

ORDINANCE NO. 935

**AN ORDINANCE OF THE CITY OF NORTHFIELD ENACTING A NEW DIVISION 1
WITHIN CHAPTER 2, ARTICLE I OF THE NORTHFIELD CITY CODE
ESTABLISHING A DOMESTIC PARTNERSHIP REGISTRY**

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT:

SECTION 1. Northfield Code Chapter 2 - Administration, Article I. - In General is hereby amended to add a new Division 1. – Domestic Partnership Registry, which shall read as follows:

DIVISION 1. - DOMESTIC PARTNERSHIP REGISTRY

Sec. 2-1. Purpose, Intent and Establishment.

The City of Northfield has long valued diversity within its citizenry. We aspire to be a welcoming place for people of all ages; racial, ethnic, cultural, and linguistic backgrounds; professions and interests; and familial patterns and sexual orientation. We have benefitted from the diversity that exists within our community and the richness it brings to all of us. To further recognize our valuing of all people, the City of Northfield authorizes and establishes a voluntary program of registration of domestic partners. The domestic partner registry is a means by which unmarried, committed couples who reside or work in Northfield and who share a life and home together may document their relationship. By doing so they provide a government-based foundation to such committed relationships, which positively contributes to the health, safety, and welfare of the community as a whole.

This ordinance does not create or confer rights or privileges that are available to married persons under state or federal law. The City of Northfield does not and cannot provide legal advice concerning domestic partnerships. Applicants and registrants should consult with attorneys or other advisors for advice on such matters, including but not limited to: wills, health care directives, powers of attorney, medical matters, finances, children and dependents, medical, health care and employment benefits.

Sec. 2-2. Definitions.

The following words and phrases used in this Division have the meanings given in this Section.

Domestic partners: Any two adults who meet all of the following:

- (a) Are not related by blood closer than permitted under the marriage laws of the state;
- (b) Are not married in a manner recognized by Minnesota;
- (c) Are competent to enter into a contract;

- (d) Have no other domestic partner;
- (e) Are jointly responsible to each other for the necessities of life;
- (f) Are committed to one another to the same extent as married persons are to each other (except for traditional marital status and solemnities);
- (g) Are at least 18 years old; and
- (h) At least one of whom resides in or is employed in Northfield.

Domestic partnership: The term "domestic partnership" includes (upon production of valid and government-issued documentation):

- (a) Any persons who have a currently registered domestic partnership in Northfield or with any government body pursuant to state, local, or other law authorizing such registration. The term domestic partnership shall be construed broadly to include unions, regardless of title or gender, in which two individuals are committed to one another as married persons are traditionally committed (except for the traditional marital status and solemnities); and
- (b) Marriages legally recognized in another local, state, or foreign jurisdiction, but for the operation of Minnesota law.

Health care facility: a medical facility such as a hospital, sanitarium, nursing home, or similar facility licensed under Minnesota law.

Sec. 2-3. Registration of Domestic Partnerships.

- (a) **Application.** The city clerk shall accept an application to register as domestic partners from persons who state in such application that they meet the definition of domestic partners as set out in Section 2-2.
- (b) **Fees and Charges.** For all applications received in 2012, the city clerk will charge an application fee of \$40 for the registration of a domestic partnership. After 2012, the application fee may be changed by resolution of the city council from time to time. The city clerk shall also charge a reasonable fee per document for providing certified copies of registrations, amendments, or notices of termination. There shall be no charge for filing amendments or notices of termination.
- (c) **Certificate.** The city clerk shall provide each domestic partner with a registration certificate. This certificate may be used as evidence of the existence of a domestic partnership relationship.
- (d) **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 the amendments and notices of termination are filed with the original registration of domestic partnership to which they pertain.
- (e) **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 (Minn. Stat. c. 13).

Sec. 2-4. Amendments.

The city clerk may accept amendments for filing from persons who have a domestic partnership registration on file (except amendments that would replace one of the registered partners with another individual).

Sec. 2-5. Termination of Domestic Partnerships.

- (a) Either person in a domestic partnership may initiate termination of the domestic partnership by written notification to the city clerk on a form provided by the city clerk's office.
- (b) A domestic partnership terminates when the earlier of the following occurs:
 - 1. One of the domestic partners dies; or
 - 2. Forty-five days after one domestic partner sends the other a written notice of termination that he or she has terminated the partnership by filing a notice of termination with the city clerk.

Sec. 2-7. Benefits.

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

- (a) **City fees for recreational programs and general services.** If the city offers a family fee, family membership or family registration for any city-provided recreation program or service available to residents or the general public, domestic partners are entitled to the same family fee, family membership, or family registration.
- (b) **Visitation in health care facilities.** If a patient has not designated permitted or restricted visitors, or does not have a health care directive as defined in Minnesota Statutes, a health care facility shall allow the patient's domestic partner, the children of the patient's domestic partner, or the domestic partner of the patient's parent or child to visit the patient. Such visitation rights shall be consistent with the health care facility's visitation policy pertaining to other family members. A health care facility may reasonably determine not to allow visitors based on the patient's medical condition. The health care facility may deny visitation upon the reasonable determination that the presence of a particular visitor would endanger the health or safety of a patient or patients, or would endanger the primary operations of the facility.

Sec. 2-8 – 2-25. - Reserved.

SECTION 2: This Ordinance shall take effect thirty days after its publication.

Passed by the City Council of the City of Northfield this 19th day of June, 2012.

ATTEST:

Deb Little

Mary Rossing

City Clerk

Mayor

VOTE: Y ROSSING Y BUCKHEIT Y GANEY Y NAKASIAN
 N POWNELL Y IMM Y ZWEIFEL

First reading: June 5, 2012

Second reading: June 19, 2012

Published: June 23, 2012