

**CHAPTER 62
MISCELLANEOUS FEES**

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62.01 TITLE. This ordinance may be referred to as the Miscellaneous Fees Ordinance.

62.02 ADMINISTRATION. This ordinance shall be administered by such departments as are affected by the various provisions herein.

62.03 DEFINITIONS. As used herein, the following words have the meanings indicated:

(1) *Clerk* means the county clerk of the County of Dane.

[62.04 - 62.10 reserved.]

62.11 MARRIAGE LICENSES AND DECLARATIONS OF DOMESTIC PARTNERSHIP; WAIVER OF WAITING PERIOD. **(1)** Pursuant to section 765.08(2), Wis. Stats., the clerk is authorized to collect a fee of Twenty-Five Dollars (\$25.00) for any waiver of the five day waiting period for issuance of a marriage license.

(2) Pursuant to section 770.07(1)(b)2., Wis. Stats., the clerk is authorized to collect a fee of Ten Dollars (\$10.00) for any waiver of the five day waiting period for issuance of a declaration of domestic partnership.

[History: am., OA 8, 2009-10, pub. 07/30/09; am., OA 15, 2009-10, pub. 08/19/09.]

62.12 MARRIAGE LICENSE AND DOMESTIC PARTNERSHIP FEES. **(1)** Pursuant to sec. 765.15, Wis. Stats., the clerk shall collect a supplementary fee of \$70.00 in addition to the statutory fee for marriage licenses, declarations of domestic partnership and certificates of termination of domestic partnership under chap. 770, Wis. Stats., which fee shall be in addition to the fee for any waiver requested and which shall be retained by the county.

(2) The clerk shall collect a fee of \$10.00 for printing a corrected marriage license, declaration of domestic partnership or certificate of termination of domestic partnership.

[History: am., OA 4, 1985-86, adopted 07/11/85; am., OA 26, 1985-86, adopted 04/03/86, eff. 05/01/86; am., OA 17, 2002-03, pub. 12/17/02; am., Sub. 1 to OA 24, 2003-04, pub. 12/03/03; am., OA 15, 2009-10, pub. 08/19/09; (1) am. and (2) cr., OA 16, 2011-12, pub. 11/23/11, *NON-CODE PROVISION*: The effective date of this ordinance amendment shall be January 1, 2012.]

62.13 FAMILY COURT SERVICES FEES.

(1) There shall be no fee charged for the initial mediation session conducted pursuant to a referral to Family Court Services under sec. 767.405(5), Wis. Stats.

(2) For any re-referral for mediation involving the same parties, each party shall pay a fee of \$100 for the first session to Family Court Services.

(3) For all supplemental mediation services requested in (1) or (2) above, each party shall pay to Family Court Services a fee of \$100 for 3 hours of additional mediation.

(4) Each party referred to Family Court Services shall pay a \$40 fee for the Parent Education Program. A person whose case jurisdiction is in a county other than Dane County may attend the Family Court Services Parent Education Program for a fee of \$75 per person.

(5) For a custody study required by sec. 767.405(14), Wis. Stats., the parties shall pay to Family Court Services a fee which shall be determined as follows:

(a) For parties with combined annual gross incomes of both households of less than \$60,000 the fee shall be \$500;

(b) For parties with combined annual gross incomes of both households of at least \$60,000 but less than \$99,999 the fee shall be \$1,000;

(c) For parties with combined annual gross incomes of both households of at least \$100,000 but less than \$139,999 the fee shall be \$1,500; and

(d) For parties with combined annual gross incomes of both households of \$140,000 or more the fee shall be \$2,000.

(e) The fee for an updated evaluation shall be one-half of the fee assessed for the original study.

(6) For a Brief Focused Assessment ordered by the court, the parties shall pay to Family Court Services a fee which shall be determined as follows:

(a) For parties with combined annual gross incomes of both households of less than \$60,000 the fee shall be \$300;

(b) For parties with combined annual gross incomes of both households of at least \$60,000 but less than \$99,999 the fee shall be \$600;

(c) For parties with combined annual gross incomes of both households of at least \$100,000 but less than \$139,999 the fee shall be \$900; and

(d) For parties with combined annual gross incomes of both households of \$140,000 or more the fee shall be \$1,200.

(7) The provisions of sec. 814.615, Wis. Stats., shall apply to all fees under this section.

[History: 62.13 cr., OA 28, 2003-04, pub. 12/23/03; am., OA 15, 2006-07, pub. 11/15/06, eff. 01/01/07; (4) am., OA 23, 2007-2008, pub. 10/18/07, eff. 01/01/08; (4) am., OA 25, 2008-09, pub. 11/26/08, eff. 01/01/09; (5) am., OA 28, 2009-10, pub. 11/25/09; (2), (4), and (5)(b) am., OA 20, 2010-11, pub. 12/02/10; (5) am., OA 17, 2011-12, pub. 11/23/11, NON-CODE PROVISION: The effective date of

this ordinance amendment shall be January 1, 2012, or the day after publication, whichever comes later; (4) and (6) am., OA 23, 2013-14, pub. 11/27/13; (1)-(6) am., (7) cr., 2015 OA-7, pub. 09/01/15.]

62.14 FEES; GUARDIANSHIP AND PROTECTIVE PLACEMENT ACTIONS.

(1) Authorization. This section is enacted under the authority found in sections 54.34(1) and 55.075, Stats., (authorizing the county department of human services to file petitions for guardianship and protective placement); sections 54.46(3) and 55.075(4), Stats., (permitting the petitioner to collect attorney fees and costs from the ward unless it would be inequitable to do so); and section 55.045, Stats., (requiring the county department to provide protective services and permitting the county to require reimbursement within the ward's ability to pay.)

(2) There shall be fees assessed for guardianship and protective placement actions as follows:

(a) Adult Protective Services Unit Fees

1.	Court Report (Uncontested Investigation and Assessment	\$452
2.	Court Report (Contested Investigation and Assessment	\$952
3.	Petition – Chapter 55 Assessment and Preparation	\$476
4.	Petition Successor Guardianship	\$167
5.	Petition for Authorization of Use of Psychotropic Medications	\$452
6.	Petition – Chapter 54 Assessment and Preparation	\$571
7.	Petitions for Guardianship and Protective Placement	\$333
8.	Petition on Conversion from Chapter 51 to Chapter 55	\$476

(b) Legal Services Fees

1.	Uncontested Hearing	\$200
2.	Contested Trial (per day)	\$500
3.	Preparation for Contested Trial	\$500

(3) The fees are subject to court approval pursuant to sections 54.46(3) and 55.075(4), Stats.

[History: cr., OA 10, 2011-12, pub. 11/23/11; (2)(a) am., 2015 OA-17, pub. 12/03/15, NON-CODE PROVISION: The effective date of this ordinance amendment shall be January 1, 2016.]

[History: 62.15 cr., OA 18, 2000-01, pub. 01/16/01; rescinded, 2017 OA-55, pub. 05/30/18.]

[62.15 - 62.19 reserved.]

[History: Sections 62.21 thru 62.28, inclusive, repealed, OA 18, 2000-01, pub. 01/16/01.]

62.20 VEHICLE REGISTRATION FEE.

(1) Pursuant to section 341.35, Wis. Stats., and acts amendatory thereto, an annual vehicle registration fee of \$28.00 is imposed on all motor vehicles registered in the State of Wisconsin which are customarily kept in Dane County, unless exempted by section 341.35(2), Wis. Stats.

(2) The fees established by this section shall be paid to the Wisconsin Department of Transportation pursuant to section 341.35(5), Wis. Stats.

[History: cr., 2017 OA-32, pub. 11/30/17: *NON-CODE PROVISION*: The effective date of this ordinance amendment shall be October 1, 2018.]

[62.21 - 62.29 reserved.]

62.30 FEES; DISTRICT ATTORNEY'S DEFERRED PROSECUTION PROGRAM.

(1) Effective January 1, 2011, for each consecutive 30-day period during which a person participates in the Deferred Prosecution Program, the participant shall pay a fee as follows: \$60.00 per month.

(2) The fee may be waived or reduced by the Director of the Deferred Prosecution Unit, upon the Director's determination of financial need.

[History: cr., OA 18, 2000-01, pub. 01/16/01; am., OA 31, 2002-03, pub. 04/23/03; am., OA 19, 2004-05, pub. 06/16/05; am., OA 41, 2009-10, pub. 11/25/09; am., OA 29, 2010-11, pub. 12/02/10.]

62.31 FEES FOR PARTICIPATION IN FIRST OFFENDER PROGRAM. Every person participating in the first offender program operated by the district attorney's office shall pay a fee of \$50.

[History: cr., OA 9, 1986-87, adopted 07/17/86.]

62.32 FEES FOR PARTICIPATION IN JAIL DIVERSION PROGRAM. (1) Every person placed in the Jail Diversion Program by the Sheriff shall pay a daily electronic monitoring fee of \$26.45 as authorized by sec. 302.425(3), Wis. Stats.

(2) The Sheriff or his or her duly authorized designee is hereby empowered to reduce or eliminate the fees required by this section upon a written determination that the person subject to the fee is indigent or so without resources that the imposition of the fee will create a hardship.

(3) At the first Public Protection and Judiciary Committee meeting following June 1st of each year, the Sheriff will present and report on all aspects of this ordinance. This includes,

but is not limited to, current written policies in place and any proposed changes, participation levels and trends, and demographic data. The Sheriff will report back at additional times as requested by the committee

[History: 62.32 cr., OA 9, 1986-87, adopted 07/17/86; 62.32 repealed in its entirety, OA 16, 2003-04, pub. 10/03/03; newly cr. 62.32, OA 33, 2004-05, pub. 04/21/05; (1) am., OA 43, 2007-08, pub. 02/01/08; 62.32 am., Sub. 2 to OA 51, 2007-08, pub. 07/30/08, eff. 01/01/09; (1) am., 2014 OA-053, pub. 11/26/14.]

62.33 WAIVER OR REDUCTION OF FEES.

The district attorney or his or her duly authorized designee is hereby empowered to reduce or eliminate the fees required by sections 62.30, 62.31 and 62.32 upon a written determination that the person subject to the fee is indigent or so without resources that the imposition of the fee will create a hardship.

[History: cr., OA 9, 1986-87, adopted 07/17/86; am., OA 18, 2000-01, pub. 01/16/01.]

62.34 CLERK OF COURT FEES. (1) Every person applying for any deferred payment of court ordered restitution, forfeitures, fines, assessments, attorney and other legal fees, surcharges or court costs and fees, processed by the clerk of circuit court shall pay a non-refundable processing fee of \$15, unless waived due to indigency.

(2) The clerk of court shall charge a fee of \$10 for each passport photograph.

[History: cr., Sub. 1 to OA 18, 1991-92, pub. 12/27/91; am., OA 16, 2006-07, pub. 11/15/06; am., OA 43, 2007-08, pub. 02/01/08.]

62.35 FEES FOR PARTICIPATION IN THE ALTERNATIVES TO INCARCERATION PROGRAM.

(1) Every person sentenced by the Dane County Circuit Court to the Alternatives To Incarceration Program in lieu of jail confinement shall pay to the Clerk of Court a daily electronic monitoring fee of \$20 as authorized by sec. 973.03(4), Wis. Stats.

(2) Every person sentenced by the circuit court of another county, and accepted into the Alternatives To Incarceration Program in lieu of jail confinement, shall pay to the Clerk of Court a daily electronic monitoring fee of \$23.

(3) The Clerk of Courts or his or her duly authorized designee is hereby empowered to reduce or eliminate the fees required by this section upon a written determination that the person subject to the fee is indigent or so without resources that the imposition of the fee will create a hardship.

(4) At the first Public Protection and Judiciary Committee meeting following June 1st of each year, the Clerk of Court will present and report on all aspects of this ordinance. This includes, but is not limited to, current written policies in place and any proposed changes, participation levels and trends, and demographic data. The Clerk of Court will report back at additional times as requested by the committee.

[History: cr., OA 43, 2007-08, pub. 02/01/08; (4) cr., Sub. 2 to OA 51, 2007-08, pub. 07/30/08, eff. 01/01/09.]

[History: 62.36 cr., OA 43, 2007-08, pub. 02/01/08; 62.36 resc., 2019 OA-24, pub. 11/20/19.]

[62.37 - 62.40 reserved.]

62.41 FEE FOR CODIFICATION UPDATE SERVICE. (1) The county clerk shall collect a fee of \$20 per year from each subscriber to the update service for the Dane County Code of Ordinances.

(2) The finance committee shall annually review the costs of providing the codification update service and is authorized to adjust the fee for the update service to reflect changes in costs of production and distribution.

[History: cr., Sub. 1 to OA 16, 1986-87, adopted 09/11/86.]

[62.42 - 62.54 reserved.]

62.55 FEE FOR STORAGE OF ABANDONED VEHICLES. (1) The sheriff shall collect a processing fee of \$10 per vehicle from the owner of every abandoned vehicle which is stored on lands owned by Dane County, regardless of the length of time during which the vehicle is so stored.

(2) In addition to the processing fee set forth above, the sheriff shall collect from the owner of the vehicle a storage fee of \$3 per day for each day or part thereof during which an abandoned vehicle is stored on lands owned by Dane County.

(3) In addition to the fees set forth in subs. (1) and (2) above, the sheriff shall collect from the owner of the vehicle the actual towing charges incurred in the removal of the abandoned vehicle to the storage site.

[History: cr., OA 15, 1986-87, adopted 09/11/86.]

62.56 SERVICE OF PROCESS FEES. (1) The sheriff shall collect, for each defendant or person served or attempted to be served, a fee of \$40.00 for each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of

injunction, a subpoena or any other order. If there is more than one defendant or person at a given address, the sheriff shall collect a fee of \$40.00 for each additional defendant or person served or attempted to be served.

(2) The sheriff shall collect a fee of \$40.00 for each service or attempted service of an execution on a judgment demanding payment thereof or other writ not provided for.

(3) For serving any writ or other process, the sheriff shall collect a fee per hour equal to the actual cost to the County for wages and benefits for a Deputy Sheriff III, Step 4, for each deputy assigned to inventory the property when seizing property on attachment, replevin, execution or evicting on a writ of restitution or writ of assistance, plus all necessary expenses incurred thereby.

(4) For travel in serving any summons, writ or other process, including criminal process, the sheriff shall collect a fee at the current Internal Revenue Service rate for deductible costs for operation of an automobile for each mile actually and necessarily traveled.

[History: cr., OA 11, 1992-93, pub. 10/07/92; (1) and (2) am., OA 28, 1993-94, pub. 01/18/94; (3) and (4) cr., OA 48, 1993-94, pub. 05/16/94; am., OA 26, 2004-05, pub. 02/16/05; (1) – (3) am., (4) rep., OA 34, 2004-05, pub. 04/21/05; (3) renum. as (4) and am., and a new (3) cr., OA 34, 2009-10, pub. 11/25/09.]

62.57 FEE FOR ISSUANCE OF CERTIFICATE FOR CERTAIN MOTOR VEHICLES. (1)

The sheriff shall collect an inspection fee of \$10.00 per vehicle from the owner of every vehicle for which a certificate is issued under s. 71.11.

[History: cr., OA 34, 1995-96, pub. 12/22/95.]

62.58 SHERIFF'S FEES ON FORECLOSURE SALES. (1)

The sheriff's fee for all necessary activities of the sheriff in connection with the sale of real estate under s. 814.70(9), Wis. Stats., is hereby set at \$150.

(2) One-half of the fee set forth in sub. (1) shall be prepaid and is nonrefundable.

[History: cr., OA 19, 1999-2000, pub. 02/04/00; eff. 02/05/00.]

62.59 FEE FOR CRIMINAL BACKGROUND CHECK. The Sheriff shall collect a fee of \$2.00 for conducting a background check for non-governmental agencies.

[History: cr., OA 35, 2007-08, pub. 11/28/07.]

62.60 FEE FOR USE OF THE DANE COUNTY TENNEY PARK LOCK.

(1) No watercraft shall enter the Dane County Tenney Park lock unless there is a valid Dane County Tenney Park lock permit affixed to the watercraft in the manner prescribed by the Dane County Department of Public Works.

(2) The Dane County Department of Public Works shall collect a fee of \$5.00 for issuance of a daily lock entry permit and a fee of \$20.00 for issuance of an annual lock entry permit, except that annual permits issued for boats owned by members of the household of a current annual permit holder shall cost \$10.00 each.

(3) Signage shall be installed in the area of the Dane County Tenney Park lock and the entrance of the Yahara River on the northwestern shore of Lake Monona to give clear notice to boaters of the requirements of this ordinance.

(4) The operator of a watercraft that enters the Dane County Tenney Park lock in violation of this ordinance shall for each such violation forfeit to the County of Dane not less than \$10.00 nor more than \$50.00. A judgment obtained for violation of the ordinance may be enforced in the same manner as any civil judgment.

[History: cr., Sub. 3 to OA 18, 2002-03, pub. 04/23/03, eff. 01/01/04.]

62.61 FEE FOR USE OF STAND-BY AMBULANCE.

A fee of \$35.00 per day shall be collected from any unit of local government that uses the county-owned stand-by ambulance.

[History: cr., OA 43, 2007-08, pub. 02/01/08.]

[62.62 – 62.69 reserved.]

62.70 SPECIALIZED MASTER GARDENER PROGRAM FEES.

(1) The university extension committee of the county board of supervisors is authorized to adopt a fee schedule for persons participating in specialized master gardener programs offered by the extension office. The fees so adopted shall reasonably reflect the costs of operating the programs. The committee may authorize reduced fees as individual circumstances of applicants warrant.

[History: cr., OA 21, 1990-91, pub. 11/30/90; am., OA 38, 2003-04, pub. 06/29/04.]

[62.71 - 62.79 reserved.]

62.80 MEDICAL EXAMINER; FEES FOR CERTAIN SERVICES. Pursuant to sections 59.36 and 69.18, Wis. Stats., the Dane County Medical Examiner is authorized to charge the following fees:

(1) a fee of \$296 for services rendered in connection with cremation certificates.

(2) a morgue use fee of \$1,400 for anatomical tissue recovery agencies.

(3) a morgue medical examination fee of \$1,450 for autopsies performed at the morgue.

(4) a morgue storage fee of \$50 per day.

(5) a morgue medical examination fee for a department of corrections prisoner of \$1,700, plus toxicology costs, histology costs. An x-ray fee of \$30 per x-ray will be charged to the department of corrections.

(7) the fees listed in subs. (1), (2) and (3) shall not be charged to individual persons residing in Dane County.

(8) the fee listed in subs. (1) shall not be charged to any funeral home, cemetery or crematory that receives reimbursement under section 49.785, Wis. Stats.

[History: 16.50 cr., OA 22, 1987-88, pub. 09/14/87; (1) am., OA 34, 1996-97, pub. 12/31/96; am., OA 17, 2001-02, pub. 11/28/01; am., OA 23, 2003-04, pub. 12/03/03; eff. 01/01/04; 16.50 renum. as 62.80 and, as renum., am., OA 19, 2004-05, pub. 06/16/05; (1) am., OA 16, 2005-06, pub. 11/11/05; (2) and (3) am., OA 26, 2007-08, pub. 10/26/07; (1) am., OA 31, 2008-09, pub. 11/26/08, eff. 01/01/09; (1) am., OA 30, 2009-10, pub. 11/25/09; (1) am., OA 21, 2010-11, pub. 12/02/10; 62.80 am., OA 26, 2011-12, pub. 11/23/11; (1) am., OA 28, 2012-13, pub. 11/21/12, *NON-CODE PROVISION*: The amendments made herein shall first take effect on January 1, 2013 or the day after publication, whichever is later. (1) am., OA 20, 2013-14, pub. 11/27/13, *NON-CODE PROVISION*: The amendment made herein shall first take effect on January 1, 2014 or the day after publication, whichever is later; (1) and (6) am., (7) and (8) cr., 2015 OA-05, pub. 06/23/15; (2) am., 2016 OA-47, pub. 11/25/16; (1), (2), and (8) am., (6) resc., 2018 OA-21, pub. 11/20/18, *NON-CODE PROVISION*: The amendment made herein shall first take effect on January 1, 2019 or the day after publication, whichever is later; (1) and (2) am., 2019 OA-18, pub. 11/20/19. *NON-CODE PROVISION*: The amendment made herein shall first take effect on January 1, 2020 or the day after publication, whichever is later.]

[62.81 - 62.99 reserved.]

END OF CHAPTER