

Civil Marriage Ceremony Policy

Policy #	POL-87
Effective Date	August 8, 2023
Status	Approved
Final Approver	Council

1.0 Interpretation

1.1 In this policy, unless the context requires otherwise:

“**applicant**” means a person who is of the age of majority, as set out in the *Marriage Act*, and who requests a *civil marriage ceremony* by the *City Clerk*;

“**City**” means The Corporation of the City of Kingston;

“**City Clerk**” means the Clerk of the *City*;

“**City employee**” means a person who performs work or supplies services directly to the *City* for monetary compensation under an employment contract, but does not include *council members*;

“**civil marriage ceremony**” means a ceremony for a marriage solemnized under subsection 24(1) of the *Marriage Act*;

“**council member**” means a person elected to office on the council of the *City*;

“**Fees and Charges By-Law**” means City of Kingston By-Law Number 2005-10, *A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston*;

“**Marriage Act**” means the *Marriage Act*, R.S.O. 1990, c. M.3; and

“**ORG**” means the Office of the Registrar General for the Province of Ontario, or in the event of organizational changes, the appropriately titled office.

1.2 In this policy, “include”, “includes” and “including” indicate that the subsequent list is not exhaustive.

1.3 A reference to any legislation, regulation, by-law, rule, policy or provision thereof includes a reference to any legislation, regulation, by-law, rule or provision thereof enacted in substitution thereof or amendment thereof.

1.4 A reference to legislation includes all of the regulations made thereunder.

1.5 A reference to the position or title of any *City employee* includes a reference to any position or title created in substitution thereof.

2.0 Purpose

2.1 The purpose of this policy is to establish guidelines for the coordination and performance of *civil marriage ceremonies* by the *City Clerk* and other designated *City employees*.

3.0 Authority

3.1 The *City Clerk* is entitled to perform *civil marriage ceremonies* in accordance with this policy, the *Marriage Act* and the requirements of the *ORG*.

3.2 The *City Clerk* may designate one or more *City employees* to perform *civil marriage ceremonies* under this policy upon written notice filed by the *City Clerk* with the *ORG*.

3.3 The *City Clerk* may remove any *City employee* as a designate to perform *civil marriage ceremonies* under this policy upon written notice filed by the *City Clerk* with the *ORG*.

4.0 Coordination & Performance of Civil Marriage Ceremonies

4.1 *Civil marriage ceremonies* will be held at Memorial Hall or Springer Market Square Amphitheatre in City Hall, or at such other location in City Hall designated by the *City Clerk* from time to time. The *City* does not offer off-site *civil marriage ceremonies*.

4.2 In November of each calendar year, the *City Clerk* will select the dates and times upon which *civil marriage ceremonies* will be performed in the following calendar year and will post them on the *City's* website.

4.3 *Applicants* will book *civil marriage ceremonies* on the *City's* website. *Civil marriage ceremonies* must be booked on the *City's* website no earlier than 90 days, and no later than 14 days, in advance of the *civil marriage ceremony*.

4.4 Before a *civil marriage ceremony* is performed, the *applicant* must provide proof of payment for the *civil marriage ceremony* to the *City Clerk*. The cost of a *civil marriage ceremony* will be set annually in the *Fees and Charges By-Law*. The cost of the *civil marriage ceremony* does not include the cost of a marriage licence.

4.5 *Applicants* who have scheduled a *civil marriage ceremony* will attend a mandatory pre-ceremony consultation during which a *City employee* will provide an overview of the *civil marriage ceremony* and review all required documentation. A *civil marriage ceremony* will not be conducted if a pre-ceremony consultation has not been completed.

- 4.6 *Applicants* are responsible for providing or arranging for the provision of the following before a *civil marriage ceremony* is conducted:
- 4.6.1 a valid Ontario marriage licence;
 - 4.6.2 two witnesses that are at least 18 years of age (one for each *applicant*). Upon request, witnesses can be provided for a *civil marriage ceremony* at an additional cost, as outlined in the *Fees and Charges By-Law*;
 - 4.6.3 one piece of government-issued photo identification for each *applicant*; and
 - 4.6.4 if deemed necessary by the *City Clerk*, an English language interpreter. The interpreter will be required to complete an Interpreter Certificate Form prior to the *civil marriage ceremony*. If sign language interpretation is required, an interpreter will be provided by the *City* at no cost to the *applicants*. An interpreter cannot serve as one of the required witnesses to the *civil marriage ceremony*.
- 4.7 The *City Clerk* will not perform a *civil marriage ceremony* of any *applicant* who they know or have reasonable grounds to believe lacks capacity to marry. Circumstances rendering an *applicant* ineligible for a *civil marriage ceremony* include:
- 4.7.1 one or both of the *applicants* are under physical or mental duress;
 - 4.7.2 one or both of the *applicants* fails to meet the age requirements for an *applicant*;
 - 4.7.3 the *applicants* are related as grandparent, parent, child, grandchild, brother or sister;
 - 4.7.4 one or both of the *applicants* is currently married; or
 - 4.7.5 one or both of the *applicants* appears to be mentally ill or under the influence of intoxicating liquor or drugs and incapable of understanding the nature of the marriage contract and duties, obligations and responsibilities that result from marriage.
- 4.8 If the *City Clerk* has any doubts as to the mental capacity of one or both of the *applicants*, by reason of being under the influence of intoxicating liquor or drugs or for any other reason they may refuse to perform the *civil marriage ceremony*.
- 4.9 *Civil marriage ceremonies* will be a maximum of 15 minutes in length, with 15 minutes provided before and after the *civil marriage ceremony* for photos and completion of required documentation.
- 4.10 *Civil marriage ceremonies* that do not start within 15 minutes of the scheduled start time due to a delay not caused by the *City* will be cancelled and no refunds will be issued.
- 4.11 A minimum 48 hours' notice of cancellation of a *civil marriage ceremony* is required to receive a refund, less a \$50 administrative fee. If cancellation is received less than 48 hours in advance of a scheduled *civil marriage ceremony*, no refund will be issued.

- 4.12 A maximum of 20 persons are permitted to attend a *civil marriage ceremony*. This includes the *City Clerk*, the two *applicants* and the two required witnesses.
- 4.13 No animals are permitted at *civil marriage ceremonies* except for service animals, as defined by the *Accessibility for Ontarians with Disabilities Act, 2005* or the *Blind Persons' Rights Act, R.S.O 1990, c. B. 7*.
- 4.14 The following additional terms and conditions apply to *civil marriage ceremonies*:
- 4.14.1 no throwing of rice or confetti, blowing of bubbles, use of candles or incense, or playing of music is permitted as part of the *civil marriage ceremony*;
 - 4.14.2 minimal decorations are permitted (e.g. flowers, balloons). Decorations may be placed 15 minutes prior to the *civil marriage ceremony* and must be removed by the *applicants* within 15 minutes of the conclusion of the *civil marriage ceremony*. The use of decorations that are to be affixed to walls or furniture (i.e. tape, staples, nails, etc.) is not permitted;
 - 4.14.3 no religious aspects, such as prayers or readings, are permitted as part of the *civil marriage ceremony*;
 - 4.14.4 photographs and videos of the *civil marriage ceremony* are permitted and are the responsibility of the *applicants*;
 - 4.14.5 consumption of alcohol in City Hall is governed by the *City's Municipal Alcohol Policy*; and
 - 4.14.6 children must be supervised at all times.

5.0 Administration

- 5.1 The *City Clerk* may alter or vary any guidelines established in this policy as they deem appropriate in the circumstances.
- 5.2 The *City Clerk* may prescribe forms of notices, reports or other documents to be given, made or maintained under this policy.
- 5.3 This section 5.0 applies only to the *City Clerk* and not to any other *City employee* designated to perform *civil marriage ceremonies* under this policy.

6.0 Application

- 6.1 This policy applies to:
- 6.1.1 *applicants*;
 - 6.1.2 the *City Clerk*; and
 - 6.1.3 all *City employees* designated to perform *civil marriage ceremonies* under this policy.

7.0 Approval Authority

Role	Position	Date Approved
Quality Review		
Subject Matter Expert	Deputy City Clerk	June 22, 2023
Legal Review	City Solicitor	June 23, 2023
Management Review	City Clerk	June 22, 2023
Final Approval	Council	August 8, 2023

8.0 Revision History

Effective Date	Revision	Description of Change
Date of the change		describe the sections that have been changed, added or deleted

9.0 Appendix

9.1 Interpreter Certificate Form



Interpreter Declaration Form – City of Kingston Civil Marriage Ceremony

Name of interpreter:

I hereby certify that I have faithfully performed the services of an interpreter from English language into
and back to English in connection with a civil marriage ceremony solemnized at Kingston City Hall.

Date of Marriage Solemnization:

Marriage Licence Number:

Signature of Interpreter:

Signature of witness for Applicant:

Signature of witness for Joint Applicant:

Signature of Officiant: