



TOWN OF YARMOUTH

SOUTH YARMOUTH

MASSACHUSETTS 02664

January 1984

BOARDS OF
SELECTMEN
ASSESSORS
HEALTH
EXECUTIVE
SECRETARY

TOWN OF YARMOUTH

RULES AND REGULATIONS

HORSE DRAWN CARRIAGE

Section 1. Permits

Except as otherwise provided by law, no person shall engage in the business of transporting persons for hire in a horse drawn carriage without first having obtained a permit from the Board of Selectmen authorizing him to engage in such business and designating the number of such carriages that may be used, the hours of operation, and the specific routes authorized to be travelled under such permit. Permits issued by the Board of Selectmen under this regulation shall expire on December 31 annually unless further restricted.

Section 2. Need and Convenience

The Board of Selectmen may grant a Horse Drawn Carriage Permit to suitable persons who have demonstrated experience and expertise in the care and handling of horses if they believe the public good is best served by granting such permit.

Section 3. Applications

Applications for a Horse Drawn Carriage Permit shall be in writing and submitted by the owner thereof. Such application shall set forth under oath all information that the Board of Selectmen may require.

Section 4. Change of Address

When a Horse Drawn Carriage Permit holder changes his address or the address at which the horse or carriage owned by him is kept, he shall notify the Board of Selectmen in writing within three (3) days of such change.

Section 5. Permit to be Accessible

No person shall operate a horse drawn carriage without a valid Horse Drawn Carriage Permit and Taxi Operators License on his person or in some easily accessible place within the carriage.

Section 6. Rates to be Posted

It shall be the duty of the operator of a horse drawn carriage to post the current rates for passengers in a conspicuous place within the carriage so that they may be in clear view and easily read by all passengers.

Section 7. Permit Fee

The fee for a Horse Drawn Carriage Permit shall be Fifty Dollars (\$50.00) annually.

Section 8. Insurance

No Horse Drawn Carriage Permit shall be valid until a certificate of an insurance company authorized to transact business in the Commonwealth, stating that the horse and carriage to which the permit applies is properly insured under the laws of the Commonwealth, in an amount satisfactory to the Selectmen, has been submitted to the Board of Selectmen. Such certificate shall state the name and address of the owner of the horse and carriage, the name of the company in which the permit is issued, the amount and character of the insurance, and a statement that the insurance policy is applicable to passengers lawfully riding in the carriage, others travelling on the way and owners of property on or near the way and said policy shall state that it cannot be revoked or amended without ten (10) days written notice to the Board of Selectmen.

Section 9. Suspension or Revocation

The Board of Selectmen may suspend, revoke or modify a Horse Drawn Carriage at any time if in their opinion any section of these rules and regulations has been violated, or if in their opinion any such regulation or bylaw of the Town of Yarmouth or any Massachusetts General Law has been violated by the holder of a Horse Drawn Carriage Permit. A permit holder shall be notified in writing of any suspension, revocation or modification stating the specific reason or reasons for the suspension, revocation or modification.

Section 10. Transfer or Sale of Permit

No Horse Drawn Carriage Permit shall be sold, assigned or transferred without prior approval of the Board of Selectmen.

Section 11. Unfit Horse and Carriage

The Board of Selectmen shall refuse a Horse Drawn Carriage Permit, or if already issued, revoke or suspend said permit for any horse drawn carriage found to be unfit, unsafe or unsuited for the purposes herein set forth.

Section 12. Advertisements Prohibited

No advertisements or announcements of any description, other than the name, address and telephone number of the permit holder, shall appear on a horse drawn carriage operated for him in the town. This section does not prohibit the posting of rates as required in Section 6 of these rules and regulations.

Section 13. Horse Drawn Carriage Operator

All horse drawn carriage operators shall be required to hold a valid Town of Yarmouth Taxicab Operators License issued by the Chief of Police.

Section 14. Improper Operation or Equipment

No person operating a horse drawn carriage shall have or permit to be on or in such horse drawn carriage or on or about his person anything which may interfere with the proper operation of such horse drawn carriage, nor shall any horse drawn carriage be operated if it is unsafe or improperly equipped. At no time shall any horse drawn carriage be operated when the passengers therein are in excess of its safe seating capacity.

Section 15. Soliciting Passengers

No horse drawn carriage operator shall by means of signal or outcry solicit passengers or business.

Section 16. Fares

Fares for the hire of horse drawn carriages shall be those fares currently approved in writing by the Board of Selectmen.

Section 17. Amendments

All licenses and permits required by these rules and regulations shall be subject to such terms and conditions as the Board of Selectmen of the Town of Yarmouth shall from time-to-time prescribe.

Section 18. Conviction of Violation

Any person convicted of a violation of any provision of these rules and regulations shall be punished by a fine of not more than three hundred dollars (\$300.00) for each offense and subject to suspension or revocation of their permit in accordance with these rules and regulations.

Section 19 Board of Health Requirements

Any person holding a permit for a horse drawn carriage must at all times comply with rules and regulations of the Town of Yarmouth Board of Health which pertain to such operations including the stabling of horses.

Section 20 Offensive Odors

Permit holders shall at all times maintain their horse drawn carriage in a clean and sanitary condition and free from all offensive odors. Operators of horse drawn carriages shall at all times provide for proper disposal and sanitation of manure and urine from their horses in accordance with approved Town of Yarmouth Board of Health requirements.

Section 21 Condition of Horses

In the event it becomes necessary for the Town of Yarmouth to engage the services of a licensed veterinarian to investigate conditions of the horse or horses used in conjunction with a permit for a horse drawn carriage, any fees due said licensed veterinarian shall be the responsibility of the permit holder.

Section 22 Noise

Carriages used in a horse drawn carriage operation shall be operated only with rubber or similar material inserted wheels and no bells, gongs or other sound producing devices shall be used on or about any horse drawn carriage. Horses shall be provided with shoes which will provide maximum safety for the horse and produce no unnecessary noise.

Section 23 Night Operations

No horse drawn carriage shall be operated in the Town of Yarmouth from one-half hour before sunset to one-half hour after sunrise without sufficient lighting and reflectors to provide safety and warning to motorists and pedestrians.

Section 24 Authority

These rules and regulations are adopted under authority of Massachusetts General Laws, Chapter 40, section 22.