



CITY OF BRYAN, OHIO

Carrie M. Schlade, Mayor



FOR IMMEDIATE RELEASE

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Common Pleas Court Rules Dad's Place Church Must Meet Public Safety Requirements

BRYAN, Ohio, December 6, 2024 – In compliance with an order issued by the Court of Common Pleas of Williams County, Ohio, Dad's Place Church is hereby directed to cease the illegal and unsafe utilization of its worship space as a residence until all necessary measures are undertaken to rectify ongoing violations of the Ohio Fire Code and the City of Bryan zoning ordinances. This now marks the third court that has rejected the legal arguments made by Dad's Place.

"Try as they might, the Defendants are attempting to make the facts of this case about 'religious freedom' when the case is wholly about 'public safety,'" Common Pleas Judge J.T. Stelzer wrote in the order. "In the name of religious freedom, Dad's Place and its pastor, Christopher Avell, are putting the very people they are trying to help and comfort at significant risk of injury or death. The desire for both 'religious freedom' and 'public safety' is not mutually exclusive and the two goals can and should easily co-exist."

The defendants include Dad's Place and Riehle Rentals, the landlord renting the first floor of 226 S. Main Street to the church.

Despite the forceful and clear ruling by the Common Pleas Court and previous similar rulings by the U.S. District Court for the Northern District of Ohio and the U.S. Court of Appeals for the Sixth Circuit, this dangerous situation is not finally resolved. The Ohio Attorney General's office has asked the Williams County Common Pleas Court to stay its order, arguing that the people being invited to sleep in the church now would be subject to the harsh winter weather and that the church's claims of religious freedom should be considered under the Ohio Constitution. This comes even though the U.S. Court of Appeals for the Sixth Circuit ruled that Dad's Place would not likely succeed on the merits of its free exercise claims under the U.S. and Ohio Constitutions.

"We did not wish for this course of action, but we find it necessary for the safety of individuals utilizing the church, the residents of the upper floors, and the businesses in proximity to the building," stated Bryan Mayor Carrie Schlade. "For over a year, we have sought to collaborate with Dad's Place to address public safety requirements, including the installation of an automatic sprinkler system in areas where individuals regularly sleep, as mandated by Ohio law."

Mayor Schlade further remarked, "Rather than cooperating, Dad's Place and its legal representatives have opted to engage in a protracted process of filing court motions instead of adhering to the law. This has led us to our current predicament."



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Dad's Place also has defied court orders and its own agreements to safely remedy the situation.

Last February, a settlement was reached after mediation by a U.S. District Court Judge with the City agreeing to drop all charges against Avell and Dad's Place agreeing to cease residential operations and seek proper building certification and the installation of any necessary safety measures associated with those permits and the intended use.

"We understand and appreciate the Attorney General's concerns for the people staying overnight at Dad's Place." Schlade said. "We share those concerns and stand ready to help. But we will not turn a blind eye to the continuing dangers Dad's Place is subjecting these people to. AG Yost never contacted us directly with any of his concerns, and he does not appear to be informed about the facts of the matter. He simply is making a political statement based on his recent announcement to run for Governor. Instead of politicizing the issue, he should, as Attorney General be interested in enforcement of the State of Ohio Fire Code."

The City of Bryan's legal representatives also noted that the Attorney General's court filing is silent on the fact that the latest ruling is by an Ohio Common Pleas Court, operating under the Ohio Constitution.

"The City of Bryan's enforcement of the fire code and zoning regulations do not require Dad's Place to violate its worthwhile and necessary religious beliefs to 'serve' others," the Williams County Common Pleas Court noted. "It merely requires Dad's Place to do so safely to protect the citizens it serves, their neighbors and others using or living in any adjacent buildings or property."