

RULES AND REGULATIONS FOR DOMESTIC PARTNERSHIP REGISTRY

YOU MUST READ THIS BEFORE YOU SIGN



1. All declaration of domestic partnership delivered to the City Clerk without the filing fee will be returned to the declarant by regular mail.
2. The declaration of domestic partnership becomes a public record when the declaration is received by the City Clerk.
3. Certified statements declaring the domestic partnership may be issued by the City Clerk three (3) days after the declaration and filing fee are received by the City Clerk. Certified statements will not be mailed by the City Clerk, but may be picked up by a declarant after 3:00 p.m. on the third working day after the declaration and fee is filed.
4. If a declarant reconsiders the decision to register for domestic partnership within three (3) days of filing the declaration, the declarant may give such notice to the City Clerk and the declaration will be expunged.
5. If a declarant does not pick up the certified statements from the City Clerk's office within three (3) days, the declaration will remain on file for a period of nineth (90) days, after which time the declaration will be expunged.

CHAPTER 6

DOMESTIC PARTNERSHIP

SECTION:

2-6-1: Purpose

2-6-2: Requirements And Eligibility

2-6-3: Statements Of Domestic Partnership; Registration

2-6-4: Termination

2-6-5: Records

2-6-1: PURPOSE:

A. The city recognizes that nationwide debate has advanced an expanded concept of familial relationships beyond traditional marital and blood relationships. This expanded concept recognizes the relationship of two (2) nonmarried but committed adult partners. Recognizing this, the city hereby adopts a process to provide persons to declare themselves as domestic partners, thus enabling employers to voluntarily provide equal treatment in employment benefits for such partners and their dependents.

B. This chapter establishes a mechanism for the public expression and documentation of the commitment reflected by the domestic partnership whose members cannot or choose not to marry.

C. It is appropriate and fair that certain of the societal privileges and benefits now accorded to members of a marriage be extended to those who meet the qualifications of a domestic partnership. The mechanism established by this chapter will facilitate the definition of those entitled to such privileges. (Ord. 94-3647, 11-8-1994)

2-6-2: REQUIREMENTS AND ELIGIBILITY:

A domestic partnership shall exist between two (2) adults if all of the following are true:

- A. The persons are not related by blood closer than permitted under the marriage laws of the state.
- B. Neither person is married.
- C. The persons are competent to enter into a contract.
- D. The persons declare that they are each other's sole domestic partner.
- E. The persons declare that they 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.
- F. The persons file a statement of domestic partnership as set forth in this chapter.
- G. The persons agree to notify the city of the termination of their domestic partnership, or a change in their employment or residence which would render them ineligible to register as domestic partners under this chapter. (Ord. 94-3647, 11-8-1994)

2-6-3: STATEMENTS OF DOMESTIC PARTNERSHIP; REGISTRATION:

A. 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" in this chapter. The city

clerk shall provide forms as necessary to interested individuals.

B. The city clerk shall only accept applications for registration of domestic partnership from those persons:

1. In a partnership where at least one person resides in Iowa City; or
2. In a partnership in which at least one person is employed in Iowa City.

C. The city clerk shall charge an application fee as set by resolution of the city council for the registration of a domestic partnership. The payment of this fee entitles the person filing a statement on behalf of the domestic partnership to two (2) copies of the statement certified by the city clerk. Additional certified copies may be purchased by the person. These copies of the certified statement shall not be issued prior to the third working day after the date of application.

D. The application and certified statement may be used as evidence of the existence of a domestic partners relationship. (Ord. 94-3647, 11-8-1994)

2-6-4: TERMINATION:

A. Either person in a domestic partnership may initiate termination of the domestic partnership by written notification to the city clerk. The person filing the termination statement must declare that:

1. The domestic partnership is terminated; and
2. A copy of the termination statement has been mailed to the other domestic partner by certified mail, return receipt requested.

B. A domestic partnership terminates when the earlier of the following occurs:

1. One of the persons in the domestic partnership dies; or
2. Ninety (90) days elapse after both partners file a notice of termination of domestic partnership; or
3. Ninety (90) days elapse after one partner files a notice of termination of domestic partnership and provides the city clerk proof that the notice of termination of partnership has been mailed to the other partner at the last known address, or that the partner cannot be located or refuses to accept the mailed notice. A properly mailed notice which is returned as refused or undeliverable shall be adequate proof.

C. If any of the criteria under section 2-6-2 of this chapter cease to exist, the parties shall be ineligible for any benefits based upon the domestic partnership unless otherwise provided by law or the employer.

D. When an employer permits or provides benefits to the domestic partner of an employee, the domestic partner may be eligible to continue to receive benefits for a period of sixty (60) days after the death of the employee. The employer shall give the domestic partner written notice by U.S. mail, postage prepaid, at the address provided by the employee stating whether such benefits are available to the partner. Said notice shall state the date on which group benefit coverage, if any, terminates, and shall state the right, if any, of the domestic partner to transfer benefit coverage to a nongroup plan without lapse of coverage and without providing evidence of good health.

E. No person who has registered as a domestic partner pursuant to section 2-6-3 of this chapter shall be eligible to file a new application for registration as a domestic partner until ninety (90) days have elapsed after the domestic partnership has terminated. (Ord. 94-3647, 11-8-1994)

2-6-5: RECORDS:

The city clerk shall maintain records of domestic partnership statements, showing the name and address of applicants for domestic partnership, and the date of application, certification and

termination of domestic partnerships. (Ord. 94-3647, 11-8-1994)



**City of Iowa City
Declaration of Domestic Partnership**

Pursuant to Article VI of the Iowa City Human Rights Ordinance, the undersigned hereby declare the following to be true:

1. We are in a relationship of mutual support, caring and commitment and are responsible for each other's welfare.
2. We are not married or in any other domestic partnership and have not been so for the last ninety (90) days preceding the date of this declaration.
3. We are not related by blood closer than permitted under the marriage laws of the state.
4. We are at least 18 years of age and otherwise competent to enter into a contract.
5. At least one of us resides in Iowa City, or at least one of us is employed in Iowa City.
6. We intend to provide the City with written notification if there is any change attested to in this document.

To the best of our knowledge, the above statements are true and correct.

Print Name _____	Print Name _____
Address _____ _____	Address _____ _____
Signature _____	Signature _____

If both parties cannot sign at the same time, separate notarization is required for each signature.

Subscribed and sworn to before me this _____ day of _____, 20____	Subscribed and sworn to before me this _____ day of _____, 20____
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Notary Public, Johnson County, Iowa
My Commission Expires:

Notary Public, Johnson County, Iowa
My Commission Expires:

CERTIFIED STATEMENT:

The parties who have signed and attested to the requirements for Domestic Partnership eligibility are considered Domestic Partners for purposes of Title 2, Article VI of the Human Rights Ordinance of Iowa City, Iowa.

City Clerk

INFORMATION COLLECTED ON THIS DOCUMENT IS PUBLIC AND MAY BE VIEWED BY ALL REQUESTORS.

This form must be accompanied by a \$30.00 application fee.