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WORLDNETDAILY EXCLUSIVE

San Diego withdraws Bible study warning

'The weekly activity is within the scope of the residential use'

Posted: June 04, 2009
12:00 am Eastern

By Bob Unruh
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San Diego County has withdrawn a warning letter and cease and desist order it had issued against a pastor against a weekly Bible study held in his home, and the chief administrative officer for the governmental body has added his own personal apology to the pastor over the accusations.



"I want to offer my apology to you, your wife and your congregation for the unfortunate events of the past several weeks," said the letter from Walter F. Ekard, chief officer of the county. "My review of the situation shows that no administrative citation warning should have been issued and that a major use permit is not required for the Bible study you have in your home."

WND first broke the news of Pastor David Jones and his wife Mary, who was confronted by a San Diego County official, grilled over what is said at the couple's Tuesday night Bible studies and then later issued a citation barring the couple from hosting further studies until they obtain a major use permit, the costs of which can escalate into the thousands. Mrs. Jones further reported the county official warned her that hosting the study – deemed a "religious assembly" subject to county codes – without the permit could result in fines escalating from \$100 to \$1,000.

(Story continues below)

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Under a deluge of public response and a demand letter from the Western Center for Law & Policy, the county backed off its demand and told the couple that they may resume their studies. The written notification of the county's action was received at the law firm's office earlier this

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afternoon.

"Our Code Enforcement Officer incorrectly made the finding based in no small measure on unclear language in the zoning ordinance," Ekard continued. "I have already issued several directives to county staff. First, I have asked the Department of Planning and Land Use and our county counsel to conduct a thorough review of ordinances regarding all assemblies to clarify that [meetings](#) such as you are holding in your home may continue without regulation."

He said he also wants improved internal code enforcement procedures and a supervisor's review of assembly related cases before any notices are issued.

"Training will be updated and conducted for all code enforcement officers," he wrote.

He noted this was "in no way an attempt by San Diego County to infringe upon your religious freedoms."

In a separate letter signed by a deputy on behalf of county [lawyer](#) John J. Sansone, the formal notification was provided that the case against the pastor was rescinded.

"The County has determined that the weekly activity is within the scope of the residential use and the Joneses are willing and able to accommodate any concerns that may arise with respect to parking," the letter said.

After WND first broke the story, it spread to [California](#) television and newspapers and from there to CNN, Fox News and the Associated Press. The San Diego Union-Tribune reported County Supervisor Greg Cox's office received hundreds of e-mail messages from concerned people as the news spread and Chandra Wallar, county land use officer, said her department received hundreds of e-mails and phone calls as well.

According to a letter issued by WCLP demanding the county retract its citation, the sequence of events developed this way:

"On April 10, 2009, Good Friday, a female county [employee](#) came to the Joneses' residence. The county employee appeared in the front yard and proceeded to take pictures of our clients' home," the letter said. "She noticed the Joneses' daughters in the front yard and asked to speak with their mother. Although she did not provide any paper work or identification, subsequent information obtained by the WCLP leads us to believe that the county employee who went to the Joneses' residence was Code Enforcement Officer Cherie Cham."

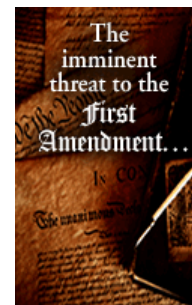
"Do you have a regular weekly meeting in your home? Do you sing? Do you say 'amen'?" the official reportedly asked. "Do you say, 'Praise the Lord'?"

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.

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

The WCLP letter said a Bible study clearly is not a "religious assembly" and the county's order violated the First Amendment protections to exercise religion and assemble.



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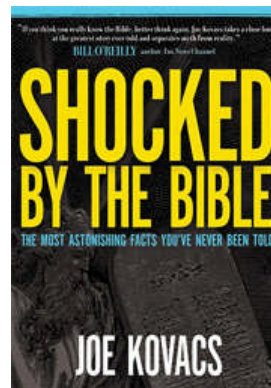
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