

VALERIE ESPINOZA
COUNTY CLERK
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Chief Deputy Clerk
Santa Fe County Clerk's Office
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MEMORANDUM

TO: Board of County Commissioners

FR: Valerie Espinoza, County Clerk

A handwritten signature in cursive script that reads "Valerie Espinoza".

DT: August 22, 2011

RE: An Ordinance Amending Ordinance No. 2009-6, Which Establishes Fees for Copies of Certain Electronic Data, to Comport with NMSA 1978, Section 14-8-14 (2011) and Repealing Certain Provisions of Ordinance No. 2009-6.

The proposed ordinance amending Ordinance No. 2009-6 complies with a 2011 amendment to a New Mexico statute titled "Searching Records; Reproduction of Records; Fees." The statute, as amended, states that the County Clerk shall establish reasonable fees for conducting searches and for reproducing or copying records maintained at the Office of the County Clerk.

Previously, the County Clerk's fees were incorporated into a Ordinance No. 2009-6, which now conflicts with the statutory authority of the County Clerk to establish reasonable fees.

In order to eliminate this conflict and the potential for confusion between Ordinance No. 2009-6 and the Clerk's fee schedule, and to comply with NMSA 1978, Section 14-8-14 (2011) the Clerk proposes that the Board adopt this ordinance amending Ordinance No. 2009-6.

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

ORDINANCE NO. 2011 – ____

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-6, WHICH
ESTABLISHES FEES FOR COPIES OF CERTAIN ELECTRONIC DATA, TO
COMPORT WITH NMSA 1978, SECTION 14-8-14 (2011) AND REPEALING
CERTAIN PROVISIONS OF ORDINANCE NO. 2009-6.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE, NEW MEXICO:**

**Section One. Amendment to except records maintained by the county clerk from
the fees on Exhibit A.**

Section 6 of Ordinance No. 2009-6 shall be and hereby is amended with the
following language:

Section 6. Fees for Printed or Electronic Copies of Data

A. Except for records maintained at the office of the county clerk, fees
for printed or electronic copies of data that has been inserted into a computer Database or
data contained in the County's Geographic Information System are set forth on Exhibit
A. All fees are due and payable prior to the receipt of data or information, and are non-
refundable. The fees are set forth in Exhibit A may only be modified by amendment to
this Ordinance.

B. In accordance with NMSA 1978, Section 14-8-14 (2011), the
county clerk shall establish reasonable fees for conducting searches and for reproducing
or copying records maintained at the office of the county clerk.

Section Two. Partial Repeal of Ordinance No. 2009-6.

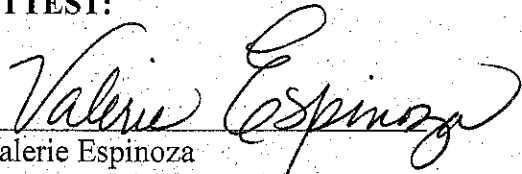
Section 6 of Ordinance No. 2009-6 shall be and hereby is repealed and replaced
with the amendatory language provided in this Ordinance.

PASSED, APPROVED, AND ENACTED this ____ day of _____, 2011, by the
Board of County Commissioners of Santa Fe County.

BOARD OF COUNTY COMMISSIONERS

Chair

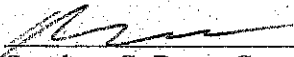
ATTEST:



Valerie Espinoza

Santa Fe County Clerk

Approved as to form:



Stephen C. Ross, County Attorney