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# CITY OF CHICAGO

## RULES

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# **HORSE-DRAWN CARRIAGE AND HORSE-DRAWN CARRIAGE DRIVER RULES**

Last Updated: March 31, 2011



BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION PURSUANT TO **CHAPTERS 2-25 AND 9-108**, THE FOLLOWING RULES REGARDING **HORSE-DRAWN CARRIAGES AND HORSE-DRAWN CARRIAGE DRIVERS** ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed:   
Commissioner Maria Guerra Lapacek

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## TABLE OF CONTENTS

<u>Section</u>	<u>Subject</u>	<u>Rule numbers</u>	<u>Pages</u>
I.	Horses	1.1 to 1.11	4 - 5
II.	Carriages	2.1 to 2.11	5 - 7
III.	Stables	3.1 to 3.8	7 - 8
IV.	Licensing, License Renewals And Inspections	4.1 to 4.16	9 - 11
V.	Licensing of Drivers	5.1 to 5.10	11 - 13
VI.	Operation of Carriages	6.1 to 6.16	13 - 15
VII.	Carriage Stands	7.1 to 7.6	15 - 16
VIII.	Carriage Stand Assignment	8.1 to 8.8	16 - 18
IX.	Hearings and Appeals	9.1 to 9.3	18

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## I. HORSES

**Rule 1.1: Domestic Equine Animal License Required.** Any horse used or intended to be used for the purpose of drawing a carriage in the City of Chicago must first obtain a domestic equine animal license pursuant to Section 7-12-210 of the Municipal Code. The tag issued in evidence of this licensing shall be affixed to the rein of the animal whenever it is on a public way.

**Rule 1.2: Horse License and Identification.** Any horse used or intended to be used for the purpose of drawing a carriage in the City of Chicago must also first obtain a horse license pursuant to Section 7-12-220 of the Municipal Code. Every horse so licensed shall have an identification number tattooed on the horse pursuant to the rules of the Animal Care and Control Commission. No person shall tattoo a horse in an unauthorized manner; use an expired, unauthorized or false identification number; nor alter an identification number issued by the Commission on Animal Care and Control in any manner whatsoever.

**Rule 1.3: Fitness Exams.** No horse may be used to draw a carriage in the City of Chicago unless it is examined, not less than every three months, by a veterinarian, who shall certify the fitness of the animal to perform such work. The veterinarian's certification for said examination and immunization shall be on a form prescribed by the Commission on Animal Care and Control. This form shall be in the possession of the driver of a horse-drawn carriage at all times such carriage is in operation. One copy each of this form shall be filed with the Commission on Animal Care and Control and with the Department of Business Affairs and Consumer Protection, Public Vehicle Operations Division within seven days following such examination and immunization.

**Rule 1.4: Unfit for Performance.** No horse may be used to draw a carriage in the City of Chicago if it has any open sore or wound or if the horse is lame or has any other ailment, unless the driver of the carriage has in his possession a written statement by a veterinarian that the horse is fit for such work, notwithstanding such condition.

**Rule 1.5: Horse Shoes.** No horse may be used to draw a carriage in the City of Chicago unless the hoofs of the horse are properly shod and trimmed, utilizing rubber-coated, rubber heel pads or open steel barium tip shoes to aid in the prevention of slipping.

**Rule 1.6: Grooming.** No horse may be used to draw a carriage in the City of Chicago unless it is groomed daily, free from fungus or dandruff, and has a clean

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and healthy coat.

**Rule 1.7: Work Hours.** No horse may be worked more than six hours in any twenty-four hour period.

**Rule 1.8: Weather Limitations.**

- a. No horse shall be worked if the National Weather Service determines that the actual air temperature at Chicago O'Hare International Airport is 15 degrees Fahrenheit or below or the wind chill factor at Chicago O'Hare International Airport is 0 degrees Fahrenheit or below.
- b. No horse shall be worked if snow and/or ice conditions makes footing conditions unsafe for horse travel.
- c. No horse shall be worked if the National Weather Service determines that the air temperature at Chicago O'Hare International Airport is 90 degrees Fahrenheit or above.
- d. If the temperature limit is exceeded during the course of a particular carriage ride, at the ride's conclusion, but no later than one-half hour after the temperature limit is exceeded, the carriage driver must immediately cease working the horse, move it to a stable, unbridle and unharness it, and rest the animal until the National Weather Service reports temperatures within the allowable range.

**Rule 1.9: Rest Periods.** Each horse must be given water and rest for not less than a fifteen minute period during each working hour.

**Rule 1.10: Vision Equipment.** No horse may be worked with equipment causing an impairment of vision, other than normal blinders.

**Rule 1.11: Stallions Prohibited,** No stallion may draw a carriage without the prior written permission of the Executive Director of the Commission on Animal Care and Control.

## II. CARRIAGES

**Rule 2.1: Appearance.** Each horse-drawn carriage shall be kept in good working order and maintained in a clean and attractive manner.

**Rule 2.2: Multiple Horses Prohibited.** No carriage designed to be drawn by more than one horse shall be licensed or operated, unless authorized by a special permit issued by the Commissioner of Business Affairs and Consumer Protection.

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**Rule 2.3: Visibility.** All carriages must be equipped with:

- 1) Rear view mirrors enabling the driver to see at least 200 feet behind the horse-drawn carriage;
- 2) two electrified white headlights visible for 1,000 feet to the front of the carriage;
- 3) two electrified red taillights visible for 1,000 feet to the rear of the carriage; and
- 4) right and left turn signals on the rear of the carriage, visible for 300 feet from the rear of the carriage.

All lights must be operational from sunset to sunrise and during times of lessened visibility.

**Rule 2.4: License Display:** All horse-drawn carriages must have the licensee's name and license number painted or otherwise permanently affixed on the rear of the carriage, in a clear and conspicuous manner. The name and license number shall be free of obstruction so as to be clearly visible to the public.

**Rule 2.5: License Frame.** All horse-drawn carriages shall have a frame in the carriage in which the horse-drawn carriage driver license of the operator may be inserted and provided therefore as an exhibit for view by passengers.

**Rule 2.6: License Plate.** All horse-drawn carriages shall have the City of Chicago horse-drawn carriage license plate attached to the rear of the carriage in such a manner so *as* to be free of obstruction and clearly visible to the public. In addition, the plate must not obstruct any reflectors, lights, or other safety devices required by state law or the Municipal Code.

**Rule 2.7: Rates Posted.** All horse-drawn carriages shall have their rates or other charges for hire posted on the exterior of both sides of the carriage, in a clear and conspicuous manner, free from obstruction and clearly visible to the public.

**Rule 2.8: Information Card.** All horse-drawn carriages shall have displayed in a manner clearly visible to the passengers an information card supplied by the Department of Business Affairs and Consumer Protection which contains the carriage's license number, the phone number of the Department of Business Affairs and Consumer Protection for filing consumer complaints, and any other information which the Commissioner deems necessary. The information card shall be kept in a clean, undamaged condition so that it is easily read by the

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passengers. Horse-drawn Carriage Licensees and drivers will not be required to display the information card if they hand a copy of such card, containing all the information contained therein, to the passengers of each trip.

**Rule 2.9: Waste Containment.** All horse-drawn carriages and horses shall be equipped with a device for catching horse excrement, approved by the Commission on Animal Care and Control, whenever the carriage is on the public way. Urine must be immediately diluted with a deodorizing, non-toxic liquid. The liquid used shall be eco-friendly, safe, recyclable, non-toxic, and non-harmful to people and property. The driver shall be responsible for carrying and using the diluting liquid. The Carriage licensee shall be responsible for providing the liquid and shall maintain documentation in the Carriage as to the composition of the liquid used.

**Rule 2.10: Wheels.** All horse-drawn carriages must be equipped with wheels.

**Rule 2.11: Advertising Prohibited.** No horse-drawn carriage shall display advertising on its exterior or in its interior.

### III. STABLES

**Rule 3.1: Facility Requirements - Generally.** Every person in possession or control of any stable or equestrian care facility where carriage horses are kept shall maintain it at all times in a clean and wholesome condition. Additionally, no person shall maintain any stable or equestrian care facility unless said stable or equestrian care facility is so constructed or equipped with suitable screens as to prevent the ingress or egress of flies.

**Rule 3.2: Code Conformity.** All stables, horse stalls or equestrian care facilities shall be in conformance with the all applicable portions of the Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Protection Code, and Zoning Code of the City of Chicago and must be equipped with running water and electricity.

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**Rule 3.3: Horse Stalls:**

- a. The minimum size of each stall shall be at least ten feet by ten feet, but in no event shall the size of the stall cause injury or discomfort, nor shall it create safety problems for the horse.
- b. Stall doors shall either slide or open into the aisle. In no event may a stall door open into the stall.
- c. All stall flooring shall be dry and level with a non-slip surface.
- d. All stalls shall be cleaned daily.

**Rule 3.4: Storage.** Food supplies and bedding shall be stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin and other pests.

**Rule 3.5: Waste Management.** Provision shall be made for the handling, storing, and disposing of animal and food wastes, bedding, dead animals, trash and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards. The disposal facilities and any disposal of animal and food wastes, bedding, dead animals, trash and debris shall comply with all applicable federal, state, and municipal laws, rules, and regulations relating to pollution control or the protection of the environment.

**Rule 3.6: Ventilation.** Stables shall be adequately ventilated by natural or mechanical means to provide for the health and to prevent discomfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents, fans, or air conditioning and shall be ventilated so as to minimize drafts, odors, and moisture condensation.

**Rule 3.7: Drainage.** A suitable sanitary method shall be provided to eliminate rapidly any excess water from the indoor housing facilities. If drains are used, they shall be properly constructed and kept in good repair to avoid foul odors and installed so as to prevent any backup of sewage. The method of drainage shall comply with applicable federal, state, and municipal laws and regulations relating to pollution control or the protection of the environment.

**Rule 3.8: Washrooms and Sinks.** Facilities such as washrooms, basins, showers, or sinks, shall be provided to maintain cleanliness among animal caretakers.



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**IV. LICENSING, LICENSE RENEWAL,  
AND INSPECTION OF CARRIAGES**

**Rule 4.1: License Required.** No horse-drawn carriage shall be allowed to operate for compensation within the City of Chicago unless it is currently licensed by the City of Chicago, Department of Business Affairs and Consumer Protection.

**Rule 4.2: Expiration.** All horse-drawn carriage licenses expire on December 31st of the year in which they are issued.

**Rule 4.3: Renewal.** All applications for renewal of a horse-drawn carriage license must be completed and fees paid pursuant to an appointment set by the Commissioner, but in no case later than the expiration of the license.

**Rule 4.4: Applications and Renewal – Form.** All horse-drawn carriage license applications and renewals of licenses shall be made in writing, signed and sworn to by the applicant, or if the applicant is a corporation, by an officer of the corporation, upon forms provided by the Commissioner of Business Affairs and Consumer Protection.

**Rule 4.5: Local Operations.** All licensees must maintain a place of business and telephone within Chicago staffed by the licensee or a person authorized to act on behalf of the licensee between the hours of 9:00 a.m. and 5:00 p.m. on weekdays and at all other times the licensee's carriages are in operation on public streets with the City of Chicago. Each such licensee shall maintain an emergency telephone number by which the Commissioner may reach a licensee or his agent, when the place of business is not staffed, within sixty minutes on a twenty-four hour basis.

**Rule 4.6: Horse License.** Each horse-drawn carriage license application or renewal of license application must be accompanied by certification that the applicant has at least one horse, properly licensed pursuant to Chapter 7-12 of the Municipal Code, available for each carriage license sought to be licensed or renewed.

**Rule 4.7: Corporate Owner Requirements.** Each horse-drawn carriage license application or renewal of license application filed by a corporate applicant may only be made by an officer of the corporation, and such application must be accompanied by a Certificate of Good Standing, issued by the Illinois Secretary of State, and a list of corporate officers. A Corporation File Detail Report downloaded from the Secretary of State website indicating a status of good standing may be submitted in place of the actual Certificate of Good Standing;

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however, at the specific request of the Commissioner, a certified copy of the Certificate of Good Standing may be required in addition to the online report.

**Rule 4.8: Indebtedness to the City.** Each horse-drawn carriage license application or renewal of license application must be accompanied by an affidavit sworn to and signed by the applicant, affirming that the licensee meets the provisions of Sections 4-4-150 and 4-4-152 of the Municipal Code of Chicago. No license will issue to any person indebted to the City of Chicago, to any person having acquired outstanding parking violation complaints, or to any person with child support delinquencies, except *as* permitted under those sections.

**Rule 4.9: Manufacturer's Information Required.** Each horse-drawn carriage license application or renewal of license application must be accompanied by a schedule of carriages listing the manufacturer's name, model, length of time in use, and seating capacity for each carriage to be licensed.

**Rule 4.10: License Fee.** Each horse-drawn carriage license application or renewal of license application must be accompanied by the payment of the license fee required by Chapter 9108 of the Municipal Code of Chicago.

**Rule 4.11: Insurance.** No horse-drawn carriage may be operated without sufficient public liability insurance in full force and effect. Each horse-drawn carriage license application or renewal of license application must be accompanied by proof of liability insurance. The minimum coverage for each carriage shall be \$50,000 for property damage; \$100,000 for injuries to or death of any one person; and \$300,000 for injuries to or death of more than one person in any one accident. All insurance policies must be obtained pursuant to this rule must not be subject to cancellation except on 30 days previous notice to the Commissioner. The expiration date for each shall be midnight on December 31 of the licensing year.

**Rule 4.12: Change of Information.** Holders of horse-drawn carriage licenses shall notify in writing the Department of Business Affairs and Consumer Protection, Public Vehicle Operations Division of any change of address or telephone number no later than seventy-two hours after the change. This must be done by completing a change of address form in person at the office of the Department of Business Affairs and Consumer Protection, Public Vehicle Operations Division.

**Rule 4.13: Incomplete Application.** In the event that an application for renewal of a horse-drawn carriage license(s) is not completed and the fee paid prior to the expiration date of the license(s), the Commissioner of Business Affairs and Consumer Protection may deem the license(s) to have been surrendered and not renew said license(s).

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**Rule 4.14: Carriage Inspection.** After the license application or renewal of license application has been submitted and the fees paid, the Department of Business Affairs and Consumer Protection shall establish a date, time and place for the inspection of the carriages being licensed. The licensee is responsible to have all carriages available for inspection at the date, time, and place specified. After each carriage has passed inspection, the metal plate (or renewal sticker for the plate) will be attached and the carriage will be licensed. No carriage will be operated until such time as it has passed inspection for that licensing year. Inspections for license renewals shall be scheduled between September and October of each year.

**Rule 4.15: Maintenance Records.** Each licensee is required to maintain maintenance records for each carriage. Upon written request, maintenance records must be submitted to the Department within 3 business days.

**Rule 4.16: Non-Transferable.** No horse-drawn carriage license may be transferred from one carriage to another unless the licensee has filed a change of equipment form with the Department of Business Affairs and Consumer Protection and the new carriage to be operated has passed inspection by the Department.

## V. LICENSING OF HORSE-DRAWN CARRIAGE DRIVERS

**Rule 5.1: Driver's License.** All licenses for horse-drawn carriage drivers shall be issued by the Department of Business Affairs and Consumer Protection following a written application made upon forms provided by the Commissioner of Business Affairs and Consumer Protection.

**Rule 5.2: License Requirements.** Applicants for a horse-drawn carriage driver's license shall:

- 1) possess a valid, current Illinois state driver's license;
- 2) be at least 18 years of age;
- 3) be able to speak, read and write the English language;
- 4) not be subject to any infirmity of body or mind which may substantially impair the ability to operate a public vehicle; and
- 5) not be addicted to the use of drugs or intoxicating liquors.

**Rule 5.3: Written Exam.** Applicants for a horse-drawn carriage driver's license must take and score a minimum of 80% correct on a written exam offered by the Department of Business Affairs and Consumer Protection. No applicant may take the exam more than three times in any calendar year. Any applicant who, while taking the examination, engages in dishonest conduct, including but not limited to, such acts as using unauthorized notes, talking to another person during the

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examination, or having another person take the exam in his place, shall have his application for his license denied. No person shall remove an examination, or copy thereof, from the room in which the examination is administered, nor shall any person possess a copy of said examination.

**Rule 5.4: Certification.** Prior to taking the exam, an applicant must deliver to the Department of Business Affairs and Consumer Protection a written certification by the holder of a horse-drawn carriage license that the applicant is qualified to operate a carriage.

**Rule 5.5: Criminal History.** No applicant shall be issued a horse-drawn carriage drivers license who has, within the five years immediately preceding his application, been either convicted, in custody, under parole, or under any other non-custodial supervision relating from a conviction in a court of any jurisdiction for the commission of any forcible felony as defined by Article 2 of the Illinois Criminal Code of 1961, as amended; indecent liberties with a child; possession or sale of any controlled substance; operating a vehicle while under the influence of alcohol or narcotic drug; or any crime of moral turpitude.

**Rule 5.6: Previous Revocation/Denial.** No applicant shall be issued a horse-drawn carriage drivers license that has, within the past 18 months, had a previous horse-drawn carriage drivers license revoked or an application for a horse-drawn carriage driver's license denied for violation of Rule 4.3 above.

**Rule 5.7: Expiration.** A horse-drawn carriage driver's license will expire on the last day of the month of the licensee's next birthday after issuance of a license. Licenses may be renewed during the month in which the licenses expire. Renewal of licenses shall be on a form provided by the Department of Business Affairs and Consumer Protection and shall be accompanied by such proof of qualifications as the Department may require.

**Rule 5.8: Fees.** The fee for the issuance or renewal of a horse-drawn carriage driver's license shall be \$25.00.

**Rule 5.9: Change of Address.** Holders of a horse-drawn carriage driver's license shall notify in writing the Department of Business Affairs and Consumer Protection, Public Vehicle Operations Division of any change of address or telephone number no later than seventy-two hours after the change. This must be done by completing a change of address form in person at the Office of the Department of Business Affairs and Consumer Protection, Public Vehicle Operations Division. A horse-drawn carriage driver shall also change the address on his Illinois driver's license.

**Rule 5.10: Failure to Renew.** The holder of a horse-drawn carriage driver's license who fails to renew his license prior to its expiration shall take and pass

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the written examination prior to license renewal. Moreover, any holder of a horse-drawn carriage driver's license who fails to renew his license within six months of its expiration shall be required to comply anew with all requirements for initial licensing.

## VI. OPERATION OF HORSE-DRAWN CARRIAGES

**Rule 6.1: License Display.** No horse-drawn carriage shall be allowed to operate for compensation within the City of Chicago unless it is operated by a person who has in his possession a current, valid Illinois driver's license and has on display in the carriage a current, valid City of Chicago Horse-drawn Carriage Drivers License.

**Rule 6.2: Surrender of License.** A horse-drawn carriage licensee or a horse-drawn carriage driver shall, upon request of a police officer or authorized personnel of the Department of Business Affairs and Consumer Protection or Commission on Animal Care and Control, surrender his horse-drawn carriage driver license and supply any additional information requested concerning the operation of the horse-drawn carriage.

**Rule 6.3: Traffic Regulations.** Drivers of a horse-drawn carriage must comply with all State of Illinois and City of Chicago traffic regulations.

**Rule 6.4: Maximum Passengers.** No horse-drawn carriage may carry more than seven passengers at one time, including the driver.

**Rule 6.5: Seating.** No person may sit in the driver's compartment or area except the driver or, if a licensed driver is present, an employee of the horse-drawn carriage license holder while undergoing training.

**Rule 6.6: Unlicensed Driver.** An employee of a horse-drawn carriage license holder who is not currently licensed as a horse-drawn carriage driver may operate a horse-drawn carriage only if a licensed horse-drawn carriage driver is also present in the driver's compartment and there are no passengers in the carriage.

**Rule 6.7: Weapons Prohibited.** No horse-drawn carriage driver may have any deadly weapon in his possession or in or about the driver's compartment of a horse-drawn carriage while in charge of such carriage.

**Rule 6.8: Alcoholic Beverages.** No person may drink any alcoholic liquor *as* defined by law while such person is operating or being transported by a horse-drawn carriage, nor may any person transport, carry, possess or have any alcoholic liquor while being transported by horse-drawn carriage, except in the original package with the seal unbroken.

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**Rule 6.9: Curbside Driving.** All horse-drawn carriages shall be driven in the right hand lane available for traffic or as close as practicable to the right hand curb or edge of the roadway.

**Rule 6.10: Right of Way.** When the movement of traffic is not controlled by official traffic control signals or by a police officer or traffic control aide, the driver of a horse-drawn carriage shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so close from the opposite half of the roadway so *as* to be in danger.

**Rule 6.11: Failure to Comply.** No driver or owner of a horse-drawn carriage shall willfully fail or refuse to comply with any lawful order or direction of a police officer, authorized personnel of the Department of Business Affairs and Consumer Protection or Commission on Animal Care and Control, or any other authorized official.

**Rule 6.12: Operational Limits.** No horse-drawn carriage may be driven:

- a. on any city street between the hours of 7:00 a.m. and 9:30 a.m. daily or between 4:00 p.m. and 6:00 p.m., Monday through Friday, except on holidays as defined in Section 94-010 of the Municipal Code of Chicago;
- b. on Michigan Avenue from Wacker Drive to Oak Street between 9:30 a.m. and 7:00 p.m.
- c. in the area bounded on the north and west by Wacker Drive, on the east by Wabash Avenue, and on the south by Congress Parkway between 6:00 a.m. and 6:00 p.m., Monday through Friday, except by a permit issued pursuant to Section 9-48020 (b) of the Municipal Code of Chicago or on holidays *as* defined in Section 9-4-010 of the Municipal Code of Chicago;
- d. within the area bounded by Chicago Avenue, LaSalle Street, Goethe Street and Michigan Avenue and local Lake Shore Drive between 2:00 a.m. and 7:00 p.m. except by permit issued pursuant to Section 9-48-020 (b) of the Municipal Code of Chicago;
- e. within the area bounded by Lake Shore Drive, Pearson Street, and Michigan Avenue and Walton Place except by permit issued pursuant to Section 9-48-020 (b) of the Municipal Code of Chicago;
- f. on Outer Lake Shore Drive at any time; and
- g. on North Rush Street between Chicago Avenue and Cedar Street, North State Street between Cedar Street and Division Street, and on Division Street between North Clark Street and North Lake Shore Drive between the hours of 6:00 p.m. on Friday and 2:00 a.m. on Saturday and between 6:00 p.m. on Saturday and 2:00 a.m. on Sunday.

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**Rule 6.13: Left Turns Prohibited.** No horse-drawn carriage shall make a left turn from any street other than a one-way street unless such turn is expressly authorized by the Department of Transportation.

**Rule 6.14: Driver Proximity and Control.** Drivers must remain with the carriages at all times, having control of the horse by having the reins in hand or within arms reach.

**Rule 6.15: Passenger Loading.** Passengers may be loaded and unloaded only at a designated horse-drawn carriage stand during its hours of operation. If a stand is fully occupied, a driver may still unload passengers there, provided that:

- a. the passengers are unloaded as close to the rear of the stand as possible;
- b. the carriage is parallel to the curb and the wheels are no further than twelve inches from the curb;
- c. the carriage leave the stand as soon as the passengers are unloaded.

**Rule 6.16: One Way Trips Permissible.** Trips in a horse-drawn carriage may be round trip or they may be from one designated stand to another. In the event of a one-way trip, a horse-drawn carriage may pick up a new passenger from a stand to which it is not assigned; however, it may only do so if: 1) a customer is already there waiting, and 2) the carriage stand is not otherwise occupied. A horse-drawn carriage may not stand or park at any carriage stand other than its assigned carriage stand.

## VII. CARRIAGE STANDS

**Rule 7.1: Standing and/or Parking.** The driver of a horse-drawn carriage may not stand or park a carriage on the public way except in a horse-drawn carriage stand designated by the Department of Transportation or by permit issued pursuant to Section 9-48-020 (b) of the Municipal Code of Chicago. The horse and carriage must be completely within the boundaries of the stand to remain in the stand.

**Rule 7.2: Authorized Hours.** No horse-drawn carriage may enter or remain at a horse-drawn carriage stand outside the designated hours authorized for that stand.

**Rule 7.3: Line Diving and Overcrowding Prohibited.** Horse-drawn carriages entering a stand shall take the rear position. As other carriages leave the stand, those carriages remaining in the stand should move forward. Overcrowding a horse-drawn carriage stand is prohibited. No carriage may enter a stand when the stand is already occupied by the maximum amount of carriages authorized for

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that stand.

**Rule 7.4: Solicitation.** No person is allowed to solicit business in a horse-drawn carriage stand. However, questions, initiated by the public, regarding service may be answered.

**Rule 7.5: Selection.** Passengers may choose whichever carriage in a stand they wish to hire.

**Rule 7.6: Sanitation.** Each horse-drawn carriage licensee and driver shall be responsible for the sanitary condition of any horse-drawn carriage stand utilized by such licensee and/or driver.

## VIII. CARRIAGE STAND ASSIGNMENT

**Rule 8.1: Location.** Fourteen permanent carriage stands will be located within the area bounded on the east by Columbus Drive; on the south by Harrison Street; on the west by Wells Street; and on the north by North Avenue. Each carriage stand shall accommodate up to 5 horse-drawn carriages.

**Rule 8.2: Assignment.** Carriage stands shall be assigned by a random lottery drawing. The lottery will be performed and recorded by employees of the Department of Business Affairs and Consumer Protection.

**Rule 8.3: Duration of Assignment.** Carriage stand assignments shall be effective beginning 10 business days after assignment and shall be permanent. However, the Commissioner shall have sole, discretion to determine the necessity of re-distributing carriage stands and may conduct an additional random lottery drawing(s) as she sees fit. Upon determining the need for a re-distribution of carriage stands, the Commissioner shall notify all then-current stand holders of the upcoming lottery via first class mail at their business address registered with the Department.

**Rule 8.4: Attendance Required.** Each licensee must have a representative present at the drawing in order to participate in the lottery.

**Rule 8.5: Lottery Procedure.** The random lottery drawing shall occur on a date designated by the Commissioner at the offices of the Department of, Business Affairs and Consumer Protection. The Commissioner has the sole discretion of determining the need for a re-distribution of carriage stands. If such a re-distribution is required, the random lottery drawing shall occur on the date of the Commissioner's choosing.

All current and actively-licensed horse-drawn carriages as of 5:00 P.M. May 31, 2008,



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or as of 5:00 P.M. on the date 5 business days before the random lottery drawing (in the event of a re-distribution), shall be entered into the lottery. Any horse-drawn carriage that is licensed after 5:00 P.M. on May 31, 2008 or after 5:00 P.M. on the date 5 business days before the random lottery drawing shall not be eligible for the random lottery drawing.

An hour prior to the lottery, each licensee or his representative will be assigned a token for each of his or her current and actively-licensed horse-drawn carriages. All tokens will be identical in size and color, but shall each be identified by a different number. If a licensee has more than one horse-drawn carriage, one token shall be assigned for each specific horse-drawn carriage. After recording his or her number with the recorder, the licensee or his representative will be responsible for ensuring that each token is placed into the spinner.

Carriage stand selection will occur in the order that each token is drawn. Each token will represent one, specific horse-drawn carriage, and only one token will be drawn at a time. When a token is drawn, the licensee or representative to which that token was assigned will have the opportunity to select one carriage stand assignment at any available carriage stand. The selection will be for the specific horse-drawn carriage to which the token was assigned. The random lottery drawing will continue until every current and actively-licensed horse-drawn carriage that has a representative present has an opportunity to select a carriage stand assignment.

**Rule 8.6: Recording and Monitoring Assignment.** As each assignment is drawn, it shall be recorded by a Recorder assigned by the Department. If the carriage stands are being redistributed during a subsequent random lottery drawing, the licensee or his representative may not select the same carriage stand that was held during the previous year for any particular horse-drawn carriage.

**Rule 8.7: Absentee Assignment.** If a licensee or his representative is not present for the random lottery drawing, or if a horse-drawn carriage is licensed after 5:00 P.M. on January 10<sup>th</sup> or after 5:00 P.M. on the date 5 business days before the random lottery drawing, the horse-drawn carriage will be assigned to the first available carriage stand on a first come, first served basis.

**Rule 8.8: Transferability.** Once the random lottery drawing is conducted, licensees shall have 48 hours to report any transfers of assignments. This shall include transfers between horse-drawn carriages owned by the same licensee. All transfers must be: 1) in writing, 2) signed by both parties, and 3) delivered to the Department by Mail or by facsimile within 48 hours of the random lottery drawing. After 48 hours, no carriage stand assignment shall be transferable without the express, written consent of the Commissioner.

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## IX. HEARINGS AND APPEALS

**Rule 9.1: Hearings.** Hearings for violations of these Rules and Regulations, Chapter 9-108 of the Municipal Code of Chicago and traffic laws shall be conducted by an Administrative Hearing Officer of the City of Chicago Department of Administrative Hearings.

**Rule 9.2: Conduct of Hearings.** The Rules and Regulations for the Conduct of Administrative Hearing Proceedings which are promulgated by the City of Chicago Department of Administrative Hearings shall govern the conduct of hearings violations of these rules and regulations.

**Rule 9.3: Penalties.** If any horse-drawn carriage driver or horse-drawn carriage licensee shall violate any order, rule or regulation promulgated by the Commissioner, or any provision of Chapter 9-108 or any traffic law, the Commissioner may:

1. impose a fine no less than \$100 and not exceeding \$500 for each offense;
2. suspend the horse-drawn carriage or horse-drawn carriage driver's license for no more than 30 days;
3. revoke the horse-drawn carriage or horse-drawn carriage driver's license; or
4. recommend to the Mayor's License Commission the revocation of the business license(s) involved.

Each day that the violation continues shall be deemed a separate and distinct offense.