

# Wedding receptions in NY: Ruling serves up a buffet of confusion

Updated 8:03 AM; Today 7:30 AM



FILE - Wearing latex gloves to prevent the spread of the coronavirus, a bride and groom exchange rings during their wedding ceremony near Jakarta, Indonesia, on June 19, 2020. AP Photo/Tatan Syuflana, File

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Brides, grooms, their parents and banquet hall owners have spent the last two days trying to figure out what kind of wedding reception you can have in New York right now.

The confusion follows a federal judge's rejection of Gov. Andrew Cuomo's executive order that limits wedding receptions to just 50 people, part of the state's strategy to restrict the spread of the coronavirus.

Among the questions: Does it apply to weddings all over New York? Does it apply to every kind of wedding venue?

Here's what happened:

Cuomo issued an executive order that limits weddings, like any gathering, to 50 people to contain the coronavirus.

Two Western New York couples successfully challenged that limit in federal court, saying the state violated their First and Fourteenth Amendment rights by allowing some other non-religious gatherings to exceed that number.

U.S. District Court Chief Judge Glenn Suddaby ruled in their favor Friday. His decision said that weddings in restaurants should be treated by the same rules as ordinary dining. On any other night, a restaurant could serve meals indoors at 50% capacity.

Here is how state and county officials reacted:

Onondaga County Executive Ryan McMahon celebrated the ruling and said Monday that it opens the door for bigger weddings in his county.

Cuomo is not giving up the fight. His lawyers plan to appeal, his staff said.

Caitlin Girouard, Cuomo's press secretary, said the ruling is "irresponsible at best" and opens the door to large, mass gatherings that endanger public health.

The Cuomo administration also contended the ruling applies only to the two parties who filed the lawsuit. They say anyone else must still abide by the limit of 50 people.

Or what? They don't say. Staff did not answer questions about whether the state would revoke liquor licenses for weddings that exceed the limit. Cuomo's staff could not explain why the ruling would be limited to just the businesses who brought the lawsuit.

Does it apply to only restaurants, which are specifically mentioned in the case, or does it apply to other catered venues?

Sky Armory, a venue in downtown Syracuse, is ready to go.

"I'm working under the cover of Onondaga County, so I'm good with that," said Kevin Samolis, who owns Sky Armory with his wife Nicole.

They are planning between 10 and 15 weddings with more than 50 people through the end of the year.

Staff at Traditions at the Links, in East Syracuse, will wait to see what happens in the next week before talking with couples about increasing attendance.

“We don’t want anybody to get their hopes up,” said Greg Kraus, general manager.

Does the case apply statewide?

Adam Mastroleo, a partner in the labor and employment department at Bond, Schoeneck and King, said there is no question the judge intended for the ruling to apply to similarly situated restaurants across the state.

Just like the lawsuit that challenged attendance at churches, the wedding case sets a precedent that goes beyond the two parties that brought the lawsuit, he said.

Mastroleo said the judge went out of his way in the ruling to discuss wedding receptions in general terms rather than limiting his remarks to the venue at issue in the lawsuit.

“The court is finding that a wedding that follows all the same rules that would be applicable to the given venue for dining when that venue is operating as a restaurant should not be treated differently than a restaurant,” the judge wrote.

What does it mean for places that are not restaurants? Many weddings are held in places that are catered and are not traditional restaurants.

It is not clear whether they could increase attendance under the judge's ruling.

Mastroleo said he thinks the answer is no.

The argument that persuaded the judge in this case was that restaurants could serve ordinary dinners at 50% capacity one night, then the next night, had to limit a wedding to 50 people.

The judge said that violated the Equal Protection Clause in the Fourteenth Amendment.

"The way that I would read it is that those type of venues are not allowed to operate because they don't meet the elements of an equal protection analysis," he said.

That's because caterers are not serving dinners another night without the 50-person limit.

Tony Rupp, the Buffalo attorney who won the case in Western New York, also said there is no question the ruling sets a statewide precedent. He said he spent the day Tuesday on the phone with wedding trade associations, venue owners and couples across New York state.

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“Everybody is trying to figure out what the parameters are of the decision are,” he said.

To him, the judge was clear.

“He’s clearly referring to weddings in the plural and clearly not just limited to the two weddings,” he said.

Still, Rupp said he and others might file another lawsuit to make it clear that the decision applies to other weddings in New York state.

“A lot of the venues are not sure what to do and they’re scared the governor’s going to pull their liquor licenses,” he said.

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