

Senate Bill 1560

Sponsored by Senator STARR (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act limits county rules that would limit a church's use of its property. (Flesch Readability Score: 77.8).

Limits counties' ability to regulate allowable activities within places of worship.

A BILL FOR AN ACT

1
2 Relating to allowable uses of place of worship; amending ORS 215.441.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 215.441 is amended to read:

5 215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresiden-
6 tial place of worship is allowed on real property under state law and rules and local zoning ordi-
7 nances and regulations, a county shall allow the reasonable use of the real property for activities
8 customarily associated with the practices of the religious activity, including:

9 (a) Worship services.

10 (b) Religion classes.

11 (c) Weddings.

12 (d) Funerals.

13 (e) Meal programs.

14 (f) Child care or any preschool or prekindergarten education, but not private or parochial edu-
15 cation for kindergarten through grade 12 or higher education.

16 (2) A county may[:]

17 *[(a) Subject real property described in subsection (1) of this section to reasonable regulations, in-*
18 *cluding site review or design review, concerning the physical characteristics of the uses authorized*
19 *under subsection (1) of this section; or]*

20 *[(b)]* prohibit or restrict the use of real property by a place of worship described in subsection
21 (1) of this section if the county finds that:

22 (a) The level of service of public facilities, including transportation, water supply, sewer and
23 storm drain systems is not adequate to serve the place of worship described in subsection (1) of this
24 section; **or**

25 (b) **The physical characteristics of the authorized use under this section create a danger**
26 **to the health or safety of the occupants of the place of worship or the public.**

27 (3) Notwithstanding any other provision of this section, a county may allow a private or paro-
28 chial school for kindergarten through grade 12 or higher education to be sited under applicable state
29 law and rules and local zoning ordinances and regulations.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.