

3 From the Milwaukee County Clerk, Office of the County Clerk, requesting authorization
4 to amend Section 59.15 and Section 59.20 of the Milwaukee County Code of General
5 Ordinances relating to fees for marriage licenses and marriage ceremonies, in
6 accordance with the 2026 Adopted Budget, by recommending adoption of the following:
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8 **A RESOLUTION/ORDINANCE**
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10 WHEREAS, the Milwaukee County Clerk, Office of the County Clerk (County
11 Clerk) is an independently elected Constitutional Officer, responsible under Chapter
12 765, Wisconsin State Statute (State Statutes), for issuing marriage licenses and
13 collecting fees associated with those licenses; and
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15 WHEREAS, Section 765.15, State Statutes, authorizes County Clerks to collect
16 marriage license fees and provides that the fee amount may be established by each
17 county; and
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19 WHEREAS, Milwaukee County (the County) codifies its marriage license fee
20 amount in Section 59.15, Milwaukee County Code of General Ordinances (the Code);
21 and
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23 WHEREAS, the County's 2026 Adopted Budget includes a provision to increase
24 the marriage license fee to \$120.00, effective January 1, 2026; and
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26 WHEREAS, this increase aligns with fees in the most populous counties
27 statewide and ensures that the County Clerk can continue to provide efficient marriage
28 license services while recovering administrative costs; and
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30 WHEREAS, Section 59.79(5), State Statutes, authorizes counties to impose a
31 fee for each marriage ceremony performed by a Judge or Circuit or Supplemental Court
32 Commissioner, as specified under Section 765.16(1m)(e), State Statutes; and
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34 WHEREAS, Section 59.20 of the Code governs the performance of marriage
35 ceremonies at the Milwaukee County Courthouse (the Courthouse); and
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37 WHEREAS, prior to the Coronavirus Disease pandemic, marriage ceremonies
38 were regularly conducted at the Courthouse by Circuit Court Judges and Court
39 Commissioners and coordinated by the County Clerk's Office; and
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41 WHEREAS, due to pandemic-related disruptions and subsequent changes in
42 court operations, the Chief Judge's Office has determined that the pre-pandemic model
43 of conducting marriage ceremonies is no longer feasible; and
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45 WHEREAS, after surveying court officials, it has been determined that resuming
46 marriage ceremonies at the Courthouse will require authorizing compensation for
47 Milwaukee County Circuit Court Judges and Commissioners who perform such
48 ceremonies during the usual and customary hours when the building is open to the
49 public; and

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51 WHEREAS, authorizing such compensation will allow the County Clerk's Office
52 to resume Courthouse marriage ceremonies on a schedule governed by public demand,
53 while ensuring appropriate cost recovery and equitable compensation; and

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55 WHEREAS, the Committee on Judiciary, Law Enforcement, and General
56 Services, at its meeting of December 9, 2025, recommended adoption of
57 File No. 25-725 (vote 5-0); now, therefore,

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59 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends
60 Sections 59.15 and 59.20 of the Milwaukee County Code of General Ordinances, by
61 adopting the following:

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AN ORDINANCE

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65 The County Board of Supervisors of the County of Milwaukee does ordain as
66 follows:

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68 **SECTION 1.** Section 59.15 of the Milwaukee County Code of General Ordinances of
69 Milwaukee County is hereby amended as follows:

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71 59.15 - Fees for marriage licenses, notary fees for licenses

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73 The county clerk, pursuant to s. 765.15, Wis. Stats., receives one hundred **five**
74 **twenty** dollars (**\$10520.00**) for each marriage license granted. Of the fee amount,
75 remittances are paid pursuant to Wisconsin State Statutes, with the balance to be paid
76 into the county treasury. The County Board may increase the fee through adoption of
77 the annual budget or by resolution during a budget year. The county clerk is also
78 authorized to charge a ten-dollar (\$10.00) fee for issuance of any
79 duplicate marriage license.

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81 **SECTION 2.** Section 59.20 of the General Ordinances of Milwaukee County is hereby
82 amended as follows:

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84 59.20. - Fees for certain marriage ceremonies.

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86 A judge or court commissioner specified in s. 765.16(5), Wis. Stats. who
87 performs a marriage ceremony in the courthouse, safety building or children's court
88 center during the usual and customary hours when any office in those buildings is open
89 to the public for the transaction of business, shall ~~not~~ receive ~~any~~ compensation ~~or~~
90 ~~gratuity therefor~~ from the county clerk ~~or and shall not receive gratuity from~~ the
91 parties to the marriage, but the county clerk shall collect and retain a fee from either of
92 such parties in advance of said ceremony, and the court clerk's receipt for the fee
93 collected shall be exhibited to the judge or court commissioner before the marriage
94 ceremony is performed. The fee shall be set in the county's annual budget and, in each
95 subsequent year, may be increased by an amount at least equal to the rate of inflation
96 for the preceding year, and may also be increased by such additional amount as the
97 county board may establish.

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99 **SECTION 3.** The provisions of this Ordinance shall be effective upon passage and
100 publication.

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S:\Committees\2025\December\JLEGS Dec 9\Resolutions\25-725 ordinance change for marriage license fee

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