

Marriage Ceremony Fees - A Primer for Pennsylvania Borough Mayors

Under Pennsylvania law, borough mayors are officials empowered to conduct civil marriage ceremonies.

When and how is a mayor permitted to receive fees for performing such marriage ceremonies? Well, generally speaking, any salary paid under an ordinance to a mayor shall be in lieu of all costs and fees allowed a mayor. 8 Pa.C.S. §10A05(a). Practically, this means that any amounts collected or received by a mayor must be deposited into the borough treasury. 8 Pa.C.S. §10A05(a). Furthermore, such costs and fees cannot be diverted in any way even as a gift or it could be considered a violation of the Pennsylvania Ethics Act relating to ethical standards and disclosures.

However, the Borough Code provides an exception for certain marriage ceremony fees. The Borough Code at 8 Pa.C.S. §10A05(b)(1) does authorize a mayor to receive a monetary fee for the performance of a marriage ceremony in this Commonwealth, if the fee does not exceed \$150 for each ceremony performed and a mayor furthermore meets two (2) additional requirements set forth in the Code. First, prior to performing these ceremonies, the mayor must notify council in writing of the mayor's intention to perform marriage ceremonies. 8 Pa.C.S. §10A05(b)(2). The notification to council shall remain in effect for the term of the mayor or until the notification is rescinded by the mayor. 8 Pa.C.S. §10A05(b)(3). Second, the mayor must also maintain accurate accounts of the fees received relating to the performance of marriage ceremonies and provide council each quarter with a report of money received for that period. 8 Pa.C.S. §10A05(b)(4). Such quarterly report shall include the amount of money received and the names of persons from whom money was received, along with the date and the location of the performed ceremony, and the report is considered a public record.