



CONGREGATIO PROPRIETARIUM

DECREE

Prot. N. 20143432

1. Whereas upon merger with Holy Name of Jesus parish in 2013 (extinctive union c. 515 §2) the former parish Church of St. Laurentius, in the Fishtown section of Philadelphia, Pennsylvania, in the Archdiocese of that same city, was preserved as a Church for the merged parish;
2. Whereas this Fishtown section served by the former parish has suffered great demographic declines for five decades, losing population and business, and being used as an example of urban blight;
3. Whereas it appears the parishes of that section did little to evangelize those Catholic who remained, or to evangelize new arrivals to the neighborhood, instead suffering dwindling membership, and relying upon the Archdiocese of Philadelphia for constant financial assistance, leading to the extinctive union in hopes of forming a more sustainable parish;
4. Whereas it appears that His Excellency, the Most Reverend Charles J. Chaput, Archbishop of Philadelphia, desired that this historical church building, important especially as mother Church to "Polonia" in Philadelphia, continue to be used, at least periodically, and to continue to inspire successive generations;
5. Whereas after the merger, serious structural problems were found in the Church of St. Laurentius, results of decades of deferred maintenance and lack of proper stewardship;

6. Whereas on 16 October, 2013, and again on 19 March, 2014, the inspector from the City of Philadelphia Department of Licenses and Inspections, issued notices of violation, indicating that the church was unsafe and not to be used, giving the city the right to demolish the building, at parish expense, if the grave concerns were not immediately repaired;
7. Whereas both the Archdiocese and parishioners conducted independent studies regarding possible repair of the structure, which are all similar scope and realistic regarding the damage and the possible costs of repair;
8. Whereas such costs indicated as a lower limit demolition of the structure, at near one million dollars, and as an upper limit, making the structure stable and perhaps useable, costing between 1.2 and 3.4 million dollars;
9. Whereas these costs appear not to have included any costs of restoration for the very neglected interior, stained glass, etc., which would place total realistic costs of restoration at a much higher level;
10. Whereas the parish of the Holy Name operates with a great deficit, according to the recurrents, and with a modest surplus, according to the Archdiocese, but with no funds which could meet the emergency needs of this historic structure, or finance the minimum repairs needed to remove the violation notice;
11. Whereas after the required consultation with the Council of Priests of 12 September, 2014, and removal of Church furnishings, and having received a request from the pastor of Holy Name parish, the Reverend Archbishop issued a decree reducing St. Laurentius Church to profane but not unbecoming use (c. 1222 §2), clearing the way for the demolition of the structure;
12. Whereas the recurrents, represented by Mr. Tim Breslin and Mr. Vincent Lipczynski initially presented a request for recourse simultaneously with the request for reconsideration presented to the Archbishop, on 29 September, 2014, in violation of c. 1734, but later, having received the Archbishop's negative response, dated 30 September, 2014, again presented a request, dated 16 October, 2014;
13. This same Congregation for the Clergy, having examined both the petition for recourse and the acts presented to the Congregation, notes that according to the norm of law, it is a task reserved to the Diocesan Bishop, upon request of the local pastor, and after the required consultations, to decree the relegation of a church to profane but not unbecoming use.

14. Regarding relegation of St. Laurentius Church to secular but not unbecoming use, it is noted that the Archbishop did, indeed, arrive at a decision to implement the effects of the process envisioned by c. 1222 §2 by carefully following the process laid out in Canon Law. It is evident from the acts that the grave cause required by c. 1222 §2 for the relegation of a church to secular but not unbecoming use has, indeed, been demonstrated, along with the motives already mentioned in this decree. The parishioners rallied to the support of their beloved structure, after the damage of neglect had already been done over several decades. Their good will is manifested by the pledges they have made, but these measures are incomplete, and in no way realistically address current and future needs. Additionally, the documentation they present tends to impact negatively their request, highlighting the deficiencies in the Church structure in a much more clear way than even the documentation presented by the Archdiocese.
15. A parish can certainly own two or more Churches, the churches which are not the seat of the parish being used for weekly liturgies or occasionally for the devotional visits of the faithful, as determined by the pastor. These additional Churches, however, must be maintained and cared for in a fitting manner. It is clear that the parish of the Holy Name of Jesus is unable to make the financial commitment to address the emergency needs for the edifice of St. Laurentius Church, and later restore it in a worthy manner.
16. Therefore the recourse against the reduction of the Church to secular but not unbecoming use is rejected. The Most Reverend Ordinary is admonished, however, that even should he proceed with the reduction of the Church to profane but not sordid use, the edifice is to be cared for by the Archdiocese with the respect due a former Church, until the structure is demolished, dedicated to another use within the Catholic Church, or legitimately alienated.
17. Therefore, this Dicastery, already having responded in the negative by silence, decrees:

with regard to the reduction to secular but not unbecoming use (c. 1222 §2) of the Church of St. Laurentius, Philadelphia, Pennsylvania, this recourse as presented is denied, *de procedendo* and *de decernendo*, insofar as the necessary grave motivations for the decision are provided by the Ordinary.

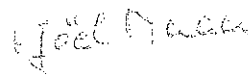
Recourse against this Decree may be made before the Supreme Tribunal of the Apostolic Signatura within the peremptory time limits

established in the Apostolic Letter *motu proprio Antiqua Ordinatione*,
Art. 34 §1.

Given at the Seat of the
Congregation for the Clergy
Friday, 27 March 2015




Beniamino Cardinal Stella
Prefect



✠ Joël Mercier
Titular Archbishop of Rota
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SIGNATURES

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