



Township of Georgian Bay Civil Marriage Solemnization

Policy Number: 2023-007-CL

Department: Clerks Office

Effective Date: December 11, 2023

Approval: C-2023-496

Attachments:

Related Documents / Legislation: *Marriage Act*, R.S.O. 1990, c. M.3, as amended

A. Policy Statement

The Corporation of the Township of Georgian Bay is committed to improving the quality of services and meeting the needs of its citizens. In keeping with this commitment, the Municipality is pleased to have the opportunity and privilege of issuing marriage licenses and providing civil solemnization services. The civil marriage service provides economic benefit to the community and attracts other persons to the community thus improving the quality of life for the residents.

B. Purpose

To provide guidelines and expectations as it relates to the performance of civil marriage solemnizations. This policy is applicable to both the delegates performing ceremonies and for couples purchasing the civil marriage solemnization services. This policy is meant as a supplement to any by-law adopted by Council authorizing civil marriage solemnization services. It is not the intention that this Policy repeals nor replaces said authorizing by-law.

C. 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 or designate appointed by the Council of The Township of Georgian Bay.

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Township means The Corporation of The Township of Georgian Bay

D. General Terms and Procedures

Authority

- 1.0 The Ontario Regulation 285/04 provides the Clerk or designate of a local municipality with the authority to solemnize marriages under the authority of a licence. This authority is extended to designates who have been delegated the authority by the Clerk in accordance with Section 228 of the *Municipal Act*.

General Provisions

- 2.0 Civil marriage ceremonies must be booked a minimum of five (5) business days prior to the date of the ceremony.
- 3.0 Applicants must complete and submit the Marriage Solemnization Application, fee, and proof of marriage licence at the pre-ceremony meeting.
- 4.0 Both applicants must be present and provide one piece of current, valid, government-issued photo identification (e.g., Driver's Licence, Passport, Permanent Resident card).
- 5.0 No marriage shall be solemnized until the couple has provided the Clerk with the marriage licence.
- 6.0 It is the responsibility of the couple who are marrying to obtain the marriage licence. Marriage Licences may be purchased from any Ontario municipality and are valid for three (3) months from the date of issue.
- 7.0 Civil marriage solemnization fees are detailed in the Township's Fees and Charges By-law. Applicable fees shall be paid by cash, debit, or cheque.
- 8.0 Changes to date and/or time are permitted at no additional charge provided that the Clerk is available. No refund will be issued if the ceremony is cancelled on the day of the ceremony, or the applicant(s) and witnesses do not show up for the ceremony.

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Civil Marriage Ceremony

- 9.0 Civil marriage ceremonies will be conducted by the Clerk or designate.
- 10.0 Ceremonies may be scheduled during normal office hours between 10:00 a.m. and 3:00 p.m. Monday to Friday, except statutory holidays and will take place in the Township of Georgian Bay Council Chambers, 99 Lone Pine Road, Port Severn, Ontario.
- 11.0 Ceremonies are subject to the availability of the Council Chamber and Clerk or designate.
- 12.0 A civil marriage ceremony shall incorporate all mandatory declarations under the *Act*, with various script options being made available through the Clerk's Office.
- 13.0 Civil marriage ceremonies shall be secular, with no reference to God, a Supreme Being, or any religious connotations.
- 14.0 Personal vows, in addition to the mandatory declarations, will be permitted subject to the approval of the Clerk.
- 15.0 Minimal decorations are permitted (e.g., flowers, balloons) in the Council Chambers. Decorations may be placed 15 minutes prior to the ceremony and must be removed at the conclusion of the ceremony. No confetti, rice, paper, or similar celebratory materials will be permitted.
- 16.0 The taking of photographs and videotaping of the ceremony will be permitted subject to certain limitation at the discretion of the Clerk.
- 17.0 Music will be permitted before and after the ceremony (applicants to provide equipment). When selecting the type of music consideration should be given to its appropriateness and contribution to the dignity of the occasion.
- 18.0 To maintain the ceremony's dignity, personal attire should be appropriate for the occasion, although formal attire is not required.
- 19.0 The Clerk has the authority to refuse to solemnize the civil marriage of any person who they know or has reasonable grounds to believe lacks capacity to marry by reason of being mentally ill or mentally defective or under the influence of intoxicating liquor or drugs.

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Witnesses

- 20.0 Applicants are responsible for providing two (2) witnesses.
- 21.0 There is no minimum age requirement for a witness, however, it is suggested they should be at least sixteen (16) years of age and able to understand and appreciate what is taking place and be able to give evidence of such later, if required.
- 22.0 The parties must supply an interpreter in the event that they do not speak English and require language assistance if the Clerk deems it necessary. The interpreter cannot be one of the witnesses.

E. Supported By

Strategic Plan

Customer Experience and Community Engagement