

## **Chapter 594: Horse Drawn Carriages**

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### **594.01 Definitions**

When used in this chapter of the Columbus City Code:

- (a) "Advance charter tour" shall mean a pre-arranged method of travel that is specially leased or hired for members of a group or association to travel from place to place;
- (b) "Carriage" shall mean a horse drawn vehicle or carriage operating in such a manner as to engage in the business of carrying passengers for hire, gift, donation or other consideration either direct or indirect on the streets of the city, where route traveled and trip destination are controlled by the passenger;
- (c) "Carriage day" shall mean any calendar day during which a carriage is available for hire for at least one hour;
- (d) "City veterinarian" shall mean a veterinarian licensed by the state of Ohio to practice veterinary medicine and who has been appointed to serve as veterinarian of the City of Columbus;
- (e) "Farrier" shall mean any person who is certified to shoe horses or as a blacksmith and/or has graduated from an accredited school of horse shoeing and blacksmithing;
- (f) "Carriage horse" or "horse" shall mean an animal of an equine species used for pulling carriages;
- (g) "Horse carriage company" or "company" shall mean the owner of any horse carriage, that carries the public generally as passengers for hire;
- (h) "Carriage driver" shall mean any person operating or in physical control of a horse drawn carriage;

- (i) "Humane agent" shall mean any commissioned officer or agent of the Capital Area Humane Society;
- (j) "Inspecting agency" shall mean any authorized agent of the Department of Public Safety, Health Department or Capital Area Humane Society;
- (k) "Stable" shall mean any place or facility where one or more horses are housed or maintained;
- (l) "Staging area" shall mean the location where the carriage and horses are made ready for use prior to their engagement or event;
- (m) "Tether location" shall mean the location designated by the Department of Public Service for loading and unloading passengers of horse carriages; and
- (n) "Veterinarian" shall mean a veterinarian licensed by the State of Ohio to practice veterinary medicine who is not a representative of the City of Columbus.

#### **594.02 Regulation by the Vehicle for Hire Board**

The Board may adopt rules and regulations to supplement this chapter.

#### **594.03 Allowing Operation of an Unlicensed Carriage**

No person shall solicit, drive, operate, or otherwise be in physical control of any carriage for the purpose of carrying the public generally as passengers for hire, gift, donation, or other consideration unless:

- (a) The owner of such carriage company has obtained a City of Columbus Vehicle for Hire Owner's License issued pursuant to Chapter 587 prior to operation and the license is not under suspension or revocation;
- (b) Each driver of the licensed carriage has obtained a City of Columbus Vehicle for Hire Driver's License issued pursuant to Chapters 589 and 594 prior to operation and the license is not under suspension or revocation;
- (c) Each carriage has obtained a City of Columbus Carriage License issued pursuant to Chapter 594 prior to operation and the license is not under suspension or revocation;
- (d) Each horse has obtained a City of Columbus Carriage Horse License issued pursuant to Chapter 594 prior to operation and the license is not under suspension or revocation;
- (e) The driver identification card is properly displayed while the driver is operating, driving or in physical control of a licensed carriage; and
- (f) The current decal issued by the License Section is clearly displayed on the lower left side of the back of the carriage.

#### **594.04 License Fees, Expiration**

(a) Fees for all licenses required under this chapter shall be as follows, and shall not include charges required by any other agency:

- (1) The Vehicle for Hire Owner's license shall be one hundred and fifty dollars (\$150.00) pursuant to Chapter 587;
- (2) The Vehicle for Hire Driver's license shall be fifty dollars (\$50.00) pursuant to Chapter 589;
- (3) The Carriage license shall be one hundred dollars (\$100.00); and
- (4) The Carriage Horse license shall be thirty-five dollars (\$35.00).

(b) All licenses issued pursuant to this chapter shall expire at midnight May 1 of each year with the exception of the Vehicle for Hire Driver's License that expires at midnight on March 31 of each year. Licenses may be renewed for each succeeding year if all applicable requirements are met.

### **594.05 Vehicle for Hire Driver's License Requirements**

No person shall drive, operate, or otherwise be in physical control of a licensed carriage without first obtaining a Vehicle for Hire Driver's License issued pursuant to Chapter 589 and comply with the following requirements:

(a) The company shall furnish a statement that any new applicant has served an apprenticeship with a fully qualified, licensed horse carriage driver for forty (40) hours and has thoroughly mastered the proper care, hitching, handling and driving of a carriage.

### **594.06 Carriage License Application, Issuance**

Applications shall be made to the Director upon forms provided by the License Section and shall include:

(a) Verification that a Vehicle for Hire Owner's License has been issued;

(b) The year of manufacture, make, and serial number of the carriage;

(c) Seating capacity of the carriage;

(d) Design, color scheme, lettering and markings of the carriage;

(e) Stable location of the horse(s);

(f) Evidence of liability protection as provided in C.C.C. 587.15; and

(g) Certification of inspection and approval of all requirements provided in Section 594.08 and 594.09.

The Director has the authority to request additional information to clarify the applicant's application when necessary.

### **594.07 Carriage Standards and Safety Equipment**

(a) Every carriage shall be reasonably clean and in safe condition so that it will not cause personal injury or damage the clothing or possessions of the passenger(s). The carriage exterior shall be clean and essentially free from cracks, breaks and major dents. Repairs undertaken to comply with this section shall be completed within a reasonable time based on the availability of parts and labor.

(b) All carriages shall comply with the following construction and equipment specifications:

(1) A rear view mirror on each side of the carriage;

(2) Two (2) electrified white lights affixed to the front of the carriage and visible from 1,000 feet;

(3) Two (2) electrified red lights affixed to the rear of the carriage and visible from 1,000 feet;

(4) Electrified, directional signals on the front and rear of the carriage;

(5) Hydraulic or mechanical brakes, appropriate for the carriage;

(6) Two (2) card holders shall be conspicuously affixed to the carriage, visible to passengers. One card holder shall hold the driver identification card of the carriage driver and one shall hold the identification card of the horse that is in use at the time, as well as the certificate of well-being for such horse;

(7) Any tack or equipment used in the hitch, harnessing and driving of carriages shall be kept clean and in good repair;

(8) All tack and harness equipment shall fit the horse properly and be appropriate to the type of carriage being pulled;

(9) A "Slow Moving Vehicle" emblem attached to the rear of the carriage;

(10) An operable fire extinguisher;

(11) The company name and phone number shall be permanently affixed to the side or rear of the carriage. The letters and numbers shall not be less than four (4) inches and not more than eight (8) inches in height and a minimum of one-half inch wide;

(12) Reflective material upon the shafts of the carriage or another part which is normally parallel to the body, head or legs of the horse;

(13) A device to catch all solid waste from the horse while at work; and

(14) Within thirty (30) days following each June 30 and December 31, each company shall file a notarized report on a form provided by the License Section which shall include:

(A) The serial number and City license number for each licensed carriage;

(B) Any carriage which has been removed from service and the condition of such carriage; and

(C) The number of carriage days each carriage was available for hire.

### **594.08 Inspection of Carriage**

(a) The Director shall establish the criteria and the procedure for a reasonable inspection to be performed prior to initial licensing and prior to any renewal. All criteria must be satisfactory prior to the approval of licensing. If any portion of the inspection is unsatisfactory, the company shall cause the condition to be corrected and shall have the carriage reinspected at the designated location. Upon approved inspections, each carriage shall be issued a decal which shall:

(1) Reflect the corresponding license number;

(2) Clearly indicate a satisfied inspection; and

(3) Be affixed to the lower left side of the back of the carriage.

(b) At the discretion of the Director, and at no charge to the company, at least one inspection shall be made of each carriage during its license period.

(1) If, upon any inspection, a carriage is found to be in violation of Section 594.07, a license officer or law enforcement officer may remove the decal and direct that the carriage be taken out of service until made compliant. Carriages taken out of service must be reinspected at a cost of twenty-five dollars (\$25.00) per additional inspection and approved by a license officer before being returned to service. After completion of such requirements and the payment of a decal fee of ten dollars (\$10.00), a new decal shall be affixed.

(2) The license officer shall appropriately note any inspection failure on the records of the company and driver.

### **594.09 Carriage Horse License Application, Issuance**

Applications shall be made to the Director upon forms provided by the License Section and shall include:

(a) Name, address, phone number of the company responsible for the horse;

(b) Name, address, phone number of the owner of the horse if different from above;

(c) Identifying brand, mark or tag of the horse as provided in Section 594.13(a);

(d) Age, breed, sex, color, name of horse;

(e) A statement signed by the company that the horse has been appropriately trained for use as a carriage horse; and

(f) Proof that a certificate of well-being as required in Section 594.10(a) has been granted.

### **594.10 Carriage Horse Standards**

(a) Each horse shall be thoroughly examined by the City veterinarian within thirty (30) days prior to use and receive a certificate of well-being that shall expire at midnight on May 1 of each year.

(b) No stallions, unmanageable or unruly horses or pregnant mares shall be licensed, used or stabled at any time.

(c) A license that has been issued for a mare that becomes pregnant during the license period shall be returned to the Director by the company until such time the mare has foaled and is recertified by the City veterinarian.

(d) Certification that the stable complies with and conforms to all applicable provisions of the city codes and health, building, and fire regulations shall be on file with the Director and shall be available for inspection by any inspecting agency.

### **594.11 Inspection of Carriage Horse**

At any reasonable time, an inspecting agency may:

(a) Examine any horse; or

(b) Order that a horse not be used to pull a carriage if there is cause to believe that the horse is suffering from any injury, ailment or other condition significantly affecting its ability to pull a carriage safely.

(1) Such order shall be made in writing and given immediately to the driver of a carriage to which such horse is hitched and to the company. A copy of the order shall also be promptly furnished to the Director.

(2) The license of any horse ordered out of service shall be returned to the Director until proof of certification by the City veterinarian is provided to the Director.

(3) The cost of examination of a horse shall be the responsibility of the company.

### **594.12 Care of the Carriage Horse**

It is the horse owner's responsibility to make certain that all horses are:

(a) Properly shod and trimmed. The owner shall utilize rubber-coated pad or boots or open steel barium tip shoes, or other shoes approved by the City veterinarian;

(b) Evaluated for shoeing and trimming by a farrier at least every eight (8) weeks, or more, if necessary. The owner shall have the horse shod and trimmed according to the farrier's recommendations. Should the owner dispute the farrier's recommendations, the horse shall be taken out of service and re-evaluated by an equine veterinarian at the Ohio State University College of Veterinary Medicine. A copy of both recommendations, as made by the farrier and the Ohio State University equine veterinarian, shall be forwarded to the City veterinarian for final determination. A re-certification statement shall be issued when the City veterinarian finds the final determination has been met;

(c) Well groomed, free of fungus and dandruff. The horses' mane and tail shall not be matted or tangled; and

(d) Vaccinated at least annually for the following:

(1) Tetanus;

(2) Encephalomyelitis (Eastern & Western);

(3) West Nile Virus; and

(4) Rabies.

Individual and permanent records of hoof and medical care shall be maintained by the owner for each horse and shall be available upon request to the inspecting agency.

#### **594.13 Carriage Horse Identification**

(a) Each horse shall be identified by a brand, mark or tag uniquely identifying the horse and shall be filed by the company with the City veterinarian and the Director.

(b) An identification card with a photograph shall be issued for each licensed horse. The identification card shall be displayed in the carriage anytime the horse is at work.

(c) The company shall submit annually two (2), 3"× 5", full body, non-polaroid photographs of each horse to be licensed. The photograph shall be distinct enough to show any identifying markings on the horse.

#### **594.14 Carriage Driver Requirements**

Every driver shall be responsible for the proper and humane care and treatment of each horse under their direct care and supervision. All carriage drivers are required to:

(a) Maintain a speed not to exceed a working trot;

(b) Never leave the carriage unattended while hitched;

(c) Not allow more passengers than a carriage is designed to carry; and

(d) Under no circumstance put the carriage in motion unless all passengers are seated inside the carriage.

#### **594.15 Operating Restrictions**

(a) Carriages shall not be operated during the following weather conditions:

(1) When a weather advisory has been issued by the National Weather Service;

(2) When the air temperature is ninety-five (95) degrees Fahrenheit or higher; or

(3) When ice and/or snow makes footing conditions unsafe for horse travel.

(b) When the temperature is below thirty (30) degrees Fahrenheit and a horse is not in use for more than ten (10) minutes, it shall be covered by a blanket from the back of the neck to the tail, extending to the hocks and knees. The blanket shall be removed before the horse is back in use.

(c) Carriages shall not operate during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday, except on legal holidays, and on other dates and times of restriction by the Department of Public Service, the Director or the Division of Police.

(d) A horse shall be rested every three (3) hours for a period of not less than thirty (30) minutes. Fresh potable water shall be offered during this rest period. Water temperature must be in a range of forty-five (45) to eighty (80) degrees Fahrenheit. Rest breaks shall be noted in the driver's trip sheet.

(e) A horse shall not be used more than eight (8) hours in a twenty-four (24) hour period.

#### **594.16 Rates**

Every company shall maintain on file with the Director its complete schedule of rates. Whenever a new schedule of rates becomes effective for a carriage, the company shall file an amended schedule with the Director within three (3) days of the change. No more than one amended schedule shall be filed by any company within any period of seven (7) days. The rate schedule for each carriage shall be posted on the back of its front seat or other area readily visible to the passenger(s).

### **594.17 Accidents**

The driver of a carriage shall report any accident involving the carriage to the Division of Police. The company shall notify the License Section of an accident by 9:00 a.m. on the next business day. No horse or carriage involved in an accident where structural damage to the carriage or injury to the horse has occurred shall be operated again until the carriage has been inspected by the License Section and the horse has been certified for service by the City veterinarian. Written notice of certification shall be presented by the company to the License Section.

### **594.18 Routes**

(a) The company shall operate a carriage only upon streets according to routes and restrictions authorized by the Director.

(b) Companies are barred from using streets which:

(1) Have a speed limit exceeding thirty-five (35) m.p.h., unless prior approval is obtained from the Director; and

(2) Involve major arterials during the hours of 6:30 a.m. to 6:30 p.m. except Saturday, Sunday and holidays as determined by the Director. Exceptions may be made with the express consent of the Director.

(c) The authorized routes and tether locations shall be subject to amendment as needed by the Department of Public Service, the Director or the Division of Police in order to ensure safe and efficient movement of traffic.

(d) Advance charter tours may deviate from the route provided the company operates on streets approved for routes.

(e) A company shall receive approval from the Director prior to deviating from streets which have not been approved for routes or destinations which require use or crossing of streets designated as arterial or collector streets on the city's major street plan and official map.

### **594.19 Tether Location**

Tether locations shall not be used for staging areas.

### **594.99 Penalties**

(a) Whoever violates Sections 594.07, 594.13, 594.15(c),(e) and 594.19 shall be guilty of a minor misdemeanor. Upon subsequent conviction, such person shall be deemed guilty of a misdemeanor of the third degree. Any violation shall constitute a separate offense for each successive day continued.

(b) Whoever violates Sections 594.10(b), 594.11(b), 594.15(a),(b),(d) and 594.18 shall be deemed guilty of a misdemeanor of the third degree. Any violation shall constitute a separate offense for each successive day continued.

(c) Whoever violates Sections 594.03, 594.06 and 594.14 shall be deemed guilty of a misdemeanor of the first degree.

(d) A violation of any other section of Chapter 594 shall be grounds for the suspension, revocation or permanent revocation of the license or in the case of a new application, shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.