

**TOWN OF BARNSTABLE
RULES AND REGULATIONS
Horse Drawn Carriage**

SECTION 1. PERMITS

Except as otherwise provided by law, no person shall engage in the business of transporting persons for hire in a horse drawn carriage without first having obtained a permit from the Town Manager authorizing him to engage in such business and designating the number of such vehicles that may be used, the hours of operation, and the specific routes authorized to be traveled under such permit. Permits issued by the Town Manager under this regulation shall expire on December 31 annually unless further restricted.

SECTION 2. NEED AND CONVENIENCE

The Town Manager may grant a Horse Drawn Carriage Permit to suitable persons who have demonstrated experience and expertise in the care and handling of horses if they believe the public good is best served by granting such permit.

SECTION 3. APPLICATIONS

Applications for Horse Drawn Carriage Permits shall be in writing and submitted by the owner thereof. Such application shall set forth under oath all information that the Town Manager may require.

SECTION 4. CHANGE OF ADDRESS

When a Horse Drawn Carriage Permit holder changes his address or the address at which the horse and/or carriage owned by him are kept, he shall notify the Town Manager in writing within three (3) days of such change.

SECTION 5. PERMIT TO BE ACCESSIBLE

No person shall operate a Horse Drawn Carriage without a valid Horse Drawn Carriage Permit and Taxi Operator's License on his person or in some easily accessible place within the carriage.

SECTION 6. RATES TO BE POSTED

It shall be the duty of the operator of a Horse Drawn Carriage to post the current rates for passengers in a conspicuous place within the vehicle so that they may be in clear view and easily read by all passengers.

SECTION 7. PERMIT FEE

The fee for a Horse Drawn Carriage Permit shall be Fifty Dollars (\$50.00) annually.

SECTION 8. INSURANCE

No Horse Drawn Carriage Permit shall be valid until a Certificate of an insurance company authorized to transact business in the Commonwealth, stating that the horse and carriage to which the permit applies is properly insured under the Laws of the Commonwealth, in an amount satisfactory to the Town Manager, has been submitted to the Town Manager. Such certificate shall state the name and address of the owner of the horse and carriage, the name of the company to which the permit is issued, the amount and character of the insurance, and a statement that the insurance policy is applicable to passengers lawfully riding in the carriage, others traveling on the way and owners of property on or near the way and said policy shall state that it cannot be revoked or amended without ten (10) days written notice to the Town Manager.

SECTION 9. SUSPENSION OR REVOCATION

The Town Manager may suspend, revoke or modify a Horse Drawn Carriage Permit at any time if in his opinion any section of these rules and regulations has been violated, or if in his opinion any such regulation or bylaw of the Town of Barnstable or any Massachusetts General Law has been violated by the holder of a Horse Drawn Carriage Permit. A permit holder shall be notified in writing of any suspensions, revocation or modification stating the specific reason or reasons for the suspension, revocation or modification.

SECTION 10. TRANSFER OR SALE OF PERMIT PROHIBITED

No Horse Drawn Carriage Permit shall be sold, assigned or transferred. Any sale, assignment or transfer of said permit shall automatically terminate said permit.

SECTION 11. UNFIT HORSE DRAWN CARRIAGE

The Town Manager shall refuse a Horse Drawn Carriage Permit, or if already issued, revoke or suspend said permit for any Horse Drawn Carriage found to be unfit, unsafe or unsuited for the purposes herein set forth.

SECTION 12. ADVERTISEMENTS PROHIBITED

No advertisements or announcements of any description, other than the name, address and telephone number of the permit holder, shall appear on a Horse Drawn Carriage operated for hire in the Town. This section does not prohibit the posting of rates as required in Section 6 of these rules and regulations.

SECTION 13. HORSE DRAWN CARRIAGE OPERATOR

All Horse Drawn Carriage operators shall be required to hold a valid Town of Barnstable Taxicab Operator's License issued by the Town Manager after inspection and approval of the Police Department and shall be subject to the requirements of Article III of the Town of Barnstable Taxicab Rules and Regulations (copy attached).

SECTION 14. IMPROPER OPERATION OR EQUIPMENT

No person operating a Horse Drawn Carriage shall have or permit to be on or in such Horse Drawn Carriage or on or about his person anything which may interfere with the proper operation of such Horse Drawn Carriage, nor shall any Horse Drawn Carriage be operated if it is unsafe or improperly equipped. At no time shall any Horse Drawn Carriage be operated when the passengers therein are in excess of its safe seating capacity.

SECTION 15. SOLICITING PASSENGERS

No Horse Drawn Carriage operator shall by means of signal or outcry solicit passengers or business.

SECTION 16. FARES

Fares for the hire of horse drawn carriages shall be those fares currently approved in writing by the Town Manager.

SECTION 17. AMENDMENTS

All licenses and permits required by these rules and regulations shall be subject to such terms and conditions as the Town manager of the Town of Barnstable shall from time to time prescribe.

SECTION 18. CONVICTION OF VIOLATION

Any person convicted of a violation of any provision of these rules and regulations shall be punished by a fine of not more than two hundred (\$200.00) dollars for each offense and subject to suspension or revocation of their permit in accordance with these rules and regulations.

SECTION 19. STANDING OF HORSE DRAWN CARRIAGE

No operator of a Horse Drawn Carriage shall stand such Horse Drawn Carriage in a designated motor vehicle parking space at any time. Standing of a Horse Drawn Carriage in a prohibited motor vehicle area, such as a no parking zone, yellow zone, taxi stand, bus stops, but excluding pedestrian walk area, is permitted provided such Horse Drawn Carriage is attended by the operator.

SECTION 20. BOARD OF HEALTH REQUIREMENTS

Any person holding a permit for a horse drawn carriage must at all times comply with rules and regulations of the Town of Barnstable Board of Health which pertain to such operations including stabling of horses.

SECTION 21. OFFENSIVE ODORS

Permit holders shall at all times maintain their horse drawn carriage in a clean and sanitary condition and free from all offensive odors. Operators of horse drawn carriages shall at all times provide for proper disposal and sanitation of manure and urine from their horses in accordance with approved Town of Barnstable Board of Health requirements.

SECTION 22. CONDITION OF HORSES

In the event it becomes necessary for the Town of Barnstable to engage the services of a licensed veterinarian to investigate conditions of the horse or horses used in conjunction with a permit for a horse drawn carriage, any fees due said licensed veterinarian shall be the responsibility of the permit holder.

SECTION 23. NOISE

Carriages used in a horse drawn carriage operation shall be operated only with rubber or similar material inserted wheels and no bells, gongs or other sound producing devices shall be used on or about any horse drawn carriage. Horses shall be provided with shoes which will provide maximum safety for the horse and produce no unnecessary noise.

SECTION 24. NIGHT OPERATIONS

No horse drawn carriage shall be operated in the Town of Barnstable from one-half hour before sunset to one-half hour after sunrise without sufficient lighting and reflectors to provide safety and warning to motorists and pedestrians.

SECTION 25. AUTHORITY

These rules and regulations are adopted under authority of Massachusetts General Laws, Chapter 40, Section 22.