



DECREE

EFFECTING THE RELEGATION OF THE ASSUMPTION OF THE BLESSED VIRGIN MARY CHURCH (OIL CITY) TO PROFANE BUT NOT SORDID USE

History

In the 1890's, a group of Polish-speaking Catholics in Oil City petitioned the Bishop of Erie for the creation of a personal parish, and on April 3, 1899, Bishop John E. Fitzmaurice erected Assumption of the Blessed Virgin Mary parish for them and their descendants. The parish itself, being a personal parish for Polish-speaking Catholics, had no territory. The parish church was located within the territorial confines of Saint Joseph parish and was dedicated on September 3, 1899.

The parish quickly outgrew the original church. Construction of the present church began in 1906 and the church was dedicated on January 7, 1907. It served as the parish church until February 13, 2017, when the church lost its parochial status due to the merger of Assumption of the Blessed Virgin Mary parish into Saint Joseph parish. With that merger, Assumption church became a secondary church without mission status of Saint Joseph parish. Since then, Assumption church has been used for occasional celebrations of the Mass, for personal devotion, for funerals, and for the annual celebration of the patronal solemnity of the church.

Current Situation

According to the law, in order to relegate a church to profane use or even to close it permanently, it is necessary that there be some grave reason(s) suggesting that the church no longer be used for divine worship. Often the gravity of the cause becomes evident when a number of factors are considered together. Can. 1222 §2 states:

Where other grave causes suggest that a church no longer be used for divine worship, the diocesan bishop, after having heard the presbyteral council, can relegate it to profane but not sordid use, with the consent of those who legitimately claim rights for themselves in the church, and provided that the good of souls suffers no detriment thereby.



Since February 13, 2017, Saint Joseph parish in Oil City has been responsible for the upkeep and maintenance of three church edifices: the parish church of Saint Joseph as well as two former parish churches – now secondary churches without mission status – namely, the Assumption of the Blessed Virgin Mary church and Our Lady Help of Christians church. The parish is also financially responsible for numerous other buildings which had formerly been under the care of three separate and distinct parishes.

Since February 2017, Assumption church has been used for ten (10) funerals, one (1) wedding, and no (0) baptisms. Regularly scheduled public divine worship at Assumption church ceased in 2018. Sunday Mass is celebrated only in the parish church itself, which is sufficient to meet the pastoral needs of the parish. As such, the Reverend John Miller, pastor, attests to the fact that there is no pastoral need for Assumption church.

Furthermore, and quite importantly, Saint Joseph parish does not have the financial resources to maintain all three churches in a manner suitable for the worthy celebration of the sacraments. The attempt to do so is impeding the parish's ability to care for the parish church itself, to support Catholic education in the region, to support the charitable works of the St. Elizabeth Center which is housed on parish property, and to tend to other pastoral needs and outreach. The financial strain is depriving pastoral programs of their necessary resources and thereby harming the overall apostolate of the parish.

Moreover, beyond the scope of ordinary maintenance, Assumption of the Blessed Virgin Mary church is also in need of significant emergency repair work. The east exterior wall of the church building is collapsing, in response to which the City of Oil City has given official notice that the structure is in violation of the building code and must be repaired. An initial estimate of the cost of that repair work is approximately \$300,000. These repairs would almost deplete the unrestricted assets of the parish, which must also provide financially for the maintenance of the two other churches and several other additional buildings.

The pastor, with the unanimous support of both the parish finance council and the parish pastoral council, obtained on January 23, 2019 and February 13, 2019 respectively, has petitioned that Assumption of the Blessed Virgin Mary church be relegated to profane but not sordid use. Being the only person who can legitimately claim rights concerning the church edifice, the pastor has given his consent (cf. can. 1222 §2).

The pastor attests that relegating Assumption church to profane use is not likely to result in any harm to the good of souls (cf. can. 1222 §). The pastor is also aware of the obligation to see to it that Assumption church, if relegated, not be given over to sordid use.

This information was shared with the members of the Presbyteral Council on May 23, 2019. Having considered the matter attentively, the members of the Council unanimously recommended to me that I grant the petition of the pastor to relegate Assumption of the Blessed Virgin Mary church to profane but not sordid use.

All of the requirements of canons 50, 51, 127, 166, and 515 have been fulfilled.

Therefore, having first and foremost before my eyes the best possible means to provide for the care of souls for the faithful of Saint Joseph parish, while considering that Assumption of the Blessed Virgin Mary church no longer serves as a parish church, that regularly scheduled Masses ceased there in 2018; that the church has been used for only ten (10) funerals and one (1) wedding since February of 2017; that the obligation of maintaining three separate church buildings has placed an unsustainable financial burden on Saint Joseph parish; that the required repairs to the structure are likely to expend nearly all of the parish's unrestricted assets; that the parish therefore effectively lacks the financial means to maintain – and even less so to repair – Assumption church; that there is no pastoral need for the church edifice; that the pastor and members of the pastoral council have petitioned for the relegation of the church; and that there does not appear to be any probable detriment to the good of souls, I judge that the aforementioned reasons, when considered cumulatively, constitute the grave cause required by the law (cf. can. 1222 §2) for the relegation of the church to profane but not sordid use, and I hereby decree the following:

Assumption of the Blessed Virgin Mary church of Saint Joseph parish in Oil City is relegated to profane but not sordid use, according to the norm of can. 1222 §2.

This decree is effective July 19, 2019 anything to the contrary notwithstanding.

Given at the Chancery
of the Diocese of Erie
on this 15th day of July, 2019

+Lawrence T. Persico

The Most Reverend Lawrence T. Persico, JCL
Bishop of Erie

Christopher J. Singer

The Reverend Christopher J. Singer, JCL
Chancellor