

1 such rules; violation of such a rule other than the insurance rules promulgated pursuant to
2 Section 6.315.120 shall be a Class A violation if it is a nonsafety rule and a Class B violation if it
3 is a safety rule.

4
5 Section 2. Section 6.315.110, which was last amended by Ordinance 118443, is amended
6 as follows:

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

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

- 11 1. A complete application that meets the standards of Section 6.315.100 has not been
12 submitted;
- 13 2. The application contains any material misstatement or omission;
- 14 3. If a prior for-hire horse-drawn carriage license was suspended and the suspension has
15 not been terminated or the reasons for the suspension cured;

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

18 5. Within ~~((three (3)))~~ five years of the date of application, the applicant, or if the
19 applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection
20 6.315.100.B.1.b ~~((B1b))~~, has had a bail forfeiture, conviction or other adverse finding for a crime
21 if such crime involved a for-hire horse-drawn carriage, other for-hire business, or animal cruelty.

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



1 1. Within two (~~((2))~~) years prior to the date of application, the applicant, or if the
2 applicant is a partnership, corporation or other legal entity, any of the persons listed in subsection
3 (~~(B1b)~~) 6.315.100.B.1.b, exhibited past conduct in operating a for-hire horse-drawn carriage
4 which would lead the Director to reasonably conclude that the applicant will not comply with the
5 provisions of this chapter related to for-hire horse-drawn carriage operating requirements and the
6 safe operation of a for-hire horse-drawn carriage;

7
8 2. Within two (~~((2))~~) years prior to the date of application and after the effective date of
9 this chapter, the applicant, or if the applicant is a partnership, corporation or other legal entity,
10 any of the persons listed in subsection (~~(B1b)~~) 6.315.100.B.1.b permitted a for-hire horse-drawn
11 carriage to operate within (~~(The)~~) the City of Seattle without a current, valid horse-drawn
12 carriage license issued from (~~(The)~~) the City of Seattle under this chapter; or

13
14 3. Within three (~~((3))~~) years of the date of application, the applicant, or if the applicant is
15 a partnership, corporation or other legal entity, any of the persons listed in subsection (~~(B1b)~~)
16 6.315.100.B.1.b, has had a bail forfeiture, conviction or other adverse finding for a crime that
17 would jeopardize the safety of a passenger or the public, including but not limited to physical
18 violence, fraud, theft, prostitution, alcohol and/or narcotics.

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

23
24 Section 3. Section 6.315.200, which was last amended by Ordinance 118443, is amended
25 as follows:

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27 **SMC 6.315.200 Carriage horse license -- Application**



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

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

- 6 1. The name, business address and phone number of the applicant;
- 7 2. The name, breed, sex, age, weight, and the permanent form of identification of the
8 horse;
- 9 3. The name, address and telephone number of the horse's veterinarian;
- 10 4. A certificate of health issued within the last three (~~((3))~~) months from a licensed
11 veterinarian certifying that the horse sought to be licensed is fit to draw a horse-drawn carriage;
12
- 13 5. Proof of current vaccinations including but not limited to tetanus, rabies, equine
14 influenza, West Nile virus, and Eastern/Western encephalomyelitis. Proof may be in the form of
15 a health certificate from a veterinarian indicating the vaccinations administered; or if
16 administered by someone other than a veterinarian in accordance with state or local law, by
17 certificate signed under penalty of perjury by the person administering such vaccinations,
18 indicating the vaccinations administered;
- 19 6. Photograph(s) taken within three months of the application of front, rear and both sides
20 of the horse including ((showing)) identifying markings and/or the permanent form of
21 identification of the horse sought to be licensed; and
- 22 7. A copy of the applicant's for-hire horse-drawn carriage license or application.
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1 Section 4. Section 6.315.220, which was last amended by Ordinance 118443, is amended
2 as follows:

3 **SMC 6.315.220 Carriage horse -- Operating requirements and responsibilities**

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

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

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

12 1. Be appropriately shod on all four ~~(((4)))~~ feet and not have any loose shoes. Shoes
13 which are designed to prevent slipping and absorb shock shall be utilized when working on
14 paved surfaces. A horse that loses a shoe or is not appropriately shod shall be immediately taken
15 out of service until such time the problem is cured (Suspension and Class B);

16 2. Not have any open wound, oozing sore, cut below skin level, bleeding wound or severe
17 chafing (Suspension and Class B);

18 3. Have good flesh and adequate muscle tone, which the Director shall determine by use
19 of the Henneke Scale or other appropriate method of equine evaluation (Suspension and Class
20 B);

21 4. Not have any evidence of lameness, such as but not limited to irregular rhythm
22 (Suspension and Class B);
23
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1 5. Not work longer than ten (~~((10))~~) hours per day in any (~~((twenty-four (24)))~~) 24 hour
2 period nor more than five (~~((5))~~) consecutive days in any seven (~~((7))~~) day period (Class B);

3 6. Be properly cleaned and groomed with no caked dirt or mud and not have any
4 offensive odor other than an odor normally associated with a horse that is clean, healthy and well
5 groomed (Class A);

6 7. Not work in temperatures exceeding (~~((ninety (90)))~~) 90 degrees Fahrenheit (Class B);
7
8 (~~((and))~~)

9 8. Wear an equine diaper to contain all fecal droppings while drawing a for-hire horse-
10 drawn carriage or walking the horse on public property (Class B)(~~((7))~~) ; and

11 9. Have a current West Nile virus vaccination.

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

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

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

21 F. If a carriage horse license has been suspended pursuant to subsection 6.315.220.B.2-4
22 the horse must be cleared for work via an examination by a veterinarian of the city's choosing
23 and a report of such examination provided to the Director.
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1 Section 5. Section 6.315.320, which was last amended by Ordinance 118443, is amended
2 as follows:

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

5 No horse-drawn carriage driver licensed by the City may operate a for-hire horse-drawn
6 carriage within ~~((The))~~ the City of Seattle unless the following minimum requirements and
7 responsibilities are met:
8

9 ***

10 N. A driver shall not, with intent to harass, intimidate, torment or embarrass any other
11 person, use any lewd, lascivious, profane, indecent, or obscene words, language or gestures,
12 while waiting for passengers, driving, operating, picking up customers, or while otherwise on
13 duty or in control of a carriage (Class B).
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16 Section 6. This ordinance shall take effect and be in force 30 days after its approval by
17 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
18 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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Passed by the City Council the _____ day of _____, 2012, and
signed by me in open session in authentication of its passage this
_____ day of _____, 2012.

President _____ of the City Council

Approved by me this _____ day of _____, 2012.

Michael McGinn, Mayor

Filed by me this _____ day of _____, 2012.

Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
FAS	Denise Movius/4-9259	Jennifer Devore/5-1328

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

Summary of the Legislation: The amendments proposed in this legislation will enhance the City's ability to regulate horse-drawn carriages, specifically focusing on the addition of requirements to ensure the welfare of the horses.

Background: In December 1996, the City Council passed Ordinance 118443, which created a new Chapter 6.315 in the Seattle Municipal Code (SMC) to license and regulate horse-drawn carriages, their operators, and the horses used to pull the carriages. The Department of Finance and Administrative Services now wishes to update the SMC to address concerns regarding the health and welfare of the horses and address complaints received about certain behaviors by operators. Specifically, the proposed changes will:

- allow inspection of the horse and/or carriage prior to license issuance to ensure that all requirements are met;
- allow inspection of the horse wherever it is domiciled or stabled regardless of location and/or jurisdiction;
- add West Nile virus to the list of required vaccinations for the horse;
- require that horses be provided with sufficient food, water, shelter, sanitation and space necessary for the animal's good health, as well as medical care when necessary;
- require an examination by a veterinarian of the City's choosing if a carriage horse license has been suspended pursuant to SMC 6.315.220.B.2-4;
- require current photos of the horse from front, rear and both sides to assist in identification; and
- prohibit use of offensive language or gestures by carriage drivers.

Please check one of the following:

X This legislation does not have any financial implications.



Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** None.
- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
No.
- h) **Other Issues:**





City of Seattle
Office of the Mayor

January 10, 2012

Honorable Sally Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that enhances the City's ability to regulate horse-drawn carriages by creating additional requirements to ensure the welfare of the horses.

In December 1996, the City Council passed Ordinance 118443, which created a new Chapter 6.315 in the Seattle Municipal Code (SMC) to license and regulate horse-drawn carriages, their operators, and the horses used to pull the carriages. The Department of Finance and Administrative Services now wishes to update the SMC to address concerns regarding the health and welfare of the horses and address complaints received about certain behaviors by operators.

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- allow inspection of the horse and/or carriage prior to license issuance to ensure that all requirements are met;
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- add West Nile virus to the list of required vaccinations for the horse;
- require that horses be provided with sufficient food, water, shelter, sanitation and space necessary for the animal's good health, as well as medical care when necessary;
- require an examination by a veterinarian of the City's choosing if a carriage horse license has been suspended pursuant to SMC 6.315.220.B.2-4;
- require current photos of the horse from front, rear and both sides to assist in identification; and
- prohibit use of offensive language or gestures by carriage drivers.

The proposed changes will help ensure that carriage horses are properly cared for and that drivers act professionally. Thank you for your consideration of this legislation. Should you have questions, please contact Denise Movius at 684-9259.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

