



Legislation Text

File #: 031215, **Version:** 1

031215
SUBSTITUTE 1

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A substitute ordinance amending the maximum number of passengers allowed to be carried by a horse and surrey livery service.

100-50-2-d rc

100-61-4 rc

Currently, a horse and surrey livery service is not allowed to carry more than 6 adult passengers and no more children than can be seated on the seats. This ordinance repeals the maximum number of passengers that a horse and surrey livery service may carry, and provides that no horse and surrey shall be allowed to carry more passengers than can be seated on the seats without exceeding the manufacturer's specified seating capacity of the surrey, or the seating capacity as established by the chief of police, except up to 2 children under 5 years of age who each shall be carried in the arms of separate persons 18 years of age or older.

In addition, a horse and surrey livery service is required to provide passengers with fixed seating which has been installed by the manufacturer of the surrey, and must post placards which indicate the manufacturer's specified seating capacity of the surrey and that standing while the surrey is in motion is prohibited.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 100-50-2-d of the code is repealed and recreated to read:

100-50. Public Passenger Vehicle Permits.

2. NEW PERMIT.

d. Horse and Surrey Permit Applications. Every applicant for a horse and surrey livery permit shall provide the following information on the permit application:

d-1. The name and address of a licensed veterinarian whom the applicant attests will be kept on call to administer veterinary services to the applicant's horses at any time when the horse and surrey livery service is operating.

d-2. The telephone number or numbers at which the licensed veterinarian can be reached 24 hours a day.

d-3. The manufacturer's specified seating capacity of the surrey. In the event that the manufacturer has not specified the seating capacity of the surrey, the chief of police shall establish the seating capacity.

Part 2. Section 100-61-4 of the code is repealed and recreated to read:

100-61. Horse and Surrey.

4. MAXIMUM NUMBER OF PASSENGERS. a. No horse and surrey shall carry more passengers than can be seated comfortably on the seats without exceeding the seating capacity of the surrey as posted pursuant to subpar. c-1, except up to 2 children under 5 years of age who each shall be carried in the arms of separate persons 18 years of age or older.

b. Fixed seating. Each horse and surrey livery shall provide passengers with fixed seating which has been installed by the manufacturer of the surrey.

c. Posting of Signs. Each horse and surrey livery shall securely post and maintain placards indicating the following:

c-1. The seating capacity of the surrey which has been specified by the manufacturer, or established by the chief of police, and declared on the application for a new or renewal permit pursuant to s. 100-50-2-d-3.

c-2. A placard posted in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle stating: "No standing while vehicle is in motion."

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB03548-2

RGP

1/27/04