

MEMORANDUM

CITY OF PHILADELPHIA

TO : Seymour Kurland, City Solicitor

DATE 6/9/89

FROM : Joseph Paglia, Deputy Records Commissioner

Joseph Paglia / M.C.

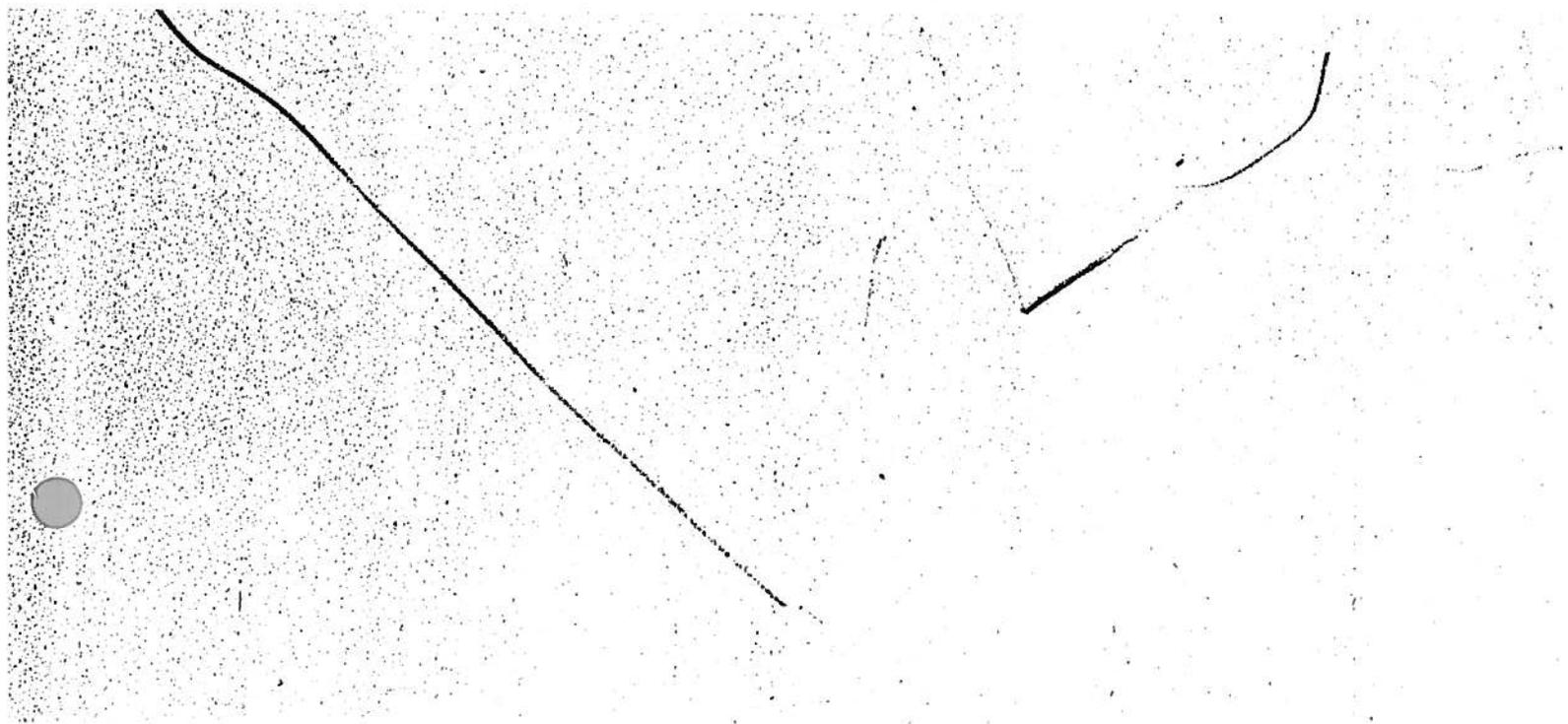
SUBJECT: PROPOSED REGULATIONS ON COMMERCIAL HORSE STABLES AND RENTAL AND CARRIAGE HORSES

The above regulations, promulgated by the Department of Public Health, were received in the Department of Records on May 4, 1989, for filing and advertsing.

Inasmuch as there were no requests for hearings, these regulations became effective midnight, June 5, 1989.

/ml

cc: Maurice C. Clifford, M.D., Commissioner



DEPARTMENT OF PUBLIC HEALTH
Regulations on Commercial Horse Stables
and Rental and Carriage Horses

I. General

A. These Regulations are issued pursuant to Sections 10-107 and 10-108 of the Philadelphia Code.

B. The definitions set forth in §10-101 of the Philadelphia Code are incorporated by reference as definitions applicable to these Regulations.

II. Maintenance and Operation of Stables for Horses

A. Commercial Stable License

1. No person shall own, operate, maintain or permit the maintenance of a commercial stable on property which he owns, leases, or otherwise controls within the City of Philadelphia unless a current license for such commercial stable has been issued pursuant to these Regulations.

2. Application for a commercial stable license shall be made on forms provided by the Department of Licenses and Inspections, and shall include the following:

- a. Name of stable owner
- b. Address and telephone number of owner
- c. Tax identification number of owner
- d. Address of stable
- e. Number of stalls and maximum capacity

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- f. Name, address and telephone number of stable operator or manager, and an emergency telephone number where an agent of the stable owner with access to the stable may be reached during non-business hours.
- g. Payment of the application fee and the annual fee, as required by the Philadelphia Code (the annual fee is refundable if application refused)

3. The commercial stable license shall be posted at or near the entrance to the location where the horses are kept. The license shall be posted in an open and conspicuous manner, and posted in a reasonably accessible location such that the information printed on the license may be easily read.

4. License holders shall promptly notify the Department of Licenses and Inspections of any changes in the information required by subsection II(A)(2) of these Regulations, and shall post such changes in an open and conspicuous manner next to the commercial stable license.

5. Commercial stable licenses shall expire on the first day of July each year. Applications for license renewal shall be made in forms provided by the Department of Licenses and Inspections, and shall include any changes in the information required by subsection II(A)(2) of these Regulations, together with the annual renewal fee of \$1.00 per stall or unit within which a single horse shall be accommodated.

6. Commercial stable licenses are not transferrable.

7. The Department of Licenses and Inspections and the Department of Public Health must be notified of any planned renovations to stalls which increase or decrease the maximum capacity of the stalls, or change the size or structure of the stalls.

8. Commercial stable license will not be issued unless there is compliance with all requirements of applicable law and these Regulations. Commercial stable licenses may be revoked or temporarily suspended for violation of applicable law or these Regulations, and as set forth in §10-114 of the Philadelphia Code.

B. Requirements of a Commercial Stable

1. A commercial stable must employ a full time operator or manager. The operator or manager must be familiar with all applicable laws and regulations.

2. A horse must be provided sufficient feed so that it is maintained in "good flesh," which means that the horse scores a minimum of 4 (or higher) on the Henneke Chart, as published in the Equine Veterinary Journal (1983) 15(4), 371-372, and as included as Exhibit "A" to these Regulations.

3. A minimum of 8 gallons of water per day, of a quality suitable for human consumption, must be provided for each horse.

4. Stables and stalls shall be kept clean and dry. For stalls with concrete floors, bedding of straw, shavings or other suitable material shall be provided in each stall.

5. Ventilation of 100 cfm/1000 lb. of animal shall be provided.

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6. A sufficient number of harnesses, reins and bridles shall be provided, all of which shall be clean, well-fitting and in good working order so as not to cause injury to horse or rider.

7. Horses must be maintained in good health. In order to permit a horse to work, the horse must be free of disease, have a normal temperature of 98°-102° F., be free of open sores, be wormed and inoculated as needed, not be lame, have good wind, good flesh (as defined in subsection II(B)(2)) and be broken to ride or drive.

8. Quarters for horses shall meet the following minimum standards:

(a) For stables built prior to 1988:

In all stalls, horses must be able to stand up and lay down without difficulty, and, in the case of box stalls, horses must be able to turn around without difficulty. Stalls must be high enough so that horse cannot reach over but low enough for adequate ventilation. Stalls must be free of any protrusions (such as nails, wires, or broken glass) that could cause injury.

(b) For new stables constructed on or after January 1, 1988 or stables that undergo renovations requiring issuance of building permits:

i. Door and ceiling dimensions

<u>Door</u>	<u>Minimum Width</u>	<u>Minimum Height</u>
Stalls	4'	8'
Small wheeled equipment	10'	10'
Horse and rider	12'	12'
Large equipment, horse and rider	16'	14'
<u>Ceiling</u>		<u>Minimum Height</u>
Horse		8'
Horse and rider		12'

ii. Horses in open-front buildings must be provided with a minimum sheltered floor space of 60 sq. ft./1000 lb. liveweight.

iii. Minimum Dimensions of stalls including manger (one stall per horse)

	<u>Box Stall Size</u>	<u>Horse Size</u>	<u>Tie Stall Size</u>
Mature Animal (Mare or Gelding)	10' x 10'	small	(do not use)
	10' x 12'	medium	5' x 9'
	10' x 12'	large	5' x 12'
Brood Mare	12' x 12'	all sizes	(do not use)
Foal to 2 year old	10' x 10'	average	4' x 9'
	12' x 12'	large	5' x 9'
Stallion	14' x 14'	all sizes	(do not use)
Pony	9' x 9'	all sizes	3' x 6'

9. Stallions must be worked daily or exercised daily in a paddock at least 2 acres in size.

10. Stalls must be cleaned of manure daily. Manure shall be removed, stored, and disposed of as follows:

- (a) Dispose of manure daily when possible.
- (b) Provide temporary storage for manure that cannot be disposed of daily. Temporary storage should be in an approved manure pit or container, with a minimum storage capacity of 8 cubic feet per horse.
- (c) Locate the storage in an approved or safe area for convenient removal, away from any water source and out of natural drainage channels.

(d) Empty the storage at least weekly. During fly breeding season (spring temperatures above 65° F. until the first killing frost in the fall) storage must be emptied at least every three days.

(e) Drain storage areas away from surrounding facilities and lots.

II. No rider, driver, customer or other person shall knowingly be permitted to cause lameness, open sores, whip marks, or to work a horse unshod on paved surfaces, or otherwise to mistreat or injure any horse. No person convicted of cruelty to animals shall knowingly be permitted to have access to any horse.

III. Rental and Carriage Horses

A. Rental and Carriage Horse License

1. No person shall use or offer the use of any horse in a rental riding or carriage horse business unless a current license has been issued for such horse pursuant to these Regulations.

2. Applications for rental or carriage horse licenses shall be made on forms provided by the Department of Licenses and Inspections, and shall include the following:

(a) Identifiers of horse, including age, sex, markings, color, weight, height, brands or tattoos

(b) Owner's name, address and telephone number

(c) Address of stable where horse will be kept

(d) Report of a veterinarian's examination performed within 30 days of application for the license, and a signed health certificate based on such examination on the form provided by the Health Department

(e) Proof of a negative result of a Coggins Test taken within 30 days of application for the license

(f) Payment of the annual fee as required by the Philadelphia Code (refundable if the application is refused)

3. Licenses shall expire on the first day of July each year. Licenses are renewable for one-year periods. Applications for renewal shall be made on forms provided by the Department of Licenses and Inspections, and shall include any changes in the information required by subsection III(A)(2), together with a report of a veterinarian's examination performed within 30 days of application for renewal, a newly executed health certificate based on such examination, proof of a negative Coggins Test taken within 30 days of application for renewal, and payment of the annual renewal fee as required by the Philadelphia Code.

4. A rental or carriage horse license is not transferable. Within 10 days of the sale, transfer or death of a licensed horse, the license holder must notify the Department of Licenses and Inspection of such event.

5. Each license issued pursuant to these Regulations will include a license number. Upon receipt of the license, license holders must have the last three digits of the license number branded onto the rear hoof of the horse. In lieu of branding, a laminated identification card, which includes the license number, a photograph of the horse and its identifiers as listed in Part III(A)(2), must be attached to the harness or carriage, and must be easily visible, while the horse is being worked.

B. Maintenance of Horses/Working Conditions

1. Horses must be provided food and water as set forth in subsections II(B)(2) and II(B)(3).

2. Horses must be stabled at stables meeting the requirements of Section II(B) of these Regulations.
3. A horse may not be permitted work unless it is free of disease, has a normal temperature of 98°-102° F., is free of open sores, is wormed and inoculated as needed, is not lame, has good wind, good flesh (as defined in subsection II(B)(2)) and is broken to ride or drive.
4. A horse may not be worked when the temperature is over 94° F., or on icy roads, or during other dangerous conditions which are a threat to the health or safety of the horse. A horse being worked when such conditions develop shall be immediately returned to the stable by the most direct route.
5. In weather 20° F. and below, horse blankets must be available to horses during rest periods, and it is the responsibility of the driver or rider to place a blanket on a horse during rest periods to ensure that the horse's temperature does not fall below normal.
6. A horse may be worked no more than 10 hours in any continuous twenty-four hour period. The hours of work are measured from the time the horse leaves the stable to the time the horse returns to the stable. The hours of work must be verified, either by use of a timeclock which is punched in and out, or by the keeping of a driver or rider log.
7. Riding horses must be rested a minimum of 15 minutes for every riding hour, and carriage horses must be rested a minimum of 15 minutes for every pulling hour.
8. Carriage horses shall be trimmed and shod as often as necessary or appropriate to prevent lameness.

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9. A horse may not be permitted to pull more than three times its body weight in a hitch, or carry more than 25% of its body weight under saddle.

10. A horse which is being worked in violation of these Regulations may be ordered to be removed from work by an animal control officer, an agent of the Health Department, or a police officer.

11. Owners must destroy horses in a humane manner pursuant to the requirements of the Act of December 22, 1983, P.L. 303, No. 83 (3 P.S. §328.1 et seq.).

12. Rental and carriage horse licenses will not be issued unless there is compliance with all requirements of applicable law and these Regulations. Rental and carriage horse licenses may be revoked or temporarily suspended for violation of applicable law or these Regulations, and as set forth in §10-114 of the Philadelphia Code.

C. Carriage Driver's Certificate/Carriage Requirements

1. No person may drive a carriage horse unless he or she possesses a current driver's certification issued by the Health Department. Applicants for the certification must apply on forms issued by the Health Department. To receive the certification, applicants must take a driving examination administered by the Health Department, and not receive an unsatisfactory rating in any of the following categories: ability to tack horse; knowledge of emergency procedures; driving ability; lane changes; use of turn signals; cornering; braking; awareness of other traffic; recognizing heat prostration; and recognizing lameness.

2. Carriages must be licensed in accordance with, and meet the requirements of, §9-402 of the Philadelphia Code.