

City of Philadelphia



(Bill No. 000217)

AN ORDINANCE

Amending Section 9-402 of The Philadelphia Code, entitled “Animal Drawn Carriages,” and Section 10-108, entitled “Rental and Carriage Horses,” by making various changes to the provisions governing the animal drawn carriage business and the use of horses in such business, and amending the approved routes for animal drawn carriages; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-402 of The Philadelphia Code is hereby amended to read as follows:

§9-402. Animal Drawn Carriages.

* * *

(2) License Required.

* * *

(c) The applicant must also submit the following to the Department before the license will be issued:

* * *

(.3) payment of an annual license fee of three hundred (300) dollars for the first carriage license obtained by a company, one hundred fifty (150) dollars for each additional carriage license obtained by a company, for up to nine (9) additional carriages, and one hundred twenty-five (125) dollars for each additional license obtained thereafter by a company for each additional carriage. *The Department may from time to time by regulation revise the annual license fee (including the structure of the fee) to reflect the City’s costs of regulating animal drawn carriage businesses and the special costs*

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incurred by the City because of the operation of such businesses, including, but not limited to, the cost of extra cleaning of carriage routes.

(3) License Requirements. Every person licensed to engage in the business of operating an animal drawn carriage shall, as a condition of retaining such license, comply with each of the following:

* * *

[(f) Carriages shall be operated only on the carriage routes approved by ordinance pursuant to subsection 9-402(4), provided that on Mondays through Fridays, no carriage may use an arterial street, as designated in the 1978 City Council Arterial Streets Use Plan, between the hours of 7:00 a.m. and 9:30 a.m. and between the hours of 4:00 p.m. and 6:00 p.m.

(.1) Carriage operators must obtain a permit from the Department of Streets to leave established routes on a trip-by-trip basis to accommodate special events during the hours of 6:30 a.m. to 7:00 p.m., on Monday through Friday. A written request, on a form provided by the Department of Streets, must be filed with the Department of Streets at least five (5) business days prior to the event date.]

(f) Routes and hours of operation.

(.1) Carriages shall be operated only on the carriage routes approved by ordinance pursuant to subsection 9-402(4), except that a carriage operator may apply for a special permit from the Department of Streets to use other routes on a trip-by-trip basis to accommodate a special event. An application for such special permit setting forth the date, time and nature of the special event and the exact route requested must be filed with the Department of Streets, on a form provided by that Department, at least five (5) business days prior to the date of the special event. The special permit will be issued only if the Department of Streets determines that the operation of a carriage on the requested route, on the date and at the time requested, will not cause undue interference with traffic, except that no special permit shall be granted which would permit a carriage to be on any street at any time prohibited by subsection 9-402(3)(f)(.2). Every special permit shall set forth the date, time and nature of the special event, and shall be kept with the carriage and readily available for inspection at all times the carriage is being operated under the terms of the special permit.

(.2) No carriage shall be permitted on any street (whether the carriage is parked or in operation) during the following hours:

(.a) From April 1 to October 31:

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(i) *Monday through Friday, from 7:00 a.m. to 9:30 a.m., from 3:30 p.m. to 6:00 p.m. , or after 10:30 p.m.*

(ii) *On Saturdays and Sundays, after 10:30 p.m.*

(.b) *From November 1 to March 31:*

(i) *Monday through Friday, from 7:00 a.m. to 9:30 a.m., from 3:30 p.m. to 6:00 p.m., or after 9:00 p.m.*

(ii) *On Saturdays and Sundays, after 9:00 p.m.*

(g) Carriages may be parked only [at the following carriage stands] *within a carriage stand zone that is posted as such by the Department of Streets. The Department of Streets shall post carriage stand zones only at the following locations:*

[(.1) Chestnut street, thirty-five feet east of Sixth street to one hundred thirty-two feet east of Sixth street, north side only;

(.2) Chestnut street, two hundred forty-six feet east of Sixth street to three hundred sixteen feet east of Sixth street, north side only;

(.3) Sixth street, forty feet north of Chestnut street to forty feet south of Market street, east side only;

(.4) Second street, one hundred feet north of South street to one hundred ninety feet north of South street, west side only;

(.5) Second street, forty feet north of Lombard street to forty feet south of Pine street, west side only;]

(.1) *On the west side of Fifth street, between Chestnut street and Market street, not longer than one hundred fifty feet (150');*

(.2) *On the east side of Sixth street between Chestnut street and Market street, not longer than one hundred fifty feet (150'); and*

(.3) *On the west side of Second street between South street and Lombard street, not longer than one hundred feet (100').*

* * *

(m) *No customer shall be permitted to drive a carriage, or to ride next to the driver of a carriage.*

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(n) *All carriages shall have a flashing red light installed at the rear of the carriage which shall flash at all times the carriage is on any street. Such light shall meet the specifications set by the Department of Streets by regulation.*

(o) *The Department of Public Health and the Department of Streets shall promulgate regulations to provide an animal waste management plan for carriage operators which addresses animal urine as well as solid waste, and is designed to keep carriage horse routes clean and sanitary. Licensed carriage operators shall have thirty (30) days from the date of enactment of this Section to submit written comments to the Health Commissioner and the Streets Commissioner on the contents of those regulations, and the Department of Public Health and the Department of Streets shall consider those comments prior to promulgating the regulations.*

* * *

(6) Penalties and Enforcement; *License Suspension and Revocation.*

* * *

(g) *The Department and the Department of Public Health shall by regulation devise a point system for suspension of carriage licenses based upon a specified number of violations by the licensee or a carriage driver employed by the licensee within a specified period of time (such suspension to apply to all licenses held by a licensee), and revocation of carriage licenses after a specified number of suspensions (such revocation to apply to all licenses held by a licensee). Suspension periods shall be for a minimum of one day, and may increase with the number of suspensions to a maximum suspension period of one week. The regulations shall specify a procedure by which the imposition of points and the suspension and revocation of licenses may be administratively appealed. If licenses have been revoked, the licensee may not apply for any new licenses under this Section for one year after the date of revocation.*

SECTION 2. Section 10-108 of The Philadelphia Code is hereby amended to read as follows:

§10-108. Rental and Carriage Horses.

(1) Rental and Carriage Horse Licenses.

(a) No person shall use or offer the use of any horse in a rental riding or carriage horse business unless such horse shall be licensed by the Department of Licenses and Inspections. The Department of Public Health in conjunction with the Department of Licenses and Inspection shall promulgate regulations for the licensing of rental and

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carriage horses, *which regulations may from time to time revise the annual license or renewal fee to reflect the costs incurred by the City in regulating rental and carriage horses under this Section.* [The] *Unless otherwise provided by regulation, the annual fee for a license or renewal of a license shall be twenty-five dollars (\$25.00) per horse. No license shall be transferable. All applications for a license or the renewal of a license shall be accompanied by a health certificate signed and dated by the examining veterinarian.*

* * *

(c) Each horse licensed pursuant to this Section shall be assigned an official identification number by the Department of Licenses and Inspections. *The identification number shall be displayed on the horse, in a manner provided by regulation, at all times the horse is being worked.*

* * *

(2) Working Conditions.

* * *

(b) Owners shall not allow a horse to be worked on a public highway, path or street when the temperature is over [ninety-four (94)] *ninety-one (91)* degrees Fahrenheit, *or when the wind chill factor is less than twenty-six (26) degrees Fahrenheit,* or during other dangerous conditions which are a threat to the health or safety of the horse. A horse being worked when such conditions develop shall be immediately returned to the stable by the most direct route. *The Department of Public Health shall promulgate regulations specifying how the temperature and wind chill factor shall be measured for purposes of this subsection, and how persons working horses shall determine that the temperature is not within the permitted range.*

(c) Carriage horses shall not be [at work] *in harness* for more than [ten (10)] *nine (9)* hours in any continuous twenty-four (24) hour period. Riding horses shall not be at work for more than ten (10) hours in any continuous twenty-four (24) hour period. Riding horses shall be rested a minimum of fifteen (15) minutes for every riding hour. Carriage horses shall be rested a minimum of fifteen (15) minutes for every pulling hour. Daily records shall be maintained as prescribed by regulation of the Department of Public Health, indicating the time and daily activity of a rental horse and shall be available for inspection by animal control officers or others authorized by the Department of Public Health.

* * *

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SECTION 3. Pursuant to Section 9-402(4)(a) of The Philadelphia Code, the routes set forth in Exhibit “A” to Bill No. 579 (approved July 12, 1993) as the routes upon which carriages may be operated in Center City are hereby amended by deleting certain routes and by adding certain routes, as follows:

- (a) Add:
 - (i) Fourth street, from Market street to Chestnut street;
 - (ii) Seventh street, from Market street to Ransstead street;
 - (iii) Market street, from Fourth street to Fifth street;
 - (iv) Market street, from Sixth street to Seventh street.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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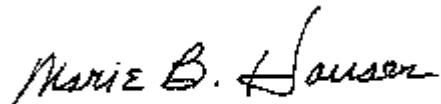
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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 22, 2000. The Bill was Signed by the Mayor on August 11, 2000.

A handwritten signature in black ink that reads "Marie B. Hauser". The signature is written in a cursive style with a large, stylized 'H'.

Marie B. Hauser
Chief Clerk of the City Council