

BILL NO. 2011-3

**AN ORDINANCE RELATING TO CIVIL RIGHTS;
ESTABLISHING A DOMESTIC PARTNER REGISTRY;
AMENDING CHAPTER 1 OF THE RICHFIELD CITY CODE**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Chapter 1 of the Richfield City Code is amended by adding a section to read as follows:

Section 120: Domestic Partnerships

120.01 Purpose.

The City of Richfield authorizes and establishes a voluntary program of registration of domestic partners. The domestic partnership registry is a means by which unmarried, committed couples who reside or work in Richfield and who share a life and home together may document their relationship.

Richfield's domestic partnership ordinance is a City ordinance and does not create rights, privileges, or responsibilities that are available to married couples under state or federal law. The City of Richfield cannot provide legal advice concerning domestic partnerships. Applicants and registrants may wish to consult with an attorney for such advice including, but not limited to: wills, medical matters, finances and powers of attorney, children and dependents, medical, health care and employment benefits.

120.03 Definitions. Subdivision 1. The following words and phrases used in this Code have the meanings given in this section.

Subd. 2. Domestic Partner. The term "domestic partner" means any two adults who meet all the following:

- a. Are not related by blood closer than permitted under marriage laws of the state.
- b. Are not married under the laws of this state.
- c. Are competent to enter into a contract.
- d. Are jointly responsible to each other for the necessities of life.
- e. Are committed to one another to the same extent as married persons are to each other, except for the traditional marital status and solemnities.
- f. Do not have any other domestic partner(s).
- g. Are both at least 18 years of age.
- h. At least one of whom resides in Richfield or is employed in Richfield.

Subd. 3. Domestic Partnership. The term "domestic partnership" shall include, upon production of valid, government-issued documentation, in addition to domestic partnerships registered with the City of Richfield, and regardless of whether partners in either circumstance have sought further registration with the City of Richfield:

- a. Any persons 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 individuals are committed to one another as married persons are traditionally committed, except for the traditional marital status and solemnities.
- b. Marriages that would be legally recognized as a contract of lawful marriage in another local, state or foreign jurisdiction, but for the operation of Minnesota law.

120.05 Registration of Domestic Partnerships. Subdivision 1. Application. The city clerk shall accept an application in a form provided by the City to register domestic partners who state in such application that they meet the definition of domestic partners.

Subd. 2. Application fee. The city clerk shall charge an application fee for the registration of domestic partners and shall charge a fee for providing certified copies of registrations, amendments, or notices of termination. The fees required by this subsection shall be established from time to time by resolution of the City Council and set forth in Appendix D to this code.

Subd. 3. Certificate. The city clerk shall provide each domestic partner with a registration certificate. The registration certificate shall not be issued prior to the third working day after the date of the application.

Subd. 4. This application and certificate may be used as evidence of the existence of a domestic partner relationship.

Subd. 5. Records. The city clerk shall keep a record of all registrations of domestic partnership, amendments to registrations and notices of termination. The records shall be maintained so that amendments and notices of termination are filed with the registration of domestic partnership to which they pertain.

Subd. 6. Data. The application and amendments thereto, the registration certificate, and termination notices shall constitute government data and will be subject to disclosure pursuant to the terms of the Minnesota Government Data Practices Act.

120.07 Amendments. The city clerk may accept amendments for filing from persons who have domestic partnership registrations on file, except amendments that would replace one of the registered partners with another individual.

120.09 Termination of Domestic Partnership. Domestic partnership registration terminates when the earliest of the following occurs:

- a. One of the partners dies; or
- b. Forty-five days after one partner: 1) sends the other partner written notice, on a form provided by the City, that he or she is terminating the partnership; and 2) files the notice of termination and an affidavit of service of the notice on the other partner with the city clerk.

120.11 Benefits. Subdivision 1. This section does not create any rights, privileges, or responsibilities for domestic partners other than those expressly provided in this section.

Subd. 2. City Fees for Services. If the City offers a family fee, family membership or family registration for any City-provided program or service, domestic partners are entitled to the same family fee, family membership or family registration.

Subd. 3. Other code provisions. Domestic partners shall be entitled to rights or benefits as expressly provided by this code for registered domestic partners.

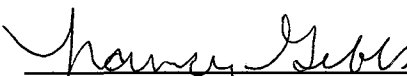
Sec. 2. This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 8th day of February, 2011.



Debbie Goettel, Mayor

ATTEST:



Nancy Gibbs, City Clerk