

MUNICIPAL REGULATION FOR THE CELEBRATION OF CIVIL MARRIAGE

Approved with City Council Resolution n. 9 of 13.3.2019

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Article 1 - Subject and purpose of the regulation

1. This regulation explains the organization modalities of the municipal service in charge of the activities related to the celebration of marriages with civil ceremony, in compliance with current legislation and provisions of articles 106 to 116 of the Civil Code and Presidential Decree no. 396 of 3.11.2000.
2. The celebration of civil marriage is an institutional activity guaranteed to citizens as provided for by the Civil Code and the Civil Status Regulations (Presidential Decree n. 396/2000).

Article 2 - Functions

1. The celebration of civil marriages is carried out by the Mayor, as a registrar and Government Officer, according to the art. 1 of D.P.R. n. 396/2000.
2. For the celebration of civil marriages, the Mayor may delegate the functions of registrar to permanent employees who have the Registrar qualification or to the Municipal Secretary.
3. In addition, councilors, municipal councilors or Italian citizens who qualify for the election as a municipal councilor authorized by law and specifically delegated by the mayor can also celebrate civil marriages.
4. To celebrate the wedding, the Registrar must wear the tricolor band, as required by art. 70 of the Presidential Decree n. 396 of 3.11.2000.

Article 3 - Request for celebration

1. The celebration of the wedding must be requested through an application form addressed to the Mayor and signed by both spouses or by a delegated person (as in Annex A).
2. The application form must contain the personal data of the couple, the date of marriage, the matrimonial property regime chosen, and - if any - the data of the couple's natural children, to be recognized or legitimized.
3. The application form must be submitted to the Mayor at least 30 working days before the date of celebration. The couple will be notified within 10 days from the date of receipt of the application.
4. The documentation to be presented by the spouses must be available to the Municipality at least one day before the wedding date.
5. The celebration must be preceded by regular public marriage notice, as required by art. 50 and the following articles of the D.P.R. n. 396 of 03.11.2000. In the event that the public marriage notice doesn't comply with the terms and conditions established by law, it will not be possible to proceed with the wedding and the booking will be automatically canceled.

Art. 4 Celebration venues

1. According to Article 10 of the Civil Code, civil marriage is celebrated publicly in the Council Chamber.
2. The celebration of the marriage may also take place in venues other than the Council Chamber, subject to the institution by the Town Council with a specific resolution adopted pursuant to paragraph 1, of art. 3 of the Presidential Decree n. 396 of the 3rd November 2000.
3. The celebration of weddings outside the Council Chamber or authorized places can only take place in the cases provided for by art. 110 of the Civil Code. This means that, if one of the spouses due to illness or other justified impediments is unable to go to the Municipal House, the Officer, the Secretary and four witnesses move to the place where the couple is.

Article 5 - Celebration time

The celebration of civil marriage is part of the institutional services of the State Government. Therefore, any celebration that takes place during the opening time to the public (from Monday to Friday) is not subject to any payment.

1. Weddings are usually celebrated at the following times:

- Monday - from 9.30 to 12
- Tuesday - from 9.30 to 12 and from 3 p.m. to 6 p.m.
- Wednesday - from 9.30 to 12
- Thursday - from 9.30 to 12 and from 3 p.m. to 6 p.m.
- Friday - from 9.30 to 12

The celebration can also take place from Monday to Friday outside the time slots identified above, subject to the availability of employees, the Mayor or his delegate and Municipal Administration facilities.

2. On Saturday and Sunday, the celebration must take place in the time slot from 9:30 to 12 and from 3 p.m. to 6 p.m (always depending on the availability of employees, the Mayor or his delegate and Municipal Administration facilities).

3. The Municipal Council, with its own resolution, can modify or integrate the days and times for civil marriages.

4. The celebration must end within one hour.

5. Weddings cannot be celebrated on midweek holidays, Easter, Christmas and New Year, April 25th, May 1st, June 2nd, August 15th, September 8th (our Patroness's day), 1st and 2nd November.

6. The celebration of the wedding outside the working time is subject to the payment of fees due in compliance with the National Collective Labor Agreement for the staff of the "Local Functions" sector.

Article 6 - Use of the spaces intended for the celebration

1. The choice of the place in which the couple intend to celebrate their marriage must be made when completing the application form.

2. The requesting parties are allowed to decorate the place with flowers (the decoration costs are paid by the couple); they are directly responsible for any damage done to the facilities. The decorations affixed for the wedding must be removed at the end of the event by the users themselves.

3. It is forbidden to throw flower petals, rice or anything else in the room and inside the building where the wedding is celebrated. This launch is allowed, as a sign of good luck, exclusively at the exit of the Town Hall or the other wedding facilities. It will be up to the users to clean up the public spaces, within the next 24 hours.

4. In rooms used as council rooms, furniture and equipment used for institutional activities cannot be removed.

5. In the case of an underwater wedding, it is not possible to introduce other elements into the water or remove typical elements (such as sand, stones, organisms).

Article 7 - How the celebration takes place

1. The celebration of the wedding takes place on the day agreed between the applicants and the Municipal Administration.

2. The celebration is subject to the availability of the Municipal Administration operators, the required spaces and the payment of the corresponding tariff.

Article 8 - Rates and prices

1. The rates due for the celebration of weddings are established by the resolution of the City Council.

2. To establish the rates, the following indirect and direct costs are taken into account:

- personnel costs;
- management expenses;
- use of the rooms;
- heating;
- room cleaning.

3. The fee must be paid to the Municipality's Treasury at least 10 days before the date scheduled for the celebration. Within this period, applicants must submit the documentation of the payment to the Civil Status Registrar, otherwise the availability of spaces and times will be revoked.

4. If the applicants want to celebrate the wedding in the Council chamber, this venue will be granted, if available on the date chosen, without any financial fee, as long as it is celebrated within the times indicated in art. 5, paragraph 1, of these Regulations.

Outside these hours, the Council chamber will also be granted upon payment of the rate determined by the Municipal Council.

5. If the spouses want to celebrate the marriage in venues other than the Council chamber the venue will be granted, if available on the date indicated, upon payment of the corresponding fee (this paragraph is valid for both residents and non-residents).

6. All spouses (residents and non-residents) who request the celebration of marriage on Saturdays and Sundays in the Council chamber or other venues will have to pay the corresponding fee determined by the Municipal Council.

Article 9 - Service Organization

1. The Municipal Office responsible for organizing the celebration of marriages is the Civil Status Office. This Office handles the administrative procedure for the preparation of the documents, provides the forms and information necessary for this purpose.

2. The celebration venues can only be visited by appointment and during working hours.

3. The Head of the Service will issue, in coordination with the other offices, the necessary provisions to ensure that the requested services are regularly carried out.

4. If the requested services are not provided, in whole or in part for reasons attributable to the Municipality, we will provide for the total or partial refund of any sums paid.

4. No reimbursement will be given in the event that the failure to perform the services is the responsibility of the applicants.

Article 10 - Inability to use spaces

1. Celebrations are not carried out:

- a) on the occasion of holidays, as indicated in paragraph 6 of art. 5 of these Regulations;
- b) in the event of exceptional and unforeseen events that may cause the unavailability of spaces and services.

Article 11 - Marriage with an interpreter

1. If the couple and/or the witnesses are foreign citizens, they must demonstrate to the Registrar, before the celebration, that they understand the Italian language. If they demonstrate that they do not understand the Italian language, they will have to use an interpreter as required by art. 13 and 16 of the Presidential Decree 396/2000. The interpreter must be chosen by the spouses themselves (the municipality does not deal with this service which is NOT included in the rate).
2. Interpreters must go to the Registrar before the celebration of the marriage, show them a valid identity document and communicate their willingness to take on the task, demonstrating the ability to carry out the requested translation as required by articles 13 and 66 of the DPR n. 396/2000.

Article 12 - Marriage by proxy

1. If the wedding takes place by delegation from another municipality, the spouses must submit a prior request for availability to the celebration, indicating to the registrar the date and time chosen at least 20 days in advance.
2. The marriage can be celebrated in compliance with the constraints established by these regulations.
3. For the marriage celebrated by delegation from another municipality, the spouses will have to submit the following documents within 8 days of the date of the celebration:
 - delegation of the Municipality of residence;
 - certificate of successful public marriage notice;
 - photocopy of their identity documents;
 - photocopy of the identity documents of the witnesses;
 - A form prepared by the office, in which they specify the matrimonial property regime chosen;
 - An extract from the birth certificate of any natural children, to be recognized or legitimized.

Article 13 - Marriage celebrated by a delegated citizen

1. If the spouses intend to have their marriage celebrated by a citizen having the necessary requisites to hold the office of City Councilor as required by art. 1, paragraph 3 of Presidential Decree 396/2000, they must submit an application form provided by the Civil Status Office addressed to the Mayor at least 20 days before the celebration.
2. The requirements of the previous point may be demonstrated by the celebrant also by signing a Substitutive Declaration in lieu of affidavit, according to the art. 47 of the Presidential Decree 445/2000.
3. Once the documents have been received, the Mayor, after having carried out the necessary checks, may dispose, without being obliged, to delegate the functions of that specific event, to the person indicated, who must sign for acceptance.

Article 14 - Underwater marriage

1. In the case of an underwater wedding, both spouses must attach to the documentation a certificate attesting their skills (at least a first scuba certification level of Open Water or similar).
2. The celebrant (a Mayor, a permanent employee in possession of the qualification of Civil State Officer, a Town Secretary or an Italian citizen who has the requisites for the election as Town Councilor...) must have a diving instructor or divemaster license.

3. The celebration of the wedding must take place at a maximum depth of 6 meters and always in compliance with the Seaside Safety Ordinance issued annually by the Maritime District Office of Arbatax, and, in particular, in compliance with the regulation of all underwater activities.

4. The spouses must communicate the date of the event well in advance to the Maritime District Office of Arbatax, so that it can promulgate a specific ordinance aimed at safeguarding public safety and security.

Article 15 - Preliminary requirements to be fulfilled before the celebration

1. On the day scheduled for the celebration, two adult witnesses (one for the groom and one for the bride) with a valid ID must be present.

2. At least 8 days before the date scheduled for the celebration, the spouses must deliver a photocopy of the witnesses' identity documents to the Civil status office.

3. In case of an underwater wedding, both witnesses must attach to the documentation a certificate attesting their skills (at least a first scuba certification level of Open Water or similar)

4. The spouses must communicate any changes in the witnesses, the interpreter or the property regime by 9 am of the day before the celebration.

Article 16 - Data processing

1. The data processing necessary for carrying out the civil marriage ceremony is carried out in compliance with Legislative Decree 196/2003 "Code for the protection of personal data" and with Legislative Decree no. 101/2018 "Provision for the adaptation of national legislation to the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, relating to the protection of individuals with regard to the processing of personal data".

2. The data controller is the Municipality of Bari Sardo.

Art. 17 - Final provisions

1. For anything not expressly provided for in this regulation, please refer to the current legislation on the subject and, more precisely, to the Civil Code and the Presidential Decree 3 n. 396/2000.

Article 18 - Effectiveness and publication

1. This regulation will be effective upon publication in the Praetorian Register for 15 consecutive days, after the related approval resolution has become enforceable.

2. A copy of these regulations, so that interested parties can check it at any time, will be available at the Civil Status Office and on the Municipality website, in the "Transparent Administration" section.