

**THE TOWNSHIP OF TARBUTT
POLICY AND PROCEDURE MANUAL**

Policy Name: Civil Marriage Solemnization **Department:** Administration

Date: May 24, 2023 **Policy No:** A02 – 2023

Scope

Council adopted By-law 2023-20 on April 19, 2023, being a By-law to endorse the Clerk of The Township of Tarbutt to solemnize civil marriage ceremonies in the Province of Ontario.

The purpose of this Policy is to provide guidelines and expectations for the performance of civil marriage solemnizations, and applies to both officiants performing ceremonies and for couples purchasing the marriage solemnization services.

This policy is intended to supplement any by-law adopted by Council authorizing civil marriage services. This policy neither repeals nor replaces said authorizing by-law.

1. Definitions

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

“Civil Marriage Ceremony” means a non-religious, legal marriage ceremony officiated by an Ontario Judge, Justice of the Peace or Municipal Clerk under the authority of a marriage license and in accordance with the *Marriage Act*, R.S.O. 1990, c. M.3 (the Act).

“Clerk” means the Clerk appointed by the Council of The Township of Tarbutt.

“Officiant” or “Solemnizer” means the person who officiates at or solemnizes a civil marriage ceremony.

“Township” means The Corporation of The Township of Tarbutt.

2. General Provisions

- a. Civil marriage ceremonies must be booked a minimum of three (3) weeks in advance in order to permit time for the Officiant to meet with the couple and make the necessary arrangements.
- b. Applicants must complete and submit the Marriage Solemnization Application at the time of booking and pay the Deposit of \$100.00. The application must be signed by both applicants and witnesses.

- c. The Township does not issue Marriage licenses. The license must be purchased a minimum of three days prior to the ceremony from a registered issuer.
- d. No marriage shall be solemnized until the couple has provided the solemnizer with the marriage license.
- e. The Township Council Chambers may be used for the ceremony when a Township employee is present within the building.
- f. Information about civil marriage solemnization is available on the Township's website and will include details such as contact information

3. Delegated Authority

- a. Ontario Regulation 285/04 under the Act states that the Clerk of a local municipality is authorized to solemnize marriages under the authority of a license.
- b. The Clerk may appoint a member of the public to solemnize civil marriage ceremonies on behalf of the Township. Such appointment must be approved by the Office of the Registrar General of Ontario.
- c. Delegates appointed by the Clerk will be required to sign a Memorandum of Understanding with The Township which outlines the expected behaviours and other requirements to be a solemnizer, and which shall require them to conduct themselves in accordance with all Township policies and by-laws.
- d. Members of the public who are delegated the authority to solemnize civil marriages will report directly to the Clerk.
- e. Delegation of authority will not be provided to a member of the public for a one time purpose.
- f. Civil marriage ceremonies performed by a solemnizer acting on behalf of the Township without the knowledge of the Clerk will have their authority withdrawn.

4. Application for Civil Marriage Ceremony

- a. The application for a civil marriage ceremony, attached hereto, is to be received by the Clerk at least three weeks prior to the intended date of marriage.
- b. Applications must be signed by both applicants and both witnesses.
- c. Prior to submitting the application, the applicants will confirm the date and time with the Clerk.
- d. The application must be accompanied by a deposit of \$100.00.

5. Civil Marriage Ceremony

- a. All civil marriage ceremonies will be non-denominational and no religious or spiritual connotations will be made unless requested by the applicants.
- b. The mandatory declarations provided under the Marriage Act will be incorporated into all civil marriage ceremonies.
- c. Personal vows, readings, music and/or decorations will be permitted subject to the approval of the Officiant.
- d. If the Officiant has any reason to believe that alcohol or other stimulants have been used, the ceremony will be subject to immediate cancellation.

6. Location and Availability

- a. Civil marriage ceremonies will be conducted by the Clerk, or designate, subject to their availability.
- b. The Officiant retains the right to refuse to conduct a ceremony at a time or in a location which has not been previously agreed on. Changes to the date or venue will not be permitted without due notice to the officiant.
- c. Ceremonies may take place either at an agreed upon location within the Province of Ontario which is conducive for a marriage ceremony, or in the Council Chambers at The Township of Tarbutt Municipal Office.

7. Fees and Payment

- a. The fee charged for a civil marriage solemnization will be established by Council and included in the Township's Fees and Charges By-law, which is subject to change from time to time.
- b. A \$100 deposit will be required at the time of booking.
- c. The fee for civil marriage ceremonies will be paid to The Township of Tarbutt in advance by way of cash, cheque or e-Transfer.
- d. Additional fees for mileage or other expenses incurred by the Officiant will be paid in full prior to the marriage taking place.
- e. Couples will not be asked by the Officiant to pay any additional fees outside of those listed herein.
- f. Where a scheduled ceremony has been cancelled by the couple, the Township has the right to retain any deposit paid.

**THE TOWNSHIP OF TARBUTT
MARRIAGE SOLEMNIZATION APPLICATION**

Applicant 1	Applicant 2
Last Name	
First and Middle Names	
Home Address	
Phone Number	
Intended Date and Location of Marriage Ceremony	

Witness 1	Witness 2
Last Name	
First and Middle Names	
Address	
Phone Number	

Name of Officiant	Date Received
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By signing below, the applicants consent to defend and indemnify The Township of Tarbutt and the Officiant against any claim for loss or damage incurred as a result of the solemnization services provided. The applicants agree that the Officiant, The Township of Tarbutt, its officers or agents, will not be held responsible or liable for personal injury or damage, nor for the theft or loss of any personal property of anyone attending the ceremony. The applicants jointly agree that they have read and understand the Civil Marriage Policy attached and agree to abide by all applicable law as it relates to the solemnization services.

Applicant 1 Signature	Applicant 2 Signature
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FOR OFFICE USE ONLY:

Marriage License No: _____ Deposit Received: _____

**THE TOWNSHIP OF TARBUTT
CIVIL MARRIAGE SOLEMNIZATION POLICY
A02-2023**

FEE SCHEDULE

(this schedule to be incorporated into the Fees and Charges By-law)

Deposit (required upon submission of Application) \$100.00

Plus

Marriage Solemnization Fee \$200.00

The above fee includes up to two meetings between the Officiant and both applicants, the wedding rehearsal and the ceremony.

Mileage is additional, to be paid at the current Township rate.

NB: The deposit will be retained by the Township if the event is cancelled by the applicants after meetings have taken place. The deposit will be fully refunded if the Officiant or the municipality cancels their commitment to the applicants.

Assumptions:

Total fee: \$300.00

All fees to be paid in full prior to the wedding.

The Marriage License must be purchased separately. The Township of Tarbutt does not issue marriage licenses.

The Officiant, as an employee of the municipality, will receive their regular hourly rate for the preparation time, meeting with applicants, rehearsal and ceremony to ensure compensation for time spent.

Mileage will be calculated by the Officiant for inclusion in the final payment.