



CITY OF BRYAN, OHIO



FOR IMMEDIATE RELEASE

Contact:

Mayor Carrie Schlade

419-633-6000

mayor@cityofbryan.com

Dad's Place Church Cited for Fire Code Violations That Represent Serious Safety Risk

BRYAN, Ohio, April 26, 2024 – Dad's Place church has been cited by the City of Bryan for violating city and Ohio Fire Codes, including not having an automatic sprinkler system installed in an area where groups of people are regularly spending the night and sleeping, as required under Ohio law.

The citations follow a thorough inspection on April 24, 2024, by Bryan Fire Chief Douglas Pool, which found 15 individuals sleeping in the main room of the church. Building owner Riehle Rentals and Dad's Church Pastor Chris Avell, who is renting the building, face city and state fire code citations for using a building approved for Assembly or Group A occupancy, which allows for gatherings for worship and other purposes, as a Residential, or Group R, congregate living facility. Additionally, the sleeping area that has been documented at Dad's Place over several inspections does not have the required automatic sprinklers. Each violation if not corrected carries a penalty of \$1,000 per day. The Ohio Fire Code violations may be appealed to the Ohio Board of Building Appeals.

"We did not want to do this. We must do this for the safety of the people using the church, renters in space above the church and the businesses adjacent to the building," said Bryan Mayor Carrie Schlade. "This is not some bureaucratic dispute between Dad's Place and the city. This is a very dangerous situation for the people that Dad's Place has invited in to stay overnight."

Previously, the city had said that Dad's Place, at 226 S. Main Street, was in violation of the zoning code in using the church as a residence or homeless shelter. That led to a lawsuit filed against the city by Dad's Place, which argued its constitutional rights to religious freedom were being violated. In February, a settlement was reached after mediation by a U.S. District Court judge. In that settlement, the city agreed to drop all charges against Avell. In turn, Dad's Place agreed to cease residential operations and seek proper building certification and the installation of any necessary safety measures associated with those permits and the intended use.

In fact, the Fire Chief reported after his inspection that it's apparent groups of people continue to use the church to sleep in overnight, including children. "We appreciate that Dad's Place has tried to help people in need," Schlade said. "Housing shortages and homelessness are a national problem. But putting these people's lives at risk in the case of a fire or from other dangers is not helping them."

The church has said its policy has been to let anyone stay overnight and not ask them to leave "unless there is a biblically valid reason for doing so or if someone at the property poses a danger to himself or others." Jeremy Dys, senior counsel at the First Liberty law firm who is representing Dad's Place, has said that the church is not permitting criminal activity to take place and that the numerous police calls there have been made to sound more serious than they actually were.

Here are some facts, which are all part of the public record, about those dangers at Dad's Place:

- A Grand Jury recently indicted an adult male charged with five felony counts for acts involving a child that allegedly took place at Dad's Place last year. The charges include two counts of unlawful sexual conduct with a minor, two counts of illegal use of a minor or impaired person in nudity-oriented material, and pandering obscenity involving a minor.
- Another man who was convicted of aggravated criminal sex abuse with a victim between the ages of 13 and 16 and now is a registered sex offender has told Bryan Police that he "lives" in the back of Dad's Place.
- Since May 2023, Bryan Police have been called to Dad's Place 51 times on reports of sexual assault, harassment, larceny, criminal mischief and other concerns. For comparison's sake, the next most frequent location for police calls had 20 calls and the third-most had five.

"We take no pleasure in doing this," said Mayor Schlade, noting that the city's actions with Dad's Place have led to her own children being harassed and threatened on social media, along with harassing and threatening voicemails and emails being sent to city offices, including the Bryan Police and Fire Dispatch. "Chris Avell and his attorneys have managed to turn issues of safety and complying with laws designed to keep people safe into a publicity seeking crusade about religious freedom. That's not the reality. We have no interest in restricting anyone's religious freedom. Here's what I and the City of Bryan care deeply about: That the people using Dad's Place church are safe and have all the protections afforded them by the law."

FILE

**IN THE MUNICIPAL COURT OF THE CITY OF BRYAN
IN AND FOR WILLIAMS COUNTY, OHIO**


STATE OF OHIO)
)
WILLIAMS COUNTY) SS: CASE NO.
) COMPLAINT

Before me, Tanya S. Beltz, Deputy Clerk of said Municipal Court, personally came Fire Chief Douglas Pool, 304 West High Street, Bryan, Ohio 43506 who being duly sworn according to law, deposes and says that on or about the 24th day of April, 2024, at the County of Williams, within the jurisdiction of the Bryan Municipal Court, one Christopher B. Avell dba Dad's Place, 227 S. Beech Street, Bryan, OH 43506

No person shall knowingly violate any provision of the Code as adopted herein or any order issued pursuant thereto To wit: allow people to sleep in a structure without obtaining certificate of occupancy Group R congregate living facility, said structure being located at 226 S. Main St., Bryan, OH 43506.

Social Sec. No.: XXX-XX-1853
Bond:
Appearance Date and Time:
Arrest No.:
Time of Arrest:
Date of Birth: 06/17/1975
Address:
City:
State:
Op. License No.:
State:

Contrary to Section 1501.06(a) (M1) of the Bryan Municipal Code, and in violation thereof and against the peace and dignity of the State of Ohio.



Complainant

Sworn to and subscribed before me, this 20th day of April, 2024.

TRISHA M. RUSSELL
Clerk of Bryan Municipal Court

BY: 

Deputy Clerk

FILED
BRYAN MUNICIPAL COURT
2024 APR 26 AM 10:21
TRISHA M. RUSSELL
CLERK

Dad's Place
226 South Main Street
Bryan, Ohio 43506

Bryan Fire Prevention Code Section 102 (c) 102.3.3 Change of Use or Occupancy

Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the building code as listed in rule 1301:7-7-80 of the Administrative Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the building code as listed in rule 1301:7-7-80 of the Administrative Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

A building with a Group A Occupancy is being used as a Group R, congregate living facility. Transient occupants are permitted to arrange furniture nightly to accommodate sleeping in a prone position. Blankets and pillows are being used by sleeping occupants. The building has shared bathroom/shower and limited kitchen facilities.

Inspections

11-21-23 Notice of violation for Change of Use or Occupancy

11-27-23 Notice of violation for Change of Use or Occupancy

1-9-24 Notice of violation for Change of Use or Occupancy

1-16-24 Notice of violation for Change of Use or Occupancy

1-24-24 Notice of violation for Change of Use or Occupancy

2-5-24 Notice of violation for Change of Use or Occupancy

4-24-24 Notice of violation for Change of Use or Occupancy

Citations

Citation issued 1-16-24 for violation for Change of Use or Occupancy

Citation issued 4-24-24 for violation for Change of Use or Occupancy

**CITY OF BRYAN
FIRE DEPARTMENT CITATION**

24-002

Citation No.

Name of Responsible Person: Christopher Avell

Street: 227 South Beech Street City: Bryan State: Ohio Zip: 43506

Known as the owner, lessee, agent, occupant or operator of the property described herein and being responsible for compliance with the CITY OF BRYAN FIRE PREVENTION CODE as it relates thereto, notice is hereby given to the person whose name is inscribed above, as follows:

On the 24th day of April, 202 4, Douglas A Pool

a Certified Fire Safety Inspector, Certification No. 75438 did inspect the property

Street: 226 South Main Street City: Bryan State: Ohio Zip: 43506

Said property is also known or may be further described as: Dad's Place on parcel 063-170-72-016.000

It was found that there is reason to believe that the CITY OF BRYAN FIRE PREVENTION CODE has been violated as described below and, therefore, pursuant to Section 104 and 109, City of Bryan Fire Prevention Code, as adopted under 1501.01 of the Codified Ordinances of the City of Bryan, Ohio, it is PROPOSED that if each violation described below is not abated within the prescribed time period, a criminal penalty may be assessed in accordance with 1501.99 of the Codified Ordinances of the City of Bryan, Ohio.

1 City of Bryan Fire Prevention Code violated: 1501 Section 102 (c) 102.3.3 Change of Use or Occupancy

Description of violation: A building with a Group A occupancy is being used as a Group R, congregate living facility. Transient occupants are permitted to arrange furniture nightly to accommodate sleeping in a prone position. Blankets and pillows are being used by some sleeping occupants. The building has shared bathroom/shower and limited kitchen facilities. Potential Penalty: \$1000 per day

2 City of Bryan Fire Prevention Code violated: 1501 Section 903 (h) 903.2.8 Group R

Description of violation: Automatic sprinkler system shall be provided throughout building with Group R fire area. Sanctuary is being used as a sleeping area. Sleeping areas are Group R fire areas. Potential Penalty: \$1000 per day

Corrective Action: Discontinue Group R occupancy use without a Certificate of Occupancy issued by the State of Ohio. Do not permit sleeping accommodations in any portion of the building without sprinkler system.

WHEREFORE by reason of the premises and pursuant to the authority vested in me by virtue of my office under Section 1501.05 of the Codified Ordinances of the City of Bryan Ohio, you are hereby ORDERED to abate the violation(s) set forth above by taking the following corrective measures within 1 day:

Witness my signature at Bryan, Ohio this 24 day of April, 202 4

Douglas A Pool
FIRE CHIEF

Signature: 

Certified Fire Safety Inspector Certification No. 75438

**CITY OF BRYAN
FIRE DEPARTMENT CITATION**

24-003

Citation No.

Name of Responsible Person: Riehle Rentals, Limited Liability Company - Statutory Agent Delton Reihle

Street: 15591 CO RD D-50 A City: Bryan State: Ohio Zip: 43506

Known as the owner, lessee, agent, occupant or operator of the property described herein and being responsible for compliance with the CITY OF BRYAN FIRE PREVENTION CODE as it relates thereto, notice is hereby given to the person whose name is inscribed above, as follows:

On the 24th day of April, 2024, Douglas A Pool

a Certified Fire Safety Inspector, Certification No. 75438 did inspect the property

Street: 226 South Main Street City: Bryan State: Ohio Zip: 43506

Said property is also known or may be further described as: Dad's Place on parcel 063-170-72-016.000

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Description of violation: A building with a Group A occupancy is being used as a Group R, congregate living facility. Transient occupants are permitted to arrange furniture nightly to accommodate sleeping in a prone position. Blankets and pillows are being used by some sleeping occupants. The building has shared bathroom/shower and limited kitchen facilities. Potential Penalty: \$1000 per day

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Description of violation: Automatic sprinkler system shall be provided throughout building with Group R fire area. Sanctuary is being used as a sleeping area. Sleeping areas are Group R fire areas. Potential Penalty: \$1000 per day

Corrective Action:
Discontinue Group R occupancy use without a Certificate of Occupancy issued by the State of Ohio.
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Douglas A Pool
FIRE CHIEF

Signature: 

Certified Fire Safety Inspector Certification No. 75438