

ORDINANCE NO. \_\_\_\_\_  
0-08-56

An ordinance of the City of Gainesville, Florida, amending Article VIII of Chapter 2 of the Code of Ordinances, relating to registered domestic partners, to provide that registered domestic partners may not be related by blood in any way which would prohibit legal marriage in the State of Florida, providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**WHEREAS**, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the Auditorium of City Hall in the City of Gainesville; and

**WHEREAS**, the Public Hearings were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:**

**Section 1.** Subsection (a) "Registration" of Section 2-611, "Registration, amendment, termination and administration procedures" of Article VIII of Chapter 2 of the Code of Ordinances of the City of Gainesville, shall be amended to read as follows:

**Sec. 2-611. Registration, amendment, termination and administration procedures.**

(a) *Registration.*

(1) *Declaration of registered domestic partnership.* A declaration of registered domestic partnership shall be filed with the clerk of the commission and shall contain the names and addresses of the applicants who shall swear or affirm under penalty of perjury that each partner:

a. Is at least 18 years old and competent to contract;

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2 b. Is not married to, or a member of another registered domestic  
3 partnership or civil union, with anyone other than the co-applicant.  
4 c. Agrees to share the common necessities of life and to be responsible  
5 for each other's welfare.  
6 d. Considers the mutual residence to be his or her primary residence.  
7  
8 e. Considers himself or herself to be a member of the immediate family  
9 of the other partner; and  
10 f. Agrees to mutually support the other by contributing in some fashion,  
11 not necessarily equally, to maintain and support the registered  
12 domestic partnership.  
13 g. Are not related by blood to one another in any way which would  
14 prohibit legal marriage in the State of Florida.

15 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of  
16 this ordinance shall become and be made a part of the Code of Ordinances of the City of  
17 Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered  
18 or relettered in order to accomplish such intentions.

19 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
20 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
21 finding shall not affect the other provisions or applications of the ordinance which can be given  
22 effect without the valid or unconstitutional provisions or application, and to this end the  
23 provisions of this ordinance are declared severable.

24 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
25 such conflict hereby repealed.

# DRAFT

7/31/2008

**Section 5.** This ordinance shall become effective immediately upon final adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_, 2008.

\_\_\_\_\_  
PEGEEN HANRAHAN,  
MAYOR

ATTEST:

Approved as to form and legality

\_\_\_\_\_  
KURT M. LANNON  
CLERK OF THE COMMISSION

\_\_\_\_\_  
MARION J. RADSON  
CITY ATTORNEY

This Ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_, 2008.

This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_, 2008.