

TITLE 14
HUMAN RELATIONS

CHAPTERS:

14-01 Domestic Partnership Registry

**CHAPTER 14-01
DOMESTIC PARTNERSHIP REGISTRY**

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Section 14-01-001-0001 Definition of Domestic Partnership

As used in this section, the term "domestic partnership" exists between any two persons, regardless of gender, if the persons who meet the criteria for domestic partnership in this Section have filed a Declaration of Domestic Partnership with the City Clerk's Office on the form provided by the City, and have paid the required fee.

Section 14-01-001-0002 Criteria for Domestic Partnership Registry

- A. Both individuals reside within the City of Flagstaff;
- B. Both individuals are 18 years of age or older;
- C. Both individuals are competent to enter into a contract;
- D. Both individuals currently share a common primary residence;
- E. Both individuals are in a committed relationship and share responsibility for each other's common welfare;
- F. The individuals are not related to one another by blood closer than would bar marriage in the State of Arizona;
- G. Neither individual is married to any third party; and
- H. Neither individual is part of an existing domestic partnership or civil union with any third party.

Section 14-01-001-0003 City Clerk's Office Records and Registration Fee

- A. Each registrant shall:
 - 1. Affirm that the registrant meets the requirements of Section 14-01-001-0002 of this chapter.
 - 2. Show current photo identification issued by a government agency within the United States that verifies the Domestic Partnership age requirement.

3. Sign the applicable form under the penalty of perjury.
 4. Have the registrant's signature notarized.
- B. The City shall have declaration and termination forms available at City Hall and on the City's website.
 - C. The City shall keep a record of all Declarations of Domestic Partnership and all Notices of Termination.
 - D. The City shall charge a nonrefundable administrative fee to persons who file a declaration of domestic partnership. The amount of the fee shall be set forth in the City's schedule of fees.
 - E. The City shall register the Declaration of Domestic Partnership in a registry and provide a Certificate of Partnership to each of the domestic partners.

Section 14-01-001-0004 Declaration of Domestic Partnership; Filing Location

- A. The City Clerk's Office shall develop "Declaration of Domestic Partnership" and "Notice of Termination of Domestic Partnership" forms, and shall not add to or alter the requirement listed in Section 14-01-001-0002 of this chapter.
- B. The Declaration of Domestic Partnership must include a statement that the persons are in a relationship of mutual support, caring, and commitment and are responsible for each other's welfare. For these purposes, "mutual support" means that they contribute mutually to each other's maintenance and support.
- C. The Certificate of Partnership shall include the date on which the domestic partnership was registered. The Certificate of Partnership shall further state that the domestic partnership meets the criteria for domestic partners set forth in this chapter.
- D. Two individuals seeking to become domestic partners must complete and file a Declaration of Domestic Partnership in person with the City.

Section 14-01-001-0005 Termination of Domestic Partnership

- A. A Domestic Partnership ends when:
 1. One of the domestic partners dies; or
 2. Either one of the partners enters a marriage relationship expressly recognized by the State of Arizona; or
 3. A Notice of Termination of Domestic Partnership has been filed with the City of Flagstaff by one or both domestic partners.
- B. If one or more of the facts affirmed in the Declaration of Domestic Partnership no longer exists, one or both parties to the domestic partnership shall file a notarized Notice of Termination of Domestic Partnership with the City Clerk's Office.
- C. It shall be the filing partner's responsibility to provide a copy of the

Notice of Termination to the non-filing party. However, this notice requirement shall not apply if the termination is due to the death of one of the domestic partners.

- D. A registrant listed as a partner on an existing Certificate of Partnership on file with the City who wishes to file a subsequent Declaration of Domestic Partnership with a different partner, shall file a Notice of Termination of the existing partnership prior to submitting the new Declaration of Domestic Partnership.
- E. Termination of a domestic partnership shall be effective upon filing of a Notice of Termination of Domestic Partnership.

Section 14-01-001-0006 Rights of Domestic Partners

- A. All facilities owned or operated by the City, including but not limited to recreation facilities, shall allow the registered domestic partner of a user to be included in any rights and privileges accorded a spouse for the purposes of use of and access to City facilities.
- B. The domestic partnership registrations issued under this Chapter can be used to demonstrate a domestic partnership to government agencies, employers, businesses, and other third parties.
- C. All health care facilities operating within the City shall allow the domestic partner of a patient to visit such patient unless no visitors are allowed or the patient expresses a desire that the visitation by the domestic partner be restricted.

Section 14-01-001-0007 Limitations and Liabilities

- A. Nothing in this chapter shall be interpreted to alter or supersede county, state or federal law.
- B. Nothing in this chapter shall be construed to create additional legal liabilities greater than those already existing under law, or to create new private causes of action.

Section 14-01-001-0008 Reciprocity

A domestic partnership that was validly formed in another jurisdiction, and that is substantially equivalent to a domestic partnership under this chapter, shall be recognized as a valid domestic partnership in the City of Flagstaff and shall be treated the same as a domestic partnership registered under this chapter.

(Enacted by Ord. No. 2011-25, 12/10/2011)