<u>Surcharge/Leads/Camera Fund.</u>	\$10.00 per \$40.00*
(G)	<u>Court System.</u>	\$5.00
(H)	<u>Arrestee's Medical Fee.</u>	\$10.00

(I)	<u>Crime Lab Fee.</u>	\$100.00
(J)	<u>DNA Analysis Fee.</u>	\$200.00
(K)	<u>Credit Card Fee.</u>	\$5.00
(1)	The person convicted of a felony	\$100.00
(2)	(a) Each person convicted of a misdemeanor, leaving the scene of an accident, driving while intoxicated, reckless driving or drag racing, driving when license revoked or suspended, overweight, or no interstate commerce certificate	\$75.00
	(b) Each person convicted of business offense	\$75.00
	(c) Each person convicted of a petty offense	\$75.00
(3)	Minor traffic, conservation or ordinance violation	\$10.00
(4)	When court appearance required	\$15.00
(5)	Motions to vacate or amend final orders if filed	\$40.00
(6)	Motions to vacate bond forfeiture orders	\$40.00
(7)	Motions to vacate ex parte judgments whenever filed	\$40.00
(8)	Motions to vacate judgment on forfeiture whenever filed	\$40.00
(9)	Motions to vacate failure to appear@ or failure to comply@ Notices sent to the Secretary of State	\$40.00
(10)	State's Attorney: Each felony convicted count	\$30.00
	State Traffic or Criminal Misdemeanor	\$10.00
(11)	Ten Percent	10% of Bond Posted
(12)	Bailiff Fees:	
	Felony	\$25.00
	Criminal Misdemeanor	\$25.00
	Traffic	\$25.00
	Ordinance Violation	\$25.00
(13)	State drug laboratory fee (per count)	\$50.00
(14)	Public Defender	Assessed by Court
(15)	Notice Sent to Secretary of State under Chapter 625 ILCS 306.4 (each)	\$10.00
(16)	Notice Sent to Defendant under Chapter 625 ILCS 306.4	\$10.00

Jury Fees.

Ordinance Violation punishable by fine only	\$137.50
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36-15-31 CRIMINAL CONVICTION SURCHARGE/LEADS/CAMERA FEE.

Every fine imposed in sentencing for a criminal or traffic offense except an offense relating to parking or registration or offense by a pedestrian, shall include a penalty of \$10.00 for each \$40.00 or fraction thereof, or fine imposed. \$1.00 camera fee and \$1.00 leads fee is attached to each \$8.00 surcharge fee with the exception of:

*Parking offenses *Vehicle Registration offenses *Pedestrian offenses

(A)	<u>Court System Fee.</u>	
1.	Minor Traffic	\$5.00
2.	D.U.I.	\$30.00
3.	Ordinance Violation	\$10.00
4.	Criminal Misdemeanors (Class A)	\$25.00
	(Class B & C)	\$15.00
5.	Felony	\$50.00
(B)	<u>Document Storage Fee.</u>	\$5.00
(C)	<u>Court Automation Fee.</u>	\$5.00
(D)	<u>Mental Health Court Fund.</u>	\$10.00
(E)	<u>Driver Education Fee.</u>	

Additional penalty for certain violations. There is added to every fine imposed upon conviction for an offense reportable to the Secretary of State under the provisions of subdivision (a) 2 Section 6-204 of the IVC, an additional penalty of \$4.00 for each \$40.00, or fraction thereof, of fine imposed.

(F)	<u>Crime Lab D.U.I. Analysis Fee.</u>	\$150.00
(G)	<u>D.U.I. Equipment Fund.</u>	\$100.00
(H)	<u>State D.U.I. Equipment Fund.</u>	\$400.00
(I)	<u>Trauma Center Fund.</u>	

A fee shall be added to all fines imposed for Violation of the Illinois Vehicle Code or Violations of similar provisions contained in the County or Municipal Ordinances committed in the County with the exception of a D.U.I. Minor Traffic

		\$5.00
	With a D.U.I.	\$30.00

(J) **Cannabis Control Act & IL Controlled Substances:**

Assessments.

1.	For a Class X Felony	\$3,000.00
2.	For a Class 1 Felony	\$2,000.00
3.	For a Class 2 Felony	\$1,000.00
4.	For a Class 3 or 4 Felony	\$500.00
5.	For a Class A Misdemeanor	\$300.00
6.	For a Class B or C Misdemeanor	\$200.00

(K) **Fine for Domestic Battery.**

There shall be added to every penalty imposed in sentencing for the offense of domestic battery an additional fine to be imposed upon a plea of guilty, stipulation of facts or finding of guilty resulting in a judgment of conviction or order of supervision

\$10.00
(L) **Domestic Violence Fine.** In addition to any other penalty imposed a fine of \$100.00 shall be imposed upon any person.

(M) **Victims Violent Crime Fund.** When any person is convicted in Illinois of an offense listed below, the Court which enters the conviction shall impose, in addition to any other penalty authorized by law, a penalty of \$4.00 for each \$40.00, or fraction thereof of fine imposed.

1. For conviction of any felony or misdemeanor.
2. For conviction of any offense listed in section 6-205 of the IVC Code.
3. For any other offense under the Illinois Vehicle Code@ exclusive of offenses enumerated in Section 6-204(a)(2) of that code, and exclusive or any offenses in Article VI of Chapter 11 of the Illinois Vehicle Code relating to restrictions, regulations and speeding.

(N) **Habeas Corpus.**

1. For filing a petition for relief by habeas corpus \$148.00

(O) **Probation Services Fee.** Pursuant to Chapter 38 Section 204-7.1 the Clerk of the Circuit Court is hereby directed to collect from those adults sentenced to a period of probation, a Probation Service Fee to be assessed by the trial judge and not to exceed \$25.00 per month.

(P) **Sheriff Interstate Probation Transfer Fee.** \$125.00*

(Q) **Vehicle/Equipment Fund.** \$25.00

Pursuant to Public Act 094-1009 (\$20.00 arresting agency \$4.50 Circuit Clerk & 0.50 State Prisoner Review Board Vehicle and Equipment Fund)

(R) **Expungement/Sealing of the Records.**

1. For each expungement/sealing petition filed \$60.00
(Admin. Circuit Clerk fee \$10.00 from the \$60.00 Pursuant to Public Act 95-955)
 2. Mailing *Notice* of Petition to 4 required agencies @ 10.00 per notice \$40.00
- TOTAL \$100.00

3. Per each Order to seal or expunge records maintained by Illinois State Police (Effective July 1, 2004 and amended January 1, 2009) \$60.00

4. Mailing *Order* Granted for Expungement/Sealing to 4 required Agencies @ 10.00 per notice \$40.00
- TOTAL \$100.00

(Circuit Clerk to mail payment * order to Illinois State Police)

Illinois State Police
Bureau of Identification
260 N. Chicago Street
Joliet, IL 60431-1060

36-15-32 JUVENILE DIVISION.

(A) **Probation Fee (Per Month).** \$25.00

(B) **DNA Analysis Fee.** \$200.00

* Indicates an ordinance was adopted.

[ED. NOTE: This list of fees is provided to the owner and/or reader of this Code in order to provide of a complete picture of the fee structure of this office. Many of the fees are established by State Statute without any local action required.]

(Ord. No. 09-1002; 09-28-09)