

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PINE LAKE, TO ENACT SECTION 2-158 OF THE CODE OF ORDINANCES, TO RECOGNIZE LONG-TERM DOMESTIC PARTNERSHIPS, TO CREATE A REGISTRY FOR DOMESTIC PARTNERSHIPS, TO AUTHORIZE CORECTIONS OF SCRIVENER'S ERRORS BY THE CITY CLERK, AND FOR OTHER PURPOSES

WHEREAS, on April 14, 2014, the City Council of Pine Lake adopted Resolution 03-2014 recognizing domestic partnerships; and

WHEREAS, when the original Resolution was adopted by the Council, Georgia law did not provide for the lawful right of persons of the same gender to be married; and

WHEREAS, Georgia by Statute, O.C.G.A. § 19-3-1.1, eliminated the existence of "common-law marriage" whereby persons of opposite genders could deem themselves married by evidence of their intent to cohabit, to hold themselves out to be married, and other indicia of commitment to a single home or family, in 1997; and

WHEREAS, Precedent of the United States Supreme Court has now recognized as a matter of the United States Constitution that all persons within the jurisdiction of the United States have a right to marry the person of their choice; and

WHEREAS, In the event the precedent of the United States Supreme Court should change, the City of Pine Lake wishes to offer a lawful and reasonable alternative to a traditional state recognized marriage; and

WHEREAS, Resolution 03-2014 also created a process by which those persons meeting the criteria established by the Resolution could register their commitment with the City and receive official recognition of that commitment from the City; and

WHEREAS, the need for a formal process consistent with the City's New Charter, particularly Section 2.23, which requires an Ordinance of the City for rules or procedures of a permanent nature; and

WHEREAS, the City Council wishes to establish permanent and searchable process by which the citizens of Pine Lake may be able to locate and rely on this process to facilitate the recognition of their commitment to each other;

NOW, THEREFORE, IT IS HEREBY ORDANCED by the Mayor and City Council of the City of Pine Lake that Section 2-158 is enacted and made a part of the Code of Ordinances of the City of Pine Lake as follows:

SECTION 1:

2-158 Domestic Partnerships Registration

- a. "Domestic Partnerships" shall be defined in this Ordinance as relationship where two people, whether of the same gender or of different genders, who are not married under the laws of the State of Georgia or the United States, but who live together in a mutually beneficial and intentional relationship with the stated intent of creating a single home.
- b. The City shall maintain a registry of all persons who have filed with the City the Application required to have their relationship recognized by this Ordinance.
- c. The City Manager shall create a form to be used by the applicants for recognition of their relationship that must be signed, and notarized, by both partners.
- d. An Application fee of \$5.00 shall be paid at the time of the application to defray the costs of supplies and staff time in managing this process.
- e. The registry of persons and relationships recognized by the City shall be maintained by the City Clerk or their designee in the official records of the City.

SECTION 2:

This Ordinance shall take effect upon passage.


SECTION 3:

If any section of this Ordinance shall be found by a court of competent jurisdiction not to be lawful or to be unenforceable, such judgement on a single section shall not render other sections unenforceable or affect the lawful effect of other sections.

SECTION 4:

All laws and ordinances of the City of Pine Lake in conflict with this Ordinance shall be repealed.

SO ORDAINED, this 28th Day of January, 2025.



BRANDY HALL
Mayor

ATTEST:



NED DAGENHARD
Deputy City Clerk

APPROVED AS TO FORM:



CHRISTOPHER D. BALCH
City Attorney