

City sends back limits on churches

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Sun file photo

A person goes through the breakfast line during the Breakfast on the Plaza event in 2005.

Much to the relief of the many religious leaders in the crowd, the Gainesville City Commission unanimously voted Monday night to send plans back to committee that would have limited the hours that some religious institutions could provide food and shelter to the needy and also the number of people who could be assisted.

The city is under pressure from the U.S. Department of Justice to change an ordinance that regulates the use of land by religious organizations.

The director of Gainesville's Interfaith Hospitality Network, Donna Lawson, said that putting regulations on those types of activities was harmful to the good work being done in the community.

The Interfaith Hospitality Network provides living assistance to homeless families in various religious establishments across Gainesville, and Lawson said much of what they accomplish would not be possible if they were forced to operate within specified hours.

Another proposed element to the ordinance would have regulated the lot size that religious institutions could be built on and the distance between religious institutions.

"I read these codes and it sounds like churches are the enemies of neighborhoods," said the Rev. John Gillespie from St. Augustine Church.

The proposed regulations would only affect churches in areas zoned as single-family neighborhoods.

The City Commission voted to send all of the items back to committee for further discussion. Commissioner Jack Donovan also moved that a letter be sent to the Department of Justice asking for guidance and providing an update about progress being made.

The Department of Justice has declared Gainesville's religious land-use law is in violation of federal law.

The issue came to light in June after a lawsuit was filed by Fire of God Ministries alleging that requiring religious institutions to obtain "special-use permits" was discrimination.

Fire of God Ministries, which serves a large homeless population in a single-family neighborhood, settled the lawsuit with the city for \$30,000 and also agreed on regulations for when and how they would feed and house the homeless.

Fire of God Ministries would have been required to apply for the permit to stay at its location in a single-family neighborhood.

The church argued that because other places of assembly, such as schools and social organizations, didn't have to file "special-use permits," the city was violating a federal law, specifically the "Religious Land Use and Institutionalized Persons Act of 2000."

That law requires that religious institutions have no greater burden than, or be treated at least equal to, other organizations.

The Department of Justice Civil Rights Division agreed that the city's law violates that law. The department contacted the city last month asking about progress in changes to the ordinance.

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