

Ohio Appeals Court Rules in Favor of Ohio Pastor as City Treats Him 'as a Criminal'

Ohio's Sixth District Court of Appeals has ruled that a pastor, who was criminally charged for helping the homeless, can continue to operate his temporary shelter ministry while he continues his fight against city officials to keep his church open.

The State appellate court issued a ruling late last week that allows Pastor Chris Avell of Dad's Place to operate the church's overnight ministry, while sending the case back to the trial court.

First Liberty, a non-profit legal group, and other attorneys are representing Avell against Bryan, Ohio, city officials to keep his ministry open.

As CBN News has reported, the City of Bryan attempted to shut down his church due to alleged zoning violations and charged him with a criminal code violation. The Bryan City Zoning Commission claimed that since the church didn't have bedrooms, it could not house the homeless.

According to the law group, city officials have attempted to shut down the church's ministry through multiple criminal and civil proceedings, including 18 criminal zoning charges, middle-of-the-night fire inspections, and both criminal and civil fire code prosecutions. And while city officials demand the church install an expensive fire suppression system, the

city does not require any of its motels, most of its apartment complexes, or even a senior living facility to install fire suppression systems in their buildings.

“The city’s antagonism is beyond the pale,” First Liberty contends on its website. “Officials have refused multiple times to meet with us and Pastor Chris to resolve the issue. They’ve also made some very discouraging statements about the church, painting Pastor Chris as a criminal and saying that ‘inappropriate activity’ was happening at Dad’s Place.”

Earlier this year, Avell was found guilty on a criminal charge for failing to comply with his city’s fire code. He was fined \$200 and given a 60-day suspended jail sentence.

First Liberty Institute and the law firms Taft Stettinius & Hollister LLP, Gibson, Dunn & Crutcher LLP, and Spengler Nathanson PLL moved forward with appealing an injunction that had shut down the religious activities of Dad’s Place.

Ohio’s Sixth District Court of Appeals agreed to reverse the injunction, writing in an opinion Friday that the “trial court erred in failing to address (Dad’s Place’s) arguments under the Ohio Conscience Clause” and “must remand the case to the trial court for further proceedings.”

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