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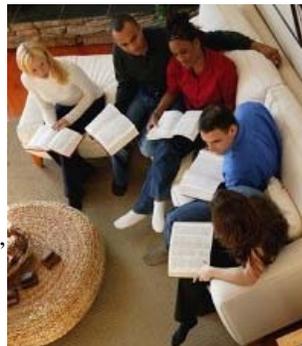
County demands pastor spend thousands on 'Major Use' permit to host friends

Posted: May 22, 2009
5:13 pm Eastern

By Drew Zahn

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A San Diego pastor and his wife claim they were interrogated by a county official and warned they will face escalating fines if they continue to hold Bible studies in their home.



The couple, whose names are being withheld until a demand letter can be filed on their behalf, told their attorney a county government employee knocked on their door on Good Friday, asking a litany of questions about their Tuesday night Bible studies, which are attended by approximately 15 people.

"Do you have a regular weekly meeting in your home? Do you sing? Do you say 'amen'?" the official reportedly asked. "Do you say, 'Praise the Lord'?"

The pastor's wife answered yes.

She says she was then told, however, that she must stop holding "religious assemblies" until she and her husband obtain a Major Use Permit from the county, a permit that often involves traffic and environmental studies, compliance with parking and sidewalk regulations and costs that top tens of thousands of dollars.

And if they fail to pay for the MUP, the county official reportedly warned, the couple will be charged escalating fines beginning at \$100, then \$200, \$500, \$1000, "and then it will get ugly."

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Dean Broyles of the [Western Center for Law & Policy](#), which has been retained to represent the couple, told WND the county's action not only violates religious land-use laws but also assaults both the First Amendment's freedom of assembly and freedom of



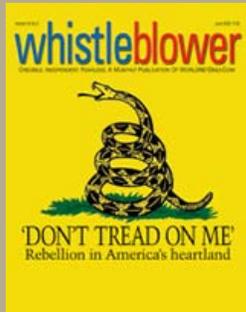
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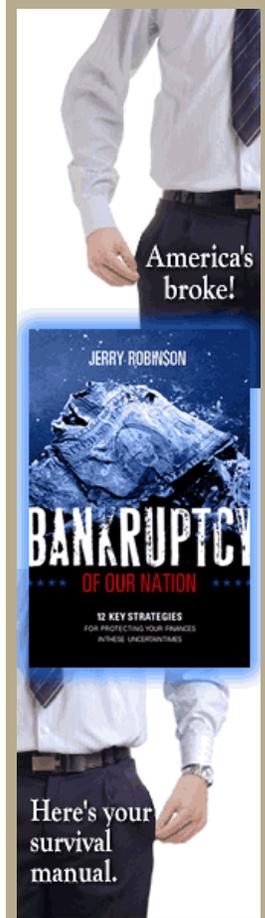
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religion.

"The First Amendment, in part, reads, 'Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof,'" Broyles said. "And that's the key part: 'prohibiting the free exercise.' We believe this is a substantial government burden on the free exercise of religion."

He continued, "If one's home is one's castle, certainly you would think the free exercise of religion, of all places, could occur in the home."

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Broyles confirmed the county official followed through on his threat. The pastor and his wife received a written warning ordering the couple to "cease/stop religious assembly on parcel or obtain a major use permit."

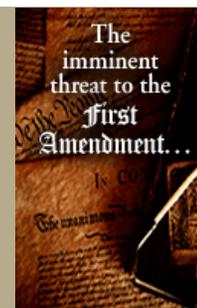
"The Western Center for Law and Policy is troubled by this draconian move to suppress home Bible studies," said the law center in a statement. "If the current trends in our nation continue, churches may be forced underground. If that happens, believers will once again be forced to meet in homes. If homes are already closed by the government to assembly and worship, where then will Christians meet?"

On a personal note, Broyles added, "I've been leading Bible studies in my home for 13 years in San Diego County, and I personally believe that home fellowship Bible studies are the past and future of the church. ... If you look at China, the church grew from home Bible studies. I'm deeply concerned that if in the U.S. we are not able to meet in our homes and freely practice our religion, then we may be worse off than China."

Broyles also explained to WND that oppressive governments, such as communist China or Nazi Germany, worked to repress home fellowships, labeling them the "underground church" or "subversive groups," legally compelling Christians to meet only in sanctioned, government-controlled "official" churches.

"Therein lies my concern," Broyles said. "If people can't practice their religious beliefs in the privacy of their own homes with a few of their friends, that's an egregious First Amendment violation."

WND contacted a spokeswoman for San Diego County, who acknowledged the description of the incident seemed "bizarre," but who was unable to locate the details of the account. She simply could not provide comment yet, she said, until she could become familiar with



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Broyles said the WCLP is nearly ready to file a demand letter with the county to release the pastor and his wife from the requirement to obtain the expensive permit. If the county refuses, Broyles said, the WCLP will consider a lawsuit in federal court.

Broyles also told WND the pastor and his wife are continuing to hold the Bible study in their home.



If you would like to sound off on this issue, participate in today's [WND Poll](#).

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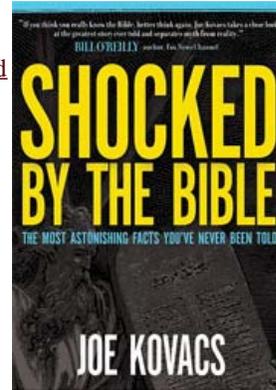
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Drew Zahn is a news editor for WorldNetDaily.



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