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NATIONAL INTEREST - US

Arizona Town to Rescind Ban on Church Meetings in Homes

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A controversial ban on holding church meetings in private homes in a rapidly-growing town in Arizona could be rescinded as early as next week, officials say.

Gilbert, Ariz., Mayor John Lewis said members of the city's Town Council have asked town officials to stop enforcing the ban until permanent changes can be made at a March 22 meeting -- or possibly earlier.

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"We welcome their input and suggestions to ensure that church groups are able to meet and enjoy their Constitutional rights," Lewis said in a statement released on Monday.

Lewis said members of the Gilbert Town Council learned six weeks ago that a zoning code intended to help neighborhoods with traffic had been interpreted by town officials to mean that small church groups could not meet in their own homes.

The pastor of the seven-member Oasis of Truth Church received a cease-and-desist letter from a code compliance officer in November to stop church meetings in Pastor Joe Sutherland's home. That interpretation is "clearly unconstitutional," according to the Alliance Defense Fund, an Arizona-based

legal organization.

"Christian church groups shouldn't be singled out for discrimination and banned from meeting in their own homes," ADF attorney Daniel Blomberg said in a statement issued last week. "The interpretation and enforcement of the town's code is clearly unconstitutional. It bans 200,000 Gilbert residents from meeting in their private homes for organized religious purposes -- an activity encouraged in the Bible, practiced for thousands of years, and protected by the First Amendment."

Lewis told [AzCentral.com](#) that town officials had received hundreds of e-mails from "all over the world" since the ADF filed an appeal last week with the zoning board to overturn the ban.

According to the code, which was last updated in April 2006, "religious assembly uses" are not permitted in single family residential structures.

ADF officials note that nothing in the town's zoning code prohibits activities such as Cub Scout meetings, Monday Night Football parties or business parties in private homes. The zoning code also explicitly allows some day care providers to operate in homes, ADF officials said.

In their appeal, ADF attorneys argued that the Constitution's Free Exercise Clause does not allow a ban on church meetings where all other meetings are permitted.

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Gilbert is no stranger to accusations of religious discrimination. In July 2005, town officials reportedly notified the Good News Presbyterian Church that it was violating code by posting signs too early to announce worship services.

The church, AzCentral.com reports, left the signs up overnight, violating code that required they be removed within two hours of posting. The 9th U.S. Circuit Court of Appeals denied the church's request for an injunction last year and remanded the case back to Arizona District Court.

Despite that history, the town of Gilbert remains a "religious friendly area," Lewis said on Monday.

"Religious activities occur all over town and most especially in our homes," he said. "The Town Council and our citizens will keep it that way."

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