

TALKING BACK

# Discouraging churches from helping the needy

The city has asked churches to assist, as long as they don't actually do anything.

I am writing in response to a Feb. 17 article in The Sun about the new ordinances being proposed to regulate churches in the City of Gainesville.

Quoting from the story: "City Commissioner Ed Braddy says regulations on churches or shelters are important to protect residential areas from the noise and disruption commonly associated with large organizations of people — such as churches."

Braddy told The Sun, "There should be concern about activity that is not consistent with a single family zoning neighborhood. The advocates for the homeless have deliberately misrepresented this to a lot of people by saying we're trying to shut down their ability to assist the homeless."

This is exactly the reason the city is in trouble with the Department of Justice in a violation of the Federal Religious Land Use Law. It is not by accident that the Department of Justice is investigating the City of Gainesville. They did not just break down on I-75 and decide to start an investigation.

You cannot decide to use city ordinances and zoning to get rid of churches that you don't like or religious organizations that have congregations that you don't like. The city tried to zone the Fire of God congregation out of existence because it did not like their members. This is against both federal and state law.

These regulations were passed under a Democratic administration and have been upheld under the current Republican administration. It is all based on the First Amendment right to freedom of religion.

The Religious Land Use Act prohibits government from making more stringent requirements for churches than they do for

other groups. At the same time it is permissible to be more lenient for churches and religious assemblies.

Currently the city claims that in order to comply with RLUPA regulations it must pass a whole new series of onerous regulations on churches and religious institutions. These include feeding limits, lot size requirements, hours of operation and distances between churches that serve the needy (the core value of all religions).

These regulations have nothing to do with compliance, but are just a new round of harassment against those trying to help the poor. All the commission needed to do was pass a couple changes to the city codes, such as allowing churches in industrial areas and downtown. Things specifically required under federal law but outlawed in our city codes.

If the commission chooses to pass these new ordinances it will once again be in open disagreement with constitutionally guaranteed rights under both state and federal law. It would seem that the commission is getting very poor legal advice or has a secret agenda to drive out services for the poor and homeless.

Some of the regulations simply do not make sense. The city wants churches to have setbacks from the street and be on one acre lots or larger depending on the seating capacity of the building.

I was thinking about this as I drove by the "Jefferson," new condos going up on SW 2nd Ave. There is no setback. The four story buildings are built right up to the property line. So are all the other condos and apartments going up around town.

The city up until now has not seemed to worry a whole lot about setbacks if some developer needs to use every square inch. But it has

to worry about churches. They'll just use up all that square footage and then some.

The city doesn't want to have any service provider serve more than 20 meals in a 24-hour period. In the area around UF, which has even more stringent requirements, it's perfectly OK to serve meals to students, even more than 20 a day, and the food distribution centers do not have to be a quarter of a mile apart. So it's OK to feed the children of the wealthy but not the poor.

Other proposed requirements deal with special permits, staffing management plans and other nit-picking proposals to discourage churches and other organizations from helping to absorb some of the social chaos from homelessness and the shredding of social services in the past 20 years.

The city's own policies toward the homeless have been an ongoing disaster. It has asked the 500 or more churches to assist them as long as they don't actually do anything. But now that many of the area's churches and synagogues have come up with a truly exemplary plan, city government wants to shut it down.

The city has asked that services be spread around the community and that citizens take a hand in helping. Now that the people in this city are doing just that, the city government says they don't want them to do it.

All these new regulations will do is create a civil disobedience movement in the religious community, hurt Gainesville's image (we are already on lists of America's meanest communities) and land the city back in federal court on a case that they will most likely lose.

This is not the Gainesville I see around me. We can do better.

**Bob Freeman lives in SE Gainesville between two homeless shelters and next to a power plant. He is a founding member of the HOME Van, a mobile outreach mission to the poor and homeless in the Downtown area.**

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