

## City of St. John's Corporate and Operational Policy Manual

<b>Policy Title:</b> Civil Marriage Ceremonies	<b>Policy #:</b> 09-13-02
<b>Last Revision Date:</b> 2023-10-05	<b>Policy Section:</b> TBD
<b>Policy Sponsor:</b> City Clerk	

### 1. Policy Statement

This policy establishes consistent and transparent processes for the conduct of marriage ceremonies conducted by the Mayor at City Hall, City-owned property, or at another location including the roles and responsibilities of the Mayor, Employees, and financial requirements.

### 2. Definitions

**“Applicants”** means persons seeking to be married by the Mayor.

**“Employee”** means any person employed by the City of St. John's as a permanent, term, part-time, casual, contract, seasonal, temporary, or student worker.

**“Marriage Commissioner”** means a person authorized under the Marriage Act to perform a marriage.

**“Marriage Licence”** means a marriage licence issued under the Marriage Act.

### 3. Policy Requirements

- a) Any power or actions undertaken pursuant to the *Marriage Act* shall be carried out in compliance with the Act.
- b) All Marriage Ceremonies conducted by the Mayor shall be booked through Employees, with all applicable fees being paid by the Applicant to the City.

#### 3.1 Role of the Mayor

- a) The Mayor is a Marriage Commissioner, by virtue of their office, pursuant to section 11 of the *Marriage Act*.
- b) The Mayor may choose to perform marriage ceremonies at City Hall, City-owned property, or at another location, but has no obligation to do so.
- c) If the Mayor performs a Marriage Ceremony at a location other than City property, they shall be eligible for a stipend as detailed in the **Civil Marriage Ceremonies Procedures**.
- d) In the event the Mayor has scheduled a marriage ceremony and is unexpectedly unavailable and another Councillor has been personally appointed as a permanent Marriage Commissioner under the *Marriage Act*, they may carry out the marriage ceremony, but shall be subject to this policy as if they were the Mayor.
- e) If neither the Mayor nor a Councillor personally appointed as a permanent Marriage Commissioner under the *Marriage Act* is available, the City shall issue a refund, reschedule the ceremony date, and/or refer inquiries to the Government of Newfoundland and Labrador's [List of Marriage Commissioners](#).
- f) The Mayor may use City Employees, resources, and facilities for the planning and conducting of Marriage Ceremonies booked pursuant to this Policy.
- g) The Mayor shall derive no financial benefit from a Marriage Ceremony conducted by them, except the stipend set forth in Section 3.2(f) of the **Civil Marriage Ceremonies Procedures**.

### **3.2 Appointments, Payment, and Form of Ceremony**

- a) **Applicants** shall follow the appointment requirements detailed in the **Civil Marriage Ceremonies Procedures**.
- b) Payment shall be made to the City as detailed in the **Civil Marriage Ceremony Procedures**.
- c) The form of the ceremony shall be as detailed in the **Civil Marriage Ceremony Procedures**.

### **3.3 Ineligibility**

- a) The Mayor shall not perform a civil marriage ceremony for any Applicant they know or have reasonable grounds to believe to be ineligible as detailed in Section 13 of the *Marriage Act* or any other provision therein.

## **4. Application**

- a) This policy applies to the following: the Mayor; Council; Applicants; guests of Applicants, and Employees.
- b) This policy applies to marriage ceremonies conducted by the Mayor.
- c) No member of Council or Employee shall benefit, financially or otherwise, directly or indirectly, from their role in the conduct of marriage ceremonies covered by this policy other than as detailed in Section 3.1(c).

## **5. Responsibilities**

### **5.1 Applicants**

- a) The Applicants shall indemnify the City and Mayor, for any claims or damages arising from or relating to the Marriage Ceremony, including any claims or damages brought by any of their guests as detailed in the **Civil Marriage Ceremony Procedures**.

- b) The Applicants shall be required to sign a Code of Conduct as detailed in the **Civil Marriage Ceremony Procedures**.
- c) All participants shall comply with, and all activities shall be in accordance with all applicable legislation, policies, and/or procedures.

## 5.2 Employees

- a) Employees shall support the Mayor in the planning and administration of ceremonies conducted by the Mayor as outlined in the Procedures.

## 5.3 Council

- a) In the event that a Councillor is personally appointed as a permanent Marriage Commissioner pursuant to the Marriage Act, they may not use City Employees, resources, or facilities for the carrying out of any ceremonies pursuant to their appointment, excepting those set out in section 3.1(d).

## 6. References

- Civil Marriage Ceremonies Procedures
- [Marriage Act](#)

## 7. Approval

- Policy Sponsor: City Manager
- Policy Writer: Policy Analyst; City Clerk
- Date of Approval from
  - Corporate Policy Committee:
  - Senior Executive Committee:
  - Committee of the Whole:
- Date of Original Approval from Council: March 21, 2017
- Date of Amended Policy Approval from Council:

## **8. Monitoring and Contravention**

- a) The Office of the City Clerk shall monitor the application of this policy.
- b) Any contravention of this policy and/or associated procedures shall be reported to the Office of the City Clerk, Department of Finance and Corporate Services (including the Human Resources Division), the Office of the City Solicitor, and/or the City Manager for further investigation and appropriate action.
- c) Employees who contravene the policy may be subject to appropriate action, which may include, but is not limited to, legal action and discipline, up to and including dismissal.

## **9. Review Date**

Every five years