

July 13, 2016

Ron Folsom
Zoning Administrator
Trumbull Township
2443 State Route 534
Geneva, OH 44041

Ron Tamburrino
Chair, Board of Trustees
Trumbull Township
2443 State Route 534
Geneva, OH 44041

Via e-mail and UPS

Dear Messrs. Folsom and Tamburrino,

I am writing on behalf of PETA to notify Trumbull Township of apparent violations of the Trumbull Township Zoning and Transient Vendor Resolutions by Hugo Liebel and Larry Rickard at the Great Lakes Medieval Faire (GLMF).

Dangerous pets are prohibited in Trumbull. Liebel is offering rides on an elephant named Nosey at the fair, which is owned by Rickard, even though the township's Zoning Resolution mandates that "dangerous pets" are prohibited in all zoning districts because they "create[] or contribute[] to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable." Zoning Res. § 920(13). "Dangerous pets" include "any animal ... which is trained, restrained, confined, and cared for in a way which demonstrates and which poses a physical threat of physical harm to humans." *Id.* art. 2.

Nosey is without a doubt a "dangerous pet" confined in a way that poses a physical threat of physical harm to humans. Ohio's Dangerous Wild Animal Act lists elephants as a "dangerous wild animal" and generally prohibits Ohioans from possessing them.¹ Ohio Rev. Code Ann. §§ 935.01(C)(9), 925.02(a). Likewise, the U.S. Department of Agriculture (USDA)—which regulates animal exhibitors such as Liebel—considers elephants to be "dangerous animals," 9 C.F.R. § 2.131(d)(3), and warns its own inspectors to "[c]onsider all elephants to be dangerous," and if one must approach an elephant, "ensure you know your escape route," USDA, *Animal Welfare Inspection Guide* 3-10 (2013).

The Association of Zoos & Aquariums prohibits keepers (and therefore the public) from interacting with elephants without the use of a protective barrier, and just months ago, the Occupational Safety and Health Administration [fined](#) a zoo \$7,000 after an employee sustained large gashes and bruises when she entered an elephant enclosure and was attacked. The agency found that sharing space with elephants was a "recognized hazard[] ... likely to cause death or serious physical harm to employees."

Since 1990, dangerous interactions with captive elephants in the U.S. have resulted in at least 18 human deaths—an astounding number given that there are fewer than 450 captive elephants in the country. And for each elephant-related death, elephants have caused numerous grave injuries to humans, including broken bones, crushed pelvises, collapsed and punctured lungs, degloving injuries, head wounds, and brain injuries. A list of these incidents is available [here](#).

¹It does exempt traveling circuses such as Liebel's. Ohio Rev. Code Ann. § 935.03(B).

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- PETA U.S.
- PETA Asia
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- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

Nosey is no exception. Liebel allows the public to have direct physical contact with her, despite the recognized hazards of injury or death. In 2005, he paid nearly \$3,000 to the USDA to settle numerous animal-welfare violations, including for an incident in which Nosey threw a handler to the ground with her tusk, sending him to the hospital with a head injury. In an affidavit, the worker also reported that Nosey has struck out at people in the past. A copy of the citation and the injured worker's affidavit is available [here](#). Likewise, in May of this year, multiple circusgoers in Burlington, Iowa, reported that Nosey bit a handler (believed to be Liebel's daughter, Cathalina), crushing her hand and causing blood to spill onto the floor mats. Elephant expert Dr. Philip K. Ensley has [opined](#) that the casual handling of Nosey, coupled with inadequate safety practices, "will most certainly lead to Nosey seriously injuring another handler, or killing a handler, a circus patron, or child during an elephant ride."

Please also note that Liebel's animal-welfare and public-safety violations span decades. In addition to the fine mentioned above, he has been cited for nearly 200 violations of the federal Animal Welfare Act (AWA) (a summary is available [here](#)), and in 2013, he was ordered to pay a \$7,500 penalty following nearly three dozen [charges](#) for AWA violations, including for chaining Nosey so tightly that she could barely move, denying her adequate veterinary care, and endangering the public by failing to handle and supervise Nosey properly. Moreover, years of being shackled in chains and forced to perform grueling tricks have taken their toll on her, and she appears to be suffering from painful arthritis.

Transient Vendor Restrictions

Liebel is selling elephant rides and presenting a circus at the GLMF. He employs his wife, three daughters, and two sons to run the elephant rides, take care of animals, and perform in the circus. He is therefore a "Transient Vendor," and his family are "Transient Vendor Employees," all of whom must register with the township. Trumbull Transient Vendor Res. §§ IV–VI.

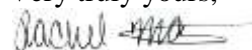
Transient Vendors and Transient Vendor Employees are required to do the following:

- "[C]omply with all laws while conducting Business." *Id.* § III(E).
- Not "keep or use more than one motor vehicle or trailer at the temporary place of business." *Id.* § III(H).
- Not "use bells, alarms, or sound amplification devices while conducting Business." *Id.* § III(L).
- Not "shout ... while on private or public property." *Id.* § III(M).

Even if Liebel and his family have properly registered—which PETA was not able to verify—they do not appear to be complying with the requirements of the resolution. They possess and exhibit a "dangerous pet" in apparent violation of the township's Zoning Resolution; they have multiple vehicles at the GLMF, including trailers, trucks, and an RV at the GLMF; they use speakers and microphones to amplify music and voices during circus acts; and Liebel is known to shout while hawking elephant rides.

I look forward to hearing your prompt confirmation that Trumbull Township will be enforcing these resolutions by barring Liebel and Rickard from exhibiting Nosey and holding them accountable to the fullest extent of the law. Please note that Liebel also exhibited Nosey at the 2014 and 2015 GLMFs as well, also in apparent violation of the township's resolutions.

Very truly yours,



Rachel Mathews, Esq.

Associate Director | Captive Animal Law Enforcement