

Addendum O

USE OF PRESBYTERIAN CHURCH FACILITIES BY OTHER RELIGIOUS BODIES OR OTHER ORGANIZATIONS

In our Presbyterian churches, the Session/Governing Board has the authority and responsibility:

"To provide for the management of the property of the church, including determination of the appropriate use of church buildings and facilities." (G-10.0102.n)

From time to time, the question arises whether a local congregation should make its facilities available to other churches or religious organizations. This is often a difficult question for the Session/ Governing Board and pastor to decide.

Our Form of Government in the new Presbyterian Church (U.S.A.) has much the same recommendation as our former Book of Order. Where space is leased or rented for an extended period or use of worship facilities granted to another religious organization, the matter must be checked out with the appropriate committee of Presbytery. In our case, the Committee on Strategy serves that role. The Book of order reads:

"A particular church shall not lease its real property used for purposes of worship, or lease for more than five years any of its other real property, without the written permission of the Presbytery transmitted through the Session of the particular church." (G-8.0502)

The Session and congregation in such instances should use caution in considering such rentals or even "free use" permissions.

When another established religious organization of your community is undergoing a renovation/redecoration program or has suffered a fire or other emergency, it is a rather natural courtesy to invite them to use your facility. However, where a religious organization is seeking to establish itself in the community, to permit it to use your church's facilities often creates some special problems of its own. This is particularly true if it is a denomination(s) not in cooperation or "correspondence with" our own denomination. Some congregations have found it embarrassing and problem-creating when the other body uses the opportunity to proselytize or seek in other ways to make inroads into the constituency of the hosting congregation.

Church properties used for worship or religious educational purposes qualify for exemption from local/state property tax assessments by reason of their religious and charitable "not for profit" purpose and usage.

If the church establishes a formal lease, or even accepts what it may consider a simple "gratuity" for the use of the church's property, it is possible that the hosting church's property may become legally liable for being placed on the property tax rolls of the community. That portion of the church's total space which is being used could be considered as "income-producing/profit-making." This may then disqualify the church building for all of its property tax exemption or an appropriate portion of same (e.g. a church in which a renting day care center uses 1/15th of the total church square footage might be interpreted as having 1/15th of its property liable for assessment.)

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Whenever another organization uses your building, your organization is liable for any accident or injury sustained on your premises. Your insurance carrier should be notified of all such usage and an appropriate rider to your insurance policy secured to cover your liability. This may be avoided only if the using organization provides its own liability insurance coverage (which has to be acceptable to your carrier.)

If an actual lease agreement is contemplated, this must be cleared with the Strategy Committee and the Presbytery. If courtesy use is contemplated by your congregation, you are encouraged to seek the counsel of the Strategy Committee.