

September 23, 2026

Via Email

John E. Ganus
Michael D. Harvey
Town of Troy

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: True Worship Ministries

Dear Mr. Ganus and Mr. Harvey:

We represent True Worship Ministries (the Church) and Sandhills Cooperation Association, the operator of the Innovative Action Center (IAC), located at 346 North Main Street, Troy, North Carolina 27371. The Church and Sandhills retained First Liberty after the Town of Troy sent a Demand Letter dated June 10, 2026, instructing that all of the Church's religious activities at the property immediately cease, pursuant to the Town's Development Ordinance (TDO) 8.1. Zoning Letter—Operation and Permitted [*Sic*] of land uses within the Main Street (MS) General Use Zoning District, Town of Troy, June 10, 2026 (attached as Exhibit A). The Town has since sent a Warning Citation threatening additional action, including daily fines and other, unspecified enforcement actions, against the Church. Notice of Violation—Warning Citation, Town of Troy, Sept. 2, 2026 (attached as Exhibit B). We'll refer to both letters collectively as the Notices.

As explained below, the Church's right to use the Property for religious purposes is fully and clearly protected by the First and Fourteenth Amendments to the United States Constitution and the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. §§ 2000cc *et seq.* (RLUIPA). We demand that the Town immediately (1) withdraw both the Demand Letter and the Warning Citation, (2) affirm in writing that the Church is permitted to continue renting space from the IAC, and that (3) the IAC has the right to rent its space to religious institutions on the same terms as any other secular gathering.

I. The Notices Violate the Church's First Amendment Right to the Free Exercise of Religion.

To establish a prima facie violation of the First Amendment's Free Exercise clause, a plaintiff must show that (1) his "sincere religious practice" has been (2) "burdened [by a government entity]" (3) "pursuant to a policy that is not 'neutral' or 'generally applicable.'" *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 525 (2022). A court will find a violation if the government cannot then satisfy strict scrutiny of its law; that is, if the government cannot "demonstrat[e] [that] its course was justified by a compelling state interest and was narrowly tailored in pursuit of that interest." *Id.* The Church meets all requirements here, and the Town's ordinance 8.1 cannot meet strict scrutiny.

A. The Church engages in sincere religious practice.

There is no question that the Church engages in sincere religious practice. The right to attend religious services "strike[s] at the very heart of the First Amendment's guarantee of religious liberty." *Roman Catholic Diocese v. Cuomo*, 592 U.S. 14, 19–20 (2020); *see also Kennedy*, 597 U.S. at 525. True Worship is a Christian church that is currently transitioning to a new permanent location. During this transitional period, the Church has been renting space from the IAC. The IAC is a nonprofit focused on providing a space where minority communities can gather for a variety of business or community purposes, including for the Church's Sunday morning worship services on the same terms as any other secular use. Members of the Church gather at the Property to worship and otherwise engage in religious activities.

B. The Town's Application of TDO 8.1 burdens the Church's sincere religious practice.

Likewise, there is no question that the Town's Notices, in requiring the Church to "cease operation," citing TDO 8.1, burden the Church's sincere religious practices. Exhibit A at 4. The Town has barred religious gatherings at the Property, thus depriving the Church of a place to gather for religious worship during its transitional period. Even more concerning, the Town has since doubled down on its unconstitutional efforts by threatening enforcement actions, including exorbitant daily fines, if the Church continues its worship practices at the Property. Exhibit B. The Town's actions undeniably burden the Church's religious conduct.

C. TDO 8.1 is neither neutral nor generally applicable.

Government entities violate principles of neutrality and general applicability "whenver they treat *any* comparable secular activity more favorably than religious exercise." *Tandon v. Newsom*, 593 U.S. 61, 62 (2021). The Town has done so here. Uses permitted by the Town's ordinances in the Main Street (MS) District include theaters, health clubs, libraries, museums, event and wedding venues, auditoriums/coliseums/stadiums, liquor stores, and bars. *See* Section 8.1 Table of Uses. Yet the same ordinance prohibits religious

institutions from operating in the MS District. Uses like theaters, auditoriums, and event venues are all comparable to a church's religious gatherings. *Tandon*, 593 U.S. at 62–63. Moreover, the Town appears to permit the IAC itself to rent out its space for a variety of secular uses like business meetings, networking events, and workforce training sessions. Yet when the IAC rents its space to a church, the Town declares such gatherings to be unlawful.

D. The Town cannot meet strict scrutiny.

Because the Town has treated comparable secular activities more favorably than the Church's religious activity, the Town must prove its action was "justified by a [1] compelling state interest and [2] was narrowly tailored in pursuit of that interest." *Kennedy*, 597 U.S. at 508.

First, the Town has failed to provide *any* interest in prohibiting the Church's religious gatherings, much less a compelling one. The only interest conveyed by the Demand Letter is in complying with the Town's ordinances. Exhibit A. The Warning Citation cites "the Town's goal of maintaining an orderly and safe community" but offers no explanation as to how eliminating the Church's worship services furthers that goal. Exhibit B at 1. Indeed, it is hard to imagine how the Church, in practicing its sincere religious beliefs, threatens the Town's sense of "an orderly and safe community." Given that "only those interests of the highest order . . . can overbalance legitimate claims to the free exercise of religion," the Town's stated "interests" fall far short of the constitutional mandate. *Wisconsin v. Yoder*, 406 U.S. 205, 215 (1972).

Second, even assuming the Town's interest was compelling—which it is not—it cannot show how a prohibition on the Church operating at the Property is narrowly tailored to advance that interest. Government action that burdens religious exercise is narrowly tailored *only if* it is the "least restrictive means of achieving some compelling state interest." *Thomas v. Rev. Bd. of Indiana Emp. Sec. Div.*, 450 U.S. 707, 718 (1981). That is, the Town must "show that measures less restrictive [other than an all-out ban] of the First Amendment activity could not address its interest." *Tandon*, 593 U.S. at 63.

As discussed, the Town allows comparable secular land uses to take place in the MS District, such as for theaters, auditoriums, and event venues. The Town cannot reasonably claim that a ban on religious use of the Property conceivably advances the Town's interest in an orderly and safe community, while a ban on comparable secular land uses does not. *See Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 544 (1993) (holding that a city ordinance banning the religious sacrifice of animals ostensibly due to "the disposal of animal carcasses in open public places and the consumption of uninspected meat," but leaving unaffected secular activities with the same concerns, was underinclusive and therefore failed strict scrutiny). Thus, the Town cannot show it is furthering its interest in the least restrictive way, failing strict scrutiny.

II. The Notices Violate the Religious Land Use and Institutionalized Persons Act of 2000.

In addition to the First Amendment, the Notices also violate RLUIPA in at least three ways.

A. Less than equal terms

First, RLUIPA prevents the government from “impos[ing] or implement[ing] a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.” 42 U.S.C. § 2000cc(b)(1). As discussed above, the Town is treating the Church on less than equal terms than other secular uses permitted in the MS District. The Town cannot permit a secular event center to operate in the MS District while barring a church from having similar gatherings for religious purposes. *See id.* Such unequal treatment violates RLUIPA’s equal terms provision without any additional interest balancing like a Free Exercise claim. Thus, the Town’s prohibition on the Church’s right to engage in religious activities at the Property violates RLUIPA.

B. Unreasonable limitation

Second, RLUIPA also prevents the government from “impos[ing] or implement[ing] a land use regulation that ... unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.” 42 U.S.C. § 2000cc(b)(3). By limiting churches to only two of the Town’s 14 zoning districts (the Traditional Neighborhood Development Overlay and Civic districts), the Town’s ordinances do just that. *See* Section 8.1 Table of Uses. Like RLUIPA’s equal terms provision, a violation of the unreasonable limitations provision is straightforwardly unlawful.

C. Substantial burden

Finally, RLUIPA prevents the government from “impos[ing] or implement[ing] a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution,” unless the government can meet strict scrutiny. 42 U.S.C. § 2000cc(a)(1). As the Fourth Circuit has explained, “an impediment is substantial if ‘[1] the property would serve an unmet religious need, [2] the restriction on religious use is absolute rather than conditional, and [3] the organization must acquire a different property as a result.’” *Alive Church of the Nazarene, Inc. v. Prince William Cnty., Virginia*, 59 F.4th 92, 106 (4th Cir. 2023). “An impediment is absolute where land use restrictions wholly prevent a religious organization from building any house of worship on its property.” *Id.*

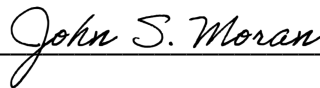
Here, the outright ban on religious houses of worship in the MS District constitutes a substantial burden—(1) the Property is serving an unmet religious need, *i.e.*, hosting minority communities for religious activity; (2) TDO 8.1, as applied by the Town, constitutes an absolute restriction on the use of the Property for religious purposes, by the very terms

of the Town's Demand Letter; and (3) the Church will be forced to acquire a different temporary property as a result of the ban. And as discussed above, the Town fails to meet strict scrutiny for its application of TDO 8.1 for the same reasons that it fails under the First Amendment to do so.

The Town's prohibition of the Church's temporary religious gatherings is unconstitutional under the First Amendment, as applied to the Town under the Fourteenth Amendment. *Cantwell v. State of Connecticut*, 310 U.S. 296, 303 (1940) (incorporating the free exercise clause of the First Amendment to the states through the Fourteenth Amendment). It is also unlawful under RLUIPA. Should the Town continue to persist in its denial of the Church's right to religious exercise, the Church will pursue all available legal options.

Thank you for your attention to this matter. Please direct all communications regarding this matter to me. I can be reached at jmoran@mcguirewoods.com or (202) 828-2817. I look forward to hearing from you soon.

Respectfully,



John S. Moran

*Counsel for True Worship Ministries and
Sandhills Cooperation Association*

cc: Katherine Richardson, [REDACTED]
Shakuan Smith, [REDACTED]
Ryan Gardner, [REDACTED]
Tiffany Dunkin, [REDACTED]

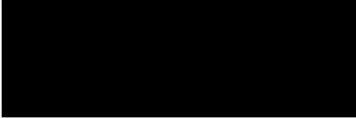
EXHIBIT A



315 N Main Street | Troy, NC 27371 | Phone: 910-572-3661
www.troy.nc.us

June 10, 2026

Randy and Sally Britt



RE: ZONING LETTER – Operation and Permitted of land uses within the Main Street (MS) General Use Zoning District

Dear Mr. Britt:

The purpose of this letter is to reiterate requirements associated with the permitting and operation of land uses within the Town in accordance with the Town of Troy Development Ordinance (TDO). Through this letter, the Planning, Zoning, and Subdivision Administrator (hereafter 'the Staff') hopes to re-convey current opportunities and constraints concerning the operation and/or permitting of land uses within the Town's planning jurisdiction to avoid unnecessary confusion and/or conflicts for property owners.

The parcel in question has a service address of 346 North Main Street, further identified utilizing Montgomery County Parcel Identification Number [REDACTED] is approximately 0.34 acres in area and currently zoned Main Street (MS). Based on available information, the parcel supports multiple land uses with individual suite addresses, including an existing church operation (hereafter 'the Property').

The Main Street (MS) general use zoning district is defined in Section 8.3 of the TDO as:

The Main Street District (MS) provides for new development, revitalization, reuse, and infill development in Troy's core downtown. A broad array of uses is listed to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shop-front, Detached House, Attached House, Multi-family Building, and Civic Building. The development pattern seeks to integrate shops, restaurants, services, workplaces, civic, educational, and higher density housing in a compact, pedestrian-oriented environment. The Main Street District serves as the hub



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of the surrounding neighborhoods and of the broader community. The Main Street District may be expanded over time to meet the needs of the growing community for downtown facilities and services. Expansion of the Main Street District shall be contiguous and not separated from the primary district area.

Staff is aware of recent activity concerning the operation of a second Religious Institution (i.e., church) from the Property. Please see the attached Facebook screenshot denoting this new activity.

In reviewing this situation, Staff are obligated to remind you of the following:

A. Per Section 2.1 of the TDO:

Upon adoption of this Ordinance, no structure shall be erected nor use established in conflict with this article nor the provisions of:

(A.) the district standards & specifications of Article 8, and Article 10 if applicable;

(B.) the building and lot standards & specifications of Article 9;

(C.) the landscape standards & specifications of Article 11;

(D.) the off-street parking standards & specifications of Article 12;

(E.) the street standards & specifications of Article 13;

(F.) the sign standards & specifications of Article 17;

(G.) the flood damage prevention standards & specifications of Article 18;

(H.) the watershed protection standards & specifications of Article 19; and/or

(I.) the open space standards & specifications of Article 21.



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- B. Per Article 7 of the TDO, a zoning compliance permit is required to be applied for and issued by Staff prior to the commencement of operations. The purpose of the permit is for Staff to determine if the proposed land use is permitted within the subject general use zoning district and if all required conditions allowing for the operation of said use are met.

NOTE: There is no record of the required zoning compliance permit being applied for/issued by the Town permitting the commencement of land use operation(s).

This constitutes a violation of local land use regulations and is subject to an enforcement action as detailed in Article 23 *Administration and Enforcement* of the TDO.

- C. Per Section 8.1 *Table of Uses* of the TDO, a *Religious Institution* land use **is not** listed as a permitted use of property within the MS general use zoning district. As a result, no new Religious Institution land uses are permitted to develop/operate within the district.
- D. The existing Religious Institution, established before the adoption of the TDO, currently operating from the Property is classified as a Nonconforming Land Use as detailed in Section 22.4 of the TDO. The use is permitted to continue operation subject to compliance with applicable standards.

If this use ceases, it can be re-established by a new Religious Institution land use within 730 days from the date of cessation. After this time, a Religious Institution cannot operate from the Property.

The Property is only permitted to have one (1) Religious Institution operating consistent with the provisions of Section 22.4 of the TDO.

Through this letter, Staff hereby makes the following FINAL AND BINDING DETERMINATION of the use of the Property:



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1. A Religious Institution land use as detailed in Section 8.1 of the TDO is not a permitted use of MS zoned property;
2. No zoning compliance permit was submitted to the Town for processing allowing for a second Religious Institution to operate from the Property violating the provisions of the TDO;
3. Only one (1) Religious Institution is permitted to operate from the Property consistent with the provisions of Section 22.4 of the TDO;
4. The operation of 2 Religious Institution land uses from the Property constitutes a violation of the TDO.

Staff requests the second, unpermitted, Religious Institution land use cease operation and you begin working with the Town to bring the parcel back into compliance with the TDO.

Please note this letter does not serve as a formal notice of the commencement of enforcement action(s) as detailed in Article 23 of the TDO. Failure to address the issue(s) identified within this letter, however, shall subject the Property to formal enforcement action compelling and requiring cessation of the unpermitted and illegal land use.

Through this letter, Staff are looking forward to collaborating with you to secure voluntary compliance with applicable land use regulations.

As this letter serves as a FINAL AND BINDING DETERMINATION on the application and interpretation of the TDO, it is subject to appeal to the Town of Troy Board of Adjustment in accordance with the provisions of Section 6.2 of the TDO. Consistent with Section 6.2.4 of the TDO, *a person with standing shall have thirty (30) days from the date of receipt of the written determination within which to file an appeal. Any person or entity with standing to appeal shall have thirty (30) days from receipt from any source of actual or constructive notice of the decision within which to appeal.*



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Staff will be more than happy to make themselves available to you if you have additional questions or require further guidance. Thank you.

Sincerely,

Michael D. Harvey AICP, CFM, CZO
Planning, Zoning, Subdivision Administrator
Town of Troy

CC: Greg Zephir, Town Manager
John Ganus, Code Enforcement Officer – Town of Troy
File

EXHIBIT B



NOTICE OF VIOLATION – WARNING CITATION

Date of Issue: September 2, 2026

Randy and Sally Britt

[REDACTED]

-and-

Sherri Allgood

[REDACTED]

Re: Citation Number:
Property Address:
Property ID Number:

[REDACTED]

Toward implementing the Town's goal of maintaining an orderly and safe community, this notice is sent to you as a Warning Citation. As a warning, it allows you a specific period of time in which to correct a noted violation before civil penalties and/or other forms of abatement are incurred or initiated.

This Warning Citation is issued for the operation of a second Religious Institution (church) from the property located at 346 North Main Street in violation of the Town of Troy Zoning Ordinance (TDO) as described in the previously issued Zoning Letter dated June 4, 2026. That letter informed you of the standards of the TDO and advised that the letter was an official Final and Binding Determination of the use of this property. The letter provided you with the opportunity to appeal that decision to the Town of Troy Board of Adjustment within thirty (30) days of the date of receipt of the determination. No appeal was filed within the time allowed by law and the TDO.

The second, unpermitted Religious Institution land use continues to operate at this location and therefore, this Notice of Violation/Warning Notice provides you with a final opportunity to comply before other enforcement actions are instituted. You are hereby ordered to cease all further operation of the second, unpermitted Religious Institution and its related activities from this location by a date not later than **October 5, 2026**.

Each day the violation continues after October 5, 2026, will constitute a civil penalty as described below and shall continue to accrue until the premises are brought fully into compliance with this notice and the ordinances.

First Civil Penalty	\$100.00
Second Civil Penalty	\$300.00
Third and Subsequent Penalty	\$500.00

Failure to comply with this notice may result in the Town taking other actions as permitted by law which may result in additional costs and/or attorney fees.

You may appeal this Notice of Violation/Warning Citation to the Board of Adjustment within thirty (30) of receipt of this notice. The request for an appeal must be in writing on the approved Town of Troy Appeal Application form and must state the specific nature of the appeal.

Please remember that this is an official notice and should not be ignored. Your immediate attention to this matter is required. If there are any concerns or questions, please contact me as indicated below.

John E. Ganus

John E. Ganus, CZO, CHCO
Town of Troy
Code Administrator, Housing Inspector,
and Zoning Enforcement Officer



Attachment: Copy of the official Final and Binding Determination dated June 4, 2026.

CC: Greg Zephir - Town Manager
Michael D. Harvey - Planning, Zoning, Subdivision Administrator
File