

# The Call

## **Church Tells City to Back Off**

Staff Writer, 02/10/2003

WOONSOCKET -- Pastor Gene Giguere of Harvest Community Church is warning the city not to interfere with the church's "religious right" to give overnight shelter to homeless people seeking refuge from the bitter cold.

"The minute we're hit with a cease-and-desist order, we're ready to file suit," said Giguere. "We believe this is our religious right. To violate the doctrine would be a sin."

Giguere's comments came after the city put the non-denominational church on notice that it is investigating whether its practice of giving overnight shelter to the homeless is a violation of the city's zoning ordinance. Mike Przybylowicz, the city's zoning officer, said the question has been referred to City Solicitor Joseph P. Carroll for an opinion.

The church, which recently moved into the former Parenteau Furniture Store at 60 North Main St., has been letting up to 10 homeless people per night sleep in the church since November, according to Giguere. Typically, these are people who have nowhere else to turn and who are otherwise in danger of physical injury from the elements, according to Giguere.

Giving these people a place to stay is only the humane thing to do, according to Giguere. The church has set aside plastic storage bins for these people to keep their belongings in, and floor mats are unraveled for them to sleep on, he said. Overnight guests must be in by 9:30 at night and out by 7:30 in the morning. Church personnel have been rotating nights sleeping at the church to monitor the guests, too.

Though the Blackstone Valley Community Action Program runs the Sayles Street Shelter for homeless people, said Giguere, some of the people his church takes in would be automatically turned away from that facility because they have a felony criminal record.

Giguere said he has already been in touch with the Florida-based Christian Law Association for legal assistance to fight a potential lawsuit. The church calls its effort to shelter the homeless the "Sanctuary Ministry."

"This is not a zoning issue, but an issue of compassion," said Giguere, who called the city's attitude "callous."

But Mayor Susan D. Menard said the city has legitimate public safety interests in finding out whether the church is doing everything possible to see that all the needs of the homeless are being met.

"Nobody wants people out in the cold, nobody wants people without a place to sleep," said the mayor. "These people need permanent help and we want to make sure they're getting all the referrals that are available to them."

Menard said the Sayles Street Shelter was allowed to open years ago only after a rigorous planning phase in which a series of strict "rules and regulations" were established. Before a church is allowed to begin accommodating overnight guests, she said, the city wants to make sure there are some guidelines established to ensure the well-being and safety of the homeless.

Przybylowicz echoes those concerns, saying, "Even though they are homeless, we don't want to put them in a worse situation."

It wasn't until earlier this week that the city learned of the church sheltering the homeless when two clients of Human Resources Director Mary Landreville divulged that they had recently spent the night there. The clients said they had slept at "the shelter on North Main Street."

"Up until then they hadn't told us anything about it," said Menard.

Under the zoning ordinance, Przybylowicz said it could be perfectly legal for an organization in a commercial zone, like the Harvest church, to run a "community residence" as an accessory use without any special oversight by the Zoning Board. But Przybylowicz said guests in such a residence would be banned from sleeping on the first floor and the total number of guests would be limited to six per night.

"If it's considered a community residence it will be allowed to operate," said the zoning officer.

The clash over the homeless isn't the first time the city has locked horns with the church: Citing the Religious Land Use Act of 2000, Harvest filed suit in U.S. District Court last year after the Zoning Board tried to block the church from moving into the Parenteau building. The church said the city was in violation of the new federal law which bars communities from interfering with religious worship.

The city settled the case out of court with Harvest last fall. The church, which has about 100 adult members who come from as far away as New Bedford and Narragansett, had backing from the Christian Law Association in that suit.