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TOWN OF SIDNEY

BYLAW NO. 1116 (CONSOLIDATED)

Amendment Bylaws incorporated as listed at the end of the document.

A BYLAW TO REGULATE THE OPERATING OF A HORSE AND CARRIAGE TOUR OPERATION WITHIN THE TOWN OF SIDNEY

WHEREAS Council may, pursuant to Section 657 of the *Local Government Act*, regulate horsedrawn sightseeing vehicle operations within the Town of Sidney.

AND WHEREAS the operation of such a business could create difficult problems for the Town in respect of traffic congestion on the streets and sidewalks.

AND WHEREAS in the opinion of Council it is in the public interest of the citizens of Sidney to control such operations.

NOW THEREFORE by virtue of the powers conferred on it by Section 657 of the *Local Government Act* the Council of the Town of Sidney, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "**Horsedrawn Sightseeing Vehicle Regulations Bylaw No. 1116**"

2. Definitions

Licensee - means the holder of a valid business licence issued pursuant to the provisions of this bylaw and Business Licence Bylaw No. 1668 for the operation of a sightseeing vehicle.

Owner - means any person who is the owner of a horsedrawn sightseeing vehicle licenced through the Business Licence Bylaw.

Horsedrawn Sightseeing Vehicle - means any horsedrawn vehicle other than those used for special events.

3. Regulations

(a) No person shall operate any business using any horsedrawn sightseeing vehicle unless he holds a valid and subsisting licence for the vehicle, issued pursuant to the provisions of the bylaw and the Business Licence Bylaw.

(b) No person shall drive any horsedrawn sightseeing vehicle, with a passenger in or on it, for which a valid and subsisting business licence pursuant to the provisions of this bylaw and the Business Licence Bylaw has not been obtained.

- (c.i.) The Licence Inspector shall not issue any business licence for any horsedrawn sightseeing vehicle unless he is satisfied that the applicant for the Business Licence is insured in an amount of not less than \$2,000,000 against any claim arising from the operation of the vehicle.
- (c.ii.) No person shall drive any sightseeing vehicle with a passenger in or on it unless the insurance required by this section is in effect.
- (c.iii.) The Licence Inspector may at any time require proof of insurance and, in default of satisfactory proof by the licensee, may refuse to renew a business licence or may revoke an existing business licence.
- (d) No person shall drive any horsedrawn sightseeing vehicle unless he has a valid driver's licence issued pursuant to the provisions of the *Motor Vehicle Act*,
- (e) The licensee and owner of any horsedrawn sightseeing vehicle shall ensure that it is maintained in a safe and clean condition and in good repair.
- (f) The licensee of any horsedrawn sightseeing vehicle is responsible for the cleanup of excrement dropped by the horse and shall do so within fifteen (15) minutes of the dropping or the Town can clean it up at the expense of the licensee.
- (g) The licensee of any horsedrawn sightseeing vehicle shall wash down the street area at least once a day in the loading stand areas which are used.
- (h) Where in the opinion of Council, any licensee habitually fails to clean up excrement dropped by the horse or fails to wash-down the street loading areas, the Council, may, after affording the licensee an opportunity to be heard, suspend his business licence for a period of not more than ninety (90) days.
- (i) No licensee shall keep or stable his horse overnight within the corporate boundaries of the Town of Sidney.
- (j) No person shall drive any horsedrawn sightseeing vehicle on any street other than those marked in heavy black line as shown on Schedule A of this bylaw.
- (k) Any person with a Town of Sidney Business License for the purpose of operating a horsedrawn sightseeing vehicle may operate any horsedrawn sightseeing vehicle on any Street within the Town of Sidney, except that:
 - a) No person shall operate any horsedrawn sightseeing vehicle in any residential zone after 10:00 p.m. nor before 7:00 a.m. in the morning.
 - b) No person shall operate any horsedrawn sightseeing vehicle in any commercial zone after 11:00 p.m. nor before 7:00 a.m. in the morning.
 - c) No person shall operate any horsedrawn sightseeing vehicle along the Pat Bay Highway (Highway 17)."
- (l) Not more than one person at any time shall offer any tickets for sale or advertise a horsedrawn sightseeing tour at each of the loading stands on First Street and shall not solicit on any Town street or offer for sale tickets other than at the loading stands.

4. Offence

Information may be laid:

- a) In accordance with the procedures set out in the *Offence Act*, or
- b) By means of a ticket under the *Local Government Act* or *Community Charter*.

The *Offence Act*, where applicable, shall apply to proceedings under this Bylaw.

5. Penalty

Except as otherwise provided in this Bylaw, any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfil, observe, carry out or perform any duty or obligation imposed by this Bylaw shall be liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000.00) but not less than the fines set out in the Schedule in the Municipal Ticket Information Bylaw.

Introduced and read a first time this	25th day of January 1993.
Read a second time the	25th day of January 1993.
Read a third time the	25th day of January 1993.
Reconsidered, and finally adopted the	8th day of February 1993.

original signed

MAYOR

original signed

CLERK

(amendment 01) Bylaw 1141, June 1993.
(amendment 02) Bylaw 1169, November 1993.
(amendment 03) Bylaw 1352, October 1996.
(amendment 04) Bylaw 1488, September 1998.
(amendment 05) Bylaw 1887, March 2006.
(amendment 06) Bylaw 2029, October 2012.

Schedule A

