



# Starting a Masjid/Mussallah/Community Center in North America

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# Starting a Masjid/Mussallah/Community Center in North America

Starting a Masjid or Mussallah is one of the greatest rewards-earning work a Muslim residing in North America can do. A masjid is the place to safeguard our Deen for generations to come.

However, starting a masjid/Mussallah can be one of the more complicated, error-prone, and challenging tasks.

Many Muslims in their zeal for such a noble project, may go ahead and commit large financial capital to purchase a place only to encounter heads-on zoning and legal obstacles.

This document is designed to provide a road map of how to overcome many of the challenges Muslim face and to educate the Muslim community about all available options to choose what is best for them Insha Allah.

This document also highlights areas where Start a Masjid Organization Community Centers may be able to help, free of charge, no-strings attached.

***This document, however, is to be used as a general guideline providing insights into the process. All parties must check with their own municipalities as to the rules of law.***

## **Incorporating and setting up a non-profit 501C3 (tax exempt) status**

It is highly advisable that you seek the help of a lawyer to help set up your organization as setting up a non-profit is different from for-profit organizations. You need to develop your articles of incorporation and your bylaws. ***Start a Masjid Organization can provide you templates and assist you with that if needed.***

The next step after getting your corporate seal and your tax id (EIN) is to apply to the IRS for a tax-exempt status known as 501C3. This is rather simple if you highlight your charitable programs.

Start a Masjid Organization is willing to be an umbrella organization for any local community wishing to start a masjid/Mussallah. Start a Masjid Organization allows each



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masjid/Mussallah to be self-managed without interference. The only rules are those that are put in place to protect Start a Masjid Organization legally and financially, Start a Masjid Organization does not charge or expect any monetary compensation from anyone.

## Understanding Zoning

There are different types of zoning, and the requirements are different based on the zone.

A land survey is required for all vacant land regardless of zoning classification.

We recommend that you perform due diligence on the land before taking any costly steps. Due diligence involves checking the parcel address against city or county to understand the zoning requirements and its suitability for the projects. Start a Masjid Organization provides this service free of charge regardless of where the parcel is in the United States.

Zoning may allow or restrict the type of project that you can have, and you need to choose the appropriate one for your project. These types allow for prayers and community activities to be conducted at the place (place of worship, community center, and civic club).

If you are buying/leasing an existing structure, then fire safety laws come into major consideration. We will elaborate on that in this document too.

- **Agricultural:** you will need a public hearing and a rezoning application. Some cities/counties may require a minimum number of acres for such projects to be approved.
- **Residential:** this is the hardest zoning and requires a public hearing. Size of land, available parking, proximity to neighbors, traffic and so forth are just examples of obstacles you may encounter.



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- **Commercial:** the zoning we favor the most to get a masjid/Mussallah approved (please double check your municipality first though). Most municipalities do not require a public hearing, but some do. Fire safety laws still apply.
- **Industrial:** a hearing is still required in most cases but still easier than agriculture and residential to obtain occupancy permit.

## To Buy or Lease

Buying requires a large financial commitment and will take the longest of time generally. Our advice is to make your purchase contingent on city/county approval for your special use case (called Mixed Assembly) and for your construction plans (even modifications to existing structures).

***Leasing should also be contingent on city/county approval.*** Leasing requires that the corporation has a long solid financial history or that some members guarantee the lease against their own assets subject to their credit report.

In this document we will focus on the leasing part, but the rules are generally the same whether you lease or buy.

## Shopping Center vs. Business Building/Center

Business centers have limitations that impact the long-term viability of having a large community. This ranges from limited parking spaces to shared entrances and shared bathrooms.

Yet, many small Mussallahs have been successful being in a business center, albeit with some challenges.

Shopping centers generally provide ample parking spaces, and each unit has an entrance (and by law for mixed assembly) must have an exit door.

It is our experience that shopping centers offer the easiest path to establishing a masjid/Mussallah. However, the greatest challenge we have faced with shopping centers is the reluctance of brokers/landlords to lease to us claiming they prefer retail businesses over non-profit.



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## *Checklist for an existing shopping center suite*

- 1- The minimum square footage that we recommend is 1500 SQ FT and this is for a small community or if financials do not allow for anything bigger.
- 2- Strongly recommend that the unit has a fire sprinkler system even if the applicable building code does not require it for occupancy loads of less than 300.
- 3- It is required that you have at least 2 means for exists (a front entrance and a back exit door suffice). One door must be handicap accessible.
- 4- The walls separating the suites from its neighbors must be fire rated (please check the applicable code based on whether the unit has a sprinkler system).
- 5- Two handicapped bathrooms are required, and more is recommended.

## Occupancy Calculations

The city/county calculates the number of people who maybe at the center at a given time using the **minimum** of the following:

- 1- Overall open space square footage divided by 7 (sometimes by 15)
- 2- Number of bathrooms (2 handicap bathrooms may allow up to 120 occupants)
- 3- Number of parking (one parking sport for 3 occupants)
- 4- The AC capacity and ability to provide adequate ventilation for the desired count.

Still please double check with your municipality as far as the applicable calculation rules.

## How Can Start a Masjid Organization Help?

Start a Masjid Organization is willing to work with any existing 501C3 organization or be an umbrella organization by itself. Start a Masjid Organization's motives are simply the starting of Mussallahs for the sake of Allah and has no intentions or desires to manage any center.

We can help in the following areas:

- 1- Work with the local community to find a suitable place within their budget and selected area. The focus is a place more likely to get occupancy approver.



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- 2- Use a commercial tool, that we have subscribed to, to identify Muslims in the area. This will help raise awareness about the new place and raise funds. The local community needs to have a small group of committed brothers and sisters who will spearhead its activities and manage the center once occupancy is obtained.
- 3- Create engineering and fire safety plans. Our architects charge only what their subs charge. So, on average 50% less than what you would have to pay otherwise.
- 4- Start a Masjid Organization can provide life safety plans or review if done by others and Start a Masjid Organization will perform this service free of charge.
- 5- We can work with the general contractor (or if in Atlanta can provide general contractors) on all construction and county related issues.
- 6- If in the Atlanta area, we may find volunteers who may do some of the physical labor free of charge or at a much-reduced rate.
- 7- We can help with website design and other areas free of charge.
- 8- We can provide additional advice based on our extensive experience in starting masajid, Mussallahs, and community centers.

## The Role of the Local Group

Start a Masjid Organization provides consulting and volunteer services. A small group from the local community where the Mussallah is to be started must show great initiative, dedication, and commitment to the project:

- 1- They must contact the local Muslim community to raise awareness and funds.
- 2- Visit the different sites and approve a list of suitable locations.
- 3- Recruit professional volunteers to help with build out activities.
- 4- Be responsible for the build-out costs Start a Masjid Organization does not cover.
- 5- Be responsible for security deposit, rent, and utilities, and other operating expenses.
- 6- Manage the Mussallah's day-to-day operations.

## Contact Start a Masjid Organization

You can reach Start a Masjid Organization via our website <http://StartAMasjid.org> or via email [contactus@StartAMasjid.org](mailto:contactus@StartAMasjid.org) or by phone at 404-229-7216.



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## Case Studies

The following is an example of different projects and the challenges encountered in each.

### ***Case Study 1: Shopping Center unit, No Hearing Required***

It is best to illustrate the process using an already established Mussallah called Masjid Al-Zubair in Dawsonville, Georgia.

A group of brothers approached Start a Masjid Organization to start a Mussallah there. Our real estate agent found a suitable location (1,200 SQ FT) in a shopping center and negotiated the contract.

We verified with the county that a place of worship (church, mosque) is allowed based on zoning, and we signed the lease.

One important factor we verified is that the unit has a fire sprinkler system. Otherwise, we would have needed 2-hour firewalls on the right and left sides as they are connected to other units.

The unit had only one bathroom (handicap) and the law require two handicap bathrooms (one for men and one for women). Our architect created a construction plan to add a second bathroom and install water fountains (also required).

The process with the county is very slow and took about 4 months even though these were the only construction activities required by the county.

We obviously put carpet, speaker systems, and a few other items that added to the overall startup costs.

### ***Case Study 2: Business Center unit, Community Center, No Hearing Required***

We found a 3,600 SQ FT unit in a basement of a business center that is co-owned by a Muslim brother and started Soumaya Community Center.



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There is a difference between community centers and religious (masjid) from both activities and zoning requirements.

***A community center is based on the premise of having many activities (social gathering, educational activities, charitable activities) along with some religious activities like prayers.***

***A community center does not have the same stringent zoning requirements a masjid has, and it is the one Start a Masjid Organization recommends using in shopping centers.***

We followed a similar process of Al-Zubair where our architect created construction and fire safety plans. Soumaya, being a much larger space and in need of much more work, required extensive engineering and construction work.

It took almost 8 months between working with the city and county and all the construction work.

## ***Case Study 3: Architectural Land, Hearing Required***

Hamzah Islamic Center was in a rental location/business center and acquired a large (11.91 acres) agriculture land. This is in an area known at the time for not looking favorably at minorities.

The purchase of the land was contingent on the county's approval. We will focus only on the hearing requirements.

Hamzah was required to inform the neighbors of its plans to start a masjid in the area. This was in the form of registered mail to a list of neighbors that was provided by the county.

Public hearing signs were also placed along the adjacent roads.

Hamzah set a public date to host the neighbors and had to document the interactions with the neighbors listing their concerns and Hamzah's responses.

Hamzah also hired a high-powered attorney to represent them with the county.





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People came in drove to the public hearing and had many objections and most were based on prejudice. Alhamdu Lillah, Hamzah won its case, and the masjid got built.