AN ORDINANCE AMENDING TITLE 5 OF THE LOGAN MUNICIPAL CODE BY ADDING A NEW CHAPTER 41 RELATING TO ANIMAL DRAWN VEHICLES

BE IT ORDAINED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, AS FOLLOWS:

SECTION 1: Title 5 is hereby amended to include chapter 5.41 as follows:

Chapter 5.41

5.41.010: DEFINITIONS

ANIMAL: means any live, nonhuman vertebrate creature, including fowl.

APPLICANT: means the person signing an application for an animal drawn vehicle business license.

CARRIAGE or ANIMAL DRAWN VEHICLE: means any device in, upon, or by which any person is or may be transported or drawn upon a public way and which is designed to be drawn by animals.

CARRIAGE BUSINESS: means any person offering to transport another person for any valuable consideration and by means of an animal drawn vehicle.

CARRIAGE TERMINAL: means the location of a curb lane designated by City of Logan for loading and unloading of passengers for animal drawn vehicle.

CITY or CITY OF LOGAN: means Logan City Municipal Corporation.

DRIVER: means any person operating or in actual physical control of a animal drawn vehicle, or any person sitting in the driver's seat of such vehicle with the intention of causing it to be moved by an animal.

HOLDER: means any person to whom a license has been issued by Logan City, and which license is unexpired.

PERSON: includes any individual, partnership, corporation, association, other legal entity.

5.41.020: LICENSE REQUIRED

No person shall operate, or permit an animal drawn vehicle owned or controlled by him or her to
be operated, as a carriage for hire upon the streets of the City without first having obtained a business license in accordance with this Chapter.

5.41.030: ADDITIONAL APPLICATION INFORMATION

In addition to the application information required for a license by Business Licensing, an application to operate a Carriage Business shall be verified under oath, shall show the experience of the applicant in the transportation of passengers by horse drawn carriage and shall show the specific route or routes within the City along which applicant proposes to operate one or more horse drawn carriages.

5.41.040: ANNUAL OPERATION AND INSURANCE

A. In addition to any other requirements established in state law and the Logan Municipal Code, no business license shall be issued or continued in operation unless:

1. The applicant or holder thereof has paid an annual business license fee as determined by city council from time to time;

2. The applicant or holder thereof presents proof that they have acquired liability insurance as required by section 5.41.050 of this Chapter; and

3. The applicant or holder thereof executes the indemnification agreement as required by Section 5.41.060 of this Chapter;

5.41.050: INSURANCE

A. No holder shall operate, or permit an animal drawn vehicle owned or controlled by him or her to be operated, as a carriage for hire upon the streets of the City, without first having obtained a minimum of $1,000,000 of liability insurance. Said liability insurance shall be maintained throughout the period of the operation of the carriage business.

B. A holder or applicant for a carriage business shall be required to present evidence that the holder has liability insurance as required herein.

C. A holder or the operator of a carriage licensed under this Chapter shall have in the holder’s or operator’s immediate possession, evidence of the holder's liability insurance as required by this Section. Evidence of the holder's liability insurance includes any one of the following:

1. A copy of the holder's insurance policy; or

2. A card issued by an insurance company as evidence of the holder's insurance.

D. The holder or operator of an animal drawn vehicle is required to provide proof of the liability insurance required by this Section upon demand of:
1. Any law enforcement officer; or

2. Any person authorized to request such information by Business Licensing.

5.41.060: INDEMNIFICATION

Prior to the issuance of any license to operate a carriage business pursuant to this ordinance, each applicant must execute an indemnification agreement with the City.

5.41.070: LICENSE REQUIRED FOR OPERATORS

It is unlawful for any person to operate or for a holder to permit any person to operate a carriage for hire upon the streets of the City without such operator having first obtained and having then in force a current driver’s license valid in the State of Utah.

5.41.080: CARRIAGE SPECIFICATIONS

A. Each carriage coming into Logan is required to be in safe and efficient operating condition, and comply with all requirements of State law, including, but not limited to equipment, lights, illumination devices and slow moving vehicle identification emblems.

B. Each carriage shall permanently and prominently display on the rear portion of each carriage the name and telephone number of the carriage business.

C. Each carriage shall be equipped with a device to catch animal fecal matter falling to the pavement.

D. Each carriage shall be maintained in a clean and sanitary condition.

5.41.090: TRAFFIC LAWS

A driver operating an animal drawn vehicle shall be subject to all laws of the City and the State of Utah pertaining to the driver and operation of any vehicle.

5.41.100 SPEED

The driver shall not permit the speed at which any animal drawn vehicle is driven to exceed a slow trot.

5.41.110 PRESENCE AND CONTROL

No driver shall leave the carriage unattended in a public place.

5.41.120 NUMBER OF PASSENGERS

No driver shall permit a carriage to carry more passengers than it was designed to carry.
5.41.130 PASSENGERS RESTRICTED TO PASSENGER AREA

No driver shall permit a passenger to ride on any part of the carriage while in motion, unless the passenger is seated inside the carriage.

5.41.140 CARRIAGE TERMINAL

Approved on-street carriage terminals include those areas designated by Business Licensing in consultation with the City Engineer. Drivers shall not stop on a street except at carriage terminals and then no longer than allowed at each carriage terminal as determined by Business Licensing as part of a route determination pursuant to Section 5.41.150. Drivers shall not stop at designated bus stops, bus lanes, or any other restricted parking areas.

5.41.150 ROUTES

A. The licensees and drivers shall operate horse drawn carriages only upon certain streets within specified routes according to restrictions authorized by Business Licensing. In determining said routes or restrictions, Business Licensing shall seek to ensure safe and efficient movement of transportation within the City, and shall take into consideration the location of the streets therein, the expected traffic flow upon such streets, the history of traffic accidents upon such streets the width of such streets, and any natural or man-made physical features of such streets which may be pertinent to the safe and efficient movement of transportation thereon.

B. The authorized routes and carriage terminals shall be subject to amendment from time to time by Business Licensing in order to ensure safe and efficient movement of transportation within the City. A driver must receive prior permission of Business Licensing to deviate from streets which have not been approved for routes or destinations which require use or crossing of streets designated as arterial or collector streets on the City’s major street plan and official map.

5.41.160: RATES

All drivers must make available to any person upon request, the rates for all tours and trips offered by the service. Once a vehicle has been hired for a designated route, the driver may not accept additional passengers without the original contracting passengers' consent.

5.41.170: REVOCATION OR SUSPENSION

If any person to whom a license has been issued pursuant to this Chapter commits a violation of this Chapter, such license may be revoked or suspended according to the procedure provided for revocation or suspension of a business license issued by the City.

5.41.180: MISDEMEANOR
Violation of any provision of this Chapter shall be a Class B Misdemeanor.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 3 DAY OF DECEMBER, 2013 BY THE FOLLOWING VOTE:
AYES: Simmons, Ward, O'Brien, Daine
NAYS: No
ABSENT: None

/s/ Holly Daine, Chair

ATTEST:
Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this 3 day of December 2013.

/s/ Holly Daine, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 3 day of December, 2013.

/s/ Randy Watts, Mayor
STATE OF UTAH
COUNTY OF CACHE, ss

On this 25th day of November, A.D. 2013 personally appeared
before me Monica Christensen who being first being duly sworn, deposes and says that
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan City, Cache County Utah, and that the
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper

Commencing on the following days:
11/24/2013

[Signature]
Assistant to the Finance Director

Subscribed and sworn to before me on this 25th day of November, A.D. 2013

[Signature]
Notary Public
Commissioned in the State of Utah
My Commission expires August 1, 2015

NOTICE OF PUBLIC HEARING
Logan Municipal Council

The Municipal Council of the City of Logan, Utah will hold
public hearings to consider the following:

An adjustment to the FY 2013-2014 General Fund Reimbursement: $7,800 for a "grant" awarded to the Logan City Police
Department to create a Mobile Scene and Search Warrant Command Vehicle; $32,000 reimbursement for the Mountain Fire;
$12,881 reimbursement funds for the Cache County Emergency Medical Services for reimbursement funds for the
Smuggler Fire Department for providing an Engine Böes for the State Fire.

Consideration of a proposed resolution approving Renewal of a Recycling Market Development Zone Program.

Consideration of a proposed resolution adding an Emergency Communication Charge as part of the Refuse Collection Fee.

Consideration of a proposed amendment to Title 5 of the Logan Municipal Code by adding a New Chapter 41 relating to
Animal Dream Vehicles.

Said public hearings will be held Tuesday, December 3, 2013,
not before 5:30 p.m. in the Logan Municipal Council
Chambers, 290 North 100 West, Logan-Utah.

Full texts of the resolutions are available for inspection at the
City Recorder’s Office during business hours.

Teresa Harris, City Recorder
Publication Date: November 24, 2013
STATE OF UTAH  
COUNTY OF CACHE, ss  

On this 9th day of December, A.D. 2013 personally appeared  
before me Monica Christensen who being first being duly sworn, deposes and says that  
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal  
a daily newspaper published in Logan City, Cache County Utah, and that the  
Legal Notice, a copy of which is hereto attached was published in said  
newspaper for 1 issue(s) and that said notice also published on utahlegals.com  
on the same days(s) as publication in said newspaper  

Commencing on the following days:  
12/08/2013  

Subscribed and sworn to before me on this 9th day of December, A.D. 2013  

Assistant to the Finance Director  

Commissioned in the State of Utah  

My Commission expires August 1, 2015  

NOTARY PUBLIC  
AMANDA MARIE NYE  
COMMISSION EXPIRES  
AUGUST 18, 2014  
STATE OF UTAH