

Wisconsin Institute for Law & Liberty: Evers administration prolongs uncertainty for wedding barn owners

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Contact:

Collin Roth | WILL Director of Communication
collin@will-law.org | 414-727-7418

The News: The Wisconsin Department of Justice, on behalf of the Evers administration, issued a response to WILL's wedding barn lawsuit that only serves to prolong the uncertainty that spurred litigation. The DOJ response provides no clarity and refuses to answer the critical questions provoked by WILL's lawsuit about the interpretation and enforcement of alcohol permitting requirements and wedding barns. Instead, Evers and Kaul asked the Dunn County judge to dismiss the case, serving only to prolong the uncertainty and the legal dispute.

The Quote: WILL President and General Counsel Rick Esenberg said, "It would have been easy for the Department of Justice and the Evers administration to admit that the law is exactly how it has consistently been interpreted and enforced so that wedding barns and couples across the state could proceed with their business and plan for their special days. But they decided to punt, leaving business owners and brides alike in a state of uncertainty. So now the litigation must continue."

The Lawsuit: In January 2019, WILL sued the Evers administration in Dunn County. The lawsuit, on behalf of two Wisconsin wedding barn owners, asked a judge to remove the cloud of uncertainty created by a November 2018 opinion from the Wisconsin Department of Justice that suggested wedding barns are subject to

alcohol permitting requirements.

WILL's clients are Wisconsin wedding barn owners:

- **The Weddin' Barn** is owned by John and Julie Govin and located in Menomonie, Wisconsin in Dunn County. The Govins have owned the farm since 2013 and have been hosting events since 2014.
- **Farmview Event Barn LLC** is owned by Bob and Jean Bahn and located in Berlin, Wisconsin in Green County. The Bahns have owned the farm since 1987 and started hosting events in 2018.

The [complaint](#) and more information about our clients (and pictures) can be found [here](#).

Background: For years, wedding barns have been legally operating in Wisconsin without alcohol licenses. Unlike bars, wedding barns do not sell alcohol and are not public places. Nevertheless, special interests have targeted wedding barns in hopes of subjecting them to the same government red tape as bars and restaurants.

- The legislature twice considered proposals in 2018 targeting wedding barns for increased regulation. But WILL [legal analyses](#) helped sink both proposals when it was revealed they could ban tailgating or alcohol consumption at vacation homes.
- In November 2018 the Wisconsin Department of Justice issued an [opinion](#) that state law subjects event venues available for private rental, such as wedding barns, to alcohol retail permitting requirements. WILL issued a [release](#) explaining our disagreements with the conclusions of the Wisconsin DOJ. The result was a cloud of uncertainty about how the law will be enforced.

Read More

- WILL's [Complaint](#), January 2019
- "[WILL Sues Evers to Protect Wedding Barns](#)," Cori Petersen
- "[Don't regulate wedding barns out of business](#)", CJ Szafir and Cori Petersen, Wisconsin State Journal, December 15, 2018