

Introduced by: Robert J. Scott  
Date Introduced: April 9, 2024  
Public Hearing Date: April 23, 2024  
Public Hearing Time: 7:00 P.M.  
Adoption Date: April 23, 2024  
Effective Date: Upon Adoption

**Ordinance 24-09**

**Clerk of the Peace Fee Schedule Update**

**An Ordinance to Repeal and Replace Kent County Code, Chapter 128 Fees, Part 2 Fee Schedule, Article XI Fees Enumerated, §128.40 Clerk of the Peace.**

**The Levy Court of Kent County hereby ordains:**

**Section 1. Code Repealed.**

The Code of Kent County Levy Court is hereby amended by repealing Chapter 128 Fees, Part 2 Fee Schedules, Article XI Fees Enumerated, §128-40 Clerk of the Peace.

**Section 2. Code Amended.**

The Code of Kent County Levy Court is hereby amended by adding thereto a new Chapter 128 Fees, Part 2 Fee Schedules, Article XI Fees Enumerated, §128-40 Clerk of the Peace, replacing the repealed section as follows.

**§ 128-40 Clerk of the Peace.**

A. Marriage and civil union licenses.

- (1) Resident: \$50.
- (2) Nonresident: \$100.
- (3) Active-duty military: \$50.
- (4) Recording fee for each license: \$20.

B. Ceremony.

- (1) Resident: \$50; After hours: \$75; Saturdays: \$100; Out of Office: \$100.

- (2) Nonresident: \$100; After hours: \$125; Saturdays: \$150; Out of Office: \$200.
- (3) Active-duty military: \$50.
- C. Certified copy of marriage and civil union licenses: \$25 (of which \$15 goes to the State of Delaware for domestic violence).
- D. License extension: \$25/month (for up to six months).
- E. If one or both parties are residents of Kent County, the resident rate shall apply. If both parties are nonresidents of Kent County, the nonresident rate shall apply.
- F. For the purpose of this section, the term "resident" shall mean a resident of Kent County, Delaware, who has been domiciled within the County for at least one year and shall include the son or daughter of a person who has been domiciled within the County for one year or more, notwithstanding the actual place of residence of the son or daughter immediately prior to the date of the marriage.

**Section 3. Severability.**

The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph shall be held unconstitutional or violates the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

**Section 4. Effective Date.**

This ordinance shall become effective upon adoption,

Adopted by the Levy Court  
of Kent County, Delaware

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President, Kent County Levy Court  
This 23<sup>rd</sup> day of April 2024

Attest: \_\_\_\_\_  
Clerk of the Peace