

## ARTICLE R. - TOUR SERVICES FOR HIRE

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(Ord. of [10-24-2019\(46\)](#), § 1)

### DIVISION 1 — General Provisions

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#### Sec. 6-1501. — Purpose and Definitions.

a. This article shall be known and cited as the “Tour Services for Hire” ordinance and shall regulate the tour services for hire industry within the corporate limits of the City of Savannah. This article shall also protect the health, safety, and welfare of the animals used in the tourism industry, as well as persons using the public rights-of-way and the citizens of the City of Savannah.

b. Definitions.

**City.** The word "City" shall mean The Mayor and Aldermen of the City of Savannah, Georgia, a municipal corporation: the definition to include all area within the corporate limits of the City of Savannah.

Effective on: 10/24/2019

**Exclusive use carriage stand.** A carriage stand established and leased for use by one horse-drawn carriage company.

Effective on: 10/24/2019

**Historic district; district.** The Savannah Historic District so designated on the official zoning map of the City.

Effective on: 10/24/2019

**Holding zone.** Areas designated by the City for the parking of motor coaches.

Effective on: 10/24/2019

**Horse-drawn carriage.** Any hack or carriage for passenger occupancy which is operated by being drawn by a horse or mule as a tour service for hire.

Effective on: 10/24/2019

**Idling.** The running of an engine of a motorized vehicle while the vehicle is not in motion and not otherwise lawfully stopped at a traffic control device.

Effective on: 10/24/2019

**License.** The privilege granted by the City of Savannah for the operation of a business incorporating the use of one or more tour guides or tour service vehicles within the corporate limits of the City.

Effective on: 10/24/2019

**Loading zone.** A specific area adjacent to a public right-of-way which has been designated by the City as reserved for the loading and unloading of passengers from vehicles, including tour service vehicles.

Effective on: 10/24/2019

**Motor coach.** For the purpose of this article, a motor coach is defined as a passenger vehicle which exceeds 34 feet in overall body length, excluding school buses, post- secondary (college or university) transit vehicles and Chatham Area Transit vehicles operating on regularly scheduled passenger routes within the City.

Effective on: 10/24/2019

**Motor coach escort.** A person who accompanies a motor coach walk-through under the supervision of a tour guide whose purpose is not to lead guided tours, but to assist in guiding pedestrians safely. A motor coach escort is not required to be registered with the City.

Effective on: 10/24/2019

**Motor coach walk-through.** A narrated tour in the squares for passengers of a motor coach.

Effective on: 10/24/2019

**Prohibited streets map.** A map which identifies streets on which motor coaches may not operate.

Effective on: 10/24/2019

**Quadricycle.** A "quadricycle" shall be defined as a non-motorized vehicle propelled entirely by human power through the use of fully operative pedals in a manner similar to a bicycle, and which has at least four load-bearing wheels.

Effective on: 10/24/2019

**Restricted areas.** Sections of the City, designated by ordinance, in which all tour services for hire shall not operate at certain times or under certain conditions.

Effective on: 10/24/2019

**Stand.** A specific area designated for the parking of tour service vehicles within the corporate limits of the City.

A. Carriage Stand. A specific area adjacent to a public right-of-way which has been approved by the City as reserved exclusively for the parking and waiting for hire of horse-drawn carriages.

Effective on: 10/24/2019

**Street.** The word "street" shall mean and include any street, alley, lane, avenue, road, court or public right-of-way situated within the City's corporate limits.

Effective on: 10/24/2019

**Time-share carriage stand.** A carriage stand established and leased for use by one or more horse-drawn carriage companies on a time-share basis.

Effective on: 10/24/2019

**Tour Guide.** Any person who:

- A. Drives or operates a tour service vehicle on the streets of the City while providing narration, or;
- B. Acts, or offers to act, as a guide for hire through any part of the City, or;
- C. Serves as an actor during a tour for hire.
- D. "Tour guide" as used in this article does not include any person acting or offering to act as a guide for hire, or an actor during a tour for hire, when the tour is to be conducted exclusively on private real property.

Effective on: 10/24/2019

**Tour Service Company.** The holder of a business tax certificate issued by the City for the operation of a tour service for hire under the provisions of this article, whether a natural person, firm, partnership or corporation.

Effective on: 10/24/2019

**Tour service review committee.** The tour service review committee shall consist of three members to include the Mobility Services Director or appointed designee, the Director of Special Events, Film and Tourism or appointed designee, and the Metropolitan Planning Commission Historic Preservation Director or appointed designee. The purpose of the committee is to make decisions and recommendations regarding the tour service industry to protect the ambiance and aesthetics of the national historic landmark district.

Effective on: 10/24/2019

**Tour service vehicle.** Any vehicle engaged in the business of carrying passengers for hire or offering to carry passengers for hire, through any part of the City, when the primary purpose of such vehicle is not transportation but

touring and sight-seeing; including motor coaches which are operated as a part of a special tour and are not operated as a part of a tour service company.

Effective on: 10/24/2019

**Tourism Advisory Committee.** Appointed group for the purpose of making recommendations to the City in the areas of: parking and routine tourism-related traffic activities; enforcement of tourism management regulations; tourism-related issues and regulations; tourism trends; factors impacting Savannah's tourism and hospitality industry, quality of life, and preservation efforts; and other related issues.

Effective on: 10/24/2019

**Walking tour.** A narrated tour conducted on foot by a tour guide on sidewalks or in squares.

Effective on: 10/24/2019

### **Sec. 6-1502. — Tourism advisory committee.**

- a. *Creation and composition.* There is hereby created a Tourism Advisory Committee, which shall consist of 10 members.
1. One shall be a representative of the Historic Savannah Foundation;
  2. Two shall be representatives of the Downtown Neighborhood Association;
  3. One shall be a representative of the Victorian Neighborhood Association;
  4. One shall be a representative of the Thomas Square Neighborhood Association;
  5. One shall be a representative of Visit Savannah;
  6. One shall be a representative of the Tourism Leadership Council;
  7. One shall be a representative of the lodging industry, appointed by Visit Savannah;
  8. One shall be a representative of a motorized tour company, appointed by the Tourism Leadership Council; and
  9. One shall be a representative of a non-motorized tour company, appointed jointly by the Tourism Leadership Council and Visit Savannah.
  10. The composition of the Tourism Advisory Committee shall be reviewed every three years by the Mayor and Aldermen to ensure that the designated industry and community organizations accurately represent tourism districts and interests.
- b. *Purpose.* The Tourism Advisory Committee shall make policy recommendations to the Office of Special Events, Film, and Tourism, City Manager and the Mayor and Aldermen in the areas of: parking and routine tourism-related traffic activities; enforcement of tourism management regulations; tourism-related issues and regulations; tourism trends; factors impacting Savannah's tourism and hospitality industry, quality of life, and preservation efforts; and other related issues.
- c. *Terms of office.* Members appointed by their designated organization shall serve for a minimum of one year. The Office of Special Events, Film and Tourism will notify the appropriate organization if a member displays excessive absenteeism.
- d. *Organization.* In November of each year, the committee shall elect from its membership a chairman and vice chairman. The roles of chairman and vice chairman shall alternate between a tourism and a non-tourism member each year. The Office of Special Events, Film and Tourism shall provide administrative support to the committee.
- e. *Meetings.* The committee shall meet at least quarterly. Minutes shall be taken at each meeting and shall be presented to the committee for approval at the beginning of each subsequent meeting.
- f. *Report.* A report shall be prepared biannually summarizing the committee's activities

Effective on: 10/24/2019

### **Sec. 6-1503. — Business tax certificate required.**

No tour service company shall operate without a business tax certificate issued by the City in accordance with the provisions of the annual revenue ordinance.

Effective on: 10/24/2019

**Sec. 6-1504. — Fixed place of business required.**

- a. Each tour service company, as a condition for holding a license under the provisions of this article and the annual revenue ordinance, shall establish and maintain fixed headquarters on private property for the operation of the company's business.
- b. The headquarters shall conform to the ordinances of the City and shall provide adequate off- street parking space for all tour service vehicles while not in service.

The company headquarters shall not be relocated unless prior notice is given to the City and all other requirements of this article are met.

Effective on: 10/24/2019

**Sec. 6-1505. — Insurance Requirements.**

a. *Commercial General Liability*

1. Limits (or higher):

A. General Aggregate	\$2,000,000
B. Products Completed Operations Aggregate:	\$2,000,000
C. Each Occurrence Limit:	\$1,000,000
D. Personal Injury Limit:	\$1,000,000
E. Damage to Premises Rented to You	\$1,000,000 Any One Event
F. Medical Expenses	\$5,000 any One Person

2. Required Endorsements and Certificate of Insurance:

- A. This policy provides a Waiver of Subrogation endorsement in favor of Mayor and Aldermen of the City of Savannah its agents, officers, officials, and, employees and must be attached to the Certificate of Insurance.
- B. No exclusions on Products Completed/Operations for either ongoing and/or completed projects/operations.
- C. This policy provides a 30 day cancellation endorsement in favor of Mayor and Aldermen of the City of Savannah, its agents, officers, officials, and employees and must be attached to the Certificate of Insurance.

b. *Commercial Auto:*

1. Limits: \$1,000,000 Per Occurrence & Aggregate (Minimum)

2. Required Endorsements and Certificate of Insurance:

- A. This policy provides a Waiver of Subrogation endorsement in favor of Mayor and Aldermen of the City of Savannah its agents, officers, officials, and, employees and must be attached to the Certificate of Insurance.
- B. This policy provides a 30 day cancellation endorsement in favor of Mayor and Aldermen of the City of Savannah its agents, officers, officials, and employees and must be attached to the Certificate of Insurance.

c. *Workers' Compensation & Employers' Liability (includes coverage of all employees, volunteers, and others under your direction and supervision):*

1. Limits:

A. Part A:

Workers' Compensation: Statutory

B. Part B:

A. Bodily Injury by Accident:	\$500,000 Each Accident
B. Bodily Injury by Disease:	\$500,000 Policy Limit
C. Bodily Injury by Disease:	\$500,000 Each Employee

2. Required Endorsements and Certificate of Insurance:

- A. This policy provides a Waiver of Subrogation endorsement in favor of Mayor and Aldermen of the City of Savannah its agents, officers, officials, and employees and must be attached to the Certificate of Insurance.
- B. This policy provides a 30 day cancellation endorsement in favor of Mayor and Aldermen of the City of Savannah its agents, officers, officials, and employees and must be attached to the Certificate of Insurance.

d. Commercial/ Umbrella:

- 1. Limits: \$1,000,000 per Occurrence & Aggregate (Minimum)

Effective on: 10/24/2019

**Sec. 6-1506. — Registration Required**

a. Registration.

- 1. A tour service company shall complete and submit an annual registration to the City.
- 2. Such registration shall include:
  - A. Name of all tour guides employed with the tour service company;
  - B. A clear, current photograph of each tour guide's face taken within the past six months

b. Registration of number and name of owner.

- 1. The number assigned a tour service vehicle in accordance with this article, together with the name of the owner of record, and designation of an agent authorized to accept service of process in Georgia of the tour service vehicle, shall be registered with the City.

Effective on: 10/24/2019

**Sec. 6-1507. — Identification Displayed.**

- a. The City shall provide each authorized tour guide an identification badge with minimum dimensions of three inches by two and one-half inches.
- b. Such badge shall be worn by the tour guide during tours in a way to be clearly visible to the public.
- c. The badge shall contain in the upper left hand corner an identification photograph of the tour guide, which photograph shall be no smaller than one inch by one inch, and on the bottom half of the badge the tour guide's name and the name of the tour service company.
- d. The fee for such badge shall be specified by the annual revenue ordinance.

Effective on: 10/24/2019

**Sec. 6-1508 — Restricted areas.**

The following areas within the City are deemed as restricted under the provisions of this article:

- a. The 400 and 500 blocks of East St. Julian Street and Washington Square from 8:00 p.m. through 10:00 a.m. (November 1<sup>st</sup> through February 28<sup>th</sup>) and 9:30 p.m. to 10:00 a.m. (March 1<sup>st</sup> through October 31<sup>st</sup>.); and
- b. South of Liberty Street and east of the western-most curb line of Lincoln Street from 12:00 a.m. to 8:00 a.m. year-round.

Effective on: 10/24/2019

**Sec. 6-1509 - 6-1510. — RESERVED.**

Effective on: 10/24/2019

**DIVISION 2 — TOUR SERVICE VEHICLES**

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**Sec. 6-1511. — Tour service vehicle standards.**

- a. A tour service vehicle shall be:
  - 1. A standard automobile, tour bus, motor coach, van, trolley, bicycle, quadricycle, Segway, pedicab or horse drawn carriage;

2. Compatible with, and not damaging to, the infrastructure and ambiance of the historic district; and
  3. No more than 13 feet in height.
- b. Tour service vehicles shall load and unload passengers only on the right-hand or curb side.
- c. Restrictions.
1. Tour service vehicles shall not:
    - A. Have double-deck passenger compartments.
    - B. Be a combination or train-type vehicle.
    - C. Contain portable pool or hot tub style features.
    - D. Be an amphibious or boat-type vehicle.
- d. Any tour service vehicle which exceeds 34 feet in length shall be operated in compliance with the motor coach regulatory provisions of this article.
- e. Any vehicle not specifically identified, expressly named, or otherwise described with particularity as a tour service vehicle within this Article, shall be prohibited from operating on the City's rights-of-way. Any person seeking to operate a tour service vehicle that is not recognized by the City at the time of passage of this ordinance may petition the Tourism Advisory Committee for review. Within 90 days of receipt of such petition, the Tourism Advisory Committee shall consider such application and make a written recommendation to the Mayor and Aldermen. Within 120 days of receipt of the TAC's recommendation, which deadline may be extended within the reasonable discretion of the Mayor and Aldermen as circumstances may so-require, the Mayor and Aldermen shall conduct a hearing at a regularly scheduled Council meeting to determine whether the proposed tour service vehicle is consistent with the City's interests in public safety, the orderly flow of traffic within its rights- of-way, saturation, residential quality of life, historic preservation matters, and compatibility with Savannah aesthetics.

Effective on: 10/24/2019

## **Sec. 6-1512. — Identification and markings.**

- a. Generally.
1. Every tour service vehicle shall have a sign in plain view on each side of the vehicle, or if space is limited on the rear of the vehicle, in letters not less than four inches high, the full name of the tour service company operating the vehicle.
  2. All markings must be permanently affixed to the vehicle, except motor coaches which are operated as a part of a special tour and are not operated as a part of a tour service company.
  3. No electronic or neon signage is permitted.
  4. Color schemes shall be recorded and controlled by the City of Savannah.
    - a. Color schemes must be approved by the tour service review committee.
    - b. No tour service company or tour service operator may operate a tour service vehicle of the same color scheme.
  5. Tour service companies shall be permitted to use rental vehicles on a temporary basis as replacement vehicles for permanent tour service vehicles upon written notice to the City of Savannah; provided temporary signage and numbers are affixed to such vehicles in a manner consistent with the markings provisions of this article.
    - a. The use of temporary vehicles shall not exceed seven days without the written approval of the City of Savannah, which approval shall not be unreasonably withheld.
- b. Numbers generally.
1. There shall be permanently affixed on each side and on the rear of each tour service vehicle, except motor coaches which are operated as a part of special tours and are not operated as a part of a tour service company, a number at least six inches high.
  2. Such number shall be a separate and distinct number from that on any other tour service vehicle in the City.
  3. The number shall be assigned to the tour service vehicle and the owner thereof by the City Manager, or his/her designee, and shall not be altered or changed.
- c. Third-party advertising.

1. Third-party advertising is permitted on the rear surface only of the tour service vehicle provided it does not block the bumper or interfere with or impede the visibility of any safety equipment.
  2. No part of the advertising may obscure the visibility of the vehicle number nor may it emit light or noise.
- d. Trolley markings specifically.
1. The total area of exterior markings must be no greater than 55 square feet in total and will be measured in square units regardless of the shape, structure, font, type or graphic style and will be based on markings as a whole, including the spaces between letters or images.
    - a. Required vehicle service numbers will not be included in the measurement.
  2. Trolley tour service vehicle markings shall include the company's registered logo, name, and contact information and shall be displayed on the vehicle's sides.
  3. All markings must be consistent with approved color scheme. Except for special events for which the prior approval of Mobility services is required.
  4. There shall be no temporary exterior markings permitted to be hung or affixed to the exterior of a tour service vehicle.
  5. Trolley operators may display images that depict local tour attractions on the sides of their vehicles.
- e. Pedicabs shall display a decal indicating that they are operating as a tour service vehicle. This decal exempts pedicabs from any other identification and marking requirements of this section.
- f. The City Manager, or his/her designee, shall review tour service vehicles and trolley markings during the vehicle inspection process for compliance with this section on an annual basis.

Effective on: 10/24/2019

#### **Sec. 6-1513 — Impediment of traffic flow.**

- a. It shall be unlawful for any horse-drawn carriage, quadricycle, pedicab, Segway or bicycle to willfully impede the normal flow of traffic on any public right-of-way.
- b. Horse-drawn carriages, quadricycles, pedicabs, Segways and bicycles shall be required to pull safely to the nearest curb area when one or more vehicles traveling behind the tour service vehicle are unable to safely pass or continue in normal traffic flow to permit safe passage of motor vehicle traffic.

Effective on: 10/24/2019

#### **Sec. 6-1514. — Sound control devices - open air trollies and open air shuttles.**

- a. Purpose. This section is intended to regulate unreasonably intrusive levels of amplified sound emanating from open air trolley and open air shuttle tour service vehicles so as to minimize sound nuisances and disturbances experienced by persons not otherwise patronizing trolley or shuttle tour vehicle services.
- b. Sound control devices required. All open air trolley and open air shuttle tour service vehicles that utilize any amplified sound shall be equipped with amplified sound control devices, such as directional speakers or in-ear technology. These devices should be employed to reasonably ensure that no amplified sound emanates from the open air trolley or open air shuttle tour service vehicle that is plainly audible at a distance of fifteen feet or greater, in any direction, from the body of the open air trolley or open air shuttle tour service vehicle.
- c. Enforcement. Enforcement officers shall be authorized to inspect open air trolley and open air shuttle tour service vehicles for compliance with this section.
- d. Implementation. The owner and/or operator of each and every open air trolley or open air shuttle tour service vehicle shall ensure compliance with this section pursuant to the following schedule:
  1. 35% of its fleet shall achieve compliance within 12 months of the effective date of this ordinance.
  2. 75% of its fleet shall achieve compliance within 24 months of the effective date of this ordinance.
  3. 100% of its fleet shall achieve compliance within 36 months of the effective date of this ordinance.
  4. Any open air trolley or open air shuttle tour service owner and/or operator not registered with the City upon the effective date of this ordinance shall ensure full compliance with this section prior to commencing operation within the City's jurisdictional limits.

(Ord. of 5-9-2024(20), § 1)

Effective on: 5/9/2024

**Sec. 6-1515. — Safe mechanical condition of tour service vehicles required.**

Every tour service vehicle operated on the streets of the City shall be maintained in a safe mechanical condition, with all safety equipment remaining intact and operative at all times when the tour service vehicle is in service.

Effective on: 10/24/2019

**Sec. 6-1516. — Cleanliness of tour service vehicles required.**

All tour service vehicles shall be kept free of litter and debris at all times and shall remain painted, clean, and in sanitary condition suitable for the use of passengers.

Effective on: 10/24/2019

**Sec. 6-1517. — Excessive noise - open air trollies and open air shuttles.**

- a. It shall be unlawful for any open air trolley or open air shuttle tour service vehicle owner or operator to cause or allow amplified sound, produced by, but not limited to, radios, tape players, or other mechanical sound-producing devices or instruments, to emanate from within the open air trolley or open air shuttle tour service vehicle if such amplified sound is plainly audible at a distance of fifteen feet or greater, in any direction, from the body of the open air trolley or open air shuttle tour service vehicle.
- b. Every open air trolley and open air shuttle tour service vehicle when operated within the City of Savannah shall be equipped with a horn, bell or whistle or other warning device in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of an open air trolley or open air shuttle tour service vehicle shall, when it is reasonably necessary to ensure safe operation, give audible warning with his or her warning device but shall not otherwise use such horn, bell or whistle or other warning device.

(Ord. of 5-9-2024(20), § 2)

Effective on: 5/9/2024

**Sec. 6-1518. — Vehicle inspection and certification required.**

- a. Each tour service vehicle must provide Mobility Services a certificate of serviceability from a certified mechanic on an annual basis for compliance with provisions of this article and shall pass such inspection before the vehicle may be used as a tour service vehicle in the City.
- b. A yearly certification shall be issued by the City Manager, or his/her designee,
- c. Fees for certification and permits shall be set by the annual revenue ordinance.
- d. Any tour service vehicle involved in an accident shall be reported by the tour service company, removed from service, and inspected by a certified mechanic who must provide the tour service company with a certificate of serviceability. Mobility Services must be provided certificate of serviceability before it may be returned to service transporting passengers for hire.

Effective on: 10/24/2019

**Sec. 6-1519. — Authority for removal of tour service vehicles from streets.**

- a. The City Manager, or his/her designee, shall have the authority to order the removal from operation on the streets of the City any tour service vehicle which is in violation of this article and to prohibit operation of the tour service vehicle until all deficiencies have been corrected.
- b. Any order of the City Manager, or his/her designee, to remove a vehicle from the streets may be appealed according to the procedure set forth in section 6-1592 of this article.

Effective on: 10/24/2019

**Sec. 6-1520. — Rates of fare.**

- a. *Rate card required.* No owner or driver of a tour service vehicle shall charge a greater sum for the use of the tour service vehicle than in accordance with the published and advertised rates, which shall be prominently displayed in each vehicle; provided, however, that the provisions of this section shall not apply to customized or specialized limited engagement tours which are not a part of the regularly scheduled tours of the company.
1. Rates shall be displayed in such place as to be conspicuous and to be in view of all passengers.
- b. *Published literature.* Published literature provided by tour guides and tour service companies shall specify the rates to be charged therefor on regularly scheduled tours.

Effective on: 10/24/2019

**Sec. 6-1521. — Stands generally.**

- a. *Tour service vehicle stands.* Parking stands may be designated for the parking of tour service vehicles within the corporate limits of the City, at the discretion of the City Manager, or his/her designee.
1. No parking of tour service vehicles shall be permitted in the corporate limits of the City except in such stands as established above.
  2. Stands shall be designated by signage.
  3. Whenever any stand is established, the stand may be used by tour service vehicles on a rotation basis of first come, first served, except as provided hereinafter.
  4. Time limitations and/or restrictions for parking at stands shall be designated by the City Manager, or his/her designee.
  5. Fees for the use of stands shall be set by the annual revenue ordinance
  6. Administrative hearing and appeal of regulatory or enforcement action related to tour service vehicle stands shall be according to the procedure set forth in section 6-1592 of this article.
- b. *Horse drawn carriage stands.* Any person desiring to have a place designated as a regular stand for horse-drawn carriages in the City shall make application by written petition to the City Manager, or his/her designee for the establishment of the horse-drawn carriage stand, specifically identifying the precise location of the proposed stand
1. Stands shall be available for use by carriage companies only through exclusive use lease and time-share lease agreements by and between the City of Savannah and licensed carriage tour companies. The form of such lease agreements shall be approved by the Mayor and Aldermen.
    - A. Utilizers of time-share carriage stands shall be entitled to occupy the stand for the length of time agreed upon by tour service company owners.
    - B. All exclusive use carriage stands are hereby designated as a tow-away zone. Any vehicle parked in violation of this subsection shall be cited and towed at the owner's expense.
  2. Representatives of horse-drawn carriage companies shall maintain stands in a sanitary condition at all times.
    - A. Any failure on the part of the horse-drawn carriage company to conform to the requirements of this section shall be unlawful and shall subject the driver to the penalties provided in this article.
  3. The City shall maintain an annually updated list of the carriage stand locations.
  4. The use of any other parking area by a tour service company must be approved in advance by writing by the City Manager, or his/her designee, no less than 24 hours prior to the start of the tour.
  5. Appeal of any regulatory or enforcement action related to horse drawn carriage stands shall be conducted in accordance with the procedure set forth in section 6-1592 of this article.
- c. *Visitors center parking lot.* Upon application by a licensed tour service company for a stand in the Visitor's Center parking lot, the City Manager, or his/her designee, shall assign a stand, as available, upon execution of a lease agreement for such stand. The City manager is authorized to execute lease agreements for the City ("lessor") with individual tour service operators ("lessee"). Such lease agreements shall include the following provisions:
1. The lessee shall agree to conduct tours from the Visitor's Center parking lot on a regular basis and to post the tour company's name and logo, if any, tour rates, tour departure times, and duration of tours on or within a sign

provided by the City as lessor. Lessee shall determine tour rates, tour departure times, and the number and duration of tours.

2. Lessor agrees that in exchange for lessee entering into a lease agreement for a fee, lessor will permit lessee's tour vehicle access to the Visitor's Center parking lot, will provide a dedicated parking space for the exclusive use of the lessee, and will furnish lessee with an appropriate sign on or within which the lessee shall display its name and logo, if any, tour rates, tour departure times, and duration of tours.
3. The rental rate for one assigned parking space or stand during the term of such lease shall be \$100.00 per month, or as otherwise may be provided in the annual revenue ordinance, to be paid in advance on or before the first day of each month. Rental during any portion of the first calendar month of a new lease shall be prorated by day.
4. Lessee shall specifically agree to comply with all requirements of this article, and with all applicable state laws related to operation of sightseeing tour vehicles.
5. Lessor reserves the right under such lease to restrict tour vehicle access to the Visitor's Center parking lot and leased spaces for a period up to 15 days each calendar year. Lessee's monthly rental will be prorated by day during restricted periods. When restricted from use of the Visitor's Center parking lot, the lessee will be permitted to load and unload passengers for the purpose of conducting tours from a location on Martin Luther King Boulevard or other appropriate location designated by the City Manager, or his/her designee.
6. No tour service vehicle shall park in the Visitor's Center parking lot at a location other than the assigned tour service stand without prior approval of the City Manager, or his/her designee, except in an area designated for parking of vehicles not on duty and for charter bus parking, which parking area shall be designated by the City Manager, or his/her designee.
7. Entering the Visitor's Center by a tour service company is prohibited except for delivering brochures for supplying the display rack, and then only after prior notice by the Visitor's Center staff.
8. Tour guide operators shall not be permitted to park their private vehicles in the Visitor's Center parking lot.
9. Only one tour service company per leased space will be allowed in the Visitor's Center parking lot at any particular time.
10. Any tour service company who is the subject of a public complaint involving activity in the visitor's center parking lot will, within three working days after notice from the City Manager, or his/her designee, make arrangements to meet with the City Manager, or his/her designee, to resolve the complaint.
11. No person or firm may lease or occupy more than one tour service stand in the Visitor's Center parking lot, either individually or as an associate of or through any company or agency, or through common ownership at any organizational level.
12. Any person, firm, or corporation which holds leases to two spaces in the Visitor's Center parking lot may use such spaces interchangeably. There shall be no requirement for separate company identities, licensing, color schemes, etc. for use of two spaces.
13. Lease of a tour service stand does not constitute a property right and should not be considered an asset by any tour company. If any tour company should buy or merge with another company, the successor-in-interest entity shall have no inherent right to the leased space.
14. Tour service stands in the Visitor's Center parking lot shall be laid out and arranged contiguously within the lot. Such stands shall be assigned and reassigned on the basis of company choice in the order of seniority rank according to company ownership and date of licensing by the City. A change in company ownership, which shall include a transfer or a change in ownership of a majority of the stock in a corporation, shall cause a loss of seniority, making such company a new company for purposes of assigning stands. Such new company shall vacate the stand held by the previous owner, move to the bottom of the seniority list, and be assigned a stand when available on the basis of its seniority. When a stand becomes vacant and available for leasing, any tour service company which leases a stand shall be eligible to advance to the vacant space in the order of company seniority. Any motor tour business which holds a City business tax certificate shall be eligible to lease any vacant space, or to displace any company from a second space pursuant to subparagraph subsection (11) above, in order of company seniority.
15. The Mobility Services director may establish reasonable, non-arbitrary written rules and procedures from time to time as necessary to facilitate administration of lease agreements.

16. Appeal of any regulatory or enforcement action related to horse drawn carriage stands shall be conducted in accordance with the procedure set forth in section 6-1592 of this article.
  17. Any lease entered into pursuant to this section shall specifically state that nothing contained therein shall be construed to designate or appoint the City of Savannah as agent for the lessee, nor shall anything contained in the lease be construed to designate or appoint the lessee as agent for the City of Savannah in the performance of any of the services described in this article. The lessee shall acknowledge and agree that it is an independent business engaged in providing tour services and shall agree to defend, indemnify, and hold harmless The Mayor and Aldermen of the City of Savannah, Georgia, its principals, agents, officers, officials, and employees, from any and all claims for loss, damage, or injury sustained by lessee or to lessee's property or by any agent or employee of lessee or by any person whosoever, in connection with any manner arising out of the provision of tour services and use of Visitor's Center parking lot and property.
  18. The lessee shall obtain and keep in force comprehensive general liability insurance in the minimum amount of \$1,000,000.00 for its undertakings associated with leasing a parking space in the Visitor's Center parking lot. The lessee shall give evidence of the required coverage by providing to the City Manager, or his/her designee, a copy of certificate of insurance from an insurance company licensed to do business in the State of Georgia identifying The Mayor and Aldermen of the City of Savannah as a certificate holder.
  19. A lease may be canceled by either party upon the party seeking termination providing 30 days' written notice to the other party.
  20. Any lease executed pursuant to this article shall expire two years from the date of execution; provided, however, that the parties to the lease may at the time of expiration enter into an agreement for an additional term. If no additional term is agreed upon, and notice of cancellation is not given, the lease will continue on a month-to-month basis until canceled by either party.
- d. *Application for stands.* Any person desiring to have a place designated as a regular stand for tour service vehicles in the City shall make application by written petition to the City Manager, or his/her designee for the establishment of such tour service vehicle stand, setting out where the stand is desired to be.

Effective on: 10/24/2019

#### **Sec. 6-1522 - 6-1524. RESERVED.**

Effective on: 10/24/2019

#### **Sec. 6-1525. — Use of designated bus stops or taxicab stands.**

It shall be unlawful for any driver of any tour service vehicle to park or stand at any bus stop designated for use by the Chatham Area Transit Authority or at any taxicab stand except as provided herein for designated loading and unloading zones.

Effective on: 10/24/2019

#### **Sec. 6-1526. — Restriction on number of passengers.**

- a. No driver shall permit more persons to be carried in a tour service vehicle as passengers than the rated seating capacity of the vehicle.
- b. A child in the arms of an adult shall not be counted as a passenger.

Effective on: 10/24/2019

#### **Sec. 6-1527. RESERVED.**

Effective on: 10/24/2019

#### **Sec. 6-1528. — Tour service vehicle movement prohibited under certain circumstances.**

No driver shall collect fares, make change, or take on or discharge passengers while his/her tour service vehicle is in motion.

Effective on: 10/24/2019

**Sec. 6-1529. — Safety equipment required.**

- a. Each tour service vehicle shall be equipped with electrically powered lights or lanterns and reflectors when operating during the hours of darkness.
- b. Each tour service vehicle shall have on board at all times a first aid kit.
- c. Each motorized tour service vehicle shall have on board at all times a four-pound fire extinguisher.

Effective on: 10/24/2019

**Sec. 6-1530. — Traffic regulations.**

- a. Tour service vehicles shall operate on the streets of the City in accordance with the rules of the road as provided in the laws of the state and the ordinances of the City.
- b. Tour service companies are prohibited from operating tour service vehicles as passenger shuttles for transportation purposes within the historic district, except that they may operate as passenger pickup shuttles from hotels or the tour company's place of business.
- c. Passenger shuttles shall be permitted to access hotels using streets immediately adjacent to each hotel leading to the nearest tour bus stop, passenger loading zone, or stop on hotel private property.
- d. Private shuttle access to the historic district from south of Gwinnett Street is limited to Drayton Street, Montgomery Street, and Martin Luther King Jr. Boulevard.
- e. Tour service vehicles may collect passengers from designated stops prior to beginning a tour and may distribute passengers back to the designated stops after a tour ends.
- f. Tour service companies may provide private contract charter transportation service within the historic district.
- g. Tour service vehicle passengers may board or disembark at designated tour stops only.
- h. Tour service vehicles shall only permit passengers to embark or disembark when the vehicle is immediately adjacent and parallel to a curb.
- i. No tour service vehicle may pause or stop for the sole purpose of narrating a tour.
- j. It shall be unlawful for tour service vehicles to operate at such speeds or motion as to obstruct traffic within the City; provided, however, that this section shall not be construed to require the violation of any state, federal, or municipal traffic law or regulation.
- k. A maximum of two tour service vehicles may be present on a square or street segment at the same time.
- l. Tour service vehicles are limited to a maximum of one trip around a square during the course of a tour.
- m. The City Manager is authorized, upon recommendation of the Tourism Advisory Committee, the Mobility Services Director and/or the City Traffic Engineer, and in coordination with Chatham Area Transit, to designate the number and location of tour service vehicle stops within the historic district.
- n. Each tour service company shall submit to the City Manager, or his/her designee, a map or maps clearly showing said company's tour service vehicle route(s).
  - 1. Such map(s) shall be submitted no later than December 31<sup>st</sup> of each calendar year.
  - 2. If a tour service company changes its route(s) during the year, updated map(s) shall be submitted to the City Manager, or his/her designee no less than 14 days before the route change occurs.
  - 3. The City Manager, or his/her designee, will evaluate tour service vehicle routes for purposes related to traffic and public safety and shall have the right to reject or direct a tour service company to revise its routes when he/she deems such rejection or revision in the best interests of public safety. Such rejection or revision shall be in writing and set forth the basis for any such decision. Cross reference— Motor vehicles and traffic, pt. 7.

Effective on: 10/24/2019

**Sec. 6-1531. — Limitations on engines running.**

No tour service vehicle 34 feet or less in length may stop or park with engines running longer than ten minutes to load and ten minutes to unload.

Effective on: 10/24/2019

**Sec. 6-1532. — Loudspeakers.**

a. It shall be unlawful to mount or affix loudspeakers to the outside of tour service vehicles.

(Ord. of 5-9-2024(20), § 3)

Effective on: 5/9/2024

**Sec. 6-1533. RESERVED.**

Effective on: 10/24/2019

**Sec. 6-1534. — Motor coaches in the historic district.**

- a. *Prohibited streets map.* There is hereby created and adopted a prohibited streets map which identifies streets on which motor coaches shall not operate.
- b. *Operating areas.* Motor coaches shall not operate on any right-of-way designated as prohibited on the prohibited streets map.
- c. *Registration required.* All motor coaches shall be registered with Mobility Services Director and receive a daily permit before transporting passengers within the historic district.
1. The permit shall specify the date, destination, and purpose of visit and be displayed in the lower left-hand corner of the windshield, in plain view clearly visible from outside the vehicle.
  2. If the purpose of the visit is for touring, section 6-1503 as it pertains to business tax certificates shall apply.
- d. *Passenger loading.* No motor coach shall pick up or discharge passengers on the public streets or public properties of the City except at designated loading zones.
1. Vehicles shall park in a designated loading zone for no more than 15 minutes to load and 10 minutes to unload passengers, unless such zone is also designated as a timed holding zone.
  2. After unloading, the vehicle shall move to a designated holding zone and shall not return to the Historic District until the designated time for the end of the tour for the purpose of loading passengers.
- e. *Parking.* No motor coach shall park at any location on the public streets or public parking facilities in the Historic District except at those specifically designated as motor coach holding zones. At no time shall a motor coach park, after loading or unloading, in a space reserved for public transportation.
- f. *Limitations on engine running.* No motor coach may stop or park with engines idling in the Historic District except to load or unload passengers, or as provided for in holding zones cross- designated as idling zones.

Effective on: 10/24/2019

**Sec. 6-1535. — Pedicabs.**

- a. The primary purpose for the operation of Pedicabs shall be for the transportation of passengers as set forth in ARTICLE DD, Pedicabs, of CHAPTER 1 of Part 6 of the Code of the City of Savannah.
- b. Pedicabs may register as a tour service company and conduct sightseeing tours as a tour service vehicle pursuant to the provisions of this article.
- c. Pedicabs otherwise remain subject to the provisions of ARTICLE DD, Pedicabs, of CHAPTER 1 of Part 6 of the Code of the City of Savannah.
- d. Pedicabs shall obtain from the City and display a tour service decal as described in section 6-1512 of this code while operating as a tour service vehicle.

Effective on: 10/24/2019

**Sec. 6-1536 - 6-1545. — RESERVED**

Effective on: 10/24/2019

## DIVISION 3 — HORSE DRAWN CARRIAGES

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### **Sec. 6-1546. - Vehicle inspections and commercial decal required.**

- a. Each horse-drawn carriage shall be inspected by the City for compliance with the provisions of this article and shall pass the inspection before a commercial decal is issued for the vehicle to be operated as a horse-drawn carriage in the City.
- b. Material setting forth the characteristics of the horse-drawn carriage including its dimensions, unladen weight and passenger capacity must follow guidelines listed below.
  1. Animal-drawn vehicles shall be authentically styled passenger carriages, similar to surreys, rockaways, and carriages in illustration numbers 28, 29, 31, 41, 69, 102, 111, 129, 140, and 145 in American Carriages, Sleighs, Sulkies, and Carts, ed. Don K. Berkebile, Dover Publications, Incorporated, 1977.
  2. Wagons which were designed for cargo instead of passengers will not be approved.
  3. Carriages must not exceed 12 feet in length or 6 feet in width.
  4. Carriages will be measured from end to end, excluding the steps and shafts, and from axle tip to axle tip; provided, however, that any certificated carriage which was in use as of December 1, 1990, and which is no longer than 13 feet may continue in use.
- c. Pictures or sketches of each of the four sides of the carriage, samples of colors proposed for the vehicle, and the rated seating capacity of the carriage shall be provided to Mobility Services prior to operation. This information shall not be required if no changes were made to the carriage since the previous inspection.
- d. Carriages shall not have evidence of rotten wood.
- e. An annual commercial decal for the horse-drawn carriage shall be issued by Mobility Services. Fees for certification shall be specified in the City's annual revenue ordinance.
- f. Each horse-drawn carriage shall be inspected by the City once a year with continued review to ensure continued compliance with the provisions of this article.

Effective on: 10/24/2019

### **Sec. 6-1547. - Safe mechanical condition and other safety equipment of horse-drawn carriage required.**

- a. Every horse-drawn carriage operated on the streets of the City shall be maintained in a safe mechanical condition, with all safety equipment remaining intact and operative at all times the vehicle is in service.
- b. Horse-drawn carriage companies shall implement an equipment safety program for carriages prior to operation on the right-of-way. The equipment safety program shall be certified annually by a qualified inspector at the operator's expense and submitted to the City by December 31<sup>st</sup> of each calendar year.
- c. All carriages shall be equipped with a halter and lead rope and whip while touring or otherwise operating within the right-of-way.
- d. Every carriage used for touring purposes shall be equipped with the following:
  1. Electrically powered lights or lanterns and reflectors that shall be visible from a distance of 500 feet in any direction. Each animal shall have reflective ankle cuffs or other reflective material on the animal's front legs on the cannon bone no lower than the fetlock joint. Each side of the shaft or harness in contact with the animal shall have reflective material. Lights and reflective material shall be in operation from a half hour after sunset to a half hour before sunrise, when raining, or when inclement weather or environmental conditions substantially compromise a driver's ability to clearly discern person and vehicles on the street or highway at a distance of 500 feet.
  2. Each horse-drawn carriage shall have on board at all times a two and one half-pound all-purpose extinguisher and a first aid kit.
  3. Carriages must comply with Georgia Code concerning Motor Vehicles and Traffic appearing at Title 40, O.C.G.A. § 40-8-4, as amended, and have a slow moving emblem mounted on the rear of the horse-drawn carriage.
  4. A diapering apparatus that prevents the droppings of the animal from being deposited on the ground or the right-of-way.
  5. A fifth wheel or cut under turning mechanism on the front axle.

6. A two-way communication system such as a radio or cell phone.

7. A minimum of two equine sanitation flags to mark animal excreta droppings and container of solution to treat urine spills.

Effective on: 10/24/2019

**Sec. 6-1548. - Carriage not to be left unattended.**

a. The carriage must be occupied by a company representative in the driver seat or a company representative must attend the horse from the ground by firmly grasping a leadshank/rope properly attached to the horse's halter.

b. At no time shall a horse be separated from its carriage on any City street unless it is an emergency situation.

Effective on: 10/24/2019

**Sec. 6-1549. - Restriction on number of passengers.**

a. No tour guide shall permit more persons to be carried in a horse-drawn carriage as passengers than the rated seating capacity of a particular vehicle.

b. No single animal shall pull a carriage holding more than ten people, including the tour guide.

c. A child in the arms of an adult shall not be counted as a passenger.

Effective on: 10/24/2019

**Sec. 6-1550. RESERVED.**

Effective on: 10/24/2019

**Sec. 6-1551. - Hours of operation for horse-drawn carriages.**

a. No horse-drawn carriage shall be operated on City streets between the hours of 12:00 midnight and 8:30 a.m. on any day.

b. No horse-drawn carriage shall operate a tour between the hours of 4:30 p.m. and 6:00 p.m., Monday through Friday, except that such restriction shall not apply on legal holidays.

Effective on: 10/24/2019

**Sec. 6-1552. - Area of operation.**

a. Horse-drawn carriages carrying passengers for hire shall be confined to the area bounded on the north by the south curb line of River Street from Martin Luther King, Jr. Boulevard to General McIntosh Boulevard; on the west by the west curb line of Martin Luther King, Jr. Boulevard from River Street to Oglethorpe Avenue, then the east curb line of Martin Luther King, Jr. Boulevard from Oglethorpe Avenue to Park Avenue; on the east by the north curb line of General McIntosh Boulevard from River Street to Randolph Street, then the east curb line of Randolph Street to Liberty Street, then the south curb line of Liberty Street to East Broad Street, then the west curb line of East Broad Street to Gwinnett Street; and on the south by the south curb line of Gwinnett Street from Martin Luther King, Jr. Boulevard to East Broad Street.

b. Horse-drawn carriages are prohibited on the following streets and street segments within the area defined above, except to cross from one side to the other:

1. Bay Street.

2. Broughton Street from Martin Luther King, Jr. Boulevard to Lincoln Street.

3. Drayton Street.

4. Whitaker Street south of Congress Street.

5. President Street from East Broad Street to Randolph Street.

6. Montgomery Street from Broughton Street to West Taylor Street.

c. Horse-drawn carriages are specifically prohibited on River Street and all ramps between Bay Street and River Street, but are permitted on all streets north of Bay Street on the Bay Street level between Martin Luther King, Jr. Boulevard and East Broad Street.

d. Horse-drawn carriage restricted areas include those identified in Section 6-1508.

Effective on: 10/24/2019

**Sec. 6-1553. - Sanitation requirements.**

- a. Urine and manure spills shall be flagged to mark animal excrement droppings and immediately treated with a chemical deodorizing solution.
- b. Urine and manure spills must be reported to the equine sanitation service provider by the carriage operator.
- c. Horse diapers, which prevent excrement from being deposited on the street surface, must be in working condition. All diapers must be maintained and free of defects.
- d. The equine sanitation service provider will conduct cleanup services on downtown streets to keep them manure-free and also to eradicate urine odors.
  1. Any company which operates a horse-drawn carriage company in the City shall be assessed a monthly sanitation fee.
  2. The sanitation fee is to be assessed by the City Manager, of his/her designee.
  3. The fee shall be billed to the company on a monthly basis.
  4. Each company must submit to the City Manager, of his/her designee, a copy of all routes used by their carriages, to help ensure effective cleanup.

Effective on: 10/24/2019

**Sec. 6-1554. - Training program.**

- a. Each horse-drawn carriage company shall implement a structured training program for both its tour guides and horses to ensure proficiency when operating on the public right-of-way.
- b. Training materials and records shall be made available for inspection by the City.
- c. Any animal pulling a carriage shall be desensitized or otherwise trained to tolerate urban conditions prior to being placed in service. Records pertaining to desensitization training shall be maintained by carriage companies for inspection by the City.

Effective on: 10/24/2019

**Sec. 6-1555. - Traffic violations.**

- a. Horse-drawn carriages shall be prohibited from stopping in traffic or delaying any on-street traffic for the purposes of loading or unloading passengers.
- b. Every person riding any animal upon a roadway and every person driving any animal-drawn carriage within City limits shall be subject to the provisions of this article and shall operate the carriage in accordance with the traffic laws of the City of Savannah and the State of Georgia, provided that reasonable accommodation shall be made on account of the natural speed of the animals.
- c. Due to the nature of operating animal-drawn vehicles in areas of congestion and heavy traffic within the City, it shall be unlawful to operate the horse-drawn carriage except when the animals are under complete control at all times and shall be operated with extra caution and due care for the safety of others.

Effective on: 10/24/2019

**Sec. 6-1556. - RESERVED**

Effective on: 10/24/2019

**Sec. 6-1557. - Horse-drawn carriage loading and spacing.**

- a. It shall be unlawful for any horse-drawn carriage company to load at any one time more than three horse-drawn carriages from any approved stand for the purpose of conducting tours.
- b. When the carriages leave the stand they shall either:
  1. Start out three minutes apart, or

2. Take different routes.
- c. After leaving the stand, the carriages shall remain separated by a distance of not less than 500 feet.
- d. The loading and spacing of horse-drawn carriages shall not be restricted on Saturdays and Sundays, nor between the hours of 6:01 p.m. and 12:00 a.m., Monday through Friday.

Effective on: 10/24/2019

#### **Sec. 6-1558. - Certificate of serviceability.**

- a. An annual certificate of serviceability shall be issued for each animal used by a horse-drawn carriage company and must comply with the following operating regulations:
  1. A licensed veterinarian shall certify, after due and proper examination, the good health of each animal before being placed into service. At the introduction into the touring stock then bi-annually thereafter, the animal shall have had a physical examination completed by and a certificate of serviceability for carriage work signed by a licensed veterinarian with the results thereof provided to the City and made available for inspection on site.
  2. Upon reasonable notice issued by the City of Savannah, animals shall be made available for physical examination by a licensed veterinarian of the Horse-Drawn Carriage Company's choosing with the results thereof being maintained by the carriage company with a copy being provided to the City.
  3. At introduction into the touring stock, then as needed thereafter, the animal shall have an annual exam and be de-wormed as necessary.
  4. At introduction into the touring stock, the animal shall have been vaccinated by a veterinarian for appropriate diseases and risk factors of the area, as outlined on the certificate of serviceability.
  5. The animal shall not have open wounds or evidence of diarrhea, nor shall the animal be lame or suffer from any other ailments unless the individual horse-carriage company's stable has a current written statement by a veterinarian on file that the animal is fit for such work notwithstanding such condition. The written statement must contain an expiration date and be filed with the City.
  6. The hooves of all animals while engaged in work on pavement, brick, concrete, or other like hard or paved surfaces shall have appropriate shoes and pads to prevent slipping. Hooves shall be evenly trimmed.
  7. The animal shall have adequate flesh and muscle tone as determined by the Body Condition Scale of the Henneke Chart and shall average between 4 and 7 based on an assessment by the horse-drawn carriage company's veterinarian.
  8. The animal is maintained in good health and sufficient athletic condition.
  9. Each animal shall be groomed daily.
- b. Any horse-drawn carriage owner/operator who refuses or fails to comply with the requirements of this article shall not be issued a certificate of serviceability until proof of compliance is presented by the applicant and certified by the City.
- c. Compliance with all requirements of the certificate of serviceability shall be continuously maintained and constitutes a requirement for continuous operation.

Effective on: 10/24/2019

#### **Sec. 6-1559. - Record keeping.**

- a. Medication and treatment logs, Georgia State Department of Agricultural inspection records, certificate of serviceability, de-worming records, rectal temperature logs, work schedules, and disposal documentation shall be maintained for a one-year period by each carriage company for every animal used in the touring stock.
- b. These records shall be made available for inspection by the City.

Effective on: 10/24/2019

#### **Sec. 6-1560. - Inspections.**

- a. Animals, stables, stalls and operating facilities, and records shall be subject to random or unannounced inspections at the discretion of the City.
- b. Such inspections shall be temporally brief so as not to not unreasonably interfere with the operation of the business.

- c. The City shall complete the inspection within 15 minutes after being furnished access to the areas of inspection during business hours.
- d. A representative from the horse-drawn carriage company shall be present.

Effective on: 10/24/2019

**Sec. 6-1561. - Care of horses.**

- a. Free choice and cold water shall be provided to each animal immediately after completing a tour or offered at least once per hour.
- b. Animals shall be provided electrolyte supplements as needed.
- c. Harnesses shall be properly fitted, maintained, and oiled so that no irritating material will come in direct contact with the animal.
- d. In a 24-hour period, animals shall not tour more than 8 consecutive hours without a 1 1/2 hour break disconnected from the carriage.
- e. Animals shall not tour for more than 6 consecutive shifts in a 7-day period. Exceptions must be submitted to the City.
- f. Animals shall have a 10 minutes of rest per every tour hour.
- g. Animals shall not engage in work with equipment causing an impairment of vision, other than normal blinders.
- h. No tour guide may use more than a light touch of the whip upon any animal, and no tour guide or other person may forcefully strike an animal or make movements or noise intended to frighten or harm an animal.
- i. No tour guide shall permit an animal to pull a carriage at a speed faster than a slow trot, except in emergency situations.
- j. No animal shall be subject to any condition or treatment, whether in service or out of service, which will impair the good health and physical condition of that animal.

Effective on: 10/24/2019

**Sec. 6-1562. - Shelter for horses.**

- a. Shelter for horses shall be safe, well lighted, ventilated, and provide protection from weather as described herein:
  - 1. Stables and stalls shall be kept clean and in good repair and excreta shall be removed daily.
  - 2. Fans shall be used to increase ventilation when the ambient temperature reaches 80 degrees Fahrenheit.
  - 3. Adequate water shall be provided in stables and stalls at all times while any animal is present.
  - 4. Bedding in stalls and stables shall be changed daily and shall not show wetness under the pressure of any animal's hooves.
  - 5. Adequate and leak-free roofing is required for any stable or stall area in which animals are housed.
  - 6. Each individual animal shall have a stall large enough for the animal to safely turn around, but in no case shall any individual animal be kept in a stall less than 120 square feet in area. Ceilings in stalls and stables must provide ample headroom for the animal.
  - 7. Food shall be kept free of contamination.
- b. Fire extinguishers must be kept in obvious places in every stable as required by law and as recommended by the fire department.
- c. Each carriage company shall post at their barn in a conspicuous place signage as required under applicable federal, state and local laws.

Effective on: 10/24/2019

**Sec. 6-1563. - Harnesses.**

- a. Animals shall not engage in work with harnesses or bits that harm or are unsafe to the animal.
- b. No bitless bridles shall be used.
- c. Harnesses, bridles, bits, and padding shall be properly fitted and kept clean and in good working order.

d. Harnesses shall be kept free of makeshifts like wire and rope. Exceptions shall be made in emergency situations until the animal is safe.

Effective on: 10/24/2019

### **Sec. 6-1564. - Equine heat.**

a. *Monitoring of temperature and heat indices.* The Code Compliance Director shall use weather information provided by the National Weather Service ([www.weather.gov](http://www.weather.gov)) to monitor the temperature and heat index. The specific weather location shall be Hunter U.S. Army Airfield (KSVN).

b. *Heat guidelines.* The following heat indices and air temperatures shall be applied:

1. Temperature of 85 degrees Fahrenheit or higher.

A. The rectal temperature readings and respiratory rates shall be taken at the end of every circuit of the tour route prior to hosing down the horse. Information shall be recorded and kept on the carriage or at the carriage stand for the tourism director to review.

B. Visual inspection of the horses shall be made by the Code Compliance Director, or his/her designee to detect stress.

2. Heat index of 100 up to 110 degrees or temperature of 90 up to 95 degrees Fahrenheit.

A. The rectal temperature readings and respiratory rates shall be taken at the end of every circuit of the tour route prior to hosing down the horse. Information shall be recorded and kept on the carriage or at the carriage stand for Code Compliance Director, or his/her designee to review.

B. Horses shall be hosed down with cold water at the end of their tour route. Sweat scrapes shall be used to remove excess water from the horse's body once it is hosed down.

C. Water stations shall contain fresh and cold water. Electrolytes are recommended as needed.

D. Signs of heat exhaustion shall immediately be addressed and the horse returned to their stable.

E. Horses shall have a minimum of 15 minutes rest per tour hour.

3. Heat Index of 110 degrees or higher or temperature exceeding 95 degrees Fahrenheit.

A. Horse-drawn carriages shall not be allowed to operate on City streets.

B. Horses currently on the street shall have the option of staying at their stand to keep cool to prevent the horse from being put into a dangerous situation by being sent back to the stables. If needed, appropriate emergent care shall be provided to the horse.

c. *Horse stand inspections.* The Code Compliance Director, or his/her designee, shall reserve the right to ask for temperature readings on all horses currently in circulation when the heat index is 100 degrees or higher or air temperature is 85 degrees Fahrenheit or higher. Temperature records shall be available for inspection by the Code Compliance Director. Horse drawn carriage companies unable or willing to provide proof that temperatures are being taken shall be subject to being removed from operation on City streets. The Code Compliance Director shall reserve the right to have temperatures taken in his/her presence.

d. *Elevated horse temperatures.* If the temperature of any horse on the street is 102 degrees or above, the horse-drawn carriage company shall retake the temperature in the presence of the Code Compliance Director or his/her designee. If the temperature of the horse remains above 102 degrees after 30 minutes from initial reading, that horse shall be ordered off of the street by the Code Compliance Director, or his/her designee and returned to the stable for the day. If needed, appropriate emergent care shall be provided to the horse.

e. The Code Compliance Director, or his/her designee, may order a horse-drawn carriage to return to its stand and request a temperature reading in his/her presence.

Effective on: 10/24/2019

### **Sec. 6-1565. - Adverse weather conditions.**

a. An owner, operator, or custodian of a horse engaged in the horse-drawn carriage trade shall not drive, use, or work a horse on a public street or right-of-way in the City:

1. During periods when the temperature is below 35 degrees Fahrenheit as determined by the National Weather Service ([www.weather.gov](http://www.weather.gov)) for Hunter U.S. Army Airfield (KSVN);

2. During periods when it is snowing, sleeting, or during the fall of freezing rain; or
  3. During adverse weather or other conditions which are a threat to the health or safety of the horse and the public. Adverse weather conditions shall include but not be restricted to snow, ice, heavy rain, sleet, freezing rain, or other slippery conditions.
- b. A horse being worked when such conditions develop shall be returned to the stable by the most direct route as soon as practicable.

Effective on: 10/24/2019

#### **Sec. 6-1566. - Incidents and accidents.**

- a. Each horse-drawn carriage company shall designate an employee to be trained in basic equine first aid and to deploy as a first responder to any incident involving possible injuries to a horse from their respective company.
- b. Each horse-drawn carriage company shall be equipped with an equine triage kit with the capabilities of administering basic first aid to an injured horse until such time that a licensed equine veterinarian can respond to an incident scene to administer veterinarian care.
- c. Accidents requiring a police report shall be reported to the City within 24 hours.
- d. Each horse-drawn carriage involved in a reportable accident shall be inspected by a licensed mechanic and provide a certificate of serviceability to the City before it may be returned to service transporting passengers for hire.

Effective on: 10/24/2019

#### **Sec. 6-1567. - Compliance required.**

Failure to comply with this article or any of the laws, ordinances or regulations of this City may result in revocation of licenses and punishment in the Recorder's Court of Chatham County. Any ordinance or law of this City, county, state, or federal agency which governs the treatment of animals, must be complied with by the horse-drawn carriage tour guide, passengers, and agents of the horse-drawn carriage company. This includes any person who comes into contact with a horse subject to this article.

Effective on: 10/24/2019

#### **Sec. 6-1568 - 6-1575. — RESERVED**

Effective on: 10/24/2019

### **DIVISION 4 — QUADRICYCLES**

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#### **Sec. 6-1576. - Regulation of quadricycles.**

- a. A quadricycle shall be equipped with more than two seats for passengers who shall operate the pedals to propel but not steer the vehicle, and a separate seat or bench to be occupied by a driver who shall steer the vehicle and be able to bring the vehicle to a complete stop on level pavement.
- b. Quadricycles operating within the City shall be equipped with the following:
  1. Hip restraints as defined by the American National Standards Institute (ANSI)/National Golf Carts Manufactures Association (NGCMA) shall be installed for every seat on the vehicle.
    - A. The driver of the quadricycle shall not operate the vehicle unless each passenger thereon is wearing a hip restraint.
    - B. The failure of a passenger to wear a hip restraint shall not be considered evidence of negligence, comparative or otherwise, including apportionment of fault, on the part of the passenger, and shall not be evidence used to diminish any recovery for damages arising out of the ownership, maintenance, occupancy, or operation of a vehicle.
- c. Lighting on the vehicle which shall be the following:
  1. A light on the front which shall emit a white light visible from a distance of 300 feet to the front;
  2. A taillight mounted on the rear, which when lighted shall emit a red light plainly visible from a distance of 500 feet to the rear; and

3. A brake light on the rear which shall emit a red light and which shall be activated upon application of the service (foot) brake and which may but need not be incorporated with a taillight. Every brake light shall be plainly visible and discernable from a distance of 300 feet to the rear both during normal sunlight and at nighttime.
- d. Rear signage which shall conform to those standards and specifications adopted for slow- moving vehicles by the American Society of Agricultural Engineers in December 1966, and contained within such society's standard ASAE S276.1, or shall be an emblem of the same shape and size painted on such vehicle in a bright and conspicuous retro reflective red orange paint.
  1. Such emblem shall be mounted on the rear of such vehicles, in the approximate horizontal geometric center of the vehicle, at a height of three to five feet above the roadway, and shall be maintained at all times in a clean and reflective condition.
- e. A mirror capable of showing the driver a view of the roadway for a distance of 200 feet to the rear of the vehicle.
- f. A braking system, operable by the driver, that is capable of overriding all methods of propulsion and bringing the vehicle to a complete stop.
- g. A barrier on both sides of bench seating that restricts sliding beyond seating capacity.
- h. No person may occupy a quadricycle on a seat equipped with a pedal unless such person is physically able to sit upright in the seat and operate the pedals which power the vehicle.
- i. No person under the age of 16 may occupy a quadricycle unless such person is wearing properly fastened protective headgear approved by the American National Standards Institute (ANSI) or the Snell Memorial Foundation.

Effective on: 10/24/2019

#### **Sec. 6.1577. - Movement of quadricycles in City.**

- a. It shall be unlawful to ride quadricycles on sidewalks within the City's corporate limits.
- b. Quadricycles shall only operate in the area encompassing Jefferson Street to the west, Oglethorpe Avenue to the south, Abercorn Street to the east, and Bryan Street to the north.
- c. Quadricycles may access Montgomery Street north of Congress Street. Quadricycles may cross Bay Street to access Williamson Street and Indian Street only at the signalized street lights on Montgomery and Jefferson Streets; provided that no quadricycle may cross Bay Street at any time between 3:30 p.m. and 6:00 p.m. Monday through Friday.
- d. Quadricycles will be required to pull safely to the nearest curb area when one or more trailing vehicles are unable to safely pass or continue in normal traffic flow.
- e. All quadricycle tours shall be subject to all traffic regulations applicable to motorized tour vehicles; quadricycles operated for personal, non-commercial purposes shall be subject to the same rules of operation as bicycles within the City (ref §7-1134).

**Cross reference** — Streets and sidewalks, §4-1001 et seq.

Effective on: 10/24/2019

#### **Sec. 6.1578 - 6.1580 - RESERVED**

Effective on: 10/24/2019

### **DIVISION 5 — WALKING TOURS**

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#### **Sec. 6-1581 - Regulations and conduct.**

- a. It is the tour guide's continuing responsibility to make tour participants aware of the following regulations.
  1. Walking tours shall refrain from encroaching on private property including, but not limited to, trees, bushes, tree lawns, porches, gardens, steps, and public streets open to vehicular traffic.
  2. No tour may block sidewalks preventing other pedestrians from passing.
  3. Noise of the participants is to be kept at a conversational level.
  4. Voice amplification systems are forbidden.
- b. Number of guests.

1. Walking tours are limited to 30 guests.
2. Motor coach walk-throughs must have a motor coach escort for groups over 30.

Effective on: 10/24/2019

**Sec. 6.1582 - 6.1590 — RESERVED**

Effective on: 10/24/2019

**DIVISION 6 — ENFORCEMENT AND PENALTIES**

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**Sec. 6-1591. — Penalties for violation; issuance of citations; suspension and appeal.**

- a. Failure to comply with this article or any of the laws, ordinances, and regulations of this City may result in a permit violation and shall be punishable as provided in section 1-1013 of this Code.
- b. Any citation issued for violation of this article shall be issued to the tour guide or tour service vehicle operator at the time the violation is detected; provided, however, where an enforcement officer deems issuance of a citation at the time of infraction as a potential threat to public safety, he/she may deliver the citation to the implicated tour service guide or company.
- c. Delayed delivery citations shall:
  1. Be delivered by 10:00 a.m. on the business day following the infraction date.
  2. Be fully valid and shall be considered sufficient notice of the charge(s).
  3. A tour service company who contests the citation may appeal in writing within 7 days of the alleged infraction to the Code Compliance Director.
- d. Any tour service company or other business operating a tour whose operators receive five or more sustained citations for violating this article in a 30-day period shall be assessed a fine pursuant to the following schedule:

Number of Citations In 30-Day Period	Fine
5 or more	\$500.00
10 or more	\$750.00
15 or more	\$1,000.00

Effective on: 10/24/2019

**Sec. 6-1592. — Means of Appeal.**

- a. Any enforcement action related to this ordinance may be appealed within 7 days to the Code Compliance Director.
- b. The Code Compliance Director shall render a decision on all appeals within 7 days of receipt
- c. of a request for appeal.
- d. Persons notified of an appeal denial by the Code Compliance Director shall have 30 days from the receipt of notice in which to request a hearing before the Recorder’s Court.

Effective on: 10/24/2019

**Sec. 6.1593 - 6.1599 — RESERVED**

Effective on: 10/24/2019