

Talking Points

Topeka / Shawnee County, Kansas Sexually Oriented Business Ordinance

1. Topeka and Shawnee County have a disproportionately large quantity of Sexually Oriented Businesses (SOB) i.e....Pornography outlets and Strip Clubs. At first look we located six strip clubs and seven pornography outlets in the city of Topeka and County of Shawnee.
2. The Federal and State Courts have for the past 35 years upheld the constitutional right of communities to regulate SOB's because of the "Negative Secondary Effects" these types of businesses have on communities. The leading negative secondary effects are increased crime, increased sexually transmitted diseases, general blight, decreased property values, increased drug trafficking, etc...
3. SOB Zoning ordinances put into place what is called TIME, PLACE and MANNER restrictions. Examples of the types of lawful regulations that communities can impose via a well crafted SOB ordinance are; mandatory close of business at midnight till six AM; a ten foot standoff distance between dancers / entertainers and patrons; a minimum light level inside the SOB; no private rooms or booths; an employee of an SOB cannot have a criminal history, liquor restrictions, a distance of 2,000 feet from homes, churches, playgrounds, schools, day care centers or other SOB's, etc...
4. Topeka and Shawnee County is the only major metropolitan community in Kansas without any SOB zoning regulations.
5. In Kansas SOB ordinances can be applied retroactively to both currently existing SOBs and future SOBs. For example if an SOB is located with the notional 2,000 foot distance from a home then that SOB must relocate after a period of time from the vote and signing of the ordinance by the city council or county commissioners. That time to comply with relocation can be as little as a few months or a year.
6. The time has come for this community to enjoy the same SOB Zoning protection that most cities now provide for their citizens.

For a more detailed study of this subject a good web site is:

<http://www.afa.net/pornography/sobs.asp>