



**City of Mount Dora  
Planning and Development  
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## **HORSE DRAWN VEHICLE PERMIT APPLICATION**

Any person desiring to obtain a permit to operate a horse-drawn vehicle in the City shall submit to the Planning and Development Director a written application, which shall contain the following information:

1. Company Name: \_\_\_\_\_
2. Contact Person: \_\_\_\_\_
3. Address: \_\_\_\_\_  
\_\_\_\_\_
4. Phone: \_\_\_\_\_ Email: \_\_\_\_\_
5. Occupations of its officers, directors and major stockholders: Names and addresses of any parent or subsidiary companies; date and place of incorporation, if incorporated outside the State of Florida, whether it has qualified to do business within the State of Florida. If the applicant is a corporation controlled by another corporation, the names, addresses, and occupations of the officers, directors and major stockholders of the controlling corporation shall also be stated: If the applicant is a partnership or other unincorporated association, the names and addresses of each member whether active or inactive, shall be set forth, and if one or more partners or members are corporations, the names and addresses and occupations of such corporations' officers, directors and major stockholders shall also be stated.
6. The trade name, if any, under which the applicant proposes to do business
7. A thorough description, including photographs, of the proposed horse-drawn hack or vehicle to be operated; the manner in which the applicant proposes to establish, maintain and operate the business; the proposed hours of operation; the proposed location from which the business is to be operated; the proposed route or routes to be served or utilized, together with a map or maps describing the proposed routes; the number of proposed horse-drawn vehicles to be operated under the proposed business; the type of animal or beast of burden to be used to draw any vehicle; the kind, make and model of the vehicle(s) to be used in the business; and , the safety and sanitation devices and methods to be employed.

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8. A thorough description of the proposed manner and location in which the applicant proposes to feed, shelter, quarter and stable and otherwise care for the animal(s) to be used in the business, and the method to be used in transporting the animal(s) within and without the City.
9. A schedule of proposed rates and charges to all classes of passengers.
10. A certificate of soundness for each animal that will be pulling a permitted vehicle, issued by a veterinarian licensed in the State of Florida, finding such animal to be free from infectious disease, in good health and fit for hack and carriage service under the part. Each animal shall thereafter be reinspected at intervals of no more than six (6) months, and a certificate of soundness shall be issued by such veterinarian and filed with the City in order for such animal to remain in service. No animal shall be used to draw a horse-drawn vehicle without such certificate of soundness certified and dated within any preceding six (6) month period.
11. An insurance certificate showing the applicant has met the insurance requirements of this part.
12. A sworn statement acknowledging the applicant's familiarity with and eligibility under the provisions of this part and any rules and regulations promulgated hereunder, and the applicant's intention to abide by the same.
13. A conditional use permit issued by the Planning and Zoning Commission or City Council of the City.
14. Any such supplementary information the City shall at any time demand in order to reasonably determine whether the request for permit should be granted.
15. Upon receipt and acceptance of a complete application for a permit and the fee of \$ 100.00 therefore, the Planning and Development Director shall evaluate the application for completeness. If the applicant's application and plan for service are not complete or do not meet the requirements of this part, the application shall be denied, and no permit to operate horse-drawn vehicles shall be issued to the applicant.
16. Any applicant whose application for a permit has been denied may, within ten (10) days of the denial to the City Council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this part.
17. The fee for any permit issued hereunder shall be five (5) percent of the gross receipts of the carriage service at any reasonable time to insure compliance with this subsection. The fee shall be paid monthly based upon the previous month's receipts, and shall be reviewed annually.
18. No more than two (2) permits shall be issued and active in the City at any given time. Permits, other than renewals, shall be issued on a first come first serve basis.

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**CERTIFICATION AND SIGNATURE**

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal pursuant to the City's Code of Ordinance and Florida Statutes. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

\_\_\_\_\_  
**Owner(s) Signature(s)**

\_\_\_\_\_  
**Date**

### PART III. HORSE-DRAWN VEHICLES

#### Sec. 82.300. Title.

This part shall be known, and may be cited, as the "Horse-Drawn Carriage Act."  
(Ord. No. 669, § 1, 10-17-95)

#### Sec. 82.310. Definitions.

*Horse-drawn vehicle* means any vehicle which is operated or pulled by a horse, mule, or any other beast of burden which is capable of being used for the transportation of passengers, and which is not being used as an implement of husbandry pursuant to F.S. ch. 316, and which is operated within the corporate limits of the city.

*Permit* means the grant by the city to operate one horse-drawn vehicle upon the streets of the city.

*Operate or operation* shall include operation by the owner or agent of the owner or by any person with the owner's knowledge, consent or permission, expressed or implied.

*Owner* shall include, but not be limited to, an individual, firm, partnership, corporation, company, or any association.  
(Ord. No. 669, § 1, 10-17-95)

#### Sec. 82.320. Compliance with this part required.

The operation of horse-drawn vehicles within the corporate limits, and upon the streets of the city shall be subject to the conditions, regulations and restrictions set forth in this part. It shall be unlawful for any person to engage in the business of operating a horse-drawn vehicle in the city unless in compliance with the provisions of this part.  
(Ord. No. 669, § 1, 10-17-95)

#### Sec. 82.330. Permit required.

It shall be unlawful to operate, or cause to be operated, any horse-drawn vehicle upon the streets of the city unless a permit has been issued therefor and affixed thereto as provided for in this part. The permit shall be provided by the community development department, and shall be affixed to

the horse-drawn vehicle in the manner prescribed by the community development director, and shall be nontransferable from the vehicle for which the same was issued except as may be authorized by the community development director.  
(Ord. No. 669, § 1, 10-17-95)

#### Sec. 82.340. Application for permit.

(a) Any person desiring to obtain a permit to operate a horse-drawn vehicle in the city shall submit to the community development department a written application which shall contain the following information:

- (1) The name, address, telephone number and form of business of the applicant. If the applicant is a corporation it shall also state the names, addresses, and occupations of its officers, directors and major stockholders, and the names and addresses of any parent or subsidiary companies, the date and place of incorporation, and if incorporated outside of the State of Florida, whether it has qualified to do business within the State of Florida. If the applicant is a corporation controlled by another corporation, the names, addresses, and occupations of the officers, directors and major stockholders of the controlling corporation shall also be stated. If the applicant is a partnership or other unincorporated association, the names and addresses of each member whether active or inactive, shall be set forth, and if one or more partners or members are corporations, the names and addresses and occupations of such corporations' officers, directors and major stockholders shall also be stated.
- (2) The trade name, if any, under which the applicant proposes to do business.
- (3) A thorough description, including photographs, of the proposed horse-drawn hack or vehicle to be operated; the manner in which the applicant proposes to establish, maintain and operate the business; the proposed hours of operation; the proposed location from which the business is to be operated; the proposed route or routes to

be served or utilized, together with a map or maps describing the proposed routes; the number of proposed horse-drawn vehicles to be operated under the proposed business; the type of animal or beast of burden to be used to draw any vehicle; the kind, make and model of the vehicle(s) to be used in the business; and, the safety and sanitation devices and methods to be employed.

- (4) A thorough description of the proposed manner and location in which the applicant proposes to feed, shelter, quarter and stable and otherwise care for the animal(s) to be used in the business, and the method to be used in transporting the animal(s) within and without the city.
- (5) A schedule of proposed rates and charges to all classes of passengers.
- (6) A certificate of soundness for each animal that will be pulling a permitted vehicle, issued by a veterinarian licensed in the State of Florida, finding such animal to be free from infectious disease, in good health and fit for hack and carriage service under the part. Each animal shall thereafter be reinspected at intervals of no more than six months, and a certificate of soundness shall be issued by such veterinarian and filed with the city in order for such animal to remain in service. No animal shall be used to draw a horse-drawn vehicle without such certificate of soundness certified and dated within any preceding six-month period.
- (7) An insurance certificate showing the applicant has met the insurance requirements of this part.
- (8) A sworn statement acknowledging the applicant's familiarity with and eligibility under the provisions of this part and any rules and regulations promulgated hereunder, and the applicant's intention to abide by the same.
- (9) A conditional use permit issued by the planning and zoning commission or city council of the city.

(10) Any such supplementary information the city shall at any time demand in order to reasonably determine whether the request for a permit should be granted.

(b) Upon receipt and acceptance of a complete application for a permit and the fee of \$100.00 therefor, the community development director shall evaluate the application for completeness. If the applicant's application and plan for service are complete and meet the requirements of this part, the permits requested, if available shall be issued. If the application and plan for service are not complete or do not meet the requirements of this part, the application shall be denied, and no permit to operate horse-drawn vehicles shall be issued to the applicant.

(c) Any applicant whose application for a permit has been denied may, within ten days of the denial, appeal the denial to city council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this part.

(d) The fee for any permit issued hereunder shall be five percent of the gross receipts of the carriage service for which the permit is issued. The holder of any permit shall allow the city to inspect the books of the carriage service at any reasonable time to insure compliance with this subsection. The fee shall be paid monthly based upon the previous month's receipts, and shall be reviewed annually.

(e) No more than three permits shall be issued and active in the city at any given time. Permits, other than renewals, shall be issued on a first come first serve basis.

(f) If a permit issued under this section is lost or destroyed, the permit holder may obtain a duplicate upon payment of a \$10.00 service charge. A permit may be transferred to a replacement carriage or hack upon the payment of a \$10.00 transfer fee.

(g) All persons holding city horse-drawn vehicle permits must maintain, in active operation, the vehicle for which the permit was issued. Any permit for a vehicle which remains dormant for more than 60 days shall be declared void by the

community development director. Further, the information provided by the applicant during the application procedures must be kept up to date.

(h) Any persons to whom a permit has been issued, under the provisions of this article, shall be entitled to renew such permit from year to year; provided, however, that such person shall fully comply with the provisions of this part, except that no new application must be filed, and such other ordinances, rules and regulations as shall be enacted or adopted from time to time by the city. Any person wishing to renew a permit hereupon shall notify the community development director of this intent to renew no later than October 1 of the year of expiration.

(Ord. No. 669, § 1, 10-17-95; Ord. No. 909, § 1, 8-15-06)

#### **Sec. 82.350. Adherence to plan submitted in application.**

Permittees must adhere to the routes, rates and vehicle number and design as specified in their application for permits unless permitted to do otherwise by the community development director. Any deviation from said application without the approval of the community development director shall be a violation of this part. Further, permittees must adhere to the conditions of any conditional use permit standards imposed by the planning and zoning commission.

(Ord. No. 669, § 1, 10-17-95)

#### **Sec. 82.360. Liability and indemnification.**

(a) A permittee shall pay, and by its acceptance of a permit specifically agrees to pay, any and all damages or penalties which the city may be legally required to pay as a result of the permittee's operation or maintenance of a horse-drawn vehicle under this part, whether or not the acts or omissions complained of are authorized, allowed or prohibited by the city.

(b) A permittee shall also pay all expenses incurred by the city in defending itself with regard to any and all damages and penalties mentioned in subsection (a) above. These expenses shall include all out-of-pocket expenses, including

a reasonable attorney's fee and the reasonable value of services rendered by any employee of the city.

(c) The permittee shall maintain, throughout the term of the permit, liability insurance insuring the city and the permittee with regard to all damages mentioned in subsection (a) above caused by the grantee or its agents, in the minimum amounts of:

- (1) Workers' and unemployment compensation insurance as provided by the laws of this state.
- (2) One hundred thousand dollars for property damage, bodily injury, or death payable to any one person and \$200,000.00 for property damage, bodily injury or death when totaled with all other claims or judgments arising out of the same incident or occurrence.

(d) The insurance policies obtained by a permittee in compliance with this section shall be issued by a company or companies acceptable to the city and a current certificate or certificates of insurance, along with written evidence of payment of all required premiums, shall be filed and maintained with the city during the term of the permit. The policies shall name the city as an additional insured and shall contain a provision that written notice of cancellation or reduction in coverage of the policy shall be delivered by registered mail to the city at least 30 days in advance of the effective date thereof.  
(Ord. No. 669, § 1, 10-17-95)

**Sec. 82.370. Compliance with traffic regulations.**

(a) A permittee, having been issued a permit or permits under this article to engage in the business of operating horse-drawn vehicles, shall be subject to all traffic provisions of this Code and all other laws, ordinances, rules and regulations now in effect in the city or the state and all traffic ordinances and rules and regulations which may pertain to the operation of horse-drawn vehicles, hereafter enacted or adopted by the city or the state, and such rules and regulations formulated and promulgated under authority of this part.

(b) The planning and zoning commission is hereby empowered to designate the location and extent of space for stands to be known as "horse-drawn stands." No automobiles or other means of conveyance other than such vehicles for hire as defined in this article shall be permitted to use such horse-drawn vehicle stands within the time as provided by the rules and regulations promulgated by the community development director.

(c) The community development director is hereby authorized and directed to formulate and promulgate reasonable rules and regulations for the use of such horse-drawn vehicle stands so as to insure equality of opportunity between operators, and to prevent discrimination between horse-drawn vehicle stands and to prevent unfair practices between the owners, operators and drivers of such horse-drawn vehicles for hire.  
(Ord. No. 669, § 1, 10-17-95)

**Sec. 82.380. Rates and charges to be displayed.**

Each permittee shall prominently display in each permittee's horse-drawn vehicle a card or sign which shall show the schedule of the rates and charges for the transportation services furnished by the permittee, the city permit number of such horse-drawn vehicle, and the name and address of both the permittee and driver of such vehicle. Such card or sign shall be posted in a conspicuous place in such vehicle while it is in use as a horse-drawn vehicle for hire, so that it is clearly visible to all passengers in such vehicle. It shall be unlawful for any permittee, operator, agent, lessee or driver of any horse-drawn vehicle to charge more than the rate so posted.  
(Ord. No. 669, § 1, 10-17-95)

**Sec. 82.390. Sanitation.**

All horses, mules and other animals shall be equipped with adequate devices to prevent manure, and other excrement from falling upon the streets of the city. Any excrement which should fall upon the streets of the city shall be removed at the expense of the permittee. Further, any

excrement collected by a permittee shall be removed from the city at the end of the carriage's shift.

(Ord. No. 669, § 1, 10-17-95)

**Sec. 82.400. Condition and inspection of horse-drawn vehicles.**

(a) Each horse-drawn vehicle shall be kept in a safe and sanitary condition at all times. The city shall have the right to inspect or cause to be inspected any horse-drawn vehicle as often as may be necessary for the purpose of ascertaining and causing to be corrected any unsafe or unsanitary conditions or any violations of this article or any other rule, regulation, ordinance or law relating to the operation of such horse-drawn vehicles.

(b) If any horse-drawn vehicle shall fail to pass such inspection, it shall be removed from service on the day of inspection, and shall remain out of service until it has passed inspection.

(c) No signs other than those required by this article shall be allowed on any horse-drawn vehicle.

(d) Each permittee shall assign a qualified person or persons to be in charge of their operations in the city and shall give the name or names to the city; information regarding experience shall also be furnished.

(e) The city has the right to require that each permittee's employees and drivers be well groomed and properly attired and wear a tag bearing the employee's or driver's name.

(f) The city may request the dismissal of any employee or driver who violates any provision hereof or who is wanton, negligent, or discourteous in the performance of his duties.

(g) Each permittee shall provide operating and safety training for all personnel.

(Ord. No. 669, § 1, 10-17-95)

**Sec. 82.410. Revocation of permits.**

Whenever there is reasonable cause to believe that a person holding a permit to operate a horse-drawn vehicle is violating the provisions of this part, the community development director may in addition to any other remedies, upon

written notice to the permittee, sent certified mail return receipt requested, suspended the permits issued to such person until such time as the violations are corrected to the satisfaction of the city. If this violation is not corrected within 30 days, the permits shall be automatically revoked. Any permittee whose permits have been revoked under this subsection may within ten days after said revocation, appeal to the city council.

(Ord. No. 669, § 1, 10-17-95)