



PORT COLBORNE

Subject: Civil Marriage Solemnization Services

To: Council

From: Corporate Services Department

Report Number: 2023-189

Meeting Date: October 24, 2023

Recommendation:

That Corporate Services Department Report 2023-189 be received; and

That the City Clerk and Chief Administrative Officer be appointed to provide Civil Marriage Solemnization services starting in January 2024 for an interim period of one (1) year, and that a report reviewing the service be prepared for Council's consideration in 2025; and

That 2024 Fees and Charges By-law include a \$250.00 fee for the provision of a civil marriage ceremony (during office hours at City Hall), \$300.00 fee if held at City Hall outside of regular business hours and \$350.00 if held off-site plus mileage at the City rate.

Purpose:

The City Clerks division is proposing to offer civil marriage services as authorized under the *Marriage Act*, for an interim period of one (1) year with this service being further evaluated in 2025 to determine the long-term future viability of the service being provided by City staff. Staff will undertake the necessary training and develop administrative supports so that ceremonies can be available starting in January 2024.

Background:

Ontario Regulation 738 made under the *Marriage Act, 1990* provides the clerk of a local municipality with the authority to solemnize marriages under the authority of a licence. The *Marriage Act, RSO 1990, c.M.3*, stipulates the three types of marriage solemnization ceremonies in Ontario: religious, Indigenous, and civil. A civil marriage ceremony is a non-religious marriage ceremony presided over by an Ontario judge,

justice of the peace, or municipal clerk under the authority of a licence.

Discussion:

Currently, there are a substantial number of municipalities in the Province of Ontario providing Civil Marriage Solemnization services onsite (within their town/city halls) and offsite (halls, restaurants, homes, etc.) during regular business hours and outside of regular business hours.

On average, the City of Port Colborne issues approximately 90 marriage licenses per year. The Clerk's Office frequently receives inquiries with respect to the provision of an official to perform marriages. As a result, it is recommended that City Council choose to offer civil marriage services administered and provided by the Office of the City Clerk.

The Chief Administrative Officer and City Clerk will attend information/training sessions on the administration and the officiating of a civil marriage ceremony. It is recommended that the City undertake a pilot project for a one (1) year period whereby City staff will provide limited services during regular business hours with some evening and/or weekend services where they can be accommodated.

In 2025, staff will undertake a review of the service to determine whether the existing Council Chambers provides sufficient space or whether additional municipal sites could be used to provide a location that will provide the dignity and solemnity of the occasion for a marriage.

In addition, a review will be undertaken as part of the one-year pilot project to determine if the City should continue the service with staff resources. The review will also ensure that the fees charged are sufficient to cover the full costs associated with the provision of the service. Additionally, staff will develop a Civil Marriage Ceremony Policy for Council's consideration.

Staff recommend that the Civil Marriage Solemnization services be offered at the City of Port Colborne at City Hall during regular business hours, in order to provide a service that is currently not offered but has been requested by a number of citizens over the past several years, as well as a new revenue source for the Clerk's Office.

Staffing:

Civil Ceremonies will be performed in Council Chambers by the Clerk or the Chief Administrative Officer in the Clerk's absence.

Civil Marriage Solemnization services will be managed through the Corporate Services Department/Clerk's Office and, by offering the service onsite and within regular business hours, there will be no overtime costs incurred. Any requests for offsite services in the first year will be evaluated on a case-by-case basis.

Financial Implications:

The *Marriage Act* includes a provision for municipalities to set fees to recover the cost of providing this service. The proposed fees should cover all costs in the administration of the Marriage Register and the time required to conduct a preliminary meeting with the couple to discuss the ceremony and for the actual ceremony itself. The costs vary across municipalities, ranging from \$200 to \$350 for this service, and fees would be fully cost recovered with additional revenue for the City of Port Colborne. The Marriage Licence fee is separate from this cost.

A proposed fee structure is recommended as follows:

- \$250.00 if held at City Hall during regular business hours.
 - \$300.00 if held at City Hall outside of regular business hours.
 - \$350.00 if held off-site, plus mileage at the City rate.
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Public Engagement:

City Clerk's Staff have received requests for Civil Marriages. Staff will implement a feedback form for the public to ensure the services provided are meeting their needs. The feedback received from the public will be provided to Council in 2025.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
 - Economic Prosperity
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Conclusion:

Staff are recommending that the Civil Marriage Solemnization services be offered, in order to provide a service that has been requested by a number of citizens over the past several years, as well as to a new revenue source for the Clerk's Office. Additionally, staff recommend that the Clerk and Chief Administrative Officer be appointed to perform Civil Marriage Ceremonies to members of the public with a valid marriage licence.

Appendices:

- a. Civil Marriage Solemnization Services By-Law

Respectfully submitted,

Saima Tufail
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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.