

Chapter 2.84

DOMESTIC PARTNERSHIPS

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- 2.84.010 Domestic Partnership - Defined.

A domestic partnership shall exist between two persons if the following is true:

- a. The persons are not related by blood closer than would bar marriage in the state of California;
- b. Neither person is married or related by marriage;
- c. The persons share the common necessities of life;
- d. The persons are eighteen years old or older;
- e. The persons are competent to enter a contract;
- f. The persons declare that they are each other's sole domestic partner;
- g. The persons are responsible for each other's welfare;
- h. The persons agree to notify the city of any change in the status of their domestic partnership;
- i. Neither person has declared that he or she has a different domestic partner;
- j. The persons file a statement of domestic partnership as set forth in Section 2.84.020.

(Ord. 96-466 § 1, 1996: prior code § 6900)

2.84.020 Statement of Domestic Partnership.

a. **Contents.** Domestic partners may make an official record of their domestic partnership by completing, signing and submitting to the City Clerk a statement of domestic partnership.

The domestic partnership statement shall include the date on which the persons became each other's domestic partners and the address or addresses of both partners.

b. **Amendment of Domestic Partner Statement.** Partners may amend the statement at any time in order to change an address by filing a new statement.

c. **Termination of Domestic Partnership.** Any member of a domestic partnership may terminate the domestic partnership by filing a termination statement with the City Clerk. The person filing the termination statement must declare under penalty of perjury: (1) The domestic partnership is terminated; and (2) a copy of the termination statement has been mailed to the other domestic partner.

d. **New Statements of Domestic Partnership.** No person who has filed an affidavit of domestic partnership may file another statement of domestic partnership until six months after a statement of termination of a previous partnership has been filed with the City Clerk. (Ord. 96-466 § 1 (part), 1996: prior code § 6901)

2.84.30 Filing of Statements.

a. **Submission of Statements.** A domestic partnership statement shall be filed in person and both members of such partnership shall present valid identification to the City Clerk at the time of filing; provided, however, that a domestic partnership statement may be filed by mail if the signatures of both members are attested to be a notary official. A domestic partnership statement, termination statement or amendment of domestic partnership statement shall not be deemed effective unless filed with the City Clerk and in accordance with the provisions of this chapter.

b. **Form of Statements.** All statements relating to domestic partnerships shall be executed as a declaration made under penalty of perjury. The City Clerk shall provide forms as necessary to interested individuals. A statement prepared in substantially the same form as that provided in Section 2.84.090 shall be sufficient for the purpose of this chapter.

c. **Fees for Statements.**

1. The City Clerk shall charge a fee for filing a domestic partnership statement, a termination of domestic partnership statement, and for filing an amendment to a domestic partnership statement. The amount of this fee shall be determined by resolution of the City Council.

2. Payment of the above fee entitles the person filing a statement on behalf of the domestic partnership to have two copies of the statement certified by the City Clerk. Certification of additional copies at the time of filing shall cost an amount per copy to be determined by resolution of the City Council. Certification of additional copies at any other time shall cost an amount per copy to be determined by resolution of the City Council.

(Ord. 98-531 § 1, 1998: Ord. 96-466 § 1 (part), 1996: prior code § 6902)

2.84.040 City Clerk's Records.

The City Clerk shall maintain adequate records of domestic partnership statements showing which domestic partnerships have been created, terminated or amended.

(Ord. 96-466 § 1 (part), 1996: prior code § 6903)

2.84.050 Civil Actions.

Any person defrauded by a false statement contained in a statement of domestic partnership, termination statement or amendment statement may bring a civil action for fraud to recover his or her losses.

(Ord. 96-466 § 1 (part), 1996: prior code § 6904)

2.84.060 Limited Effect.

This chapter does not make the California Uniform Partnership Act (Corp. C. § 15001 et seq.) applicable to domestic partnerships.

(Ord. 96-466 § 1 (part), 1996: prior code § 6905)

2.84.70 Visitation Rights.

All health care facilities including but not limited to hospitals, convalescent facilities or other long-term care facilities shall allow a domestic partner of a patient to visit the patient unless no visitors are allowed.

(Ord. 96-466 § 1 (part), 1996: prior code § 6906)

2.84.080 Jail Visitation.

All city jails shall allow an inmate's domestic partner to visit the inmate unless:

- a. No visitors are allowed, or
- b. The authority in charge of the jail decides that the particular visitor is a threat to the security of the facility.

(Ord. 96-466 § 1 (part), 1996: prior code § 6907)

2.84.090 Forms.

The following forms shall be sufficient proof of the creation or termination of domestic partnership:

a. Statement of Domestic Partnership.

Statement of Domestic Partnership

We, the undersigned, do declare that:

1. We are not related by blood;
2. Neither of us is married, nor are we related by marriage;
3. We share the common necessities of life;
4. We are each other's domestic partner, and we have been each other's domestic partner since _____;
5. We are the sole domestic partner of each other and have no other domestic partners;
6. We are both over eighteen (18) years of age;
7. We are responsible for each other's welfare;
8. We agree to notify the city of any change in the status of our domestic partnership arrangement.

I declare under penalty of perjury under the laws of the State of California that the statements above are true and correct.

Executed on: _____, 19 ____, at _____, California.

Signature: _____

Print Name: _____

Address: _____

Telephone Number: _____

Signature: _____

Print: _____

Address: _____

Telephone Number: _____

b. Statement Terminating Domestic Partnership.

Statement Terminating Domestic Partnership.

I, the undersigned, do declare that:

1. _____[Name of individual as shown on statement of domestic partnership]_____ and I are no longer domestic partners; and

2. I mailed my former domestic partner a copy of this notice at _____ on _____, 19__.

I declare under penalty of perjury under the laws of the State of California that the statements above are true and correct.

Signed: _____

Print: _____

Address: _____

Telephone Number: _____

PASSED, APPROVED AND ADOPTED this _____ day of _____, 19__.

MAYOR

CITY CLERK

(Ord. 96-466 § 1 (part), 1996: prior code § 6908)

2.84.100 Reciprocity.

The provisions of and the rights and benefits accorded by this chapter shall be applicable to persons registered as domestic partners in any other jurisdiction with a comparable domestic partnership enactment.

(Ord. 96-466 § 1 (part), 1996: prior code § 6908)