

# Anti-porn group helps wage battles

Monroe, other areas use advice on zoning laws

BY JANET C. WETZEL  
The Cincinnati Enquirer

An Arizona-based anti-porn group is playing a major role in determining how, when and where sexually oriented materials are sold in several Tri-state communities and across the nation.

Monroe just hired Community Defense Counsel a non-profit organization in Scottsdale, Ariz., that helps communities strengthen zoning laws regarding sexually oriented businesses. CDC also is reviewing Cincinnati's zoning and licensing laws covering such businesses, and helped write laws for Kenton County.

More than 1,000 communities nationally have taken advantage of CDC's expertise to help battle pornography. CDC has helped hundreds draft zoning laws to control sexually oriented businesses, said Rick Culp, CDC senior litigation counsel.

"Our help has ranged from just providing them a copy of our sample ordinance, to telephone conferences to see if we think we can help them, to writing new laws," Mr. Culp said.

Monroe hired CDC on the recommendation of Citizens for Community Values, which also agreed to pay CDC's fees and costs of court battles that might result from changing the city zoning code.

Hustler publisher Larry Flynt and his brother, Jimmy Flynt, plan to build a Hustler store near Interstate 75 and Ohio 63, next to Bristol's Show Club and Revue. About 30 percent of the store's merchandise will be sexually oriented, Jimmy Flynt has said.

CDC, which specializes exclusively in the area of adult



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business regulations for communities, has used its expertise many places, many ways.

In Chattanooga, Tenn., special counsel Phil Noblett said CDC helped draft a state law on sexually oriented businesses. The law, passed in 1995, was patterned after a 1986 Chattanooga law. And CDC provided extensive information on various national legislation to help the city rewrite its law recently, he said.

"They were very organized in what they had. ... It's been very beneficial to us," Mr. Noblett said. "This is specialized work all over the country and something most municipal attorneys' offices don't get into much. So their help is really valuable."

CDC helped Kenton County write a licensing and regulatory (Please see CDC, Page C9)

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ordinance for sexually oriented businesses, said County Commissioner Barbara Black. She said she and Frank Wichmann, attorney for Taylor Mill and Erlanger, also have worked closely with CDC and various Northern Kentucky cities on legislation. Erlanger, Taylor Mill and Crescent Springs have passed or are working on licensing and regulatory laws.

"CDC has been very, very helpful," Mrs. Black said. "By virtue of their expertise, I think they are the most valuable resource that we have. And they work on a nonprofit basis — mostly donations."

In Cincinnati, where an on-again, off-again battle with the Flynts has heated up in recent years, CDC was

recently hired to review the 1996 zoning and licensing ordinances regarding sexually oriented businesses, said Councilman Phil Heimlich.

"Communities are not equipped to deal with the Larry Flynts of the world on their own. He can hire the best attorneys in the country. We have to do the same," Mr. Heimlich said.

Hundreds of Monroe-area residents attended a recent council meeting to encourage the city to fight the Flynt plan, and an anti-porn rally last week held by CCV and the Monroe Ministerial Association.

But CDC's involvement in Monroe drew scorching remarks from Louis Sirkin, local attorney for the Flynts.

"It's very disturbing that one group can influence a government that much,"

Mr. Sirkin said. "They're hiring a special-interest group to represent them when a government is supposed to be neutral and represent both sides. It's like hiring the lobbyists to come in to write the law that benefits their special interest group."

Monroe Mayor Elbert Tannreuther said officials believe they are representing the wants and needs of most residents by accepting CDC's help.

"A great majority of people that have spoken to us about this have said they don't want this type of business here," Mr. Tannreuther said.

CDC may have proposed legislation ready for Monroe in about 30 days, Mr. Culp said.