

## ARTICLE II. HORSE-DRAWN CARRIAGES

### Sec. 126-19. Permit.

It shall be unlawful to operate a horse-drawn carriage or other touring vehicle employing the use of draft animals for locomotion without first being issued a city carriage permit. The city secretary shall issue a carriage permit only if the following requirements have been satisfied:

- (1) The proposed route of the service does not operate on any hike-and-bike trail or footpath within the city.
- (2) The carriages and equipment proposed to be used in the service are in safe and presentable condition.
- (3) The applicant has agreed to operate only on a schedule and route and over the designated traffic lanes approved by the chief of police and to park said carriages or vehicles only at such locations approved by the chief of police.
- (4) The carriage wheels shall have all steel or iron outer rims adequately sheathed in rubber or other synthetic material to prevent damages to the street pavement.
- (5) A current rabies certificate shall be on file with the city secretary at all times.
- (6) All horseshoes used shall be of a type approved by the chief of police.
- (7) The applicant has agreed to maintain all barns, stables, or other housing for horses and carriages in a safe and sanitary condition, and has agreed to permit the city to inspect such facilities at any time.
- (8) The applicant has agreed to keep all carriage routes clear and free of animal void and excrement and to maintain all permitted stands in a clean and sanitary matter. Each animal shall wear a bag capable of holding animal feces or in the alternative, the carriage shall be equipped with a shovel and receptacle and the carriage driver shall promptly remove all feces from the ground.
- (9) The applicant has agreed to post the fares for each ride or trip so that they are visible to the public. This section shall not apply to the exclusive, one-time rental of the carriage by a party by separate agreement, entered into more than 24 hours prior to such trip.
- (10) Lanterns shall be affixed to either side of the carriage and must be illuminated after dusk.
- (11) The applicant has agreed that in order to protect the health and well-being of each animal employed in this service, the applicant shall specifically covenant and agree:
  - a. Each animal shall be inspected and certified as to its good health annually by a licensed veterinarian.
  - b. No animal shall be worked longer than four continuous hours without feeding and rest.
  - c. Each animal shall be provided water at each carriage stand.

- d. Animals shall not be whipped unless necessary for the safety of the animal or carriage passengers.
  - e. Animals shall not be overworked.
  - f. Each animal shall be provided with its own custom fit harness.
  - g. No animal with an open sore or wound, or any animal which is lame or has any other ailment shall be worked without specific written authorization from a veterinarian that such work will not endanger the health or well-being of the animal.
  - h. Each animal shall be groomed daily.
  - i. No animal shall be allowed to pull more than seven people, including the driver.
  - j. No animal shall be worked during time when the combined temperature and humidity index exceeds a numerical value of 150.
- (12) The applicant has paid a nonrefundable license fee of \$50.00 per carriage to defray the expense of carrying out the provisions of this article.

(Code 1988, § 29-1; Ord. No. 975, § 1, 11-21-1995; Ord. No. 1110, § 1, 4-14-1998)

### **Sec. 126-20. Insurance.**

Any applicant for carriage permitting under this article shall, before the permit can be issued, deliver to the city secretary a certificate of insurance reflecting insurance coverage as herein prescribed. Said applicant shall keep in full force and effect during the term of the carriage permit a policy of public liability insurance, issued by an insurance company fully authorized to do business in this state and performable in this county, ensuring the public against any loss or damage that may result to any person or property from the operation of such vehicle or vehicles. The certificate of insurance shall contain a provision that coverage under such policy shall not be cancelled or materially changed until at least 30 days prior written notice has been given to the city. Passenger liability exclusions are expressly prohibited. Insurance shall be in the following minimum amounts:

- (1) General liability insurance in the amount of combined single limit of \$500,000.00 per occurrence, with an aggregate amount of \$1,000,000.00, covering property damage, bodily injury and personal injury; to secure payment of all lawful and proper claims arising out of the operations of the vehicle for hire service authorized hereunder. This section applies only to those vehicle for hire services that have a fixed base of operation, such as an office or terminal, that is visited by customers to secure services.
- (2) Vehicle insurance in the minimum amount of \$20,000.00 due to bodily injury or death to any one person in any one accident, \$40,000.00 due to such damages to two or more people per accident, and \$15,000.00 because of property damage of others in any one accident; and personal injury protection coverage in the amount of \$5,000.00 or the maximum amount available through state assigned risk pool.

(Code 1988, § 29-2; Ord. No. 975, § 1, 11-21-1995)

**Sec. 126-21. Termination of permit.**

Operation of a carriage permit shall be conditioned upon continued compliance by the permittee with each of the requirements of this article. Any violation shall subject the permittee to termination of the permit upon prior notice and hearing before the chief of police. The chief of police is hereby authorized and empowered to revoke or suspend any license issued hereunder upon his or her finding that any carriage permit holder has willfully violated any of the provisions of this article. Such revocation or suspension shall take effect upon delivery of written notice thereof to the carriage permit holder, with such delivery being made in person or by certified mail through the United States Postal Service; provided, however, that the carriage permit holder shall have the right to appeal to the city manager from any such action of the chief of police by delivering such appeal to the city secretary, with a copy delivered to the chief of police, not more than five days after the action appealed from. In the event the carriage permit holder shall fail to deliver such notice to the city secretary within the time prescribed, the action of the chief of police in revoking or suspending the license shall be final. If the carriage permit holder timely delivers the notice to the city secretary, the city manager or his or her designee shall hear the appeal not more than 20 days after the filing of the notice of appeal with the city secretary.

(Code 1988, § 29-3; Ord. No. 975, § 1, 11-21-1995)

Secs. 126-22--126-45. Reserved.