



City of Chicago



O2014-877

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	2/5/2014
Sponsor(s):	Burke (14)
Type:	Ordinance
Title:	Amendment of Municipal Code Chapter 9-108 concerning licenses for horse-drawn carriages
Committee(s) Assignment:	Committee on Finance

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, horse-drawn carriages operating on busy city streets raise public safety, sanitary, and animal welfare issues; and

WHEREAS, there are numerous documented incidents involving horse-drawn carriages operating in congested urban environments; and

WHEREAS, horse-drawn carriages have been banned in Biloxi, Mississippi; Camden, New Jersey; Palm Beach, Pompano Beach, Key West, and Treasure Island, Florida; and

WHEREAS, New York City Mayor Bill de Blasio has committed to ending the practice in New York City; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 9-108 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and deleting the language stricken through, as follows:

(Omitted text is unaffected by this ordinance)

9-108-030 ~~Application~~—Renewal prohibited.

(a) No horse-drawn carriage license shall be renewed.

~~(a) Applicants holding horse-drawn carriage licenses which were issued by the commissioner of business affairs and consumer protection prior to the effective date of this ordinance may apply for renewal of such licenses within 15 days following the effective date of this ordinance. Licenses so renewed shall be effective during the initial~~

~~licensing period and shall terminate on the thirty first day of December following their issuance.~~

~~(b) Application for renewal of horse drawn carriage licenses for the initial license period shall be made in writing, signed and sworn to by the applicant or if applicant is a corporation, by its duly authorized agent, upon forms provided by the commissioner. The application for renewal shall contain the full name and residence address of the applicant, Chicago place of business, the business telephone number of the applicant and, the manufacturer's name, model, length of time in use and seating capacity of the carriage which applicant will use. If the applicant is affiliated or to become affiliated or identified with any person by the color scheme of carriages, trade name or emblem, telephone number, radio dispatch system, or service agreement, the application for renewal shall contain the full name, Chicago business address and telephone number of said affiliate. A copy of the agreement with said affiliate, if any, shall be filed with the application for renewal. Each horse drawn carriage license applicant must demonstrate that the applicant will have at least one horse licensed under the provisions of Chapter 7-12 available for each carriage license applied for and must submit a copy of the license for each horse or a copy of the application for said license as part of the application for renewal of a horse drawn carriage license. All corporate applicants for horse drawn carriage licenses shall be organized or qualified to do business under the laws of Illinois and have a place of business within the City of Chicago. All other applicants shall be citizens of the United States and shall have a place of business in the City of Chicago.~~

~~(c) All applications for renewal of a horse drawn carriage license for license periods subsequent to the initial license period provided for herein shall be made at least 45 days prior to the expiration of the license period. Such applications for renewal shall be made in writing, signed and sworn to by the applicant or if applicant is a corporation, by its duly authorized agent, upon forms provided by the commissioner. The renewal applications shall contain the full name and residence address of the applicant, Chicago place of business, the business telephone number of the applicant, and the manufacturer's name, model, length of time in use and seating capacity of the carriage which applicant will use. If the applicant is affiliated or to become affiliated or identified with any person by the color scheme of carriages, trade name or emblem, telephone number, radio dispatch system, or service agreement, the renewal applications shall contain the full name, Chicago business address and telephone number of said affiliate. A copy of the agreement with said affiliate, if any, shall be filed with the renewal applications. Each horse drawn carriage license applicant must demonstrate that the applicant will have at least one horse licensed under the provisions of Chapter 7-12 available for each carriage license applied for and must submit a copy of the license for each horse or a copy of the renewal application for said license as part of the application for a horse drawn carriage license. All corporate applicants for horse drawn carriage licenses shall be organized or qualified to do business under the laws of Illinois and have a place of business in the City of Chicago. All other applicants shall be citizens of the United States and shall have a place of business in the City of Chicago.~~

~~(d) No more than 40 horse-drawn carriage licenses shall be issued, the public convenience and necessity requiring such limitation.~~

~~(e) The commissioner may refuse to renew a license for the initial license period or for any subsequent license period provided for in this ordinance, if that license was revoked during the previous license period or if the applicant for renewal fails to qualify for renewal under any provision of this chapter or rules and regulations promulgated hereunder, or any provision of this municipal code, the laws of Illinois or federal law relating to the use or operation of a vehicle on a public way. In the event that the commissioner determines that a license shall not be renewed, the commissioner shall notify the applicant within 30 days, which notice shall state the reason for the nonrenewal.~~

~~(f) If a renewal is denied the applicant may within ten days of the mailing of notice of the denial, make written demand upon the commissioner for a hearing. Upon receipt of a timely written demand for a hearing, the commissioner shall within 30 days conduct a hearing. If upon such a hearing the applicant establishes through competent evidence that the denial was based upon incorrect findings, the commissioner shall issue the license. If upon such a hearing the denial is found to have been based upon correct findings, the denial shall become final. After entry of a final denial the applicant shall be ineligible to make a new application for a period of six months.~~

~~(g) In the event that a license is not renewed by the commissioner or if a licensee chooses not to apply for renewal, the commissioner shall grant all such available licenses by the random selection of qualified applicants. Such applicants shall make application to the commissioner as provided for in Section 9-108-030(b) hereof. Such applicant shall meet all applicable requirements set forth herein.~~

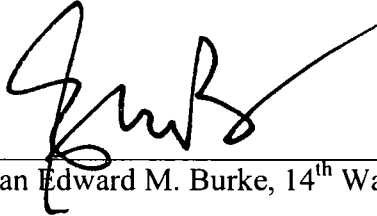
9-108-040 Investigation—Issuance.

~~Upon receipt of an application for renewal for a horse-drawn carriage license, the commissioner shall cause an investigation to be made of the character and reputation of the applicant as a law-abiding citizen; the financial ability of the applicant to render safe and comfortable transportation service, to maintain or replace the equipment and horses for such service, to pay all judgments and awards which may be rendered for any cause arising out of the operation of a horse-drawn carriage during the license period. If the commissioner shall find that the application for renewal, and all other statements and documents required to be filed with said application have been properly executed; that the applicant is qualified to pursue this occupation; that the carriage or carriages are in safe and proper condition, and that the horse has been properly licensed under Sections 7-12-210 and 7-12-220 of the municipal code, the commissioner will issue the applicant a license for each horse-drawn carriage applied for, to terminate on the thirty first day of December following the date of issue, except that no more than 40 licenses shall be issued or outstanding at any one time. A horse-drawn carriage license may not be applied~~

~~for by, nor may a license be issued to, any person other than the owner of a carriage or horse.~~

(Omitted text is unaffected by this ordinance)

SECTION 3. This ordinance shall be in full force and effect upon passage and publication.

A handwritten signature in black ink, appearing to read 'E. M. Burke', is written over a horizontal line.

Alderman Edward M. Burke, 14th Ward