

## PROPOSED REVISIONS APRIL 2017

### DIVISION II - CODE OF GENERAL ORDINANCES

#### Part 6 - LICENSING AND REGULATION

#### CHAPTER 1. - BUSINESS AND OCCUPATIONS ARTICLE S. HORSE-DRAWN CARRIAGES FOR HIRE

##### **Sec. 6-1561. Purpose and definitions.**

- (a) This article shall be known and recited as "The Horse-Drawn Carriage Ordinance" and shall regulate the horse-drawn carriage industry, protect the health, safety, and welfare of the animals used in the tourism industry, as well as persons using the public right-of-way and the citizens of the City of Savannah.
- (b) Definitions.
  - (1) *City*. The word "city" shall mean the Mayor and Aldermen of the City of Savannah, Georgia, a municipal corporation; the definition to include all area within the corporate limits of the City of Savannah.
  - (2) *Horse-drawn carriage*. Any hack or carriage which is operated by being drawn by a horse or mule for the transportation for hire of passengers.
  - (3) *License*. The right and privilege granted by the City of Savannah for the operation of a business incorporating the use of one or more horse-drawn carriages within the corporate limits of the city. The right and privilege granted by the city to a horse-drawn tour service company for the operation of a tour guide service or business incorporating the use of one or more horse-drawn carriages within the corporate limits of the City.
  - (4) *Horse-drawn carriage tour service company*. The holder of a business tax certificate issued by the City for the operation of a horse-drawn carriage tour service or business under the provisions of this article, whether a person, firm, partnership or corporation.
  - (5) *Restricted Areas*. Sections of the city designated by ordinance in which all tour guides and horse-drawn carriage companies shall not operate at certain times or under certain conditions. Restricted areas include:
    - (i) The 400 and 500 blocks of East St. Julian Street and Washington Square from 8:00 p.m. to 10:00 a.m. (November 1<sup>st</sup> through February 28<sup>th</sup>) and 9:30 p.m. to 10:00 a.m. (March 1<sup>st</sup> through October 31<sup>st</sup>); and
    - (ii) South of Liberty Street and east of the western-most curb line of Lincoln Street from 12:00 a.m. to 8:00 a.m. year-round.
  - (6) *Tour guide*. Any person who drives or operates a horse-drawn carriage on the streets of Savannah or who acts or offers to act as a guide for hire through any part of the city or who serves as an actor during a tour for hire. "Tour guide" as used in this article does not include any person acting or offering to act as a guide for hire, or an actor during a tour for hire, when the tour is to be conducted solely on private real property.

## PROPOSED REVISIONS APRIL 2017

- (7) *Street*. The word "street" shall mean and include any street, alley, lane, avenue, court or public place or right-of-way in the City of Savannah.
- (8) *Tourism director*. The individual employee or organization unit of the city charged with the responsibility for administering and enforcing this article.
- (9) *Stand*. A public place alongside the curb of a street or elsewhere which has been designated by the Mayor and Aldermen as reserved exclusively for the parking and waiting for hire of horse-drawn carriages.

### **Sec. 6-1562. Horse drawn carriage companies; headquarters.**

- (a) *Business tax certificate required*. No person, firm or corporation shall operate a business involving the use of one or more horse-drawn carriages on the streets of the city unless a business tax certificate for such business has first been granted by the city in accordance with the provisions of the annual revenue ordinance.
- (b) *Fixed place of business required*. Each horse-drawn carriage company, under the provisions of this article and the annual revenue ordinance, shall establish and maintain a fixed headquarters on private property for the operation of the company's business, the headquarters to conform to the ordinances of the city, and shall provide adequate off-street parking space for all horse-drawn carriages not in service on the streets.

### **Sec. 6-1563. Insurance.**

- (a) *Indemnity for benefit of city*. Any horse-drawn carriage company operating under this article shall hold the City of Savannah, its officers, agents, servants and employees harmless against any and all liability, loss, damages or expense which may accrue to the city by reason of negligence, default or misconduct of the company in connection with the rights granted to such company hereunder. Nothing in this article shall be considered to make the City of Savannah, its officers, agents, servants or employees liable for damages because of any negligent act or omission or commission by any horse-drawn carriage company, its servants, agents, tour guides or other employees, during the operation by the company of a horse-drawn carriage business or service, either in respect to injury to persons or with respect to damage to property which may be sustained.
- (b) *Insurance for benefit of passengers*. Any horse-drawn carriage company shall give and maintain a policy of indemnity from an insurance company authorized to do business in the state for each vehicle in use as a horse-drawn carriage company. The minimum coverage shall be \$100,000.00 for bodily injury to any one person, \$300,000.00 for injury to more than one person which is sustained in the same accident, and \$25,000.00 for property damage resulting from one accident. The indemnity insurance shall inure to the benefit of any person who shall be injured or who shall sustain damage to property caused by the negligence of a horse-drawn carriage company, its servants or agents.

## PROPOSED REVISIONS APRIL 2017

- (c) *Blanket policy.* Any company or person operating a horse-drawn carriage company in the city shall give a separate policy of indemnity insurance for each separate horse-drawn carriage for hire, except where such company or person actually owns or holds legal title to more than one horse-drawn carriage, in which event such company or person may give one policy of indemnity insurance covering all the horse-drawn carriages actually owned. This latter provision, however, shall not apply to any group of persons separately owning horse-drawn carriages who may be jointly operating or doing business under a horse-drawn carriage name.
- (d) *Comprehensive general liability insurance.* Any horse-drawn carriage company entering into a lease agreement for use of a designated carriage stand shall maintain from a licensed insurance company comprehensive general liability insurance in the amount of \$1,000,000.00 for its undertakings associated with designated horse-drawn carriage stands within the city.
- (e) *Notice when voided.* Before any policy of insurance required by this article is voided for any cause, nonpayment of premium or otherwise, notice thereof shall be given, in writing, to the tourism director at least five days before the same shall take effect.

### **Sec. 6-1564. Registration required and identification displayed.**

- (a) Registration required. A horse-drawn carriage company shall register a tour guide with the city prior to the tour guide working as an employee or independent contractor of the company. The horse-drawn carriage company shall provide to the City in person, by mail or on-line, on forms which may be provided by the tourism director, the name of the tour guide, and the tour service company name and contact information. It shall be voluntary for a horse-drawn carriage company to provide a photograph of the tour guide. Registration shall be had annually. There shall be no fee for registration.
- (b) Identification displayed. A company shall provide a tour guide working as its employee or independent contractor an identification badge with a minimum size of three (3) inches by two and one-half (2.5) inches, which badge shall be displayed by the tour guide during tours in a way to be clearly visible to the public. The badge shall contain in the upper left hand corner an identification photograph of the tour guide, which photograph shall be no smaller than one (1) inch by one (1) inch, and on the bottom half of the badge the tour guide's name and the name of the horse-drawn carriage company.

### **Sec. 6-1565. Vehicle inspections and commercial decal required.**

- (a) Each horse-drawn carriage shall be inspected by the tourism director for compliance with the provisions of the article and shall pass the inspection before a commercial decal is issued for the vehicle to be operated as a horse-drawn carriage in the city.
- (b) Material setting forth the characteristics of the vehicle including its dimensions, unladen weight and passenger capacity. Animal-drawn vehicles shall be authentically styled passenger carriages, similar to surreys, rockaways, and carriages in illustration numbers 28, 29, 31, 41, 69, 102, 111, 129, 140, and 145 in American Carriages, Sleighs, Sulkies, and

## **PROPOSED REVISIONS APRIL 2017**

Carts, ed. Don K. Berkebile, Dover Publications, Incorporated, 1977. Wagons which were designed for cargo instead of passengers will not be approved. Carriages must not exceed 12 feet in length or six feet in width. Carriages will be measured from end to end, excluding the steps and shafts, and from axle tip to axle tip. Provided, however, that any certificated carriage which was in use as of December 1, 1990, and which is no longer than 13 feet may continue in use.

- (c) Pictures or sketches of each of the four sides of the carriage, samples of colors proposed for the vehicle and the rated seating capacity of the carriage shall be provided. This information shall not be required if no changes were made to the carriage from the previous inspection.
- (d) Carriages shall not have evidence of rotten wood.
- (e) An annual commercial decal for the horse-drawn carriage shall be issued by the tourism director. Fees for certification shall be as set forth in the City's revenue ordinance.
- (f) Each horse-drawn carriage shall be inspected by the tourism director once a year with continued review to ensure continued compliance with the provisions of this article.

### **Sec. 6-1566. Identification and marking generally.**

- (a) Every horse-drawn carriage shall have a sign plainly affixed on each side of the vehicle or if space is limited on the rear of the vehicle, in letters not less than four inches high, containing the full name of the horse-drawn carriage company operating the vehicle.
- (b) No two horse-drawn carriage companies may operate horse-drawn carriages of the same color scheme. Color schemes shall be recorded and controlled by the tourism director; provided, however, that horse-drawn carriage tour companies shall be permitted to use rental vehicles on a temporary basis as replacement vehicles for permanent carriage vehicles upon notice to the tourism director and with use of temporary signs and temporary numbers on said vehicles. The use of temporary vehicles shall not exceed seven days without approval of the tourism director.
- (c) Horse-drawn carriage companies may operate a white vis-à-vis carriage for weddings only.

### **Sec. 6-1567. Numbers generally.**

There shall be affixed on each side and on the rear of each horse-drawn carriage a number at least six inches high, the number to be a separate and distinct number from that on any other public vehicle or taxicab in the city. The number shall be assigned to such horse-drawn carriage and the owner thereof by the tourism director and shall not be altered or changed without the consent of the tourism director.

### **Sec. 6-1568. Registration of number and names of owner and operator.**

The number assigned a horse-drawn carriage in accordance with this article together with the names of the owner and operator of the horse-drawn carriage shall be registered with the tourism director in a log to be kept for that purpose.

## **PROPOSED REVISIONS APRIL 2017**

### **Sec. 6-1569. Safe mechanical condition and other safety equipment of horse-drawn carriage required.**

- (a) Every horse-drawn carriage operated on the streets of the city shall be maintained in a safe mechanical condition, with all safety equipment remaining intact and operative at all times when the horse-drawn carriage is in service.
- (b) Horse-drawn carriage companies shall implement an equipment safety program for carriages prior to operation on the right-of-way. The equipment safety program shall be made available to the tourism director for inspection.
- (c) All carriages shall be equipped with a halter and lead rope and whip while touring or otherwise operating within the right-of-way.
- (d) Every carriage used for touring purposes shall be equipped with the following:
  - 1. Electrically powered lights or lanterns and reflectors that shall be visible from a distance of 500 feet in any direction. Each animal shall have reflective ankle cuffs or other reflective material on the front of the animal. Each side of the shaft or harness in contact with the animal shall have reflective material. Lights and reflective material shall be in operation from a half hour after sunset to a half hour before sunrise, when raining or when inclement weather or environmental conditions severely reduce the ability to clearly discern person and vehicles on the street or highway at a distance of 500 feet.
  - 2. Each horse-drawn carriage shall have on board at all times a two and one half-pound all-purpose extinguisher and a first aid kit.
  - 3. Carriages must comply with Georgia Code-Motor Vehicles and Traffic-Title 40, Section 40-8-4, as amended, and have a slow moving emblem mounted on the rear of the horse-drawn carriage.
  - 4. A diapering apparatus that prevents the droppings of the animal from being deposited on the ground or the right-of-way.
  - 5. A fifth wheel or cut under turning mechanism on the front axle.
  - 6. A two-way communication system such as a radio or cell phone.
  - 7. A minimum of two equine sanitation flags to mark animal excreta droppings and container of solution to treat urine spills.

### **Sec. 6-1570. Cleanliness of horse-drawn carriage required.**

Each vehicle operating under this article shall be kept painted and in a clean and sanitary condition, free of litter and debris and at all times suitable for carrying passengers.

### **Sec. 6-1571. Authority for removal of horse-drawn carriages from streets.**

## PROPOSED REVISIONS APRIL 2017

The tourism director shall have the authority to revoke the commercial decal and remove from operation on the streets of the city any vehicle used as a horse-drawn carriage which is in violation of this article and to prohibit operation of the horse-drawn carriage until all deficiencies have been corrected. An order of the tourism director to remove a vehicle from the streets may be appealed as provided in section 6-1598 of this article.

### **Sec. 6-1572. Rates of fare; rate card required.**

No representative of a horse-drawn carriage shall charge a greater sum for the use of the horse-drawn carriage than in accordance with the published and advertised rates which shall be displayed in each vehicle. Rates shall be displayed in such place as to be conspicuous and to be in clear view of all passengers.

### **Sec. 6-1573. Stands generally.**

- (a) No parking shall be permitted in the corporate limits of the city except at such stands as may be established by the Mayor and Aldermen upon the recommendation of the City Manager, which parking stands shall be designated by signs. Whenever any stand is established, the stand may be used by horse-drawn carriages upon a rotation basis of a first come, first served, except as provided hereinafter. Fees for the use of stands shall be set by the Mayor and Aldermen in the annual revenue ordinance.
- (b) Representatives of horse-drawn carriage companies shall maintain stands in a sanitary condition at all times. Any failure on the part of the horse-drawn carriage company to conform to the requirements of this section shall be unlawful and shall subject the driver to the penalties provided herein.

### **Sec. 6-1574. Carriage stands.**

- (a) Any person desiring to have a place designated as a regular stand for horse-drawn carriages in the city shall make application by written petition to the Mayor and Aldermen for the establishment of the horse-drawn carriage stand, setting out where the stand is desired to be. The established stands shall be available for use by carriage companies only through exclusive use lease and time-share lease agreements between the City of Savannah and licensed carriage tour companies. The form of such lease agreements shall be approved by the Mayor and Aldermen.
- (b) Time-shared carriage stands and exclusive use carriage stands are hereby defined as follows:
  - (1) *Time-share horse-drawn carriage stand.* A carriage stand established and leased for the use of one or more horse-drawn carriage companies on a time-share basis and which shall have the duration of use and departure times assigned by the tourism director.
  - (2) *Exclusive use carriage stand.* A carriage stand established and leased for the use of one horse-drawn carriage company.
- (d) The City shall maintain a list of the carriage stand locations and update annually.

## **PROPOSED REVISIONS APRIL 2017**

- (e) All exclusive use carriage stands are hereby designated a tow-away zone. In the event any vehicle is parked in violation of this subsection, said vehicle shall be removed and towed and the owners thereof fined as provided in section 7-1042 of this Code.
- (f) The use of any other parking area must be approved by the tourism director 24-hours prior to the start of the tour.

### **Sec. 6-1575. Carriage not to be left unattended while waiting to be hired.**

It shall be unlawful for any horse-drawn carriage company representative or tour guide of any horse-drawn carriage to leave a horse and carriage unattended while the vehicle is parked in a horse-drawn carriage stand. The carriage must be occupied by a company representative in the driver seat or a company representative must attend the horse from the ground by holding in their hands a lead rope properly attached to the horse's halter.

At no time shall a horse be separated from its carriage on any City street unless it is an emergency situation.

### **Sec. 6-1576. Soliciting passengers prohibited.**

It shall be unlawful for any person to solicit passengers from any horse-drawn carriage stand or upon the streets of the city.

### **Sec. 6-1577. Use of designated bus stops or taxicab stands prohibited.**

It shall be unlawful for any tour guide of any horse-drawn carriage to park or stand at any bus stop designated for use by the Chatham Area Transit Authority or taxicab stand.

### **Sec. 6-1578. Restriction on number of passengers.**

- (a) No tour guide shall permit more persons to be carried in a horse-drawn carriage as passengers than the rated seating capacity of their horse-drawn carriage.
- (b) No single animal shall pull a carriage holding more than ten people, including the tour guide.
- (c) A child in arms shall not be counted as a passenger.

### **Sec. 6-1579. Refusal to carry orderly passengers prohibited.**

No tour guide shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this article to do so.

### **Sec. 6-1580. Prohibitions of tour guides.**

It shall be unlawful for any tour guide of a horse-drawn carriage to solicit business for any hotel or other business or to attempt to divert patronage from one hotel or business to another or use his vehicle for any purpose other than the transportation of passengers.

### **Sec. 6-1581. Horse-drawn carriage movement prohibited under certain circumstances.**

No tour guide shall collect fares, make change, or take on or discharge passengers while his horse-drawn carriage is in motion.

**Sec. 6-1582. Property left in horse-drawn carriage by passenger.**

Any horse-drawn carriage tour guide or horse-drawn carriage company representative discovering in any horse-drawn carriage under his control personal property which was lost or left therein by a passenger of such horse-drawn carriage shall report the loss and deliver all the property to the office of the horse-drawn carriage company within 12 hours after the discovery of the property. The tour guide's report shall include brief particulars to enable the company to identify the owner of the property. The company shall retain the property on behalf of the owner for at least 60 days.

**Sec. 6-1583. Hours of operation.**

No horse-drawn carriage shall be operated on city streets between the hours of 12:00 midnight and 8:30 a.m. on any day. No horse-drawn carriage shall operate a tour between the hours of 4:30 p.m. and 6:00 p.m., Monday through Friday, except that such restriction shall not apply on legal holidays.

**Sec. 6-1584. Area of operation.**

- (a) Horse-drawn carriages carrying passengers for hire shall be confined to the area bounded on the north by the south curblane of River Street from Martin Luther King, Jr. Boulevard to General McIntosh Boulevard; on the west by the west curblane of Martin Luther King, Jr. Boulevard from River Street to Oglethorpe Avenue, then the east curblane of Martin Luther King, Jr. Boulevard from Oglethorpe Avenue to Park Avenue; on the east by the north curblane of General McIntosh Boulevard from River Street to Randolph Street, then the east curblane of Randolph Street to Liberty Street, then the south curblane of Liberty Street to East Broad Street, then the west curblane of East Broad Street to Gwinnett Street; and on the south by the south curblane of Gwinnett Street from Martin Luther King, Jr. Boulevard to East Broad Street.
- (b) Horse-drawn carriages are prohibited on the following streets and street segments within the area defined above, except to cross from one side to the other: Bay Street, Broughton Street from Martin Luther King, Jr. Boulevard to Lincoln Street, Drayton Street, Whitaker Street south of Congress Street, President Street from East Broad Street to Randolph Street, and Montgomery Street from Broughton Street to West Taylor Street. Horse-drawn carriages are specifically prohibited on River Street and all ramps between Bay Street and River Street, but are permitted on all streets north of Bay Street on the Bay Street level between Martin Luther King, Jr. Boulevard and East Broad Street.
- (c) Horse-drawn carriage restricted areas include those defined in section 6-1561 (b)(5).

**Sec. 6-1585. Sanitation requirements.**

- (a) Urine must be immediately treated with a chemical deodorizing solution, and urine and manure spills must be reported to the equine sanitation service provider. Horse diapers, which prevent excrement from being deposited on the street surface, must be approved for efficiency by the tourism director. All diapers must be maintained and free of defects.



## **PROPOSED REVISIONS APRIL 2017**

- (b) The equine sanitation service provider will conduct cleanup services on downtown streets to keep them manure-free and also to eradicate urine odors. Any company which operates a horse-drawn carriage company in the city shall be assessed a monthly sanitation fee. The sanitation fee is to be assessed by the tourism director. The fee shall be billed to the company on a monthly basis. Each company must submit to the tourism department a copy of all routes used by their carriages, to help ensure effective cleanup.

### **Sec. 6-1586. Training Program.**

- (a) Each horse-drawn carriage company shall implement a structured training program for both the tour guides and horses to ensure proficiency when operating on the public right-of-way.
- (b) Training materials and records shall be made available for inspection by the tourism director.

### **Sec. 6-1587. Traffic violations.**

- (a) Horse-drawn carriages shall be prohibited from stopping in traffic or delaying any on-street traffic for the purposes of loading or unloading passengers or for any other purposes.
- (b) Every person riding any animal upon a roadway and every person driving any animal-drawn vehicle within the city limits of the City of Savannah shall be subject to the provisions of this article and shall operate the vehicles in accordance with the traffic laws of the City of Savannah and State of Georgia, provided that reasonable accommodation shall be made on account of the speed of the horse-drawn carriage to not impede the flow of traffic.
- (c) Due to the nature of operating animal-drawn vehicles in areas of congestion and heavy traffic within the city, it shall be unlawful to operate the horse-drawn carriage except when the animals are under complete control at all times and shall be operated with extra caution and due care for the safety of others.

### **Sec. 6-1588. Impediment of traffic flow.**

It shall be unlawful for any horse-drawn carriage to willfully impede the normal flow of traffic on any city street, alley or thoroughfare at any time. Horse-drawn carriages will be required to pull safely to the nearest curb area when one or more vehicles are unable to safely pass or continue in normal traffic flow.

### **Sec. 6-1589. Horse-drawn carriage loading and spacing.**

It shall be unlawful for any horse-drawn carriage company to load at any one time more than three horse-drawn carriages from any approved stand for the purpose of conducting tours. When the carriages leave the stand they shall either (a) start out three minutes apart or (b) take different routes. After leaving the stand the carriages shall remain separated by a distance of not less than 500 feet. The loading spacing of horse-drawn carriages shall not be restricted on Saturdays, Sundays and after 6:00 p.m. through 12:00 midnight Monday through Friday.

### **Sec. 6-1590. Certificate of serviceability.**

An annual certificate of serviceability shall be issued for each animal used by a horse-drawn carriage company and must comply with the following operating regulations:

## PROPOSED REVISIONS APRIL 2017

- (a) A licensed veterinarian shall certify, after due and proper inspection, the good health of each animal before being placed into service. At the introduction into the touring stock then bi-annually thereafter, the animal shall have had a physical inspection completed by and a certificate of serviceability for carriage work signed by a licensed veterinarian with the results thereof provide to the tourism director and made available for inspection on site.
- (b) All animals upon reasonable notice by the tourism director shall be made available for physical inspection with the results thereof being maintained by the tourism director with a copy being provided to the carriage company operator.
- (c) At introduction into the touring stock, then as needed thereafter, the animal shall have bi-annual fecal exams and be de-wormed if necessary.
- (d) At introduction into the touring stock, the animal shall have been vaccinated by a veterinarian for appropriate diseases and risk factors of the area, as outlined on the certificate of serviceability.
- (e) The animal shall not have open wounds, diarrhea, nor shall the animal be lame or have any other ailments unless the tourism director as well as the individual company's stable has a current written statement by a veterinarian on file that the animal is fit for such work not withstanding such condition. The written statement must have a required expiration date.
- (f) The hooves of all animals while engaged in work on pavement, brick, concrete or other like hard surfaces shall have appropriate shoes or pads to prevent slipping and shall be evenly trimmed and shod.
- (g) The animal shall have adequate flesh and muscle tone as determined by the Body Condition Scale of the Henneke Chart and shall average between 4 and 7 based on an assessment by the horse-drawn carriage company's veterinarian.
- (h) The animal is kept in good working condition.
- (i) Each animal shall be groomed daily.

Any applicant who refuses or fails to comply with the requirements of this article shall not be issued a certificate of serviceability until proof of compliance is presented by the applicant and certified by the tourism director. The certificate of serviceability shall be ongoing as requirements for continuous operation.

### **Sec 6-1591. Record keeping.**

- (a) Medication and treatment logs, Georgia State Department of Agricultural inspections records, certificate of serviceability, de-worming records, rectal temperature logs, work schedules, disposal documentation, and such other records shall be maintained for a one year period by each carriage company operator for every animal used in the touring stock.

## **PROPOSED REVISIONS APRIL 2017**

- (b) These records shall be made available for inspection by the tourism director.

### **Sec. 6-1592. Inspections.**

- (a) Animals, stables, stalls and operating facilities and records shall be subject to random or unannounced inspections at the discretion of the tourism director. These inspections shall be brief in order to not interfere with the work of the business. The tourism director shall be completed with the inspection with fifteen (15) minutes after arrival at the facility during business hours. A representative from the horse-drawn carriage company shall be present.

### **Sec. 6-1593. Care of horses**

- (a) Free choice and cold water shall be provided to each animal immediately after completing a tour or offered at least once per hour.
- (b) Animals shall be provided electrolyte supplements as needed.
- (c) Harnesses shall be properly fitted, maintained, and oiled so that no irritating material will come in direct contact with the animal.
- (d) In a twenty-four hour period, animals shall not tour more than eight consecutive hours without a one and one-half hours break being disconnected from the carriage.
- (e) Animals shall not tour for more than six consecutive shifts in a seven day period. Exceptions must be submitted to the tourism director for approval.
- (f) Animals shall have a ten minute rest per hour when touring.
- (g) Animals shall not engage in work with equipment causing an impairment of vision, other than normal blinders.
- (h) No tour guide may use more than a light touch of the whip upon any animal, and no tour guide or other person may forcefully strike an animal or make movements or noise intended to frighten or harm an animal.
- (i) No tour guide shall permit an animal to pull a carriage at a speed faster than a slow trot, except in emergency situations.
- (j) No animal shall be subject to any condition or treatment, whether in service or out of service, which will impair the good health and physical condition of that animal.

### **6-1594. Shelter for horses.**

- (a) Shelter for horses shall be safe, well lighted, ventilated, and provide protection from weather as described herein

## **PROPOSED REVISIONS APRIL 2017**

- (1) Stables and stalls shall be kept clean and in good repair and excreta shall be removed daily.
  - (2) Fans shall be used to increase ventilation when the ambient temperature reaches eighty (80) degrees Fahrenheit
  - (3) Adequate water shall be provided in stables and stalls at all times while any animal is present.
  - (4) Bedding in stalls and stables shall be changed daily and shall not show wetness under the pressure of any draft animal's hooves.
  - (5) Adequate and leak-free roofing is required for any stable or stall area in which animals are housed.
  - (6) Each individual animal shall have a stall large enough for the animal to safely turn around, but in no case shall any individual animal be kept in a stall less than 120 square feet in area. Ceilings in stalls and stables must provide ample headroom for the animal.
  - (7) Food shall be kept free of contamination.
- (b) Fire extinguishers must be kept in obvious places in every stable as required by law and as recommended by the fire department.
- (c) Each carriage company shall post at their barn in a conspicuous place signage as required under applicable federal, state and local laws.

### **Sec. 6-1595. Harnesses.**

- (a) Animals shall not engage in work with harnesses or bits that harm or are unsafe to the animal.
- (b) No bitless bridles shall be used.
- (c) Harnesses, brindles, bits and padding shall be properly fitted and kept clean and in good working order.
- (d) Harnesses shall be kept free of makeshifts like wire and rope. Exceptions shall be made in emergency situations until the animal is safe.

### **Sec. 6-1596. Equine Heat**

- (a) Monitoring of Temperature and Heat Indices. The tourism director shall use weather information provided by the National Weather Service ([www.weather.gov](http://www.weather.gov)) to monitor the temperature and heat index. The specific weather location shall be Hunter U.S. Army Airfield (KSVN).
- (b) Heat Guidelines. The following heat indices and air temperatures shall be applied:
1. Temperature of 85 degrees Fahrenheit or higher
    - a. The rectal temperature readings and respiratory rates shall be taken at the end of every circuit of the tour route prior to hosing down the horse. Information shall be recorded and kept on the carriage or at the carriage stand for the tourism director to review.

## PROPOSED REVISIONS APRIL 2017

- b. Visual inspection of the horses shall be made by the tourism director to detect stress.
- 2. Heat index of 100 up to 110 degrees or temperature of 90 up to 95 degrees Fahrenheit
  - a. The rectal temperature readings and respiratory rates shall be taken at the end of every circuit of the tour route prior to hosing down the horse. Information shall be recorded and kept on the carriage or at the carriage stand for the tourism director to review.
  - b. Horses shall be hosed down with cold water at the end of their tour route. Sweat scrapes shall be used to remove excess water from the horse's body once it is hosed down.
  - c. Water stations shall contain fresh and cold water. Electrolytes are recommended as needed.
  - d. Signs of heat exhaustion shall immediately be addressed and the horse returned to their stable.
  - e. Horses shall have a minimum of fifteen (15) minutes rest per hour when touring.
- 3. Heat Index of 110 degrees or higher or temperature exceeding 95 degrees Fahrenheit
  - a. Horse-drawn carriages shall not be allowed to tour on city streets.
  - b. Horses currently on the street shall have the option of staying at their stand to keep cool to prevent the horse from being put into a dangerous situation by being sent back to the stables. If needed, appropriate emergent care shall be provided to the horse.
- (c) Horse Stand Inspections. The tourism director shall reserve the right to ask for temperature readings on all horses currently in circulation when the Heat Index is 100 degrees or higher or air temperature is 85 degrees Fahrenheit or higher. Temperature records shall be available for inspection by the tourism director. Horse drawn carriage companies unable or willing to provide proof that temperatures are being taken shall be subject to being removed from operation on city streets. The tourism director shall reserve the right to have temperatures taken in their presence.
- (d) Elevated horse temperatures. If the temperature of any horse on the street is 102 degrees or above, the horse-drawn carriage company shall retake the temperature in the presence of the tourism director. If the temperature of the horse remains above 102 degrees after 30 minutes from initial reading, that horse shall be ordered off of the street by the tourism director and returned to the stable for the day. If needed, appropriate emergent care shall be provided to the horse.
- (e) The tourism director may contact a horse-drawn carriage to return to its stand and request a temperature reading in their presence. Elevated horse temperatures shall apply.

### **Sec. 6-1597. Incidents and accidents.**

- (a) Each horse-drawn carriage company shall designate an employee to be trained in basic equine first aid and to deploy as a first responder to any incident involving possible injuries to a horse from their respective company.
- (b) Each horse-drawn carriage company shall be equipped with an equine triage kit with the capabilities of administering basic first aid to an injured horse until such time that a licensed equine veterinarian can respond to an incident scene to administer veterinarian care.

## **PROPOSED REVISIONS APRIL 2017**

- (c) Accidents requiring a police report shall be reported to the tourism director within 24 hours.
- (d) Each horse-drawn carriage involved in a reportable accident shall be inspected by the tourism director before it may be returned to service transporting passengers for hire.

### **Sec. 6-1598. Administrative hearing and appeal.**

- (1) Any decision of the tourism director to deny a horse-drawn carriage company access to designated carriage stands or to remove a carriage or horse from the streets may be appealed, within ten days, by the horse-drawn carriage company. All appeals shall be made in writing to an administrative hearing panel. Such appeal shall be heard by an administrative hearing panel. The panel shall be made up of (a) the revenue director or their designee, (b) the city traffic engineer or their designee, (c) the Savannah-Chatham Metropolitan police chief or their designee, and (d) two members of the tourism advisory committee.
- (2) The administrative hearing shall be informal and shall be presided over by the revenue director or their designee. The majority decision of the administrative hearing panel shall be provided to the horse-drawn carriage company in writing within one day of the hearing. Any decision of the administrative hearing panel may, within ten days of notification, be appealed in writing to the city manager, whose ruling shall be final.

### **Sec. 6-1599. Compliance required.**

Failure to comply with this article or any of the laws, ordinances or regulations of this city can result in revocation of permit and punishment in municipal court. Any ordinance or laws of this city, county, state, or federal agency which governs the treatment of animals, must be complied with by the horse-drawn carriage tour guide, passengers or agents of the horse-drawn carriage company.

### **Section 6-1600. Penalties for violation; issuance of citations; suspension and appeal.**

- (a) Failure to comply with this article or any of the laws, ordinances, and regulations of this city may result in violation of permit and shall be punishable as provided in section 1-1013 of this Code.
- (b) Any citation issued for violation of this article shall be issued to the tour guide or horse-drawn carriage at the time of the violation when deemed appropriate by the enforcement officer issuing the citation.
- (c) In the event that an enforcement officer deems it inappropriate to deliver a citation to the tour guide or horse-drawn carriage at the time of a violation, a citation may be issued at the time of the violation and delivered by hand or fax to the tour guide or horse-drawn carriage company. Any such citation shall be delivered by 10:00 a.m. on the business day following the day of issue. Any citation delivered in this manner shall be fully valid, and shall be considered sufficient notice of the charges. A horse-drawn carriage company who believes a citation to be issued based on a misapplication of an ordinance to the facts may contest the citation in writing within seven days to the tourism director.

## PROPOSED REVISIONS APRIL 2017

- (e) Any horse-drawn carriage company whose operators receive five or more sustained citation for violating this article in a 30-day period shall be assessed a fine as appropriate. The schedule of fines is shown below:

Number of Citations In 30-Day Period	Fine
5 or more	\$500.00
10 or more	\$750.00
15 or more	\$1000.00