

ORDINANCE No. 119443

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*Law Department*

COUNCIL BILL No. 111396

INDEXED

The City of Seattle--Legislative

AN ORDINANCE relating to for-hire horse-drawn carriages, adding chapter 6.315 to the Seattle Municipal Code, to license for revenue and regulation such horse-drawn carriages, their drivers and the horses used for such carriages.

REPORT OF COMMITTEE

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_ report that we have considered the same and respectfully recommend

*BBC's Committee to Study*

*Full Council vote 6-0*

*Jan Deag*

Committee Chair

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <i>9-3-96</i>	By: <i>Deago</i>
Referred: <i>9-3-96</i>	To: <i>BDS, Econ's Comm. Dev.</i>
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*Law Department*

INDEXED

The City of Seattle--Legislative Department

Date Reported  
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same

*BEC's Committee as amended  
6-0*

*Full Council 6-0*

*Jan [Signature]*

Committee Chair

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ORDINANCE 118443

AN ORDINANCE relating to for-hire horse-drawn carriages, adding chapter 6.315 to the Seattle Municipal Code, to license for revenue and regulation such horse-drawn carriages, their drivers and the horses used for such carriages.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

**Section 1.** A new chapter is added to chapter 6 of the Seattle Municipal Code ("SMC") as follows:

**HORSE-DRAWN CARRIAGES, HORSES AND DRIVERS**

**I. GENERAL PROVISIONS**

**6.315.010 Purpose.**

This ordinance is an exercise of the power of the City to license for-hire horse-drawn carriages, for-hire horse-drawn carriage drivers and carriage horses used to draw for-hire horse-drawn carriages, all for revenue and regulation.

**6.315.020 Definitions.**

For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

A. "City" means the City of Seattle.

B. "Conviction" or "Convicted" means a final judgment of guilty in any court; the imposition of a fine; a plea of guilty or nolo contendere in any court; or a finding or verdict of guilty, regardless whether imposition of a sentence is deferred or the penalty is suspended. Any conviction which has been

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1 expunged pursuant to the Revised Code of Washington ("RCW") 9A.02.066, as now or hereafter  
2 amended, or RCW 9A.02.240, as now or hereafter amended, is not considered a conviction.

3 C. "Department" means the Department of Finance of the City of Seattle, or any department  
4 that succeeds to the Department of Finance's duties under this chapter.

5 D. "Director" means the director of the Department of Finance or any successor department  
6 or the director's authorized designee.

7 E. "Equine Diaper" means a bag or receptacle used to contain fecal droppings and placed in  
8 the area of the rear of the horse in such a manner that it will contain all fecal droppings deposited from  
9 the horse.

10 F. "For-Hire" means, for the purposes of this chapter, the operation or use of a horse-drawn  
11 carriage for compensation.

12 G. "Horse" or "Carriage Horse" means an animal of the genus/species equus caballus and  
13 equus asinus, which includes horses, mules and donkeys.

14 H. "Horse-drawn carriage" or "Carriage" means a vehicle intended to be drawn by a horse  
15 and in which any person may be transported or carried.

16 I. "Horse-drawn carriage driver" or "Driver" means a person operating or driving a horse-  
17 drawn carriage for hire.

18 J. "Licensee" means a person who has a license issued pursuant to this chapter, whether or  
19 not the license is subsequently suspended or revoked.

20 K. "Operate" means to advertise or hold oneself out for business, drive, use, manage, or  
21 occupy a horse-drawn carriage that at any time transports any passenger or property for compensation  
22 within the city limits of the City of Seattle.

23 L. "Person" means a natural person, partnership, corporation or other legal entity.  
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1 M. "Veterinarian" means a practicing veterinarian licensed by the state of Washington.

2 N. "Vehicle" for the purposes of this chapter, means a device with at least two wheels,  
3 designed and intended to be drawn by a horse, and in or by which any person or property may be  
4 transported.

5  
6 **6.315.030 Scope of chapter.**

7 A. This chapter applies to all for-hire horse-drawn carriages, all for-hire horse-drawn  
8 carriage drivers and all carriage horses used for drawing for-hire horse drawn carriages within the City of  
9 Seattle.

10 B. Nothing in this chapter affects the right of the City to impose or collect other  
11 applicable fees, charges or penalties or take other appropriate action to remedy a violation of other  
12 ordinances or laws.

13 C. Each provision in this chapter, the violation of which is subject to a penalty or  
14 suspension or both, has the class of penalty or suspension listed in parenthesis at the end of the provision.  
15 The amount of the penalty to be imposed for each class of violation is listed in section 6.315.400 of this  
16 chapter.

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1 **6.315.040 Licenses required.**

2 A. Except as provided in subsection B, it is unlawful:

3 (1) To drive or otherwise operate within the City of Seattle any for-hire horse-drawn  
4 carriage unless a license has been issued and has not expired, been suspended or revoked under this  
5 chapter for:

- 6 a) the for-hire horse-drawn carriage;  
7 b) the horse used in drawing the for-hire horse-drawn carriage; and  
8 c) the for-hire horse-drawn carriage driver.

9 (2) To fail to surrender the license to the Director within twenty four (24) hours after  
10 receipt of notice of suspension or revocation of license issued under this chapter.

11 (3) To use any animal other than a horse to operate a for-hire horse-drawn carriage.

12 B. No license issued pursuant to this chapter shall be required of a person who is operating a  
13 horse-drawn carriage as an entry in a parade or in order to provide temporary free entertainment.

14 C. Operating or driving a for-hire horse-drawn carriage is a privilege, not a right. Neither the  
15 submission of a complete application nor the ability to satisfy stated criteria for a license create a right to  
16 a license.

17  
18 **6.315.050 License-expiration, transfer, issuance, rule-making.**

19 A. All licenses issued pursuant to this chapter expire annually on March 31<sup>st</sup>.

20 B. No license issued under this chapter is transferable.

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

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1 D. The Director is authorized to promulgate and adopt rules pursuant to SMC chapter 3.02  
2 to carry out or interpret the provisions of this chapter. All licensees shall comply with all such rules;  
3 violation of such a rule other than the insurance rules promulgated pursuant to section 6.315.120 shall be  
4 a Class A violation if it is a non-safety rule and a Class B violation if it is a safety rule.

5  
6 **6.315.060 Fees.**

7 A. Annual license fees:

- 8 (1) Horse -- \$60.00  
9 (2) Horse-drawn carriage -- \$60.00  
10 (3) Horse-drawn carriage driver -- \$20.00

11 B. Other fees:

- 12 (1) Re-inspection and/or reinstatement fee for a license that has been suspended --  
13 \$30.00.  
14 (2) Replacement fee for a lost, damaged or destroyed horse-drawn carriage license  
15 plate -- \$10.00.  
16 (3) Replacement fee for a horse drawn carriage driver's or a carriage horse license --  
17 \$5.00.

18 C. No fees shall be prorated, except that an applicant for a carriage horse license to be issued  
19 after September 30 of each year will be charged half the annual rate.

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1 **6.315.070 Licensee responsibilities--general.**

2 A. A licensee shall permit the Director to inspect a for-hire horse-drawn carriage or carriage  
3 horse without prior notice, upon request (Suspension and Class B);

4 B. A licensee must inform the Director in writing within seven (7) days if any of the  
5 information provided in the license application submitted pursuant to this chapter ceases to be true or is  
6 superseded in any way by new information (Class A).

7  
8 **II. FOR-HIRE HORSE-DRAWN CARRIAGES-REQUIREMENTS AND REGULATIONS**

9 **6.315.100 For-hire horse-drawn carriage license application.**

10 A. Application for a for-hire horse-drawn carriage license shall be made in writing, signed by  
11 the applicant or, if the applicant is a partnership, corporation or other legal entity, by its duly authorized  
12 agent, upon forms provided by the Director.

13 B. A for-hire horse-drawn carriage license application shall include the following information:

14 (1) Applicant Identification.

15 (a) If the applicant is an individual, the applicant's full name, home address,  
16 home and business telephone number(s), and date of birth (which shall be at least eighteen years prior to  
17 the date of application);

18 (b) If the applicant is a partnership, corporation or other legal entity, the name,  
19 business address and telephone number of the entity; the names, home addresses, telephone number(s)  
20 and date of birth(which must be at least eighteen years before the date of application) of the entity's  
21 officers, directors, general and managing partners, and registered agents, and each person vested with  
22 authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third  
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1 parties; the corporation's, partnership's or entity's true legal name, state of incorporation or partnership  
2 registration (if any), and State of Washington business license number, and any other information that the  
3 Director may require by rule;

4 (2) For-hire horse-drawn carriage information, including the name of the  
5 manufacturer, model, and seating capacity of the carriage for which a license is sought, and any other  
6 information required by the Director by rule;

7 (3) Certification signed under penalty of perjury under the laws of the State of  
8 Washington by the applicant, or if the applicant is a partnership, corporation or other legal entity, by an  
9 officer, director, general partner, managing partner or principal of the applicant, listing:

10 (a) All crimes, if any, of which the applicant or if the applicant is a partnership,  
11 corporation or other legal entity, any person listed in subsection (B)(1)(b) has been convicted within the  
12 three (3) years previous to the date of application, and if any, the date(s) and type of conviction;

13 (b) The date(s) of and reason(s) for the denial, suspension or revocation of any  
14 license authorized to be issued under this chapter; and

15 (4) Evidence that the applicant has made concurrent application for at least one  
16 carriage horse license to be issued under this chapter.

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18 **6.315.110 For-hire horse-drawn carriage - license denial.**

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

21 (1) A complete application that meets the standards of Section 6.315.100 has not been  
22 submitted;

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- 1                   (2)    The application contains any material misstatement or omission;
- 2                   (3)    If a prior for-hire horse-drawn carriage license was suspended and the suspension  
3 has not been terminated or the reasons for the suspension cured;
- 4                   (4)    Within one (1) year prior to the date of application, the applicant had its City of  
5 Seattle for-hire horse-drawn carriage license revoked and not reinstated; and
- 6                   (5)    Within three (3) years of the date of application, the applicant, or if the applicant is  
7 a partnership, corporation or other legal entity, any of the persons listed in subsection B(1)(b), has had a  
8 bail forfeiture, conviction or other adverse finding for a crime if such crime involved a for-hire horse-  
9 drawn carriage, other for-hire business, or animal cruelty.
- 10            B.    The Director may deny any for-hire horse-drawn carriage license application if the  
11 Director determines that:
- 12                   (1)    Within two (2) years prior to the date of application, the applicant, or if the  
13 applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection  
14 (B)(1)(b), exhibited past conduct in operating a for-hire horse-drawn carriage which would lead the  
15 Director to reasonably conclude that the applicant will not comply with the provisions of this chapter  
16 related to for-hire horse-drawn carriage operating requirements and the safe operation of a for-hire horse-  
17 drawn carriage;
- 18                   (2)    Within two (2) years prior to the date of application and after the effective date of  
19 this chapter, the applicant, or if the applicant is a partnership, corporation or other legal entity, any of the  
20 persons listed in subsection (B)(1)(b) permitted a for-hire horse-drawn carriage to operate within the City  
21 of Seattle without a current, valid horse-drawn carriage license issued from the City of Seattle under this  
22 chapter; or
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1           (3)     Within three (3) years of the date of application, the applicant, or if the applicant is  
2 a partnership, corporation or other legal entity, any of the persons listed in subsection (B)(1)(b), has had  
3 a bail forfeiture, conviction or other adverse finding for a crime that would jeopardize the safety of a  
4 passenger or the public, including but not limited to fraud, theft, prostitution, alcohol and/or narcotics.

5           C.     The Director shall deny a license by written notice indicating the reason for denial. Such  
6 notice shall be delivered either personally or by first class mail to the applicant at the address provided by  
7 the applicant on the license application.

8  
9 **6.315.120 Insurance.**

10          A.     The licensee of a for-hire horse-drawn carriage shall obtain and file with the Director and  
11 the City's Risk Manager, within ten (10) calendar days of issuance of a license, evidence of a policy or  
12 policies of insurance as required by rule promulgated by the Director and adopted pursuant to Chapter  
13 3.02 of the Seattle Municipal Code. The licensee shall continuously maintain said insurance at the  
14 licensee's expense.

15          B.     All such policies shall be subject to approval by the City's Risk Manager as to company  
16 (must be rated A-VII or higher in the A.M. Best's Key Rating Guide and licensed to do business in the  
17 State of Washington or issued as a surplus line by a Washington Surplus lines broker), form and  
18 coverage, and shall be primary to all other insurance.

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1 **6.315.130 For-hire horse-drawn carriage - operating requirements and responsibilities.**

2 No for-hire horse-drawn carriage licensed by the City may lawfully operate within the City of  
3 Seattle unless the following minimum requirements are met:

4 A. The for-hire horse-drawn carriage has insurance as required in Section 6.315.120,  
5 provided that evidence of a new policy including the for-hire horse-drawn carriage must be filed with the  
6 Director and approved by the City's Risk Manager before the horse-drawn carriage is canceled or deleted  
7 from any previous policy (Suspension and Class C);

8 B. The licensee shall daily inspect to insure that the for-hire horse-drawn carriage meets the  
9 following safety standards and any other safety standards that may be promulgated by the Director by  
10 rule:

11 (1) No for-hire horse-drawn carriage may carry more passengers at one time,  
12 including the driver, than recommended by the carriage manufacturer (Class B);

13 (2) No person may sit in the driver's compartment except the driver and/or a driver  
14 trainee (Class B);

15 (3) Each for-hire horse-drawn carriage shall be clean (Class A);

16 (4) Each for-hire horse-drawn carriage shall be mechanically sound, and not in such a  
17 state of disrepair as to jeopardize the safety of the passengers or the public (Suspension and Class B);

18 (5) The for-hire horse-drawn carriage's harness, collar, and traces shall be clean,  
19 strongly constructed, of adequate fit, and in good repair, and the harness and traces shall be kept free of  
20 makeshift repairs or additions such as wire, sisal rope, and rusty chains (Suspension and Class B);

21 (6) All for-hire horse-drawn carriages:

22 (a) must be equipped with lights that comply with the requirements of SMC  
23 11.82.340(A) (Suspension and Class B);

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- 1 (b) shall display a reflective triangle on the rear of the horse-drawn carriage  
2 indicating that it is a slow moving vehicle, in compliance with S.M.C. 11.82.340(B) (Suspension and  
3 Class B);
- 4 (c) must be equipped with working brakes (Suspension and Class B); and  
5 (d) shall comply with other applicable requirements of state and local law  
6 (Suspension and Class B for safety violations; Class A for non-safety);
- 7 C. The for-hire horse-drawn carriage is operated by a driver licensed under this chapter  
8 (Class B);
- 9 D. The for-hire horse-drawn carriage displays a current for-hire horse-drawn carriage license  
10 plate issued by the Director which includes the for-hire horse drawn carriage license number and  
11 expiration date (Class B);
- 12 E. The licensee of a horse-drawn carriage notifies the Director in writing within seven (7)  
13 days of the occurrence of any of the following:
- 14 (1) Any arrest, charge, or conviction of the horse-drawn carriage driver for any  
15 criminal offense or any traffic violation that occurs during, or arises out of, the driver's operation of a  
16 horse-drawn carriage (Class B);
- 17 (2) Any accident required to be reported to the State of Washington involving any for-  
18 hire horse-drawn carriage (Class B);
- 19 F. The for-hire horse-drawn carriage licensee ensures that daily trip sheet records are  
20 completed as prescribed by the Director by rule, for each for-hire horse-drawn carriage licensed pursuant  
21 to this chapter (Class A); and
- 22 G. The for-hire horse-drawn carriage licensee keeps the daily trip sheets for a minimum of  
23 two (2) years (Class B).
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**III. CARRIAGE HORSE LICENSE-REQUIREMENTS AND REGULATIONS**

**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 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) 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.

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**6.315.210 Carriage horse - standards for license denial.**

A. The Director shall deny any carriage horse license application if the Director determines that:

- (1) A complete application that meets the standards of Section 6.315.200 has not been submitted;
- (2) The application contains any material misstatement or omission;
- (3) If a prior carriage horse 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 carriage horse license revoked and not reinstated; or
- (5) The applicant fails to obtain a for-hire horse-drawn carriage license or the for-hire horse-drawn carriage license application is denied.

B. 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.

**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 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 ).

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- 1           B.     A carriage horse used in drawing a for-hire horse-drawn carriage must:
- 2                 (1)    Be appropriately shod on all four feet and not have any loose shoes. Shoes which
- 3 are designed to prevent slipping and absorb shock shall be utilized when working on paved surfaces. A
- 4 horse that loses a shoe or is not appropriately shod shall be immediately taken out of service until such
- 5 time the problem is cured (Suspension and Class B);
- 6                 (2)    Not have any open wound, oozing sore, cut below skin level, bleeding wound or
- 7 severe chafing (Suspension and Class B);
- 8                 (3)    Have good flesh and adequate muscle tone, which the Director shall determine by
- 9 use of the Henneke Scale or other appropriate method of equine evaluation.(Suspension and Class B);
- 10                (4)    Not have any evidence of lameness, such as but not limited to irregular rhythm
- 11 (Suspension and Class B);
- 12                (5)    Not work longer than ten (10) hours per day in any twenty-four (24) hour period
- 13 nor more than five (5) consecutive days in any seven (7) day period (Class B);
- 14                (6)    Be properly cleaned and groomed with no caked dirt or mud and not have any
- 15 offensive odor other than an odor normally associated with a horse that is clean, healthy and well
- 16 groomed (Class A);
- 17                (7)    Not work in temperatures exceeding 90 degrees Fahrenheit (Class B); and
- 18                (8)    Wear an equine diaper to contain all fecal droppings while drawing a for-hire
- 19 horse-drawn carriage or walking the horse on public property (Class B).
- 20            C.     Each carriage horse licensed under this chapter must have a veterinary examination at least
- 21 semiannually, and evidence of such examination shall be made available to the Director upon request
- 22 (Class B).
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2 **IV. FOR-HIRE HORSE-DRAWN CARRIAGE DRIVER - LICENSING AND**  
3 **REQUIREMENTS**

4 **6.315.300 For-hire horse-drawn carriage driver license-application**

5 A. Applications for a for-hire horse-drawn carriage driver license shall be made in writing to  
6 the Director upon forms provided by the Director.

7 B. For-hire horse-drawn carriage driver license applications shall include the following  
8 information:

9 (1) Full name, home and business addresses, and home and business telephone  
10 number(s) of the applicant;

11 (2) Washington State driver's license number;

12 (3) Date of birth (which shall be at least eighteen (18) years prior to the date of  
13 application), height, weight, color of eyes and hair;

14 (4) Certificate signed by a for-hire horse-drawn carriage licensee certifying, under  
15 penalty of perjury under the laws of the State of Washington, that the applicant has successfully  
16 completed a one week training program in which the applicant has:

17 (a) Ridden with a licensed for-hire horse-drawn carriage driver in a horse-  
18 drawn carriage for at least seven (7) six (6)-hour days in the environment in which a for-hire horse-drawn  
19 carriage operates;

20 (b) Knowledge of the requirements contained in this chapter of the Seattle  
21 Municipal Code and in any rules promulgated by the Director to implement this chapter;

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1 (c) Been trained in emergency procedures including but not limited to:  
2 remedying equipment malfunctions, handling unruly or uncontrollable horses and hostile passengers,  
3 onlookers or others, and responding to crowd situations; and

4 (d) Become familiar with the word commands or other physical commands to  
5 which horses respond and to which they are trained; and

6 (5) Certification signed under penalty of perjury under the laws of the State of  
7 Washington by the applicant, listing:

8 (a) all crimes, if any, of which the applicant has been convicted within the three  
9 (3) years previous to the date of application, and if any, the date and type of conviction;

10 (b) the date(s) of and reason(s) for the denial, suspension or revocation of any  
11 license issued under this chapter.

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13 **6.315.310 Horse-drawn carriage driver license--standards for license denial.**

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

16 (1) A complete application that meets the standards of Section 6.315.300 has not been  
17 submitted;

18 (2) The application contains any material misstatement or omission;

19 (3) If a prior for-hire horse-drawn carriage driver's  
20 license was suspended and the suspension has not been terminated or the reasons for the suspension  
21 cured;

22 (4) Within one (1) year prior to the date of application, the applicant had a license  
23 issued under this chapter revoked and not reinstated; or

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1                   (5)     Within three (3) years of the date of application, the applicant has had a bail  
2 forfeiture, conviction or other adverse finding for a crime if such crime involved a for-hire horse-drawn  
3 carriage, other for-hire business, or animal cruelty.

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

6                   (1)     Within two (2) years prior to the date of application, the applicant exhibited past  
7 conduct in driving or operating a for-hire horse-drawn carriage which would lead the Director to  
8 reasonably conclude that the applicant will not comply with the provisions of this chapter related to  
9 operating requirements for for-hire horse-drawn carriages, carriage horses or for-hire horse drawn  
10 carriage drivers, and the safe operation of a for-hire horse-drawn carriage;

11                   (2)     Within two (2) years prior to the date of application and after the effective date of  
12 this chapter, the applicant operated or permitted a for-hire horse-drawn carriage to operate within the  
13 City of Seattle without a current, valid horse-drawn carriage license issued under this chapter; or

14                   (3)     Within three (3) years of the date of application, the applicant has had a bail  
15 forfeiture, conviction or other adverse finding for a crime that would jeopardize the safety of a passenger  
16 or the public, including but not limited to a crime involving driving or vehicular safety, fraud, theft,  
17 prostitution, alcohol and/or narcotics.

18           C.     The Director shall deny a license by written notice indicating the reason for denial. Such  
19 notice shall be delivered either personally or by first class mail to the applicant at the address provided by  
20 the applicant on the license application.

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**6.315.320 For-hire horse-drawn carriage driver- operating requirements and responsibilities.**

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

3 A. A horse-drawn carriage driver inspects the for-hire horse-drawn carriage at least once  
4 daily before starting each shift to ensure that the for-hire horse-drawn carriage equipment is working  
5 properly and shall indicate on the trip sheet required to be maintained by subsection F the time of such  
6 inspection(Class B);

7 B. The horse-drawn carriage meets the vehicle operating requirements set forth in this  
8 chapter or in rules promulgated by the Director pursuant to this chapter (Class B);

9 C. A horse-drawn carriage driver controls the pace of the horse to a walk or a speed never  
10 faster than a slow trot so as to maintain a speed that is safe for the horse, driver and passengers (Class B);

11 D. Each horse-drawn carriage driver has in the driver's possession a for-hire horse-drawn  
12 carriage driver's license and displays the license and photograph in a prominent location available for  
13 view by passengers upon entering a for-hire horse-drawn carriage (Class A);

14 E. Each horse-drawn carriage driver provides the carriage horse access to and opportunity to  
15 drink potable drinking water at least once per hour during each 10-hour work day (Class B);

16 F. A horse-drawn carriage driver maintains a daily trip sheet indicating the date, time,  
17 origination and destination of all fares, number of passengers, and the amount of the fare collected; and  
18 the time and location of each watering of the horse (Class A);

19 G. A horse-drawn carriage driver, upon request of the Director, a passenger, or a police  
20 officer, allows the horse-drawn carriage driver's license and/or Washington State driver's to be inspected  
21 (Class B, Class A if request was by passenger);

22 H. A horse-drawn carriage driver shall not leave the horse unattended (Suspension and Class  
23 B);

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1 I. A horse-drawn carriage driver shall not use or be under the influence of alcohol or illegal  
2 drugs while operating a for-hire horse-drawn carriage (Suspension and Class B);

3 J. A horse-drawn carriage driver notifies the Director in writing within seven (7) days of the  
4 occurrence of any of the following:

5 (1) Any arrest, charge, or conviction of the horse-drawn carriage driver for any  
6 criminal offense or any traffic violation that occurs during, or arises out of, the driver's operation of a  
7 horse-drawn carriage (Class B);

8 (2) Any accident required to be reported to the State of Washington involving any  
9 horse-drawn carriage operated for-hire by the horse-drawn carriage driver or involving the for-hire horse-  
10 drawn carriage (Class B);

11 K. A driver wears suitable clothes that are neat and clean. The term "neat and clean" as it  
12 relates to clothes means that all clothing is clean, free from soil, grease and dirt and without unrepaired  
13 rips or tears (Class A);

14 L. A driver is well groomed at all times while on duty. The term "well groomed" refers to  
15 that state of personal hygiene, body cleanliness and absence of offensive odor normally associated with  
16 bathing or showering on a regular basis, and means that hair, beards and mustaches are groomed, combed  
17 or brushed (Class A); and

18 M. A driver is able to provide a reasonable and prudent amount of change, and if correct  
19 change is not available, no additional charge is made to the passenger in attempting to secure the change  
20 (Class A).

21 V. ENFORCEMENT

22 6.315.400 Penalties.  
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1           A.     Violations of section 6.315.040 (A) shall be a misdemeanor and upon conviction shall be  
2 punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for a term not to  
3 exceed ninety days (90), or by both such fine and imprisonment.

4           B.     For each violation of a provision in this chapter that has a class referenced in parenthesis  
5 after the provision, a civil penalty in the following amount shall be imposed by and paid to the  
6 Department for each violation:

7                     Class A - \$50.00 for the first violation; \$100.00 for each subsequent violation within a  
8 twenty-four (24) month period;

9                     Class B - \$100.00 for the first violation; \$150.00 for each subsequent violation within a  
10 twenty-four (24) month period;

11                    Class C - \$300.00.

12           C.     For each violation other than a violation of section 6.315.040(A), the Director shall give  
13 written notice of the violation to the licensee indicating the violation and the monetary penalty imposed.  
14 Such notice shall be delivered either personally or by first class mail addressed to the licensee at the  
15 address provided by the licensee on the license application or provided as new information pursuant to  
16 the requirements of section 6.315.070.

17

18 **6.315.410 License suspension and revocation.**

19           A.     Summary suspension or revocation. Notwithstanding any other provision of this chapter,  
20 a license issued under this chapter may be summarily suspended prior to any hearing for failure to have  
21 the insurance coverage required by section 6.315.120 and may be summarily suspended or revoked prior  
22 to any hearing by Notice of the Director upon a determination that there is reasonable cause to believe

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1 that grounds for license suspension or revocation exist and that summary suspension or revocation is  
2 necessary to prevent a clear, substantial and imminent hazard to life, safety, or property.

3 B. Suspension standards.

4 (1) The Director may suspend any license issued under this chapter for violation of any  
5 of the provisions of this chapter that indicate a suspension as a penalty in parenthesis after the provision  
6 and pursuant to subsection (A)(2) below.

7 (2) Three or more class B penalties imposed during a twenty-four (24) month period  
8 will, in addition to monetary penalties, result in suspension of a license for two (2) months.

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1 C. Revocation standards:

2 (1) Any license. The Director shall revoke a license issued under this chapter if the  
3 Director determines that:

4 (a) The license application contained a material misstatement or omission;

5 (b) During the annual license period the licensee has a conviction, bail  
6 forfeiture or other adverse finding of animal cruelty under the laws of any state or governmental  
7 subdivision thereof;

8 (c) During the annual license period the licensee has a conviction, bail  
9 forfeiture or other adverse finding for violating any provision of Section 6.315.040(A);

10 (d) The licensee fails to pay a monetary penalty imposed under this chapter  
11 within thirty (30) days after an unappealed notice of violation or final decision or order imposing such  
12 monetary penalty is issued.

13 (2) Horse Drawn Carriage Licenses.

14 (a) The Director shall revoke a horse-drawn carriage license if the licensee, or  
15 if the licensee is a partnership, corporation or other legal entity, if any of the persons listed in section  
16 6.315.100(B)(1)(b) has:

17 (i) Had a bail forfeiture, conviction or other adverse finding during the  
18 annual license period for a crime that would be grounds for denial under section 6.315.110(A)(5); or

19 (ii) Within the previous twenty-four (24) month period had two  
20 violations of section 6.315.120;

21 (b) The Director may revoke a for-hire horse-drawn carriage license if the  
22 licensee, or if the licensee is a partnership, corporation or other legal entity, if any of the persons listed in  
23 section 6.315.100(B)(1)(b) has had a bail forfeiture, conviction or other adverse finding during the annual  
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1 license period for a crime that would jeopardize the safety of a passenger or the public, including but not  
2 limited to fraud, theft, prostitution, and/or narcotics.

3 (3) Horse-Drawn Carriage Driver's License. The Director shall revoke a for-hire  
4 horse-drawn carriage driver's license if, during the annual license period:

5 (a) The horse-drawn carriage driver's Washington State driver's license has  
6 been revoked; or

7 (b) The horse-drawn carriage driver has had a bail forfeiture, conviction or  
8 other adverse finding for a crime that would be grounds for denial under section 6.315.310(A)(5).

9 D. Notice of suspension or revocation.

10 (1) Suspension. The Director shall suspend a license issued under this chapter by  
11 written notice of suspension (or summary suspension), indicating the reason for suspension and the  
12 appropriate action(s) necessary to remedy the violation and terminate the suspension. Such notice shall  
13 be delivered either personally or by first class mail to the licensee at the address provided by the licensee  
14 on the license application or provided as new information pursuant to the requirements of section  
15 6.315.070.

16 (2) Revocation. The Director shall revoke a license by written notice of revocation  
17 indicating the reason for revocation. Such notice shall be delivered either personally or by first class mail  
18 to the licensee at the address provided by the licensee on the license application or provided as new  
19 information pursuant to the requirements of section 6.315.070.

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1 E. Effect of Notice of Suspension or Revocation.

2 (1) Summary suspension or revocation. Whenever any license is summarily suspended  
3 or revoked the suspension or revocation is effective upon issuance of the notice. Such notice may be  
4 appealed pursuant to the procedures of 6.315.430. If a timely appeal is not filed by the licensee, the  
5 notice of summary suspension or revocation shall be final. A summary suspension shall extend until any  
6 administrative or judicial appeal is finally concluded in the licensee's favor, or until evidence satisfactory  
7 to the Director is produced showing that the violation is cured, whichever occurs first. Summary  
8 revocations shall extend until the end of the annual license period or until any administrative or judicial  
9 appeal is finally concluded in the licensee's favor, whichever occurs first.

10 (2) Suspension or revocation. If a timely appeal is filed by the licensee pursuant to  
11 section 6.315.430, the notice of suspension or revocation shall be final. Suspensions or revocations  
12 become effective upon the date any notice of suspension or revocation or order on appeal affirming such  
13 notice becomes final. Suspensions shall extend until evidence satisfactory to the Director is produced  
14 showing that the violation is cured or, if the violation provides for a specific period of suspension for the  
15 specific period of time listed. Revocations shall extend until the end of the annual license period.

16 (3) Except in the case of a summary suspension or revocation as provided in  
17 subsection (1) above, whenever a timely appeal is filed pursuant to section 6.315.430, a licensee may  
18 continue to engage in the activity for which the license is required pending a final decision on appeal.

19  
20 **6.315.430. Administrative appeals process.**

21 A. Any notice of denial, violation, suspension or revocation shall state that the licensee is  
22 entitled to a director's hearing upon written request, to respond and provide information to refute or  
23 mitigate the violation. Upon written request filed within ten (10) days after the date of the notice of  
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1 denial, violation, suspension or revocation, the Director shall set a hearing date and time to be held as  
2 soon as possible and not more than fourteen (14) days from the date of the notice.

3 B. The hearing shall be held by the Director or the Director's designee.

4 C. Within ten days (10) of the hearing, the Director shall issue a written decision including  
5 factual findings and the Director's conclusion, with supporting reasons, affirming, modifying or reversing  
6 the notice. The decision shall be mailed by first class mail to the address of the licensee listed on the  
7 application or provided as new information pursuant to the requirements of section 6.315.070.

8 D. The decision of the Director is final if only a monetary penalty is imposed or if no timely  
9 appeal is filed pursuant to subsection E for those decisions subject to further appeal.

10 E. If the Director's decision imposes or affirms a denial, suspension or revocation, a licensee  
11 may appeal the decision to the Hearing Examiner by filing a notice of appeal with the Hearing Examiner  
12 within fifteen (15) days after the date of the decision.

13 F. If a timely notice of appeal is filed, a hearing shall be scheduled and conducted by the  
14 Hearing Examiner according to the Hearing Examiner rules for contested cases.

15 G. The Hearing Examiner may affirm, modify or reverse the decision of the Director.

16  
17 **Section 2.** Transition Rule. The fees for all licenses issued under this chapter prior to March  
18 31, 1997 shall be at the one year license rate and the license shall expire on March 31, 1998. All persons  
19 or entities required to have a license under this chapter shall have thirty (30) days after the effective  
20 date of this ordinance in which to obtain such license.

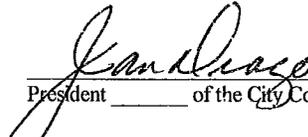
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22 **Section 3.** The provisions of this ordinance are declared to be separate and severable. The  
23 invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the  
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SMW:  
December 5, 1996  
8ORDINAN.FRM  
(Ver. )

1 invalidity of the application thereof to any person or circumstance shall not affect the validity of the  
2 remainder of this ordinance, or the validity of its application to other persons or circumstances.

3  
4 **Section 4.** This ordinance shall take effect and be in force the later of January 1, 1997, thirty (30) days  
5 from and after its approval by the Mayor, or the effective date provided by Municipal Code Section 1.04.020.

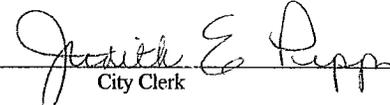
6  
7 Passed by the City Council the 9 day of December, 1996, and signed by me in open session  
8 in authentication of its passage this 9 day of December, 1996.

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11 \_\_\_\_\_  
12 President \_\_\_\_\_ of the City Council

13 Approved by me this 17 day of December, 1996.

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15 \_\_\_\_\_  
16 Mayor

17 Filed by me this 17 day of December, 1996.

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19 \_\_\_\_\_  
20 City Clerk

21 (Seal)

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City of Seattle

**Department  
of Finance**

Dwight D. Dively  
Director of Finance

Norman B. Rice  
Mayor

MEMORANDUM

TO: Councilmember Jan Drago  
FROM: Mel McDonald, Director, RCA *MAM*  
DATE: November 12, 1996  
SUBJECT: Horse-drawn Carriage Ordinance Draft Revisions

Based upon comments and input received at the public hearing as well as a final review of the draft by myself, Don Jordan and Assistant City Attorney Sandy Watson, you will note that the following changes have been incorporated:

- 6.315.020F Removed definition. HDC industry does not want to use this "Eazy Type" boot.
- 6.315.050D Clarification that the Director's rules, other than insurance requirement, is a Class A violation for non-safety or Class B violation for non-safety.
- 6.315.060B(3) Include replacement of a carriage horse license as a \$5.00 fee.
- 6.315.100B(1b) Legal clarification on information pertaining to legal entity.
- 6.315.100B(5) Delete the requirement for proof of insurance at the time of application. The City's Risk Manager reported that insurance companies will not issue the type of insurance the City requires until a license is actually issued to the applicant. Licensees will have 10 business days after issuance of the license to submit evidence of insurance otherwise license will be revoked.
- 6.315.110A(3) Clarify that if a prior license has been suspended, the Director shall deny any future licenses until the reason for any prior license suspension has been cured. Do not want to re-issue a license if the problem still exists.
- 6.315.12.A Added provision to allow licensee 10 business days to submit proof of insurance. Need to obtain license before owner can obtain required proof of insurance.
- 6.315.130B Various suggestions from HDC industry incorporated.
- 6.315.130E(2) Clarified any for-hire horse-drawn carriage.
- 6.315.200B(2) Add weight as suggested by HDC industry.
- 6.315.200B(5) Add a vaccination requirement for equine influenza and change to the more common term encephalomyelitis.

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- 6.315.210A Clarify that if a prior license has been suspended, the Director shall deny any future licenses until the suspension has been cured.
- 6.315.220B(1) Remove "Eazy Type Boot" as suggested by the industry. Add language to remove a horse from service if it loses a shoe.
- 6.315.220B(3) Add the method of evaluation for good flesh and adequate muscle tone.
- 6.315.220B(6) HDC industry suggestion to add provision exempting the normal odor associated with clean and healthy horse.
- 6.315.220C HDC industry suggestion for multiple annual veterinary examinations and maintain evidence thereof.
- 6.315.310B(1) Remove duplicate sentence. Already included in the Director's authority "shall deny."
- 6.315.320A Drivers required to indicate inspections on their daily trip sheets.
- 6.315.320C HDC industry suggested clarifying the limitation on speed of the horse.
- 6.315.320H HDC industry suggestion to not leave horse unattended.
- 6.315.320I Safety provision added to prohibit use of alcohol or drugs.
- 6.315.410A Add provision to summarily suspend a license for failure to have insurance. Do not want carriage owners operating without insurance coverage.
- 6.315.410B(2) Limit the duration of a suspension to two months only.
- 6.315.410C(1b)&(3) Reference revocation during annual license period only.
- 6.315.410E(2) Add further clarification on suspension.
- 6.315.430 Add clarifications on appeal process.
- Add Section 2. Transition Rule. Adds a 30 day grace period to obtain license and to be fair, establish a fee and extended license period for all licenses issued prior to March 31, 1997.
- Section 4 Sets the earliest effective date of this ordinance as January 1, after the busy season for the industry.

6.315.320E →  
 NYS guideline  
 for providing  
 access to water  
 (hourly per  
 10hr. shift)

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ORDINANCE \_\_\_\_\_

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AN ORDINANCE relating to for-hire horse-drawn carriages, adding chapter 6.315 to the Seattle Municipal Code, to license for revenue and regulation such horse-drawn carriages, their drivers and the horses used for such carriages.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

**Section 1.** A new chapter is added to chapter 6 of the Seattle Municipal Code ("SMC") as follows:

**HORSE-DRAWN CARRIAGES, HORSES AND DRIVERS**

**I. GENERAL PROVISIONS**

**6.315.010 Purpose.**

This ordinance is an exercise of the power of the City to license for-hire horse-drawn carriages, for-hire horse-drawn carriage drivers and carriage horses used to draw for-hire horse-drawn carriages for revenue and regulation.

**6.315.020 Definitions.**

For the purposes of this chapter and unless the context plainly requires otherwise, the following definitions apply:

- A. "City" means the City of Seattle.
- B. "Conviction" or "Convicted" means a final judgment of guilty in any court; the imposition of a fine; a plea of guilty or nolo contendere in any court; or a finding or verdict of guilty,

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1 regardless whether imposition of a sentence is deferred or the penalty is suspended. Any conviction  
2 which has been expunged pursuant to the Revised Code of Washington ("RCW") 9.92.066, as now or  
3 hereafter amended, or RCW 9.95.240, as now or hereafter amended, is not considered a conviction.

4 C. "Department" means the Department of Finance of the City of Seattle, or any department  
5 that succeeds to the Department of Finance's duties under this chapter.

6 D. "Director" means the director of the Department of Finance or any successor department  
7 or the director's authorized designee.

8 E. "Equine Diaper" means a bag or receptacle used to contain fecal droppings and placed in  
9 the area of the rear of the horse in such a manner that it will contain all fecal droppings deposited from  
10 the horse.

11 F. "Easy Type Boot" means a temporary rubber boot designed to protect the hoof of the  
12 horse when the horse loses a shoe.

13 G. "For-Hire" means, for the purposes of this chapter, the operation or use of a horse-drawn  
14 carriage for compensation.

15 H. "Horse" or "Carriage Horse" means an animal of the genus/species equus caballus and  
16 equus asinus, which includes horses, mules and donkeys.

17 I. "Horse-drawn carriage" or "Carriage" means a vehicle intended to be drawn by a horse  
18 and in which any person may be transported or carried.

19 J. "Horse-drawn carriage driver" or "Driver" means a person operating or driving a horse-  
20 drawn carriage for hire.

21 K. "Licensee" means a person who has a license issued pursuant to this chapter, whether or  
22 not the license is subsequently suspended or revoked.

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1 L. "Operate" means to advertise or hold oneself out for business, drive, use, manage, or  
2 occupy a horse-drawn carriage that at any time transports any passenger or property for compensation  
3 within the city limits of the City of Seattle.

4 M. "Person" means a natural person, partnership, corporation or other legal entity.

5 N. "Veterinarian" means a practicing veterinarian licensed by the state of Washington.

6 O. "Vehicle" for the purposes of this chapter, means a device with at least two wheels,  
7 designed and intended to be drawn by a horse, and in or by which any person or property may be  
8 transported.

9  
10 **6.315.030 Scope of chapter.**

11 A. This chapter applies to all for-hire horse-drawn carriages, all for-hire horse-drawn  
12 carriage drivers and all carriage horses used for drawing for-hire horse drawn carriages within the City  
13 of Seattle.

14 B. Nothing in this chapter affects the right of the City to impose or collect other  
15 applicable fees, charges or penalties or take other appropriate action to remedy a violation of other  
16 ordinances or laws.

17 C. Each provision in this chapter, the violation of which is subject to a penalty or  
18 suspension or both, has the class of penalty or suspension listed in parenthesis at the end of the  
19 provision. The amount of the penalty to be imposed for each class of violation is listed in section  
20 6.315.400 of this chapter.

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1 **6.315.040 Licenses required.**

2 A. Except as provided in subsection B, it is unlawful:

3 (1) To drive or otherwise operate within the City of Seattle any for-hire horse-drawn  
4 carriage unless a license has been issued and has not expired, been suspended or revoked under this

5 chapter for:

- 6 a) the for-hire horse-drawn carriage;  
7 b) the horse used in drawing the for-hire horse-drawn carriage; and  
8 c) the for-hire horse-drawn carriage driver.

9 (2) To fail to surrender to the Director within twenty four (24) hours after receipt of  
10 notice of suspension or revocation of license issued under this chapter.

11 (3) To use any animal other than a horse to operate a for-hire horse-drawn carriage.

12 B. No license issued pursuant to this chapter shall be required of a person who is operating a  
13 horse-drawn carriage as an entry in a parade or in order to provide temporary free entertainment.

14 C. Operating or driving a for-hire horse-drawn carriage is a privilege, not a right. The  
15 submission of a complete application and the ability to satisfy statutory criteria for a license do not create a  
16 right to a license.

17  
18 **6.315.050 License-expiration, transfer, issuance, rule-making.**

19 A. All licenses issued pursuant to this chapter expire annually on March 31<sup>st</sup>.

20 B. No license issued under this chapter is transferable.

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

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1 D. The Director is authorized to promulgate and adopt rules pursuant to SMC chapter 3.02 to  
2 carry out or interpret the provisions of this chapter. All licensees shall comply with all such rules, which  
3 shall provide that violation of such rules shall be a Class A violation if they are non-safety rules and a  
4 Class B violation if they are safety rules.

5  
6 **6.315.060 Fees.**

7 A. Annual license fees:

- 8 (1) Horse -- \$60.00  
9 (2) Horse-drawn carriage -- \$60.00  
10 (3) Horse-drawn carriage driver -- \$20.00

11 B. Other fees:

- 12 (1) Re-inspection and/or reinstatement fee for a license that has been suspended --  
13 \$30.00.  
14 (2) Replacement fee for a lost, damaged or destroyed horse-drawn carriage license  
15 plate -- \$10.00.  
16 (3) Replacement fee for a horse drawn carriage driver's license -- \$5.00.

17 C. No fees shall be prorated, except that an applicant for a carriage horse license to be issued  
18 after September 30 of each year will be charged half the annual rate.

19  
20 **6.315.070 Licensee responsibilities--general.**

21 A. A licensee shall permit the Director to inspect a for-hire horse-drawn carriage or carriage  
22 horse without prior notice, upon request (Suspension and Class B);  
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B. A licensee must inform the Director in writing within seven (7) days if any of the information provided in the license application submitted pursuant to this chapter ceases to be true or is superseded in any way by new information (Class A).

**II. FOR-HIRE HORSE-DRAWN CARRIAGES-REQUIREMENTS AND REGULATIONS**

**6.315.100 For-hire horse-drawn carriage license application.**

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

B. A for-hire horse-drawn carriage license application shall include the following information:

(1) a) If the applicant is an individual, the applicant's full name, home address, home and business telephone number(s), and date of birth (which shall be at least eighteen years prior to the date of application);

b) If the applicant is a partnership, corporation or other legal entity, the name, business address and telephone number of the entity; the name, home and business addresses, home and business telephone number(s) and date of birth of the entity's duly authorized agent, and any other information that the Director may require by rule;

(2) For-hire horse-drawn carriage information, including the name of the manufacturer, model, and seating capacity of the carriage for which a license is sought, and any other information required by the Director by rule;

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1                   (3) Certification signed under penalty of perjury under the laws of the State of  
2 Washington by the applicant, or if the applicant is a partnership, corporation or other legal entity, by an  
3 officer, director, general partner, managing partner or principal of the applicant, listing:

4                   (a) all crimes, if any, of which the applicant or if the applicant is a  
5 partnership, corporation or other legal entity, any officer, director, general partner, managing partner and  
6 principal of the applicant has been convicted within the three (3) years previous to the date of  
7 application, and if any, the date(s) and type of conviction;

8                   (b) the date(s) of and reason(s) for the denial, suspension or revocation of any  
9 license authorized to be issued under this chapter;

10                   (4) Evidence that the applicant has made concurrent application for at least one  
11 carriage horse license to be issued under this chapter; and

12                   (5) Evidence of the insurance coverage required by section 6.315.120 of this chapter,  
13 for each for-hire horse-drawn carriage for which a license is sought.

14  
15 **6.315.110 For-hire horse-drawn carriage - license denial.**

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

18                   (1) A complete application that meets the standards of Section 6.315.100 has not been  
19 submitted;

20                   (2) The application contains any material misstatement or omission;

21                   (3) If, on the date of expiration of any prior for-hire horse-drawn carriage license, said  
22 license was suspended and the suspension had not been terminated;

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1                   (4)    Within one (1) year prior to the date of application, the applicant had its City of  
2 Seattle for-hire horse-drawn carriage license revoked and not reinstated; and

3                   (5)    Within three (3) years of the date of application, the applicant, or if the applicant  
4 is a partnership, corporation or other legal entity, any officer, director, general partner, managing partner  
5 or principal of the applicant, has had a bail forfeiture, conviction or other adverse finding for a crime if  
6 such crime involved a for-hire horse-drawn carriage, other for hire business, or animal cruelty.

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

9                   (1)    Within two (2) years prior to the date of application, the applicant, or if the  
10 applicant is a partnership, corporation or other legal entity, any officer, director, general partner,  
11 managing partner or principal of the applicant, exhibited past conduct in operating a for-hire horse-  
12 drawn carriage which would lead the Director to reasonably conclude that the applicant will not comply  
13 with the provisions of this chapter related to for-hire horse-drawn carriage operating requirements and  
14 the safe operation of for-hire horse-drawn carriage;

15                  (2)    Within two (2) years prior to the date of application and after the effective date of  
16 this chapter, the applicant, or if the applicant is a partnership, corporation or other legal entity, any  
17 officer, director, general partner, managing partner or principal of the applicant permitted a for-hire  
18 horse-drawn carriage to operate within the City of Seattle without a current, valid horse-drawn carriage  
19 license issued from the City of Seattle under this chapter; or

20                  (3)    Within three (3) years of the date of application, the applicant, or if the applicant  
21 is a partnership, corporation or other legal entity, any officer, director, general partner, managing partner  
22 or principal of the applicant, has had a bail forfeiture, conviction or other adverse finding for a crime that

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1 would jeopardize the safety of a passenger or the public, including but not limited to fraud, theft,  
2 prostitution, alcohol and/or narcotics.

3 C. The Director shall deny a license by written notice indicating the reason for denial. Such  
4 notice shall be delivered either personally or by first class mail to the applicant at the address provided  
5 by the applicant on the license application.

6  
7 **6.315.120 Insurance.**

8 A. The licensee of a for-hire horse-drawn carriage shall obtain and continuously maintain, at  
9 the licensee's expense, and file with the Director and the City's Risk Manager, evidence of a policy or  
10 policies of insurance as required by rule promulgated by the Director and adopted pursuant to Chapter  
11 3.02 of the Seattle Municipal Code.

12 B. All such policies shall be subject to approval by the City's Risk Manager as to company  
13 (must be rated A-VII or higher in the A.M. Best's Key Rating Guide and licensed to do business in the  
14 State of Washington or issued as a surplus line by a Washington Surplus lines broker), form and  
15 coverage, and shall be primary to all other insurance.

16  
17 **6.315.130 For-hire horse-drawn carriage - operating requirements and responsibilities.**

18 No for-hire horse-drawn carriage licensed by the City may lawfully operate within the City of  
19 Seattle unless the following minimum requirements are met:

20 A. The for-hire horse-drawn carriage has insurance as required in Section 6.315.120,  
21 provided, evidence of a new policy including the for-hire horse-drawn carriage must be filed with the

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1 Director and approved by the City's Risk Manager before the horse-drawn carriage is canceled or  
2 deleted from any previous policy (Suspension and Class C).

3 B. The licensee shall daily inspect to insure that the for-hire horse-drawn carriage meets the  
4 following safety standards and any other safety standards that may be promulgated by the Director by  
5 rule:

6 (1) No for-hire horse-drawn carriage may carry more passengers at one time,  
7 including the driver, than recommended by the carriage manufacturer (Class B);

8 (2) No person may sit in the driver's compartment except the driver and/or a driver  
9 trainee (Class B);

10 (3) Each for-hire horse-drawn carriage shall be clean (Class A);

11 (4) Each for-hire horse-drawn carriage shall be mechanically sound, and not in such a  
12 state of disrepair as to jeopardize the safety of the passengers or the public (Suspension and Class B);

13 (5) The for-hire horse-drawn carriage's harness and traces shall be clean and of  
14 adequate fit and the harness and traces shall be kept free of makeshift repairs or additions such as wire,  
15 sisal rope, and rusty chains (Suspension and Class B);

16 (6) All for-hire horse-drawn carriages:

17 (a) must be equipped with lights that comply with the requirements of SMC  
18 11.82.340(A) (Suspension and Class B);

19 (b) shall display a reflective triangle on the rear of the horse-drawn carriage  
20 indicating that it is a slow moving vehicle, in compliance with S.M.C. 11.82.340(B) (Suspension and  
21 Class B);

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1 (c) shall comply with other applicable requirements of state and local law  
2 (Suspension and Class B for safety violations; Class A for non-safety).

3 C. The for-hire horse-drawn carriage is operated by a driver licensed under this chapter  
4 (Class B).

5 D. The for-hire horse-drawn carriage displays a current for-hire horse-drawn carriage license  
6 plate issued by the Director which includes the for-hire horse-drawn carriage license number and  
7 expiration date (Class B).

8 E. The licensee of a horse-drawn carriage notifies the Director in writing within seven (7)  
9 days of the occurrence of the following:

10 (1) Any arrest, charge, or conviction of the horse-drawn carriage driver for any  
11 criminal offense or any traffic violation that occurs during, or arises out of, the driver's operation of a  
12 horse-drawn carriage (Class B);

13 (2) Any accident required to be reported to the State of Washington involving any  
14 horse-drawn carriage operated for-hire by the horse-drawn carriage driver or involving the horse-drawn  
15 carriage for hire (Class B).

16 F. The for-hire horse-drawn carriage licensee ensures that daily trip sheet records are  
17 completed as prescribed by the Director by rule, for each for-hire horse-drawn carriage licensed pursuant  
18 to this chapter (Class A).

19 G. The for-hire horse-drawn carriage licensee keeps the daily trip sheets for a minimum of  
20 two (2) years (Class B).

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1           **III. CARRIAGE HORSE LICENSE-REQUIREMENTS AND REGULATIONS**

2   **6.315.200 Carriage horse license - application.**

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

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

- 8           (1)   The name, business address and phone number of the applicant;
- 9           (2)   The name, breed, sex, age and the permanent form of identification of the horse;
- 10          (3)   The name, address and telephone number of the horse's veterinarian;
- 11          (4)   A certificate of health issued within the last three (3) months from a licensed  
12   veterinarian certifying that the horse sought to be licensed is fit to draw a horse-drawn carriage;
- 13          (5)   Proof of current vaccinations including but not limited to tetanus, rabies and  
14   Eastern/Western encephalitis. Proof may be in the form of a health certificate from a veterinarian  
15   indicating the vaccinations administered; or administered by someone other than a veterinarian in  
16   accordance with state or local law, by certificate signed under penalty of perjury by the person  
17   administering such vaccinations, indicating the vaccinations administered;
- 18          (6)   Photographs showing identifying markings and/or the permanent form of  
19   identification of the horse sought to be licensed; and
- 20          (7)   A copy of the applicant's for-hire horse-drawn carriage license or application.
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1 **6.315.210 Carriage horse - standards for license denial.**

2 A. The Director shall deny any carriage horse license application if the Director determines  
3 that:

4 (1) A complete application that meets the standards of Section 6.315.200 has not been  
5 submitted;

6 (2) The application contains any material misstatement or omission;

7 (3) If, on the date of expiration of any prior carriage horse license, the prior carriage  
8 horse license was suspended and the suspension had not been terminated;

9 (4) Within one (1) year prior to the date of application, the applicant had its City of  
10 Seattle for-hire carriage horse license revoked and not reinstated; or

11 (5) The applicant fails to obtain a for-hire horse-drawn carriage license or the for-hire  
12 horse-drawn carriage license application is denied.

13 B. The Director shall deny a license by written notice indicating the reason for denial. Such  
14 notice shall be delivered either personally or by first class mail to the applicant at the address provided  
15 by the applicant on the license application.

16  
17 **6.315.220 Carriage horse - operating requirements and responsibilities.**

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

20 A. Each carriage horse used for drawing a for-hire horse-drawn carriage shall be  
21 distinguishable by a permanent form of identification such as a brand, lip tattoo, microchip or any other  
22 easily identifiable permanent form of identification approved by the Director (Suspension and Class B ).  
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- 1 B. A carriage horse used in drawing a for-hire horse-drawn carriage must:
- 2 (1) Be appropriately shod; if a horse loses a shoe while working, an "eazy type boot"
- 3 may be used to finish the work day (Suspension and Class B);
- 4 (2) Not have any open wound, oozing sore, cut below skin level, bleeding wound or
- 5 severe chaffing (Suspension and Class B);
- 6 (3) Have adequate flesh and muscle tone (Suspension and Class B);
- 7 (4) Not have any evidence of lameness, such as but not limited to irregular rhythm
- 8 (Suspension and Class B);
- 9 (5) Not work longer than ten (10) hours per day in any twenty-four (24) hour period
- 10 nor more than five (5) consecutive days in any seven (7) day period (Class B);
- 11 (6) Be properly cleaned and groomed with no offensive odors or caked dirt or mud
- 12 (Class A);
- 13 (7) Not work in temperatures exceeding 90 degrees Fahrenheit (Class B); and
- 14 (8) Wear an equine diaper to contain all fecal droppings while drawing a for-hire
- 15 horse-drawn carriage or walking the horse on public property (Class B).

16

17 **IV. FOR-HIRE HORSE-DRAWN CARRIAGE DRIVER - LICENSING AND**

18 **REQUIREMENTS**

19 **6.315.300 For-hire horse-drawn carriage driver license-application**

- 20 A. Applications for a for-hire horse-drawn carriage driver license shall be made in writing to
- 21 the Director upon forms provided by the Director.
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1           B.    For-hire horse-drawn carriage driver license applications shall include the following  
2 information:

3                   (1)    Full name, home and business addresses, and home and business telephone  
4 number(s) of the applicant;

5                   (2)    Washington State driver's license number;

6                   (3)    Date of birth (which shall be at least eighteen (18) years prior to the date of  
7 application), height, weight, color of eyes and hair;

8                   (4)    Certificate signed by a for-hire horse-drawn carriage licensee certifying, under  
9 penalty of perjury under the laws of the State of Washington, that the applicant has successfully  
10 completed a one week training program in which the applicant has:

11                           (a)    Ridden with a licensed for-hire horse-drawn carriage driver in a horse-  
12 drawn carriage for at least seven (7) six (6)-hour days in the environment in which a for-hire horse-  
13 drawn carriage operates;

14                           (b)    Knowledge of the requirements contained in the Seattle Municipal Code  
15 and in any rules promulgated by the Director to implement this chapter;

16                           (c)    Been trained in emergency procedures including but not limited to:  
17 remedying equipment malfunctions, handling unruly or uncontrollable horses and hostile passengers,  
18 onlookers or others, and responding to crowd situations; and

19                           (d)    Become familiar with the word commands or other physical commands to  
20 which horses respond and to which they are trained; and

21                   (5)    Certification signed under penalty of perjury under the laws of the State of  
22 Washington by the applicant, listing:

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1 (a) all crimes, if any, of which the applicant has been convicted within the  
2 three (3) years previous to the date of application, and if any, the date and type of conviction;

3 (b) the date(s) of and reason(s) for the denial, suspension or revocation of any  
4 license issued under this chapter.

5  
6 **6.315.310 Horse-drawn carriage driver license--standards for license denial**

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

9 (1) A complete application that meets the standards of Section 6.315.300 has not been  
10 submitted;

11 (2) The application contains any material misstatement or omission;

12 (3) If, on the date of expiration of any prior for-hire horse-drawn carriage driver's  
13 license, the prior for-hire horse-drawn carriage driver's license was suspended and the suspension had  
14 not been terminated;

15 (4) Within one (1) year prior to the date of application, the applicant had a license  
16 issued under this chapter revoked and not reinstated; or

17 (5) Within three (3) years of the date of application, the applicant has had a bail  
18 forfeiture, conviction or other adverse finding for a crime if such crime involved a for-hire horse-drawn  
19 carriage, other for-hire business, or animal cruelty.

20 3. The Director may deny any for-hire horse-drawn carriage driver's license application if  
21 the Director determines that:

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1 (1) If, on the date of expiration of a prior for-hire horse-drawn carriage driver license,  
2 said license was suspended and the suspension had not been terminated;

3 (2) Within two (2) years prior to the date of application, the applicant exhibited past  
4 conduct in driving or operating a for-hire horse-drawn carriage which would lead the Director to  
5 reasonably conclude that the applicant will not comply with the provisions of this chapter related to  
6 operating requirements for for-hire horse-drawn carriages, carriage horses or for-hire horse drawn  
7 carriage drivers, and the safe operation of a for-hire horse-drawn carriage; or

8 (3) Within two (2) years prior to the date of application and after the effective date of  
9 this chapter, the applicant permitted a for-hire horse-drawn carriage to operate within the City of Seattle  
10 without a current, valid horse-drawn carriage license issued under this chapter;

11 (4) Within three (3) years of the date of application, the applicant has had a bail  
12 forfeiture, conviction or other adverse finding for a crime that would jeopardize the safety of a passenger  
13 or the public, including but not limited to a crime involving driving or vehicular safety, fraud, theft,  
14 prostitution, alcohol and/or narcotics.

15 C. The Director shall deny a license by written notice indicating the reason for denial. Such  
16 notice shall be delivered either personally or by first class mail to the applicant at the address provided  
17 by the applicant on the license application.

18  
19 **6.315.320 For-hire horse-drawn carriage driver- operating requirements and responsibilities.**

20 No horse-drawn carriage driver licensed by the City may operate a for-hire horse-drawn carriage  
21 within the City of Seattle unless the following minimum requirements and responsibilities are met:  
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- 1           A.    A horse-drawn carriage driver inspects the for-hire horse-drawn carriage at least once  
2 daily before starting each shift to ensure that the for-hire horse-drawn carriage equipment is working  
3 properly (Class B);
- 4           B.    The horse-drawn carriage meets the vehicle operating requirements set forth in this  
5 chapter or in rules promulgated by the Director pursuant to this chapter (Class B);
- 6           C.    A horse-drawn carriage driver controls the pace of the horse to a slow walk or trot so as  
7 to maintain a speed that is safe for the horse, driver and passengers (Class B);
- 8           D.    Each horse-drawn carriage driver has in the driver's possession a for-hire horse-drawn  
9 carriage driver's license and displays the license and photograph in a prominent location available for  
10 view by passengers upon entering a for-hire horse-drawn carriage (Class A);
- 11          E.    Each horse-drawn carriage driver provides the carriage horse access to and opportunity to  
12 drink potable drinking water at least twice during a 10-hour work day (Class B);
- 13          F.    A horse-drawn carriage driver maintains a daily trip sheet indicating the date, time,  
14 origination and destination of all fares, number of passengers, and the amount of the fare collected; and  
15 the time and location of each watering of the horse (Class A);
- 16          G.    A horse-drawn carriage driver, upon request of the Director, a passenger, or a police  
17 officer, allows the horse-drawn carriage driver's license and/or Washington State driver's to be inspected  
18 (Class B, Class A if request was by passenger);
- 19          H.    A horse-drawn carriage driver notifies the Director in writing within seven (7) days of the  
20 occurrence of the following:
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1 (1) Any arrest, charge, or conviction of the horse-drawn carriage driver for any  
2 criminal offense or any traffic violation that occurs during, or arises out of, the driver's operation of a  
3 horse-drawn carriage (Class B);

4 (2) Any accident required to be reported to the State of Washington involving any  
5 horse-drawn carriage operated for-hire by the horse-drawn carriage driver or involving the for-hire  
6 horse-drawn carriage (Class B).

7 I. A driver wears suitable clothes that are neat and clean. The term "neat and clean" as it  
8 relates to clothes means that all clothing is clean, free from soil, grease and dirt and without unrepaired  
9 rips or tears (Class A);

10 J. A driver is well groomed at all times while on duty. The term "well groomed" refers to  
11 that state of personal hygiene, body cleanliness and absence of offensive odor normally associated with  
12 bathing or showering on a regular basis, and means that hair, beards and mustaches are groomed,  
13 combed or brushed (Class A); and

14 K. A driver is able to provide a reasonable and prudent amount of change, and if correct  
15 change is not available, no additional charge is made to the passenger in attempting to secure the change  
16 (Class A).

#### 17 V. ENFORCEMENT

##### 18 6.315.400 Penalties.

19 A. Violations of section 6.315.040 (A) shall be a misdemeanor and upon conviction shall be  
20 punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for a term not to  
21 exceed ninety days (90), or by both such fine and imprisonment.

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1           B.     For each violation of a provision in this chapter that has a class referenced in parenthesis  
2 after the provision, a civil penalty in the following amount shall be imposed by and paid to the  
3 Department for each violation:

4                   Class A - \$50.00 for the first violation; \$100.00 for each subsequent violation within a  
5 twenty-four (24) month period;

6                   Class B - \$100.00 for the first violation; \$150.00 for each subsequent violation within a  
7 twenty-four (24) month period;

8                   Class C - \$300.00.

9           C.     For each violation other than a violation of section 6.315.040(A), the Director shall give  
10 written notice of the violation to the licensee indicating the violation and the monetary penalty imposed.  
11 Such notice shall be delivered either personally or by first class mail addressed to the licensee at the  
12 address provided by the licensee on the license application or provided as new information pursuant to  
13 the requirements of section 6.315.070.

14  
15 **6.315.410 License suspension and revocation.**

16           A.     Summary suspension or revocation. Notwithstanding any other provision of this chapter,  
17 a license issued under this chapter may be summarily suspended or revoked prior to any hearing by  
18 Notice of the Director upon a determination that there is reasonable cause to believe that grounds for  
19 license suspension or revocation exist and that summary suspension or revocation is necessary to prevent  
20 a clear, substantial and imminent hazard to life, safety, or property.

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B. Suspension standards.

(1) The Director may suspend any license issued under this chapter for violation of any of the provisions of this chapter that indicate a suspension as a penalty in parenthesis after the provision and pursuant to subsection (A)(2) below.

(2) Three or more class B penalties imposed during a twenty-four (24) month period will, in addition to monetary penalties, result in suspension of a license for two (2) months, or until expiration of the license, whichever occurs first.

C. Revocation standards:

(1) Any license. The Director shall revoke a license issued under this chapter if the Director determines that:

- (a) The license application contained a material misstatement or omission;
- (b) The licensee has a conviction, bail forfeiture or other adverse finding of animal cruelty under the laws of any state or governmental subdivision thereof;
- (c) During the annual license period the licensee has a conviction, bail forfeiture or other adverse finding for violating any provision of Section 6.315.040(A);
- (d) The licensee fails to pay a monetary penalty imposed under this chapter within thirty (30) days after an unappealed notice of violation or final decision or order imposing such monetary penalty is issued.

(2) Horse Drawn Carriage Licenses.

(a) The Director shall revoke a horse-drawn carriage license if the licensee, or if the licensee is a partnership, corporation or other legal entity, if any officer, director, general partner, managing partner or principal of the licensee has:

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1 (i) Had a bail forfeiture, conviction or other adverse finding for a crime  
2 that would be grounds for denial under section 6.315.110(A)(5); or

3 (ii) Within the previous twenty-four (24) month period, had a license  
4 previously suspended for a violation of section 6.315.120 or had two (2) class C penalties imposed;

5 (b) The Director may revoke a for-hire horse-drawn carriage license if the  
6 licensee, or if the licensee is a partnership, corporation or other legal entity, if any officer, director,  
7 general partner, managing partner or principal of the licensee has had a bail forfeiture, conviction or  
8 other adverse finding during the annual license period for a crime that would jeopardize the safety of a  
9 passenger or the public, including but not limited to fraud, theft, prostitution, alcohol and/or narcotics.

10 (3) Horse-Drawn Carriage Driver's License. The Director shall revoke a for-hire  
11 horse-drawn carriage driver's license if:

12 (a) The horse-drawn carriage driver's Washington State driver's license has  
13 been revoked; or

14 (b) The horse-drawn carriage driver has had a bail forfeiture, conviction or  
15 other adverse finding for a crime that would be grounds for denial under section 6.315.310(A)(5).

16 D. Notice of suspension or revocation.

17 (1) Suspension. The Director shall suspend a license issued under this chapter by  
18 written notice of suspension (or summary suspension), indicating the reason for suspension and the  
19 appropriate action(s) necessary to remedy the violation and terminate the suspension. Such notice shall  
20 be delivered either personally or by first class mail to the licensee at the address provided by the licensee  
21 on the license application or provided as new information pursuant to the requirements of section  
22 6.315.070.

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1                   (2)    Revocation.    The Director shall revoke a license by written notice of revocation  
2 indicating the reason for revocation.  Such notice shall be delivered either personally or by first class  
3 mail to the licensee at the address provided by the licensee on the license application or provided as new  
4 information pursuant to the requirements of section 6.315.070.

5           E.    Effect of Notice of Suspension or Revocation.

6                   (1)    Summary suspension or revocation.  Whenever any license is summarily  
7 suspended or revoked the suspension or revocation is effective upon issuance of the notice.  Such notice  
8 may be appealed pursuant to the procedures of 6.315.430.  If a timely appeal is not filed by the licensee,  
9 the notice of summary suspension or revocation shall be final.  Such summary suspension shall extend  
10 until any administrative or judicial appeal is finally concluded in the licensee's favor, until the license  
11 expires, or until evidence satisfactory to the Director is produced showing that the violation is cured,  
12 whichever occurs first.  Summary revocations shall extend until the end of the annual license period or  
13 until any administrative or judicial appeal is finally concluded in the licensee's favor, whichever occurs  
14 first.

15                   (2)    Suspension or revocation.  If a timely appeal is not filed by the licensee pursuant  
16 to section 6.315.430, the notice of suspension or revocation shall be final.  Suspensions or revocations  
17 become effective upon the date any notice of suspension or revocation or order on appeal affirming such  
18 notice becomes final.  Suspensions shall extend until the license expires or until evidence satisfactory to  
19 the Director is produced showing that the violation is cured, whichever occurs first.  Revocations shall  
20 extend until the end of the annual license period.

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1 (3) Except in the case of a summary suspension or revocation as provided in  
2 subsection (1) above, whenever a timely appeal is filed pursuant to section 6.315.430, a licensee may  
3 continue to engage in the activity for which the license is required pending a final decision on appeal.  
4

5 **6.315.430. Administrative appeals process.**

6 A. Any notice of denial, violation, suspension or revocation shall state that the licensee is  
7 entitled to a director's hearing upon written request, to respond and provide information to refute or  
8 mitigate the violation. Upon written request filed within ten (10) days after the date of the notice of  
9 denial, violation, suspension or revocation, the Director shall set a hearing date and time to be held as  
10 soon as possible and not more than fourteen (14) days from the date of the notice.

11 B. The hearing shall be held by the Director or the Director's designee.

12 C. Within ten days (10) of the hearing, the Director shall issue a written decision including  
13 factual findings and the Director's conclusion, with supporting reasons, affirming, modifying or  
14 reversing the notice. The decision shall be mailed by first class mail to the address of the licensee listed  
15 on the application or provided as new information pursuant to the requirements of section 6.315.070.

16 D. The decision of the Director is final if only a monetary penalty is imposed or if no timely  
17 appeal is filed pursuant to subsection E.

18 E. If the Director's decision imposes or affirms a denial, suspension or revocation, a licensee  
19 may appeal the decision to the Hearing Examiner by filing a notice of appeal with the Hearing Examiner  
20 within ten (10) days after the date of the decision.

21 F. If a timely notice of appeal is filed, a hearing shall be scheduled and conducted by the  
22 Hearing Examiner according to the Hearing Examiner rules for contested cases.  
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G. The Hearing Examiner may affirm, modify or reverse the decision of the Director.

**Section 2.** Until March 31, 1997, the fees for all licenses issued under this chapter shall be one-half the fees listed in section 6.315.060.

**Section 3.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

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City of Seattle

**Department  
of Finance**

Dwight D. Dively  
Director of Finance

Norman B. Rice  
Mayor

August 27, 1996

The Honorable Jan Drago  
Seattle City Council  
600 Fourth Avenue, 11th Floor  
Seattle, WA 98104

**Via:** Mayor's Office

**Attention:** Tom Tierney, Director, Office of Management and Planning

**Subject:** Proposed Ordinance Adding to Title 6 of the Seattle Municipal Code  
Providing for the Regulation of For-Hire Horse-Drawn Carriages, Their Drivers  
and Carriage Horses.

Dear Councilmember Drago:

The attached ordinance adds to Title 6 of the Seattle Municipal Code, and contains the provisions to license and regulate the for-hire horse-drawn carriage industry operating within the City of Seattle. This license was requested by the for-hire horse-drawn carriage industry to insure that those people operating horse-drawn carriages on the streets of Seattle do so in a orderly, safe and humane manner. The ordinance is a culmination of effort between the Finance Department, the Law Department and the for-hire horse-drawn carriage industry.

The ordinance creates licenses for the horse-drawn carriage operator, the driver, and the carriage horse. A person cannot operate a for-hire horse-drawn carriage without all three licenses. License fees were set at an amount equal to the expected cost of our enforcement efforts. The ordinance also gives the Finance Director the authority to promulgate rules to clarify the ordinance. Those rules will be developed in the near future.

The ordinance tries to keep regulatory requirements to a minimum, yet maintain a orderly, safe and humane carriage industry. The ordinance requires that for-hire horse-drawn carriage operators maintain adequate insurance to cover any accidents. The ordinance requires enough information to conduct a background check for those operating and driving for-hire horse-drawn carriages. It also requires that the carriage operator provide training for new drivers. Drivers and operators will not be trained or tested by the City in any manner.

Performance requirements and the applicable penalties for non-compliance are clearly listed in the ordinance and provide adequate enforcement for the provisions contained in the ordinance. In some cases, the ordinance provides for a suspension

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of a license until the discrepancy is corrected. Any serious animal cruelty issues wil. continue to be enforced under the animal cruelty laws contained in Chapter 9 of the Seattle Municipal Code.

If you have any questions concerning the ordinance, please contact Mel McDonald, Director of Revenue and Consumer Affairs, at 233-0071.



Dwight Dively, Director  
Finance Department

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# City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor

August 28, 1996

The Honorable Mark Sidran  
City Attorney  
City of Seattle



8/30/96  
OK /smw

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Finance

SUBJECT: AN ORDINANCE relating to for-hire horse-drawn carriages, adding chapter 6.315 to the Seattle Municipal Code, to license for revenue and regulation such horse-drawn carriages, their drivers and the horses used for such carriages.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Leda Young at 233-7268.

Sincerely,

Norman B. Rice  
Mayor

by

*Leda Young for*

TOM TIERNEY  
Director

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Enclosure

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