

ORDINANCE NO. 2499

AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE V., SECTION 62-16 OF THE CODE OF SUSSEX COUNTY TO CONFORM TO THE DELAWARE CODE WHICH PROHIBITS CIVIL UNIONS AS OF JULY 1, 2013, AND TO INCREASE FEES CHARGED BY THE CLERK OF THE PEACE TO PERFORM MARRIAGE CEREMONIES OUTSIDE OF THE OFFICE OF THE CLERK OF THE PEACE FOR SUSSEX COUNTY, AND TO INSTITUTE A FEE TO RECORD EACH MARRIAGE WITH THE MARRIAGE BUREAU

WHEREAS, Sussex County Code, Chapter 62, Article V, Section 62-16 establishes the fees to be charged by the Clerk of the Peace for performing marriage ceremonies and civil unions; and

WHEREAS, Sussex County desires to amend Sussex County Code, Chapter 62, Section 62-16 to be consistent with Title 13, Chapter 2, Civil Unions, Section 218(a) of the Delaware Code which prohibits civil unions as of July 1, 2013; and

WHEREAS, Sussex County further desires to amend Section 62-16F., G., J. and K. by increasing the fees for ceremonies performed outside of the office of the Clerk of the Peace for Sussex County; and

WHEREAS, Sussex County desires to institute a fee for recording each marriage with the Marriage Bureau;

NOW THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. Amend Sussex County Code, Chapter 62, Article V, Section 62-16, Enumeration of Fees, by deleting the language in brackets and adding the underlined language as follows:

- “A. The fee for a marriage[or civil union] license issued by the Clerk of the Peace for Sussex County to a Delaware resident shall be \$50 each.**
- B. The fee for providing a marriage[or civil union] license issued by the Clerk of the Peace for Sussex County to a non-Delaware resident shall be \$100 each.**
- C. The fee for providing a certified copy of a marriage[or civil union] license issued by the Clerk of the Peace for Sussex County shall be \$25 each.**
- D. The fee for conducting a Memorable Marriage[or Civil Union] Ceremony for a Delaware resident in the office of the Clerk of the Peace for Sussex County, or on The Circle or any building fronting The Circle, shall be \$50.**
- E. The fee for conducting a Memorable Marriage[or Civil Union] Ceremony in the office of the Clerk of the Peace for Sussex County, or on The Circle or any building fronting The Circle, for a non-Delaware resident shall be \$100.**
- F. The fee for conducting a Memorable Marriage[or Civil Union] Ceremony outside of the office of the Clerk of the Peace for Sussex County for a Delaware resident shall be \$[75]100.**
- G. The fee for conducting a Memorable Marriage[or Civil Union] Ceremony outside of the office of the Clerk of the Peace for Sussex County for a non-Delaware resident shall be \$[150]175.**

- H. The fee for performing a renewal of marriage[or civil union] vows ceremony in the office of the Clerk of the Peace for Sussex County, or on The Circle or any building fronting The Circle, for a Delaware resident shall be \$50.
- I. The fee for performing a renewal of marriage[or civil union] vows ceremony in the office of the Clerk of the Peace for Sussex County, or on The Circle or any building fronting The Circle, for a non-Delaware resident shall be \$100.
- J. The fee for performing a renewal of marriage[or civil union] vows ceremony outside of the office of the Clerk of the Peace for Sussex County for a Delaware resident shall be \$[75]100.
- K. The fee for performing a renewal of marriage[or civil union] vows ceremony outside of the office of the Clerk of the Peace for Sussex County for a non-Delaware resident shall be \$[150]175.”
- L. Each marriage license recorded in the Marriage Bureau in Sussex County shall be charged a recording fee of \$20.
- M. There shall be no fee for any services set forth in this § 62-16 for any active United States military personnel or veterans regardless of residency. For purposes of this section, "veterans" shall be defined as set forth in the Internal Revenue Manual 4.76.26.2.1.”

Section 2. Effective Date. This Ordinance shall become effective on July 1, 2017.

Synopsis

This Ordinance deletes all references to civil unions to be consistent with Title 13, Chapter 2, Civil Unions, Section 218(a) of the Delaware Code which prohibits civil unions as of July 1, 2013. This Ordinance also increases the fees the Clerk of the Peace charges to Delaware residents and non-Delaware residents for marriage ceremonies performed outside of the office of the Clerk of the Peace for Sussex County, and institutes a \$20 fee for recording each marriage with the Marriage Bureau.

Deleted text is in brackets. Additional text is underlined.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 2499 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 13TH DAY OF JUNE 2017.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL