



Las Vegas

Agenda Item No.: 52.

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES

☐ Consent ☒ Discussion

SUBJECT: ABEYANCE ITEM - Discussion for possible action regarding a request to allow horse and carriage rides on approved routes which include various City streets in the downtown area - Wards 3 and 4 (Coffin and Barlow)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Mr. Yovanys Serrano and Ms. Margarita Reyes request permission to operate horse and carriage rides in the downtown area. City Municipal Code Chapter 11.39 requires that the applicant submit proposed routes, schedules and loading/unloading locations for review and recommendation by the Traffic and Parking Commission with final action by the City Council. The proposed routes do not conflict with Chapter 11.39, and the carriages will not travel on busy streets. This item was held in Abeyance from the 3/19/2014 City Council meeting.

RECOMMENDATION:

Traffic and Parking Commission: Approval
Staff: Approval

BACKUP DOCUMENTATION:

1. Proposed horse and carriage routes
2. Map
3. Submitted at Meeting - Horse-Drawn Carriage Photos by Jackie Casano and City of Chicago Horse-Drawn Carriage and Horse-Drawn Carriage Drivers Rules and Regulations by Maribeth Jalepes

Motion made by RICKI Y. BARLOW to Approve subject to conditions

Passed For: 4; Against: 3; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, RICKI Y. BARLOW, STEVEN D. ROSS, BOB BEERS; (Against-LOIS TARKANIAN, CAROLYN G. GOODMAN, STAVROS S. ANTHONY); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Applicants, MARGARITA REYES and YOVANYS SERRANO, introduced themselves as did their translator, WENDY FLORES.

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JORGE CERVANTES, Executive Director, Community Development, stated this item was to approve a proposed route in the downtown area for a horse-drawn carriage. He displayed the proposed route which is bounded by Main Street on the west, Maryland Parkway on the east, Stewart Avenue on the north and Bonneville on the south. There are restrictions due to heavy traffic on the corridors of Fremont Street, Las Vegas Boulevard, Maryland Parkway and Casino Center. In addition, there were time restrictions during peak traffic hours on Main Street, Fourth Street and portions of Stewart Avenue. MR. CERVANTES explained the Business Licensing code required the route to go before the Traffic and Parking Commission as well as the City Council before an applicant could apply for their business license. Therefore, if this item were approved at this meeting, it would not authorize the horse-drawn carriage itself but the route, as this was the next step required before the applicant could submit their application to the Business Licensing Division. In addition, an approval process would include that of the Business Licensing Division, animal inspection certification from a veterinarian for each of the animals, approval from the State Transportation Services Authority and any other state agency that has regulations over this type of operation.

MAYOR GOODMAN asked where, under the guidelines, does it say the horses could operate was addressed as operating in the heat of the day could pose a health risk. MR. CERVANTES explained those guidelines fell under the Business Licensing regulations as did other restrictions relating to display rules, maximum seating per vehicle, animal nuisance control, traffic safety issues (lights), certification by a veterinarian every 90 days, and general animal care conditions.

MAYOR GOODMAN asked MS. DUDDLESTEN about the process if one of the Business Licensing regulations were to be waived. MS. DUDDLESTEN explained her department would enforce every one of the regulations as they could not be waived; any changes to the regulations would require an ordinance change. MAYOR GOODMAN asked that the Business Licensing regulations be shared with the Council, to which MS. DUDDLESTEN obliged.

MS. FLORES expressed on behalf of the applicants their love for all animals, especially horses. She stated they have a lot of experience with horses and are familiar with and willing to follow all the rules. The horses themselves are well-trained and have previously participated in parades in the City.

KAREN LAYNE, Las Vegas Valley Humane Society, appeared in opposition. She stated she appreciated the applicants love of animals, but felt if that were the case, they would not be proposing this type of business in Las Vegas due to the heat. MS. LAYNE referenced a horse and carriage incident in Atlanta, Georgia where a horse got spooked, creating quite a scene. She indicated she dealt with this in Clark County when the issue became huge on the Las Vegas Strip and tourists complained stating they would never come back to Las Vegas again. She asked MAYOR GOODMAN to be a leader and to consider the welfare of the animals. For tourists, this is a huge issue. MAYOR GOODMAN asked MS. DUDDLESTEN to provide a copy of the Business Licensing regulations to MS. LAYNE.

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JACKIE CASANO and KRISTEN CORRAL, Nevada Political Action for Animals, appeared in opposition. MS. CASANO stated this was a very sensitive subject for her as she was from New York and subjected to seeing horses routinely honked at, yelled at, wearing blinders and in accidents. She submitted pictures of the fire department, police department, and passersby having to pick up horses in the middle of traffic, as well as horses that could barely walk; all of which were owned and operated by people that claimed to love animals and horses. She expressed it was an antiquated and cruel industry, and the new Mayor of New York was elected in large part because of his promise to stop this industry. She does not believe this is needed here with all the vehicular and pedestrian accidents Las Vegas is already dealing with. Both ladies asked that the City Council be a leader and not bring this industry to Las Vegas.

GINA GREISEN, Nevada Voters for Animals, appeared in opposition stating the ordinance was outdated. With so many great events going on downtown, she felt this would bring dissension and negativity to the downtown area. She also pointed out that the proposed route crosses over Las Vegas Boulevard in six places, which would be dangerous.

MARIBETH JALELES, owner of MBs Horse and Carriage Company, was concerned with the image this industry will create in the city. Despite her concerns with public safety/welfare, she would love to see this industry be successful in Las Vegas. She is familiar with the heavy traffic in Las Vegas, as she is licensed with Clark County and has operated her business for two years in Town Square. The Citys code only consists of seven pages, while other cities like Chicago and New York has over 20 pages and accidents still happen there. She had many questions on items that were not addressed in the Citys code and asked why Animal Control was not a part of the approval process. She prides herself on not having had an incident in four years and has also turned down jobs because of safety concerns.

Upon MAYOR GOODMAN'S query, MR. CERVANTES explained that Animal Control was part of the development of the original code that regulates how the animals should be treated, but the Business Licensing code contained the regulations with specific details. He went on to state the proposed route was the same route previously approved for people movers (i.e., the cycle pub and the trike). Everyone, including people movers, must follow the traffic regulations written by the State of Nevada Department of Motor Vehicles. Having spent 20 years in Manhattan, New York, MAYOR GOODMAN is familiar with New York City's programs and can appreciate all of the issues.

COUNCILMAN ROSS expressed appreciation for everyone's comments. He recognized that the applicants have done this before and is comfortable that the horses will not be abused. While he received many e-mails in opposition, he believes this will be an addition to the great things already happening downtown and they should be given the opportunity to try and be successful.

COUNCILMAN ANTHONY stated he also received many opposing e-mails. Although he felt the applicants were nice people, he could not support the request because he did not believe it was appropriate for the horses and traffic jams will occur.

COUNCILWOMAN TARKANIAN commented while she enjoys carriage rides, she did not feel this would be doing something progressive for the City, but rather adding an additional problem

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as indicated by the historical pattern in other cities. She strongly believes the City does not have the resources or the money to enforce the regulations, and it would not be fair to the animals. COUNCILMAN COFFIN believed the regulations are remarkable and enforceable and they would not be justified in denying the applicant when they followed the process and all the rules. He indicated although he has reservations, he is inclined to support this item as carriage rides can be fun and add to the atmosphere.

MAYOR GOODMAN was sure the applicants reputation is impeccable and does not question the quality of what they do; however, she has concerns about the pedestrians and people movers.

COUNCILMAN BARLOW thanked everyone who contacted him personally about this item. The City of Las Vegas has been working diligently for the last 15 years to improve the quality of life downtown and with those efforts, growing pains and ordinance changes to address new ideas that come forward to make the community flow will arise. He specifically referenced the pub crawl pilot program as that was something the City had never worked with before. He looked at this issue from a broad perspective, as additional alternative modes of transportation continue to come before the Council. The Councilman asked MR. CERVANTES and staff to follow-up on his query as to whether or not the Las Vegas Metropolitan Police Department (Metro) would respond if there was an accident involving a vehicle and a horse carriage, given Metros recent changes on what types of accidents they would respond to.

COUNCILMAN BARLOW also asked what the difference was between what was being proposed today and Pastor Smiths horse carriage business that previously operated downtown. MR. CERVANTES replied that the horse carriage business operated by Pastor Smith was previously approved in 2007 under the same restrictions. His understanding is that the business operated for a few years because the majority partner passed away, and he was not aware of any incidents with Pastor Smiths operation. COUNCILMAN BARLOW recognized the subject application was not a new request, and he would like to ease some of the tensions with those in opposition by suggesting a review in six to 12 months. This would give the applicants an opportunity to prove they can successfully run the business.

After hearing all of the comments, MAYOR GOODMAN believed the downtown streets are too narrow and already congested, especially on weekends. If the requested use was in a different ward and/or in a safer environment, she could possibly consider supporting the request.

COUNCILMAN BEERS provided an update on the situation in New York City, stating that the Mayor was not going to move forward after all in banning horse carriages.

COUNCILWOMAN TARKANIAN confirmed with MR. CERVANTES that the carriage would take up one full travel lane. The Councilwoman agreed with MAYOR GOODMAN regarding the congestion in downtown and how the environment has increased over the years.

MS. FLORES informed COUNCILMAN BARLOW that the stables for the horses were on the north side of town. MR. CERVANTES relayed the staging area where people get on and off is on Fourth Street just north of Fremont Street.

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In looking at this from an economic development opportunity and the recent decline in tourist traffic in the downtown area, COUNCILMAN BARLOW believed in giving this venue an opportunity to attract more people into the downtown area. COUNCILWOMAN TARKANIAN disagreed stating she did not believe this would help with the loss of business downtown.

MAYOR GOODMAN wished the applicants the best and pointed out that if the item was not approved at this meeting, there would be opportunities for another route. MS. FLORES thanked the Council for the opportunity and reiterated they would follow the rules and schedules.

