

AN ORDINANCE ESTABLISHING A DOMESTIC PARTNER REGISTRY

WHEREAS, Urbana has a long, distinguished history of opposing discrimination based on sex orientation and marital status;

WHEREAS, same-sex couples are not legally permitted to marry in the State of Illinois;

WHEREAS, the City of Urbana wishes to provide equal recognition of both same-sex domestic partnerships and heterosexual domestic partnerships;

WHEREAS, Urbana code refers to "domestic partners";

WHEREAS, Urbana already recognizes the domestic partners of employees of the City of Urbana for the sake of providing benefits;

WHEREAS, Urbana wishes to provide area employers the service of registering domestic partnerships for the sake of providing benefits; and

WHEREAS, Urbana is organized as a Home Rule unit in the State of Illinois.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The Mayor and the City Clerk are hereby authorized to take the actions necessary, including spending funds from the 2004-05 City Budget, to establish the Domestic Partnership Registry described herein.

Section 2. In the event that any section, subsection, or any portion of this ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such section shall not be deemed to affect the validity of any other section, subsection, or other portion of this ordinance; to this end, the provisions of this ordinance are hereby declared to be separable.

Section 3. The Office of the City Clerk of Urbana shall maintain a Domestic Partnership Registry for the purpose of permitting partners living together in a close and committed relationship of mutual financial and

emotional support who meet the requirements herein to choose to register their domestic partnership and to terminate a domestic partnership previously registered with the City of Urbana.

To register a domestic partnership, the domestic partners must meet the requirements specified in the attached Domestic Partnership Affidavit at the time that they appear together at the City Clerk's office to register. The partners shall appear together at the Office of the City Clerk for registration of domestic partnerships, present valid photo identifications with proof of age, complete and sign the required Domestic Partnership Affidavit before a Notary Public provided by the Clerk's Office, and pay the Domestic Partnership registration fee.

Prior to completion of the Domestic Partnership Affidavit the Office of the City Clerk shall provide information regarding the Registry to each person who appears to register. At a minimum, the following topics shall be included:

- 1) All portions of the Domestic Partnership Registry are public information;
- 2) An employer who provides benefits to domestic partners, including the City of Urbana, may have additional requirements and may require documentation of this relationship; and
- 3) Declaring a false statement on the Domestic Partner Affidavit may nullify a registration and/or may make one liable to civil action by a party seeking to recover their losses and attorney's fees. The City Clerk may alter the text above to improve clarity and accuracy.

Following registration, the Office of the City Clerk shall provide the registered partners one full-sized and two wallet-sized certificates of domestic partnership. To terminate a domestic partnership, a registered domestic partner shall follow the procedures in effect at the time in which the termination is recorded with the Office of the City Clerk.

The Office of the City Clerk shall administer the Domestic Partnership Registry. Administration shall include establishing procedures and hours of

operation for the registration and termination of Domestic Partnerships, providing information concerning Domestic Partnerships to the public, providing a list of employers who have notified the Clerk that they provide domestic partner benefits, maintaining a permanent record of all Domestic Partnership Affidavits and Termination records, and recommending to the City Council through the normal budget process the fees to be charged for use of this Registry such that the fees charged will cover the cost of this Registry. During fiscal year 2005-06, a fee of \$15.00 will be charged to register a domestic partnership.

Section 4. Sections 1 and 2 of this ordinance shall become effective immediately upon its passage and approval. Section 3 of this ordinance shall become effective at a date to be established by mutual agreement between the Mayor and the City Clerk, but no later than September 1, 2005. The effective date of the Registry shall be publicly announced by the Mayor and recorded by the City Clerk.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

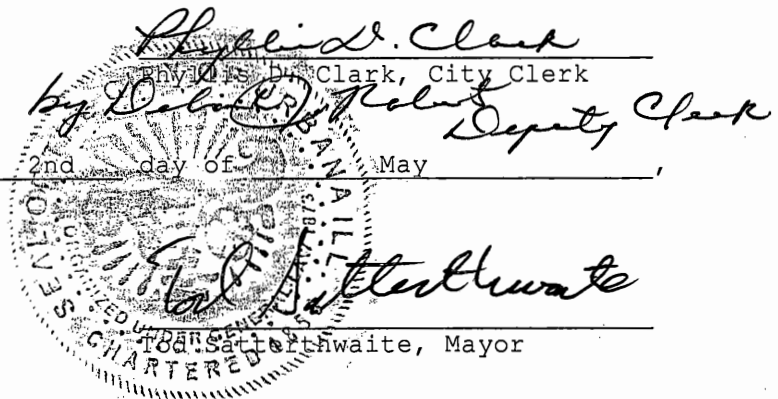
PASSED by the City Council this 2nd day of May,
2005.

AYES: Alix, Chynoweth, Hayes, Patt, Roberts, Wyman

NAYS: Whelan

ABSTAINS:

APPROVED by the Mayor this 2nd day of May,
2005.



City of Urbana Domestic Partner Affidavit

We, the undersigned, declare under penalty of perjury :

1. We are engaged in a committed relationship and intend to remain together indefinitely.
2. We are at least 18 years of age and have the capacity to enter into a contract.
3. We share a common permanent residence and are jointly responsible to each other for the necessities of life.
4. We are not related by blood closer than permitted for married couples under Illinois marriage laws.
5. Neither of us has another domestic partner.
6. Neither of us is legally married.
7. Neither of us may lawfully be claimed as a dependant on any other person's federal income tax return.
8. We understand that the registration of this Domestic Partnership Affidavit creates a domestic partnership of continuous duration until either of us files an Affidavit of Termination or upon the death of either of us.
9. Each of us agrees to file jointly or separately an Affidavit of Termination with the Urbana City Clerk within 30 days of a change in this domestic partnership such that we no longer meet the criteria herein.

WE DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF ILLINOIS THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

Domestic Partner

Domestic Partner

(Print name)

(Print name)

Signature

Signature

Street City State Zip

State of Illinois
County of Champaign
Subscribed and sworn before me a notary public on
this ____ day of _____, 20__
My commission expires:

Notary Public