Resolution 2026-01

Setting Sheriff's Fees by Resolution Per Idaho Code 31-3203 and Setting Fees for Responses to Public Records Requests Per Idaho Code 9-338

PROCESS	FEE	DEPOSIT
Service & Process of document/s on each individual or location that is to be served.		Note: There may be additional fee required for the deposit due to the size of vehicle or property that is to be executed upon.
Affidavit and / or Order	$60.00	
Certified mail/Postage	Actual Cost	
Certificate of Sale	$10.00	
Complaint	$60.00	
Cross-Complaint	$60.00	
Injunction	$60.00	
Moving/Storage	Actual Cost	$5,000
Notice	$60.00	
Notice of Levy	$10.00	
Notice to Pay/Quit - Vacate	$60.00	
Notice of Sale	$10.00	
Notice of Trustees Sale	$60.00	
Order	$60.00	
Order to Appear or Examine	$60.00	
Order to Show Cause	$60.00	
Postings	$5.00 each	
Civil Protection Order (issued by court)	No Charge	
Restraining Order	$60.00	
Returned Check Fee	$25.00	
Sheriff's Deed	$10.00	
Small Claims	$60.00	
Subpoena - Civil	$60.00	
Subpoena - Criminal	$60.00	
Summons/Complaint	$60.00	
Summons/Petition	$60.00	
Writ of Execution - Garnishment	$60.00	
Writ of Attachment/Assistance	$60.00	
Writ of Execution/Assistance - Personal Property	$60.00	
Writ of Possession/Assistance - Personal Property	$60.00	
Writ of Execution/Assistance - Real Property	$60.00	$250.00
Warrant of Distraint	$60.00	
Sheriff's Keeper/Assistance	$45.00/hr	
Moving expenses	Actual Costs	$5,000
Storage of Property	Actual Costs	$5,000

Concealed Weapon License (Initial)	$65.00	
Concealed Weapon License (Renewal)	$40.00	
Sex Offender Registration Fee	$85.00	
Fingerprinting (Non-Resident)	$10.00	
Personal Property		
Writ of Execution/Assistance	$60.00	
Notice of Levy	$10.00	
Notice of Sale	$10.00	
Post Each Notice	$5.00	
Publication	Actual Cost	
Sheriff's Commission for each levy for Personal or Real Property Levied and Sold	Not to exceed $100.00	
Sheriff's Commission without Levy for each action	Not to exceed $75.00	
Sheriff's Commission on each Levy for Personal or Real Property that is not sold or the sale is cancelled by the Plaintiff	Not to exceed $75.00	
Storage of Property	Actual Cost	$5,000
Towing	Actual Cost	$250.00 (Minimum)
Certificate of Sale	$10.00	
Real Property		
Writ of Execution/Assistance	$100.00	$250
Notice of Levy	$10.00	
Notice of Sale	$10.00	
Post Each Notice	$5.00	
Publication	Actual Cost	
Certified Mail	Actual Cost	
Sheriff's Commission for each Levy for Personal or Real Property Levied and Sold	Not to exceed $100.00	
Sheriff's Commission without Levy for each action.	Not to exceed $75.00	
Sheriff's Commission on each Levy for Personal or Real Property that is not sold or the sale is cancelled.	Not to exceed $75.00	
Certificate of Sale	$10.00	
Sheriff's Deed	$10.00	
Recording of documents	Actual Cost	
Certificate of Redemption	$10.00	
Garnishment		
One Time Garnishment	$60.00	

Continuing Garnishment	$60.00	
Interim Return Fee	$15.00	
Copying of legal documents including Notice of Garnishment and Claim of Exemption Packet	$1.00/page when in excess of 25 pages	

Public Record Requests
Idaho Code 74-102

Copying Charges				
Category	Total Quantity	Type	Quantity	Charge
Copies	1-100 pages	All		No charge
	101 pages or more	Black and White	First 100	No charge
			All after first 100	5¢ per page
		Color	All	10¢ per page
Reproduction	Any	Tape, CD, DVD, flash drive or similar media	Each	Actual cost
Postage or Delivery	Any	USPS, UPS, FedEx, etc.	Each	Actual cost

Labor Charges		
Category	Time	Charge
The records total 1-100 pages AND do not contain information which must be redacted or deleted	Any	No Charge
The records total 101 pages or more, OR the records contain information which must be redacted or deleted, OR the records must be reviewed to determine whether redaction or deletion is necessary	First 2 person-hours	No Charge
	More than 2 person-hours	As allowed in Idaho Code § 74-102(10)(e)

WHEREAS, Idaho Code 31-3203, Sheriff's Fees, has been amended to permit the board of county commissioners of each county to set sheriff's fees by resolution; and

WHEREAS, such fees shall be reasonably related to but not exceed the actual costs of such service.

No Service fees will be charged for a State of Idaho entity, however actual costs may be charged.

WHEREAS, Idaho Code § 74-102 acknowledges the right of every person to examine and take copies of the public records of any public agency in the State of Idaho except as provided by law; and

WHEREAS, County staff often receive requests from the public for copies of public records within the County's custody and possession; and

WHEREAS, the County's response to these requests often requires a substantial amount of staff time in addition to the costs directly associated with the response; and

WHEREAS, the Bear Lake County Board of Commissioners ("Board") desires to provide the most efficient customer service possible, and believe that establishing consistent guidelines for County departments increases the County's ability to provide this service; and

WHEREAS, the Board is authorized under Idaho Code § 74-102 to set fees related to locating, copying and disseminating public records in order to help defray associated costs; and

WHEREAS, the Board acknowledges that certain County offices and departments, such as the District Court, the Recorder's Office, and the Sheriff's Office, have fee structures which are set forth in, or authorized by, other provisions of Idaho statutes or court rules; and

WHEREAS, all other County offices and departments are governed by the provisions of Idaho Code § 74-102;

NOW, THEREFORE, BE IT HEREBY RESOLVED that, except as otherwise provided in Idaho statute or court rule, the following fees for responses to public records requests shall become effective as of the date of this Resolution.

BE IT FURTHER RESOLVED that the fees set forth in this Resolution shall be paid at the time of the service provided unless otherwise approved by the appropriate elected official or department head.

BE IT FURTHER RESOLVED that the fees set forth in this Resolution shall be waived if the requesting party meets all of the criteria set forth in Idaho Code § 74-102(f), and may be waived by the appropriate elected official or department head if he or she finds that such waiver would be in the public interest.

BE IT FURTHER RESOLVED that resolution for sheriff's fees adopted on June 10, 2024, is hereby repealed and shall have no further force or effect.

Upon said roll call Resolution No. 2026-01 was duly enacted as a Resolution of the Board of County Commissioners of Bear Lake County, Idaho on the 12th day of January, 2026.

BEAR LAKE COUNTY
BOARD OF COMMISSIONERS

Rex Payne, Chairman

Wynn S. Olsen, Commissioner

Alan Eborn, Commissioner

ATTEST:
AMY BISHOP, CLERK

By: _____
Deputy Clerk

AUDITOR AND RECORDER BEAR LAKE COUNTY STATE OF IDAHO