

CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2019-

BEING A BY-LAW TO AUTHORIZE THE CIVIL MARRIAGE SOLEMNIZATION SERVICE IN THE CITY OF CLARENCE-ROCKLAND.

WHEREAS Section 24 (1) of the Marriage Act, RSO 1990, Chapter M.3, as amended, provides that a judge, a justice of the peace or any other person of a class designated by the regulations may solemnize marriages under the authority of a licence; and

WHEREAS Section 1.1 of Ontario Regulation 285/04 made under the Marriage Act, provides that for the purposes of subsection 24 (1) of the Marriage Act, the clerk of a local municipality is authorized to solemnize marriages under the authority of a licence; and

WHEREAS Section 228 (4) of the Municipal Act, 2001, as amended, provides that the municipal clerk may delegate in writing to any person, other than a member of council, any of the clerk's powers and duties under the Municipal Act and any other Act; and

WHEREAS the Council of the Corporation of the City of Clarence-Rockland considers it desirable to provide for civil marriage solemnization services in the City of Clarence-Rockland;

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

- 1. THAT** the Council of the Corporation of the City of Clarence-Rockland does hereby direct that civil marriage solemnization services be implemented in the City of Clarence-Rockland;
- 2. THAT** Council recognizes that the municipal clerk is authorized to solemnize marriages in the City of Clarence-Rockland;
- 3. THAT** Council does hereby further support the Clerk delegating the authority to provide civil marriage solemnization services if deemed necessary by the Clerk.
- 4. THAT** this by-law shall come into force on the day of its adoption.

READ, PASSED AND ADOPTED BY COUNCIL THIS __ DAY OF AUGUST 2019.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

Schedule 'A' to By-law No. 2019-xx

Civil Marriage Ceremony

Ceremonies, available in French and English, are simple and dignified and are to be conducted in an appropriate location, which provides an intimate and formal setting upon approval of the Clerk. The duration of the Ceremony would be approximately 30 minutes depending on the vows chosen. The service time booked would be approximately one (1) hour to allow for photo opportunities, signing of the Register, etc.

Civil marriages will be conducted by the Clerk or designate subject to availability. The Clerk, in his/her sole discretion, shall ensure the days/time/place that civil marriages will be performed are appropriate.

There are basic requirements of the Marriage Act to be followed. Appropriate and dignified ceremonies will be developed accordingly. Applicants will be clearly informed of the style of the ceremony and that there will be no religious aspects included.

GENERAL GUIDELINES:

1. Ceremonies will be conducted at City Hall – 1560 Laurier Street in Rockland during regular office hours. Exceptions may be granted outside office hours in an appropriate location approved by the Clerk, subject to availability.
2. Scheduling of a civil marriage at City Hall must be made with the Clerk or designate at least four (4) weeks prior to the intended date for the ceremony, at which time, applicable fees shall be paid and a Civil Marriage Ceremony Booking Agreement will be executed.
3. A standard civil marriage ceremony shall incorporate all mandatory declarations under Section 24 of the Marriage Act at all civil marriages. Personal vows, in addition to the mandatory declarations, will be permitted.
4. A mandatory pre-ceremony meeting, which will last approximately 30 minutes, must be scheduled at least three (3) days prior to the ceremony. Both parties must be in attendance at this pre-ceremony meeting, and shall provide:
 - a. photo identification (ie: driver's license);
 - b. a completed application for a Civil Marriage Ceremony;
 - c. a written copy of personal vows, if any; and

- d. a valid Marriage License issued in the Province of Ontario is to be presented (date issued must be within 90 days of ceremony).
5. The Clerk or designate has the authority to refuse to solemnize the civil marriage of any person who he or she knows or has reasonable grounds to believe lacks capacity to marry by reason of being mentally ill or mentally defective or under the influence of intoxicating liquor or drugs.
6. The persons being married are required to have two (2) witnesses present during the ceremony. Witnesses must be 14 years of age or older, and should be able to understand and appreciate what is taking place and be able to give evidence of such at a later date, if required.
7. The persons being married must supply an interpreter in the event that they do not speak English or French, or require assistance if the Marriage Officiant deems it necessary. The interpreter cannot be one of the witnesses.
8. A maximum of 30 guests (including the wedding party) can be accommodated in the venue at City Hall.
9. In the City Hall venue, minimal decorations are permitted (flowers, balloons). They may be placed 15 minutes prior to the Ceremony and removed within 15 minutes of the conclusion of the Ceremony. Use of decorations that are to be affixed to walls or furniture (tape, staples, nails, etc.) are not permitted. No confetti, rice, bubbles, etc., are permitted.
10. Music will be permitted at certain times throughout the Ceremony, and is to be determined during the pre-ceremony meeting. When selecting the type of music, consideration should be given to its appropriateness and contribution to the dignity of the occasion.
11. The taking of photographs and videotaping of the Ceremony will be permitted subject to certain limitation at the discretion of the Marriage Officiant.

For Services Provided Outside of City Hall

14. If the ceremony takes place in an approved venue other than City Hall, it is the responsibility of the persons being married to make the appropriate arrangements and to pay for the facility, and to pay

for the Marriage Officiant's mileage expenses to be calculated at the rate established by the City's travel expense policy.

For Services Provided Outside of Regular Hours

15. If the ceremony takes place outside regular office hours, it shall be in an approved venue other than City Hall, and it is the responsibility of the persons being married to make the appropriate arrangements and to pay for the facility, and to pay for the Marriage Officiant's mileage expenses to be calculated at the rate established by the City's travel expense policy. In addition, the persons being married shall be responsible to pay any additional established fees.

Entry in Marriage Register

Section 29 of the Marriage Act states that every person authorized to solemnize marriages may apply to the Minister for a marriage register.

The Clerk will apply for a marriage register for the purpose of registering all marriages performed by the Clerk or designates. The marriage register will be kept in the care of the Clerk's Department and the said register is the property of the Crown.

After the completion of a civil marriage, the designate shall return the marriage register to the Clerk promptly with the completed marriage license in order for the Clerk to forward the license to the Registrar General within two (2) days following the marriage as per the requirements of Section 2 (3) of Ontario Regulation 302/05.

Marriage Solomnization Fees

The following fees apply for civil marriage solemnization services and are payable to the City of Clarence-Rockland upon scheduling the time and date of the Marriage Ceremony:

Administrative Fee	\$100.00
Marriage Officiant Fee	\$250.00
Registration Fee	\$75.00

*if the ceremony is performed during Regular Office Hours by a Marriage Officiant that is an employee of the City, the Marriage Officiant Fee is to be retained by the City.

The Marriage Officiant, subsequent to a civil marriage ceremony, is responsible to submit claim forms for expenses related to the performance of the ceremony and/or mileage to the Clerk.

Notes:

- Changes to date, and/or place are allowed at no additional charge, provided that the venue and the Officiate are available. Requests to change the date, time and/or place must be received a minimum of 48 hours prior to the originally scheduled date and time.
- An administration fee of \$50.00 will be retained if the ceremony is cancelled prior to the scheduled date and time.
- No refund will be issued if the ceremony is cancelled less than 48 hours prior to the scheduled date and time, or the Applicant(s) do not show up for the ceremony, or if the ceremony is cancelled by the Marriage Officiant due to the fact that the persons being married arrive late.

