

THE CORPORATION OF  
THE TOWNSHIP OF CRAMAHE

BY-LAW NO. 2014-21

Being a by-law to provide for Civil Marriage Services to be Offered  
by the Township of Cramahe

**WHEREAS** changes to the regulation under the *Marriage Act* (through O.Reg 285/04) now authorize clerks of local municipalities to perform civil marriages;

**AND WHEREAS** municipalities have the option to offer civil marriages as a municipal service if they so choose and to set fees to recover the cost of providing this service;

**NOW THEREFORE BE IT ENACTED:**

1. THAT Council does hereby direct that the civil marriage solemnization service be implemented in the Township of Cramahe.
2. THAT Council authorizes Clerk, Christie Alexander and Deputy Clerk, Candice Doiron to provide marriage solemnization services within the Province of Ontario for as long as they hold their positions of Clerk and Deputy Clerk, as set out under Ontario Regulation 285/04 and the *Marriage Act*, 2001, S.O. 2001, c.25 Section 228 (4) and (5).
3. THAT Schedule "A" detailing fee structures for services form part of this By-law.

**READ a first time this 6<sup>th</sup> day of May, 2014.**

**READ a second time this 6<sup>th</sup> day of May, 2014.**

**READ a third time and finally passed this 6<sup>th</sup> day of May, 2014 and given By-law No. 2014-17.**

  
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Mayor, Marc Coombs

  
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CAO/Clerk, Christie Alexander





**Schedule "A" to By-law 2014-21  
Civil Marriage Solemnization Service**

Service	Fee	Deposit
Marriage Licence Fee	\$120.00	
Ceremony Fee	\$200.00	50% - \$100
Rehearsal Fee	\$30.00	
Civil Marriage Service in the Municipal Office Building (Council Chambers)	\$50.00	50% - \$25
Civil Marriage Service in the Castleton Town Hall	\$50.00	50% - \$25
Rental of Keeler Centre (all bookings through Parks and Recreation)	As per by-law 2013-72	

Cancellation Policy and Refunds	Refund
Cancellations made within one (1) month of the date of ceremony will result in full penalty – no refund.	0%
Cancellations made outside this timeframe will be subject to a partial penalty.	50%
A ceremony booked within one (1) month of the ceremony or less and subsequently cancelled will be subject to a partial penalty.	50%
No refund will be issued if the applicant(s) fail to appear for the ceremony.	0%



## **Civil Marriage Solemnization Policy**

### **Delegation of Authority**

Under Section 228 (4) of the Municipal Act, the Clerk may delegate in writing to any person, other than a member of council, any of the Clerk's powers and duties under this and other Act. For the purposes of delegating authority for civil marriage solemnization, this policy limits the clerk's ability to delegate subject to Council's approval.

### **Form of Ceremonies**

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. The applicants will be made aware that there are Clergy available in the community to perform marriage ceremonies with various levels of religious content should they wish with a religious ceremony.

### **Guidelines and Criteria**

- As outlined in Section 24 (1) of the Marriage Act, R.S.O. 1990, Chapter M.3, a judge, a justice of the peace or any other person of a class designated by the regulations may solemnize marriage under the authority of a licence.
- Ontario Regulation 285/04 amended the Marriage Act to include Municipal Clerks as a class of person authorized to solemnize civil marriages. This authority is extended to designate who have been delegated the authority by the Clerk in accordance with Section 228 of the Municipal Act. Delegation of authority by the Clerk, to perform civil marriage ceremonies shall be confirmed by Resolution of Council.
- Civil marriages will be conducted by the Clerk or designate subject to their availability. The Clerk, in her sole discretion, shall determine the days/time that civil marriages will be performed during office hours.
- Scheduling of a civil marriage must be made with the Clerk or designate at least 4 weeks prior to the intended date for the ceremony.
- A prearranged appointment and prior consultation meeting of the parties with the Clerk or designate is required at least 2 weeks prior to the intended date for the ceremony to go through the Civil Marriage Solemnization Check List attached hereto and forming part of this policy.
- A standard civil marriage ceremony, incorporating all mandatory declaration under the Marriage Act will be used at all civil marriages.
- Personal vows, in addition to the mandatory declarations, will be permitted subject to the approval of the Clerk or designate.
- The Clerk or designate has the authority to refuse to solemnize the civil marriage of any person who he/she know or has reasonable grounds to believe lacks capacity to marry by reason of being mentally defective or under the influence of intoxicating substance.
- The parties must supply an interpreter in the event that they do not speak English and require language assistance if the Clerk or designate deems it necessary. The interpreter cannot be one of the witnesses.
- Witnesses for the purpose of signing the Registry of Marriage, must be 14 years of age or older.
- Flower arrangements or other decorations may be placed in the Council Chambers or on Municipal Land and must be removed immediately following the ceremony.
- No alcoholic beverages are to be served prior to or during the civil marriage solemnization ceremony.
- Reaffirmation of vows will not be offered as part of this service.
- The services can only be provided within the boundaries of the Province of Ontario.



### 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 licence in order for the Clerk to forward the licence to the Registrar General within two (2) days following the marriage as per the requirements of Section 2 (3) of Ontario Regulation 302/05.

#### Facility and Fees for marriages conducted at the Municipal Office:

- Civil marriages can be conducted in the Council Chambers, subject to their availability during normal working hours.
- The use of confetti, rice, bubbles, candles, incense, music and similar items are strictly prohibited within municipal buildings or grounds. Failure to comply will result in the following charges:
  - Cleaning the inside of the facility - \$100.00
  - Cleaning the outside of the facility - \$100.00

The following fees apply for civil marriage solemnization services within the Township of Cramahe and are payable to the Township of Cramahe by cash or debt:

Service	Fee	Deposit
Marriage Licence Fee	\$120.00	
Ceremony Fee	\$200.00	50% - \$100
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