

## Supervisors Told:

# *Adult Bookstore Denial Abused Civil Rights*

Supervisors' denial of a permit for an adult bookstore on Portola Drive was an abuse of civil rights, according to Ed Davidson, a frequent speaker on planning matters in both city and county issues.

Davidson told supervisors Tuesday their decision to deny the permit was also an abuse of zoning matters.

"To try to use a zoning ordinance for these purposes is more of a perversion than the bookstore is," said Davidson.

He called for the board to reconsider its decision.

But supervisors remained firm and voted to give final denial to the permit.

The permit would have allowed Frenchy's adult bookstore to open a store on Portola Drive.

A score of nearby residents has protested the move and supervisors followed their lead by denying the permit last week.

Davidson, who said he does not patronize adult bookstores, said he believed it was an

issue of civil liberties.

He said the board had abused its power by trying to regulate moral issues through zoning ordinances.

"Its not proper police power for the board of supervisors to tell a merchant what merchandise he should sell."

Supervisors appeared miffed at Davidson's suggestions.

Supervisor Dale Dawson, said he wasn't interested in Davidson's arguments and asked him why he had not appeared at a public hearing on the issue last week.

Supervisor Cecil Smith added Davidson had tried his own abuse of power by using oral communications time to talk about an item on the agenda.

Supervisors require that oral communications be only for items not on the agenda.

The permit was denied on a unanimous vote.