
Council Bill Number: 117418

Ordinance Number: 123865

AN ORDINANCE related to the regulation of horse-drawn carriages; amending Sections 6.315.050, 6.315.110, 6.315.200, 6.315.220, and 6.315.320 of the Seattle Municipal Code.

Status: Passed

Note: Originally referred to the Committee on the Built Environment on August 15, 2011.

Vote: 9-0

Date filed with the City Clerk: 2012/04/13

Date of Mayor's signature: 2012/04/10 ([about the signature date](#))

Date introduced/referred to committee: 2012/03/05

Committee: Government Performance and Finance

Sponsor: BURGESS

Committee Recommendation: Pass

Date of Committee Recommendation: 2012/03/29

Committee Vote: 3 (Burgess, Clark, Licata) - 0

Index Terms: PUBLIC-REGULATIONS, ANIMAL-CONTROL, LICENSES, FEES, HORSES, TOURISM

Fiscal Note: [Fiscal Note to Council Bill No. 117418](#)

Electronic Copy: [PDF scan of Ordinance No. 123865](#)

Reference: Related: [Resolution 29830](#), [Resolution 31085](#), [Ordinance 122799](#)

Text:

AN ORDINANCE related to the regulation of horse-drawn carriages; amending Sections 6.315.050, 6.315.110, 6.315.200, 6.315.220, and 6.315.320 of the Seattle Municipal Code.

WHEREAS, horse-drawn carriages are licensed and permitted to operate in certain parts of the city; and

WHEREAS, the behavior of horse-drawn carriage operators is often a visitor's first impression of the City of Seattle; and,

WHEREAS, the City of Seattle is known as an animal-friendly city that runs a world-class animal shelter; and

WHEREAS, the well-being of the horses and the condition of the carriages they draw are important both from an animal welfare perspective and from a safety perspective for residents and visitors who hire the carriage as a form of transportation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.315.050, which was last amended by Ordinance 118443, is amended as follows:

SMC 6.315.050 License-expiration, transfer, issuance, rule-making

A. All licenses issued pursuant to this chapter expire annually on March 31st.

B. No license issued under this chapter is transferable.

C. No license may be issued unless all outstanding penalties assessed against the licensee are paid in full to the Department.

D. No license may be issued for any horse or carriage before the Director has inspected the horse or carriage for which an application has been received, and the horse or carriage meets all of the requirements contained in this chapter.

E. The Director is authorized to promulgate and adopt rules pursuant to (~~(SMC)~~) Chapter 3.02 to carry out or interpret the provisions of this chapter. All licensees shall comply with all such rules; violation of such a rule other than the insurance rules promulgated pursuant to Section 6.315.120 shall be a Class A violation if it is a nonsafety rule and a Class B violation if it is a safety rule.

Section 2. Section 6.315.110, which was last amended by Ordinance 118443, is amended as follows:

SMC 6.315.110 For-hire horse-drawn carriage -- License denial

A. The Director shall deny a for-hire horse-drawn carriage license application if the Director determines that:

1. A complete application that meets the standards of Section 6.315.100 has not been submitted;
2. The application contains any material misstatement or omission;
3. If a prior for-hire horse-drawn carriage license was suspended and the suspension has not been terminated or the reasons for the suspension cured;
4. Within one (~~((1))~~) year prior to the date of application, the applicant had its City of Seattle for-hire horse-drawn carriage license revoked and not reinstated; (~~((and))~~) or
5. Within (~~((three (3)))~~) five years of the date of application, the applicant, or if the applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection 6.315.100.B.1.b (~~((B1b))~~), has had a bail forfeiture, conviction or other adverse finding for a crime if such crime involved a for-hire horse-drawn carriage, other for-hire business, or animal cruelty.

B. The Director may deny any for-hire horse-drawn carriage license application if the Director determines that:

1. Within two (~~((2))~~) years prior to the date of application, the applicant, or if the applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection (~~((B1b))~~) 6.315.100.B.1.b, exhibited past conduct in operating a for-hire horse-drawn carriage which would lead the Director to reasonably conclude that the applicant will not comply with the provisions of this chapter related to for-hire horse-drawn carriage operating requirements and the safe operation of a for-hire horse-drawn carriage;
2. Within two (~~((2))~~) years prior to the date of application and after the effective date of this chapter, the applicant, or if the applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection (~~((B1b))~~) 6.315.100.B.1.b permitted a for-hire horse-drawn carriage to operate within (~~((The))~~) the City of Seattle without a current, valid horse-drawn carriage license issued from (~~((The))~~) the City of Seattle under this chapter; or
3. Within three (~~((3))~~) years of the date of application, the applicant, or if the applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection (~~((B1b))~~) 6.315.100.B.1.b, has had a bail forfeiture, conviction or other adverse finding for a crime that would jeopardize the safety of a passenger or the public, including but not limited to physical violence, fraud, theft, prostitution, alcohol and/or narcotics.

C. The Director shall deny a license by written notice indicating the reason for denial. Such notice shall be delivered

either personally or by first class mail to the applicant at the address provided by the applicant on the license application.

Section 3. Section 6.315.200, which was last amended by Ordinance 118443, is amended as follows:

SMC 6.315.200 Carriage horse license -- Application

A. Application for a carriage horse license shall be made in writing, signed by the applicant, or if such applicant is a partnership, corporation or other legal entity, by its duly authorized agent, upon forms provided by the Director. Applicants for a carriage horse license must be either applicants for or have a license issued for a for-hire horse- drawn carriage.

B. The carriage horse license application shall include the following information:

1. The name, business address and phone number of the applicant;
2. The name, breed, sex, age, weight, and the permanent form of identification of the horse;
3. The name, address and telephone number of the horse's veterinarian;
4. A certificate of health issued within the last three (~~((3))~~) months from a licensed veterinarian certifying that the horse sought to be licensed is fit to draw a horse-drawn carriage;
5. Proof of current vaccinations including but not limited to tetanus, rabies, equine influenza, West Nile virus, and Eastern/Western encephalomyelitis. Proof may be in the form of a health certificate from a veterinarian indicating the vaccinations administered; or if administered by someone other than a veterinarian in accordance with state or local law, by certificate signed under penalty of perjury by the person administering such vaccinations, indicating the vaccinations administered;
6. Photograph(s) taken within three months of the application of front, rear and both sides of the horse including (~~((
-showing-))~~) identifying markings and/or the permanent form of identification of the horse sought to be licensed; and
7. A copy of the applicant's for-hire horse-drawn carriage license or application.

Section 4. Section 6.315.220, which was last amended by Ordinance 118443, is amended as follows:

SMC 6.315.220 Carriage horse -- Operating requirements and responsibilities

No carriage horse licensed by the City may lawfully be used to draw a for-hire horse-drawn carriage within (~~((The))~~) the City of Seattle unless the following minimum requirements are met:

A. Each carriage horse used for drawing a for-hire horse- drawn carriage shall be distinguishable by a permanent form of identification such as a brand, lip tattoo, microchip or any other easily identifiable permanent form of identification approved by the Director (Suspension and Class B).

B. A carriage horse used in drawing a for-hire horse- drawn carriage must:

1. Be appropriately shod on all four (~~((4))~~) feet and not have any loose shoes. Shoes which are designed to prevent slipping and absorb shock shall be utilized when working on paved surfaces. A horse that loses a shoe or is not appropriately shod shall be immediately taken out of service until such time the problem is cured (Suspension and Class B);
2. Not have any open wound, oozing sore, cut below skin level, bleeding wound or severe chafing (Suspension and Class B);

3. Have good flesh and adequate muscle tone, which the Director shall determine by use of the Henneke Scale or other appropriate method of equine evaluation (Suspension and Class B);
4. Not have any evidence of lameness, such as but not limited to irregular rhythm (Suspension and Class B);
5. Not work longer than ten (~~((+10+))~~) hours per day in any (~~((twenty-four (24)))~~) 24 hour period nor more than five (~~((+5+))~~) consecutive days in any seven (~~((+7+))~~) day period (Class B);
6. Be properly cleaned and groomed with no caked dirt or mud and not have any offensive odor other than an odor normally associated with a horse that is clean, healthy and well groomed (Class A);
7. Not work in temperatures exceeding (~~((ninety (90)))~~) 90 degrees Fahrenheit (Class B); (~~((and))~~)
8. Wear an equine diaper to contain all fecal droppings while drawing a for-hire horse-drawn carriage or walking the horse on public property (Class B)(~~((+))~~) ; and
9. Have a current West Nile virus vaccination.

C. Each carriage horse licensed under this chapter must have a veterinary examination at least semiannually, and evidence of such examination shall be made available to the Director upon request (Class B).

D. The owner of each carriage horse licensed under this chapter shall permit an inspection of a carriage horse's living conditions wherever the horse is domiciled or stabled regardless of location and/or jurisdiction (Suspension and Class B).

E. Horses must be provided with sufficient food, water, shelter, sanitation and space necessary for the good health of the animal and must be provided medical care that is necessary for its health or to alleviate pain (Suspension and Class B).

F. If a carriage horse license has been suspended pursuant to subsection 6.315.220.B.2-4 the horse must be cleared for work via an examination by a veterinarian of the city's choosing and a report of such examination provided to the Director.

Section 5. Section 6.315.320, which was last amended by Ordinance 118443, is amended as follows:

SMC 6.315.320 For-hire horse-drawn carriage driver -- Operating requirements and responsibilities

No horse-drawn carriage driver licensed by the City may operate a for-hire horse-drawn carriage within (~~((The))~~) the City of Seattle unless the following minimum requirements and responsibilities are met:

N. A driver shall not, with intent to harass, intimidate, torment or embarrass any other person, use any lewd, lascivious, profane, indecent, or obscene words, language or gestures, while waiting for passengers, driving, operating, picking up customers, or while otherwise on duty or in control of a carriage (Class B).

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2012, and signed by me in open session in authentication of its passage this

_____ day of _____, 2012.

President _____ of the City Council

Approved by me this _____ day of _____, 2012.

Michael McGinn, Mayor

Filed by me this _____ day of _____, 2012.

Monica Martinez Simmons, City Clerk

(Seal)

Denise Movius FAS, Horse Drawn Carriage Amendments ORD December 19. 2011 Version #6

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