

ORDINANCE
CITY OF SAINT PAUL, MINNESOTA

44

Presented by

[Handwritten signatures: Dave Jones, Kathy Sant, M. W. C. E.]

An ordinance enacting Chapter 186 of the Saint Paul Legislative Code to create a method of registering the existence of a Domestic Partnership relationship

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

PUBLISHED
AUG 03 2009

Chapter 186 of the Saint Paul Legislative Code is hereby enacted to read as follows:

CHAPTER 186. DOMESTIC PARTNERSHIPS

186.01. Purpose. The Saint Paul City Council recognizes that the concept of familial relationships may extend beyond traditional marital and blood relationships. This expanded concept recognizes the relationship of two (2) non-married but committed adult partners. In order to provide such persons the opportunity to declare themselves as domestic partners, thus enabling employers to voluntarily provide equal treatment in employment benefits for such partners and their dependents, the City Council hereby enacts a Domestic Partner Registry.

186.02 Definitions. (a) Domestic partners are two (2) adults who:

- (1) Are not related by blood or adoption closer than permitted under marriage laws of the state;
- (2) Have entered into a committed interdependent relationship;
- (3) Are competent to enter into a contract;
- (4) Have no other domestic partner with whom the household is shared, or with whom the adult person has another domestic partner;

- (5) Are jointly responsible to each other for the necessities of life; and

- (6) ~~Are committed to one another to the same extent as married persons are to each other,~~

~~except for the traditional marital status and solemnities; or~~

~~(7) Are married, and the marriage would be legally recognized as a contract of lawful marriage in another local, state, or foreign jurisdiction. For purposes of this chapter, and only to the extent of the rights and responsibilities established therein, the term "domestic partnership" shall include two (2) adults who have a currently-registered domestic partnership with a governmental body pursuant to state, local, or other law authorizing such registration. The term "domestic partnership" shall be construed liberally to include unions, regardless of title, in which two (2) adults are committed to one another as married persons are traditionally committed, except for the traditional marital status and solemnities; and marriages that would be legally recognized as a contract of lawful marriage from another local, state, or foreign jurisdiction, but for the operation of Minnesota Statute 517.03(1)(b)~~

[Handwritten signature] 6-22-09

42 **186.03 Registration of domestic partners.** (a) The city clerk shall accept an application to register as
43 domestic partners from persons who state in such application that they meet the definition of domestic
44 partners set out in section 186.02. Subsequent changes in address shall be promptly reported to the city
45 clerk.

46 (b) The city clerk shall charge an application fee of twenty dollars (\$20.00) for the registration of a
47 domestic partnership and shall charge a reasonable fee per document for providing certified copies of
48 registrations, amendments or notices of termination. There shall be no charge for filing amendments or
49 notices of termination.

50 (c) The city clerk shall provide each domestic partner with a registration certificate. The registration
51 certificate shall not be issued prior to the third working day after the date of application.

52 (d) This application and certificate may be used as evidence of the existence of a domestic partners
53 relationship.

54 (e) The city clerk shall keep a record of all registrations of domestic partnership, amendments to
55 registrations and notices of termination received by the city clerk. The records shall be maintained so that
56 amendments and notices of termination are filed with the registration of domestic partnership to which they
57 pertain.

58 (f) The application and amendments thereto, the registration certificate, and termination notices shall
59 constitute government data and will be subject to disclosure pursuant to the terms of the Minnesota
60 Government Data Practices Act.

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62 **186.04 Amendments.** The city clerk may accept amendments for filing from persons who have domestic
63 partnership application on file except amendments which would change the identity of the partners.

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65 **186.05 Termination of domestic partnership.** (a) Either person in a domestic partnership may initiate
66 termination of the domestic partnership relationship, by written notification to the city clerk. The city clerk
67 shall promptly notify the other partner at the address of record by certified mail.

68 (b) A domestic partnership registration terminates when the earlier of the following occurs:

69 (1) One of the partners dies; or

70 (2) Forty-five (45) days after one partner sends the other a written notice of termination that he or she
71 has terminated the partnership by filing a notice of termination with the city clerk; or

72 (3) Forty-five (45) days after the city clerk notified the non-filing partner of the filing of any notice of
73 termination.

74 (c) If any of the criteria under section 186.02 ceases to exist the parties shall be ineligible for any
75 benefits based upon the domestic partnership unless otherwise provided by law or the employer.



6-22-09

09-683

Section 2

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79 This ordinance shall take effect and be in force thirty (30) days following its passage, approval and
80 publication.

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	Yeas	Nays	Absent
Bostrom			✓
Carter	✓		
Harris	✓		
Helgen	✓		
Lantry	✓		
Stark	✓		
Thune	✓		
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Requested by Department of:

By:

Approved by the Office of Financial Services

By:

Approved by City Attorney

By: Anthony 6-22-09

Approved by Mayor for Submission to Council

By:

Adopted by Council: Date July 22, 2009

Adoption Certified by Council Secretary

By:

Approved by Mayor: Date

By:

Mayor Erickson
6-22-09