

Unmarried America



the promise of equality applies to everyone regardless of marital status

April 23, 2003

Mayor Lewis K. Billings
City of Provo
P.O. Box 1849
Provo, UT 84603

Re: Veto of ordinance limiting single house mates

Dear Mayor Lewis:

The website of the American Association for Single People recently published a story about your veto of an ordinance which would have severely restricted the number of unrelated single people who could share a home in certain residential areas of Provo.

AASP commends you for demonstrating leadership in connection with this controversial proposal. You correctly observed that the measure was "too broad and overreaching."

According to the 2000 U.S. Census, some 43 percent of the households in Provo are headed by unmarried adults. Almost half of these housing units, making up about 20 percent of the city's total households, are occupied by unmarried people who are not related by blood or marriage. Unmarried room mates and house mates, many of whom live together on a long-term basis, are part of the city's diverse households and living arrangements.

Overly restrictive zoning ordinances have been declared unconstitutional by the Supreme Courts in New Jersey, California, and California. These courts have ruled that a restrictive single-family zoning law violates the constitutional principle of due process if it focuses solely on the number of people living together rather than the nature of the household's activities. In other words, it is irrational to allow 15 blood relatives to live in a single home but to prohibit 5 or 6 unrelated people from doing so if they are functioning as a single housekeeping unit and are not otherwise violating any valid laws (such as noise limits, parking restrictions, or health requirements).

The 2000 Census documented that more than 81,000 adults reside in Provo. Fewer than 40,000 of them are married. Considering that a majority of adults in Provo are unmarried or single, it was very appropriate for you to veto an ordinance which gave the appearance of being "anti-single" and which was unduly restrictive.

Again, thank you for your leadership and for considering the housing needs of all Provo residents, including the "unmarried majority."

Very truly yours,

Thomas F. Coleman
Executive Director