

Written Testimony for HB 229 and the Subsequent Amendment

My name is Jon Elsasser. I am a board member and president of the Zoar Community Association (ZCA). ZCA manages Zoar Village and Fort Laurens in Tuscarawas County through management agreements with the Ohio Historical Connection. Eleven structures in Zoar and the entire Fort Laurens site are owned by the State of Ohio and under overall management of the Ohio History Connection.

Since 2001, ZCA has sponsored military living history events at Zoar and Fort Laurens. The events take place over a single weekend and involve historical reenactors from all over the country. These military reenactments include a military camp, historical battles, and civilian activities. The events present a teaching opportunity for school students and the public through the art of living history. The events are extremely popular with reenactors as well as students and the public.

These military living history events are extremely important to ZCA's financial sustainability. ZCA is a non-profit organization dedicated to the preservation and interpretation of Zoar Village and Fort Laurens. The living history event that takes place at Zoar, every other year, is one of our single highest grossing events each year. The living history event at Fort Laurens that takes place every year is the highest grossing event at that site. The funds raised at both events are essential to ZCA's primary mission to preserve and interpret the history of Zoar and Fort Laurens.

These events have become subject to Ohio Administrative Code Sections 3701-26, Subsections 1-6. Those regulations, designed to regulate non-permanent campgrounds, require spacing of camping and campground set-up that make a great deal of sense for temporary "commercial" camping, but significantly impact the ability to accurately hold our two-day historic camping events.

These rules have disrupted the nature of our living history programs and placed a financial burden upon ZCA. For example, the required spacing make it impossible to establish a period correct military camp since the tents are arranged in a line and well with the 15 foot restrictions. Each company "street" has a single cooking fire. Yet, under the regulations, that cooking fire had to be placed so far away, that

it almost becomes impractical. Finally, the licensing fees and the time and attention that it takes for the camp inspection – particularly for an organization that is largely reliant on volunteers – are difficult for us to manage.

We fully appreciate the State’s concern over temporary commercial campgrounds that fail to secure proper licensing. These can take away revenues from properly licensed commercial campgrounds and should follow appropriate health and safety practices. In contrast, our once-a-year military living history events are not like the temporary campgrounds that the General Assembly attempted to regulate. We do not charge a camping fee and many of the participants, while setting up tents as “props” for the event, do not stay overnight in the tents. They may go home or stay at a local hotel for a good night’s sleep. The reenactor organizations that work with us to hold these events have their own rules that address health and safety concerns for both participants and spectators and the events around the state have a good record in this regard.

We understand the State’s concern over safety and health but note that Ohio Revised Code §3729.05 and Ohio Administrative Code Section 3701-26 exempt county fairs and motor sport events from this regulation. We believe historic reenactments are similar in nature to county fairs and motor sport events and should likewise be exempted.

Ohio Revised Code §3729.05 and Ohio Administrative Code Sections 3701.26, Subsections 1-6 are good laws. However, as it pertains to historical reenactments, they have had unintended consequences that do not promote health and safety. These laws create financial and systemic burdens on non-for-profit organizations that sponsor weekend historical events. We therefore ask that the proposed amendment be passed.