



City of Santa Barbara

City Clerk's Office

www.SantaBarbaraCA.gov

735 Anacapa Street
P.O. Box 1990
Santa Barbara, CA
93102-1990
Tel: 805.564.5309
Fax: 805.897.2623

DOMESTIC PARTNERSHIP APPLICATION INFORMATION

Please be advised that the City of Santa Barbara City Clerk's Office cannot guarantee that this Domestic Partnership will be accepted for any purpose other than to obtain City of Santa Barbara Employee Benefits. Other public and private entities are not obligated to recognize this Domestic Partnership. No refund will be given.

1. Forms may be obtained from the City Clerk's Office on the main floor of Santa Barbara City Hall, 735 Anacapa Street. Office Hours: M-F, 8:00 a.m. to Noon and 1:00 p.m. to 5:00 p.m. Phone: (805) 564-5309
2. Fees are as follows:
 - \$35 Domestic Partnership Registration
 - \$10 Statement of Termination
 - \$25 Confirmation Certificate of Domestic Partnership in another community
3. Both partners must sign the Affidavit of Domestic Partnership.
4. The fee is paid to the City's Finance Department Cashier on the main floor of City Hall prior to submitting the affidavit to the City Clerk's Office.
5. Obtain receipt from the Cashier.
6. One of the parties must file the Affidavit and the receipt of payment in person with the City Clerk.
7. The City Clerk's Office will prepare one official certificate for the partners.
8. The City Clerk's Office will retain the Affidavit.

RESOLUTION NO. 97-055

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING ADMINISTRATIVE PROCEDURES FOR THE REGISTRATION OF DOMESTIC PARTNERSHIPS BY THE CITY CLERK'S OFFICE AND SETTING APPLICABLE FEES WITH RESPECT THERETO WITHIN THE CITY OF SANTA BARBARA

WHEREAS, the City Council of the City of Santa Barbara adopted Ordinance No. 5012, adding a new Chapter 9.135 to the Santa Barbara Municipal Code, providing for the Registration of Domestic Partnerships; and

WHEREAS, Municipal Code Section 9.135.010(E) provides that the City Council shall adopt, by Resolution, administrative procedures for the processing of domestic partnership relationship certificates by the City Clerk's Office and a fee schedule applicable to such registrations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA that the City of Santa Barbara Administrative Procedures and Fee Schedule for the processing of Domestic Partnership Registrations, pursuant to Santa Barbara Municipal Code Chapter 9.135, attached hereto as Exhibit "A," is hereby approved.

Adopted June 3, 1997

EXHIBIT "A"
Resolution No. 97-055

CITY OF SANTA BARBARA
DOMESTIC PARTNERSHIP REGISTRATION
ADMINISTRATIVE PROCEDURES AND FEE SCHEDULE

PROCEDURES FOR ESTABLISHING DOMESTIC PARTNERSHIP REGISTRATION

I. GENERAL DESCRIPTION

The City of Santa Barbara has adopted an ordinance creating a Domestic Partners Registry within the City. This registration provides unmarried couples with a process to formally declare and record their self-described status as "domestic partners" and to obtain a written certification of the partnership.

The required Affidavit of Domestic Partnership form must be signed by both partners and each, in signing, attest to certain facts including a declaration of responsibility by the signing parties for their common welfare. The Affidavit form must be filed in person by one of the parties with the City Clerk's Office.

It should be noted that this Affidavit of Domestic Partnership may have potential legal implications under California law which has recognized that non-marital co-habiting couples may privately contract with respect to the financial obligations of their relationship. Questions, if any, regarding the potential legal effects of signing the Affidavit of Domestic Partnership should be referred to an attorney.

II. DOMESTIC PARTNERSHIP REGISTRY ORDINANCE PROVISIONS.

Chapter 9.135 of the Santa Barbara Municipal Code provides as follows:

A. DOMESTIC PARTNERSHIP DEFINED

Two persons may declare that a "Domestic Partnership" exists between them regardless of their gender, and each of them shall be the "domestic partner" of the other if they both complete, sign, and cause to be filed with the City Clerk an "Affidavit of Domestic Partnership" attesting to the following:

1. The two parties reside* together and share the common necessities of life.
2. The two parties are not married to anyone.
3. The two parties are at least eighteen (18) years of age or older.

* **Definition of "Reside"**: In the State of California "reside" has a legal meaning. Each person can only have one legal residence, and the Affidavit of Domestic Partnership declares that the two parties have the same legal residence. For further clarification, please seek the advice of an attorney.

4. The two parties are not related by blood so close as to bar marriage in the State of California and are mentally competent to consent to contract.
5. The two parties are each other's sole domestic partner and intend to remain so indefinitely and are responsible for their common welfare.
6. The two parties agree to file a Statement of Termination of Domestic Partnership with the City Clerk if any of the declarations of the Affidavit of Domestic Partnership cease to be true.
7. The two parties understand that the registration of the Affidavit of Domestic Partnership with the City Clerk constitutes a filing of a domestic partnership of continuous duration until either of the parties files a Statement of Termination or upon the death of either of the parties.
8. Neither of the parties has filed a Statement of Termination within the last six (6) months.
9. The two parties understand that they are solely responsible for any and all statements made in an Affidavit of Domestic Partnership, and for any losses or damages caused thereby, and that they will hold the City of Santa Barbara harmless from any liability arising out of or relating to any Affidavit of Domestic Partnership that is filed with the City of Santa Barbara.

B. TERMINATION OF DOMESTIC PARTNERSHIPS

A member of a domestic partnership may end said relationship by filing a Statement of Termination of Domestic Partnership with the City Clerk.

In the Statement of Termination, the individual will be required to affirm under penalty of perjury that the partnership is terminated. In case of the death of either party to a Domestic Partnership, a Statement of Termination is not required to be filed.

C. FILING OF SUBSEQUENT AFFIDAVITS OF DOMESTIC PARTNER RELATIONSHIP

No individual who has filed an Affidavit of Domestic Partnership may file another such Affidavit until six (6) months after a Statement of Termination of Domestic Partnership terminating the previous has been filed with the City Clerk.

D. RECIPROCITY WITH OTHER COMMUNITIES

Upon written request, the City Clerk shall confirm the registration of a domestic partnership registered in another community pursuant to the applicable regulations of that community and issue a City of Santa Barbara Certificate of Domestic Partnership for the same individuals. A lesser fee shall be charged for such a Certificate in an amount established by resolution of the City Council.

III. FEE SCHEDULE.

- A. The fee charged for the filing of an Affidavit of Domestic Partnership and to obtain a Certificate of Domestic Partnership Registration shall be \$35.00.
- B. The fee charged for the filing of a Statement of Termination shall be \$10.00.
- C. The fee charged for confirming a Registration of Domestic Partnership in another community and issuing a Confirmation Certificate of Domestic Partnership shall be \$25.00.

All such fees shall be paid to City of Santa Barbara Finance Department prior to submission of an Affidavit of Domestic Partnership or Statement of Termination form to the City Clerk's office.

**CITY OF SANTA BARBARA
AFFIDAVIT OF DOMESTIC PARTNERSHIP**

We declare under penalty of perjury:

1. We reside together and share the common necessities of life.
2. We are not married to anyone.
3. We are at least eighteen (18) years of age or older.
4. We are not related by blood so close as to bar marriage in the State of California and are mentally competent to consent to contract.
5. We are each other's sole domestic partner and intend to remain so indefinitely and are responsible for our common welfare.
6. We agree to file a Statement of Termination of Domestic Partnership if any of the declarations of the Affidavit of Domestic Partnership cease to be true.
7. We understand that the registration of the Affidavit of Domestic Partnership with the City Clerk creates a domestic partnership of continuous duration until either of us files a Statement of Termination or upon the death of either of us. (In case of the death of either party, a Statement of Termination is not required to be filed.)
8. Neither of us has filed a Statement of Termination within the last six (6) months.
9. We understand that we are solely responsible for any and all statements made in this Affidavit of Domestic Partnership, and for any losses and/or damages caused thereby, and that we will hold the City of Santa Barbara harmless from any liability arising out of or relating to any statement made in this Affidavit of Domestic Partnership.
10. We understand that the registration of a Domestic Partnership with the City Clerk is only for recordation with the City of Santa Barbara only, which is a separate entity from the County of Santa Barbara and the California Secretary of State.
11. We understand that the City of Santa Barbara City Clerk's Office cannot guarantee that this Domestic Partnership will be accepted for any purpose other than to obtain City of Santa Barbara Employee Benefits, and that the filing fee is non-refundable.

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

1) Signed on _____ in Santa Barbara, CA
(month, day, year)

Signature _____ Print Name _____

2) Signed on _____ in Santa Barbara, CA
(month, day, year)

Signature _____ Print Name _____

Fee: \$35.00 for filing the Affidavit and obtaining a Certificate of Registration of a Domestic Partnership.
This fee is non-refundable.

FOR STAFF USE ONLY

Certificate # _____

Date Certificate Issued _____

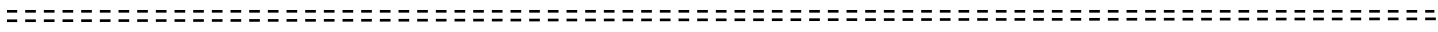
Staff _____

INSTRUCTIONS TO THE APPLICANT: Take this form, with your payment, to the City of Santa Barbara Finance Department Cashier. After payment, bring the bottom half to the City Clerk's Office with your completed Affidavit.

DOMESTIC PARTNERSHIP FEE SCHEDULE

- _____ \$35 Domestic Partnership Registration
- _____ \$10 Statement of Termination
- _____ \$25 Confirmation Certificate of Domestic Partnership in another community

Finance Department Account 001.1521.46892
Transaction Code 8851



(Finance Department Cashier to validate this half of form and return it to the applicant for filing with the City Clerk)

RECEIPT

DOMESTIC PARTNERSHIP FEE SCHEDULE

- _____ \$35 Domestic Partnership Registration
- _____ \$10 Statement of Termination
- _____ \$25 Confirmation Certificate of Domestic Partnership in another community

RECEIPT TO BE TAKEN TO CITY CLERK WHEN FEE IS PAID