

# NL ordinance Continued from page 1

very normal – and characters can be portrayed as masculine, feminine or androgynous.

“And in this particular show, performers are parents, teachers, regular everyday people. There’s no nudity (though she said a costume which may or may not be featured includes an oversized pair of rubber breasts).

“Performers dress in character, perform, or lip sync a song from a platform called a catwalk. Tips can be given from the audience by putting a dollar on the stage, and may be acknowledged by the singer by directly singing to them or taking their hand.”

She added that concerns have been expressed about a youth show earlier in the day from 3-4 p.m. for ages 13-17.

“The only difference between the youth show and adult show is the age group, that this is much shorter and that parents and guardians are welcome to attend.” While the youth show allows for performers to dress in drag if they so choose, and sing, no touching is allowed whatsoever.

“Before the show, there will be a Q&A session where people can meet performers and ask what it means to be trans, what it means to be gay, what it means to be in-between... [The point of the show] is understanding and exploring our own gender identities.”

Lacktorin said the show is part of the theatre’s programming and mission “to be an open, inclusive space that allows for equity in all aspects of our system,” and amid increasing growth and diversity throughout the community, “as a theatre, we feel it’s our responsibility to reflect that.”

### The ordinance

Among the concerns listed by those against the show, is that of the city’s Adult Use Business Ordinance, which Pastor Brad Keller of The Harbor Church in Spicer, said the Little Theatre would be in direct violation of.

And according to the current ordinance, he’s right. However, the theatre would not be alone in violating the provision.

According to Mayor John Bergman, as stated in comments to the council and those present at Wednesday’s meeting, the ordinance was drafted in 2004, primarily as a means of preventing the establishment of strip clubs in New London.

Bergman said the city took a “boiler plate ordinance from the League of Minnesota Cities and adopted it for ourselves.”

The ordinance includes a provision for adult cabarets, defined as prohibiting: “An establishment which provides dancing or other live entertainment if such establishment excludes minors by virtue of age, or if such dancing or other live entertainment is distinguished or characterized by an emphasis on the performance, depiction, or description of ‘specified sexual activities’ or ‘specified anatomical areas.’”

After speaking with the city’s attorney prior to the meeting, Bergman said, “It comes down to this: The Little Theatre may or may not be in violation of some portions of the ordinance, and the ordinance may be unconstitutional. In regards to that, we can’t make a determination.”

According to city administrator Trudie Guptill, attorney specifically cited the sentence “if such an establishment excludes minors by virtue of age” as unconstitutional.

Simply put, if the city enforces the ordinance at the Little Theatre, then it must also enforce it at all other age-restricted events – of which there are many – or risk opening itself to a potential lawsuit.

Bergman and Guptill said the city is awaiting more details from its attorney and the League of Minnesota Cities before making a determination on how to proceed, though the city intends to revise its current ordinance based on their input.

As the ordinance is written, Guptill said, the only item that the theatre would be in violation of is the stipulation concerning the exclusion of minors by age – which she said

the attorney recommended striking.

If omitted, the theatre would not be in violation of any other provisions in the ordinance, and as a city, “we couldn’t really do much,” Guptill said.

Once the city receives more information from its attorney and the League of Minnesota Cities, the council will hold a public meeting – as required by law – to update its ordinance.

### Community comments

In addition to discussing the implications of the current ordinance, Mayor Bergman al-

lowed for public comments – both for and against the show.

Quentin Markfort, a youth ministry director representing the congregations of Peace Lutheran Church in New London and Faith Lutheran Church in Spicer, said that he supports the performance, stating:

“...Even though there has been buzz and things talked about with churches not supporting this endeavor, I would like you to know that there are churches that welcome people to be who they are, to be who we believe God created them to be, in God’s image, that they are loved and beautiful

just who they are, and they should be celebrated and recognized.”

Jessica Rohloff, a long-time resident of the New London area community, also addressed the topic of religion.

“I think I was the only person married in the theatre, so I hold it near and dear to my heart,” she said. “I just want to invite my neighbors here who don’t agree with it – just don’t come. We’re not coming to your church and telling you who to be...”

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FOR COUNTY COMMISSIONER

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