

## **Marriage License and / or Marriage Ceremony**

### **Where do you get one?**

A couple who intends to be married in New York State must apply in person for a marriage license to any Town or City Clerk in the State. The application for a license must be signed by both the bride and groom in the presence of the Town or City Clerk. A representative cannot apply for the license on behalf of the bride or groom. This applies even if the representative has been given the Power of Attorney. Notarized marriage license affidavits signed by the bride or groom cannot be substituted for their personal appearance. We issue marriage licenses Monday through Friday from 9:30am – 3:30pm. In New York State, marriage licenses can be issued to same-sex couples.

### **Is there a waiting period?**

Yes. Although the marriage license is issued immediately, the marriage ceremony may not take place within 24 hours from the exact time that the license was issued.

### **How long is the license valid?**

A marriage license is valid for 60 days, beginning the day after it is issued.

### **How much does it cost?**

If the marriage license is issued by the Town or City Clerk in New York State outside of New York City, it costs \$40. This fee includes the issuance of the Certificate of Marriage Registration. This certificate is automatically sent by the issuing Clerk to the applicants within 15 days after the completed license is returned by the officiant (person who performs the marriage ceremony). It serves as notice that a record of the marriage is on file. Couples who do not receive a Certificate of Marriage Registration within four weeks of the wedding should contact the Town or City Clerk who issued the license.

### **Proof of Age and Identity (for North Tonawanda)**

A person is required to establish proof of age and identity by submitting to the issuing clerk.

One of the following age related document:

1. Certified Birth Certificate with both parents names **and** raised seal
2. Baptismal Record (**must have Mothers full maiden name and Fathers full name**)

One of the following identity related documents

1. Driver's License
2. Passport

### **Previous Marriages (for North Tonawanda)**

Information regarding previous marriages must be furnished in the application for a marriage license. This includes whether the former spouse or spouses are living, and whether the applicants are divorced

and, if so, when, where and against whom the divorce or divorces were granted. A certified copy for each Decree of Divorce is required by the clerk issuing the marriage license. A certified copy of the Death Certificate of the marriage ended in Death is required.

**Where can a marriage take place?**

A New York State marriage license may be used within New York State only. Please note that if you go out of New York State to be married, your New York State marriage license will not be filed in New York State.

**What about the ceremony?**

There is no particular form or ceremony required except that the parties must state in the presence of an authorized member of the clergy or public official and at least one other witness that they take each other as husband and wife. There is not minimum age for a witness. However, in selecting a witness, choose at least one person who you feel would be competent to testify in a court proceeding as to what he or she witnessed.