

ORDINANCE 10-16-17c

AN ORDINANCE TO AMEND CHAPTER 94 – VEHICLES FOR HIRE, CITY OF NORTHVILLE CODE OF ORDINANCES, BY REPEALING ARTICLE II TAXICABS, SECTIONS 94-31 THROUGH 94-32, AND SECTIONS 94-51 THROUGH 94-58 OF SUCH CODE

Section 1. The City of Northville Ordains:
Chapter 94 – Vehicles for Hire is hereby amended.

Section 2. Repeal Article II Taxicabs, Section 94-31 through 94-32, and Sections 94-51 through 94-58. Renumber Sections 94-76 through 94-84.

ARTICLE I. - IN GENERAL
Secs. 94-1—94-30. - Reserved.

ARTICLE II. TAXICABS – repealed

ARTICLE III Horse-drawn carriages is renumbered as Article II. Sections 94-76 through 94-84 renumbered.

ARTICLE II- HORSE-DRAWN CARRIAGES

Sec. 94-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Carriage means a vehicle for transporting an operator and passenger.

Horse-drawn means propelled by a horse that is controlled by an operator.

Operator means the person who is in control of the horse.

Owner means the person to whom a license is issued.

Transport vehicle means a trailer towed by a vehicle or a vehicle designed for the transport of a horse or horses and used to transport horses.

Sec. 94-32. - License required.

No person, either as owner, agent, driver, or otherwise, shall be engaged in the business or service of transportation by horse-drawn carriage upon the streets, alleys or other public ways or places unless the owner holds a currently valid license for a horse-drawn carriage issued pursuant to this article. All licenses issued under this article shall expire at midnight on December 31 of the year for which issued. (Ord. No. 3-3-03, § 1, 3-17-03)

Sec. 94-33. - Application; renewal.

Application for horse-drawn carriage licenses under this article shall be made upon forms prescribed by the city with the accompanying license fee as set by resolution of the city council. Annual renewal of any license issued under this article shall require conformance with all the requirements of this article. Application of renewal for licenses authorized under this article may be made 30 days fore [before] the expiration date. Unless otherwise provided in this article, an application for a renewal of a license shall be considered in the same manner as an original application. (Ord. No. 3-3-03, § 1, 3-17-03)

Sec. 94-34. - Insurance requirements.

(a) The owner of a horse carriage service shall provide insurance in at least the amounts as set from time to time by resolution of the city council, with the city named as an additional insured on all insurance policies other than worker's compensation insurance.

(b) The licensee shall provide general liability coverage on comprehensive general liability forms and shall provide the following coverage for premises: liability, personal injury liability, products liability and horse or horses liability. Certificates of insurance shall also be provided for worker's compensation insurance. Insurance certificates evidencing all such insurances shall be deposited with the city. Such certificates shall indicate the city as an additional named insured and that each of the insurance contracts described in the certificates contains a clause requiring ten-day notice of cancellation prior to the cancellation of any insurance coverage.

Sec. 94-35. - Revocation and suspension.

The city manager or his designee may order any license issued under this article suspended when a licensee fails to comply and to maintain compliance with laws, ordinances or regulations. Upon written request of the licensee, a hearing to appeal such suspension shall be held before the city council. Upon receipt of a written appeal, the council shall set a hearing date within ten days. Notice of such hearing shall be given in writing by first class mail to the appellant at least three days prior to the date of the hearing thereon. The notice shall state the grounds of the complaint against the licensee and shall state the time and place where such hearing shall be held.

Sec. 94- 36. - Duties of the chief of police.

(a) The police chief shall make rules and regulations he deems necessary to maintain safe and efficient operations of horse-drawn carriages within the city.

(b) The police chief shall from time to time set carriage routes and designate areas as carriage stops. All licensees shall obey such routes and stop only at such designated areas to load and unload passengers.

(c) The police chief shall from time to time set operating times that are most acceptable in terms of public health and safety, but no operation of carriage service shall be allowed between the hours of 1:00 a.m. and 8:00 a.m.

(d) The police chief or his designee shall cause the enforcement of this article.

(e)The police chief shall authorize the issuance of a license under this article when he finds that all provisions of the article have been satisfied as described in this article.

Sec. 94-37. - Carriage standards.

The horse-drawn carriage shall, at all times when in use as such:

(1)Display at least two headlights with at least one on each side of the vehicle and two taillights with at least one on each side of the vehicle. The headlights and taillights shall comply with the requirements of section 257.695 of the Michigan Motor Vehicle Code [MCL 257.1 et seq.].

(2)Display a reflectorized slow-moving-vehicle emblem and other reflectors as required in section 257.688 of the Michigan Motor Vehicle Code [MCL 257.1 et seq.].

(3)Display, visible to each side of the vehicle at night, a light as determined by the chief of police.

- (4) Be equipped with seats for the operator and all passengers.
- (5) Seat not more than six adult occupants, or not more than six children under the age of 12 and one adult occupant, or not to exceed manufacturer's recommended safe seating capacity for the vehicle being used, in addition to the operator.
- (6) Maintain a rubber surface on the wheel traction surface.
- (7) Not be wider than eight feet, including fenders, running boards and safety mirrors and devices.
- (8) Display the horse-drawn carriage license in the carriage at all times. (Ord. No. 3-3-03, § 1, 3-17-03)

Sec. 94-38. - Horse care standards.

The operator of each horse carriage shall be responsible for seeing that the horse:

- (1) Is fitted with a device to catch all manure or solid waste except when inside the transport vehicle.
- (2) Is attended at all times, including when loading and discharging passengers.
- (3) Has received a valid certificate of health or veterinarian certificate which shall be filed with the city annually.
- (4) Is not subject to any cruel or harassing treatment.

Sec. 94-39. - Operator standards.

The operator of the horse-drawn carriage shall:

- (1) Be subject to all state and city traffic laws applicable to motor vehicles.
- (2) Possess a valid state driver's license.
- (3) Require all passengers to be seated except when boarding or discharging.
- (4) Not operate during those days and times of day nor operate upon those streets, public places and quasi-public places prohibited by the chief of police.
- (5) Flush all liquid waste from the horse immediately with water and spray with the appropriate chemical to eliminate all noxious odors and bacteria.
- (6) Not be required to give a person a ride in the carriage on demand of such person.
- (7) Not operate a vehicle when a passenger is in possession of alcoholic liquor in a container which is open or uncapped or which has a broken seal.
- (8) Be in control of the horse at all times.
- (9) Have in their possession, and produce upon request, their horse-drawn carriage and state driver's licenses. (Ord. No. 3-3-03, § 1, 3-17-03)

Secs. 94-40 – 94-60. – Reserved.

Section 3. Rights and Duties:

Rights and duties which have matured, penalties which have incurred, proceeding which have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Section 4. Severability:

The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any part, clause, sentence, paragraph, or section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 5. Effective Date:

This ordinance shall be published per the requirements set forth in Chapter 7 of the City Charter, that being published by the tenth day following adoption and effective on the day following publication.

The foregoing ordinance amendment is a true and correct copy of the ordinance adopted at the regular meeting of the City Council of the City of Northville held on November 6, 2017 at 7:00 p.m. in the City of Northville Municipal Building, 215 W. Main Street, Northville, Michigan 48167, Counties of Oakland and Wayne.

Ken Roth, Mayor
City of Northville

Dianne Massa, City Clerk
City of Northville

The undersigned certifies foregoing ordinance was:

Introduced: 10-16-17
Adopted: 11-06-17 By a vote of: 5:0
Published: 11-16-17
Effective: 11-17-17

Dianne Massa, City Clerk
City of Northville