

CHAPTER 113: ANIMAL-DRAWN VEHICLES

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§ 113.01 PERMIT REQUIRED.

No person shall operate an animal-drawn vehicle for tours by the general public without a permit from the Town Clerk. Any violation of the standards set forth hereinafter in this chapter shall be grounds for suspension or termination of the permit.

(Res. passed 5-3-99) Penalty, see § 10.99

Cross-reference:

Persons propelling pushcarts or riding animals, see § 70.06

§ 113.02 OPERATING SPECIFICATIONS.

Animal-drawn vehicles shall adhere to the following operating specifications during the hours of operations:

(A) Vehicle shall travel in the curb lane except when passing parked vehicles or, other obstructions which prevent use of the curb lane.

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(B) Vehicle shall not travel on streets or roads with grades equal to or greater than 10%.

(C) Vehicle shall not stop within the roadway other than at designated loading and unloading areas except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

(D) Vehicle shall observe all applicable rules of the road as required for motor vehicles.
(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.03 ROUTE SYSTEM.

(A) A proposed detailed route system of an animal-drawn vehicle for hire shall be submitted to the Chief of Police for review, recommendation and approval. The Chief of Police shall designate streets and hours of the day that animal-drawn vehicles will be prohibited. A route system shall be submitted for each vehicle to be placed into operation.

(B) This detailed route system shall include the following information:

- (1) The hours of operation for the vehicle.
- (2) The days of week the vehicle will be in operation.
- (3) The duration of the operation during the year.
- (4) All locations for loading and unloading passengers.

(Res. passed 5-3-99)

§ 113.04 HEALTH OF ANIMALS.

No animal shall be permitted to pull any vehicle for hire unless the animal is in good health and meets at least the following requirements:

- (A) The animal must be at least 30 months old.
- (B) The animal must weigh no less than 900 pounds.
- (C) The animal shall have no open sores or wounds, shall not be lame or have any other ailment. Any animal found to have an ailment shall not be used without the approval of a licensed veterinarian.

(D) The animal must be groomed daily and shall not have fungus, dirty coat or show symptoms of illness or irritation.

(E) The animal must have adequate flesh and muscle tone. The ribs showing on the animal must be no deeper than ¼-inch.

(F) The animal must be no more than six months pregnant.
(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.05 ANIMAL WORKING CONDITIONS.

(A) No animal used as provided in this chapter shall be worked under any of the following conditions, and any owner allowing said conditions to exist shall be found in violation of this chapter:

(1) The animal or combination of animals shall not pull any combined weight, including passengers and driver in excess of two times the animals' body weight. No animal or combination of animals shall pull any vehicle which is occupied by a number of persons which exceeds such vehicle's normal safe-seating capacity.

(2) No animal shall work more than ten hours in any 24-hour period and shall have at least one 20-minute rest break or 2 ten-minute rest breaks per hour.

(3) The animal pulling a vehicle for hire shall not move at a speed faster than a slow trot.

(4) The animal shall not work more than 50 hours in any seven-day period and no more than five consecutive days.

(5) The animal shall not be worked with equipment, other than normal blinders, which causes an impairment of vision.

(6) The animal shall not be subjected to any condition or treatment which will impair the good health and physical condition of the animal.

(B) For purposes of this section, working hours of animals shall include time spent on rest breaks and all time the animals are available for hire.
(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.06 USE OF CERTAIN EQUIPMENT.**(A) Use of harness.**

- (1) No animal will be worked without a padded saddle or bit.
- (2) The harness must be oiled and cleaned so as to be soft at all times.
- (3) The harness will be properly fitted and maintained and kept free of makeshift materials such as wire, sisal rope and hazardous rusty chain.

(B) Use of whips. No driver of an animal-drawn vehicle may whip an animal with more than a light touch by a light whip.

(C) Apron bags. No animal shall pull a vehicle for hire unless such animal is wearing an apron bag (manure catcher). Apron bags must be properly fitting and constructed of sturdy material to insure the comfort of the animal and complete waste disposal.

(D) Shoes. No animal shall be used to pull vehicle for hire without properly fitting shoes on each properly trimmed hoof. Should an animal throw a shoe during its shift, the hoof must be examined by the driver and any nails removed. If the animal's hoof is grown more than ¼-inch from the quick, the horse may complete the shift, but must be shod prior to the next day shift.
(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.07 WATER; STALL AND STABLE CONDITIONS.

(A) Water. Adequate water for animals pulling vehicles for hire will be provided in the stables at all times and in working areas as often as needed and as climate and working conditions require.

(B) Stalls and stables.

- (1) Ventilation and fresh air shall be provided in stalls housing animals used to pull vehicles for hire so as to minimize drafts, odors and moisture condensation.
- (2) Ceilings in stalls and stables must be at least ten feet high from bedding flooring.

(3) Bedding in stalls and stables shall be highly absorbent and comfortable, if in direct contact with the animal, and shall be provided as follows:

(a) Bedding shall be deep enough so as not to show wetness under the pressure of the animal;

(b) Bedding so used shall not be a type that will harm or in anyway be a discomfort to the animal;

(c) Bedding shall be deep enough to provide warmth to the animal;

(d) Surfaces, including floors, with bedding shall be free of odor and waste and shall be cleaned and disinfected regularly;

(e) Stalls and stables shall be structurally sound and maintained in good repair to protect the animals from injury, and to contain them;

(f) Stalls and stable floors or surfaces shall be constructed and maintained to protect the animals feet and legs from injury;

(g) Stalls and stables shall be constructed and maintained so as to enable animals to remain dry and clean;

(h) Stalls shall be constructed and maintained to provide sufficient space to allow each animal to turn about freely and to easily stand, sit or lie in a comfortable, normal position;

(i) Stalls and stables shall be constructed and maintained so that the animals contained therein have easy access to food and water, and such food and water shall be kept free of contamination;

(j) Stalls and stables shall be kept sanitary and receive periodic cleaning to remove feces and other waste materials, including trash and dirt so as to minimize disease hazards and reduce odors.

(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.08 SUPERVISION OF CHIEF OF POLICE.

(A) Whenever any animal drawn vehicle is operated for commercial purposes to provide rides to the general public, the fitness of the animal and its humane treatment shall be under the supervision of the Chief of Police who shall have power to determine:

(1) Physical fitness of the animal and limitation of work and conditions of work;

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- (2) Condition and fitness of the harness;
- (3) Care and treatment of such animals; and
- (4) Emergency conditions of animals if unfit to pull vehicles for hire.

(B) The Chief of Police shall inspect any such animals at least once every three months and may delegate the duties of the Chief of Police hereunder to other qualified agents.

(Res. passed 5-3-99)

§ 113.09 REMOVAL OF ANIMAL FROM SERVICE FOR VIOLATION.

(A) Upon discovery of a violation of any section of this chapter relating to animal-drawn vehicles for hire, the Chief of Police may issue an order to the person responsible for the violation, requiring removal of the subject animal from service.

(B) No animal which has been removed from service for violation of this section shall be returned to service until the animal has been inspected by the Chief of Police or his designees and approved for return to service in writing.

(C) Any person who refuses to comply with the order of the Chief of Police or he complies with the order and returns the animal to service before being inspected or approved by the Chief of Police shall be subject to revocation of its authority to operate a commercial animal-drawn vehicle.

(Res. passed 5-3-99)

§ 113.10 CONDITION OF VEHICLES.

(A) Vehicle for hire pulled by animals must be properly lubricated and wheels must spin freely. Such vehicles for hire must be inspected and approved in writing for service by the Chief of Police every 12 months and are subject to removal from service pending repair and re-inspection.

(B) Animal-drawn vehicles operated commercially for hire by the general public shall conform to the following vehicle specifications:

- (1) The wheel base shall be equal to or less than 14 feet;
- (2) The total overall length of the vehicle shall be equal to or less than 28 feet;
- (3) The maximum overall width shall be equal to or less than 78 inches;

(4) The tires shall be rubber or other resilient materials. Metal tires shall be prohibited;

(5) Vehicle shall be equipped with hydraulic brakes;

(6) The vehicle shall be drawn by no more than two animals;

(7) Vehicle shall be equipped with one red light on each outer extremity of the rear of the vehicle body, mounted between two and five feet above the road surface. Similarly mounted yellow lights shall be mounted on the front of the vehicle body. Each light shall be no less than four inches in diameter. Vehicles shall also be equipped with a slow moving vehicle emblem;

(8) Vehicles shall have canopy protection from sun and rain;

(9) Vehicles shall be reasonably accessible to disabled passengers.

(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.11 TRAILERS.

Any trailer or vehicle involved in transporting animals governed in this chapter must be in good working order and must be near the working location to provide speedy removal of any animal in an emergency situation.

(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.12 REQUIREMENTS FOR DRIVERS.

Drivers of animal drawn vehicles shall comply with the following:

(A) Drivers must have a working knowledge and general experience involving livestock and driving carriages or animal-drawn vehicles;

(B) Drivers must be 18 years of age or older.

(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.13 ALCOHOLIC BEVERAGES.

(A) No driver shall operate an animal drawn vehicle while under the influence of alcohol, controlled substances, or prescription drugs that may impair the driver.

(B) Passengers who are visibly under the influence of alcohol or controlled substances shall not be permitted to ride.

(C) No person shall consume alcohol or controlled substances while operating or riding in an animal-drawn vehicle.

(Res. passed 5-3-99) Penalty, see § 10.99

§ 113.14 INSURANCE COVERAGE.

Businesses operating animal-drawn vehicles shall maintain insurance coverage for the protection of drivers, passengers and other users of the public roadways in an amount not less than \$250,000. Proof of insurance shall be provided to the Town Clerk annually.

(Res. passed 5-3-99) Penalty, see § 10.99