

ORDINANCE NO. 39-1990

AN ORDINANCE AMENDING CHAPTER 5, "AMBULANCES", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 5, "Ambulances", of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

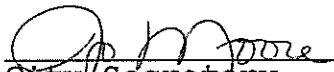
PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 23 day of August, A.D., 1990.

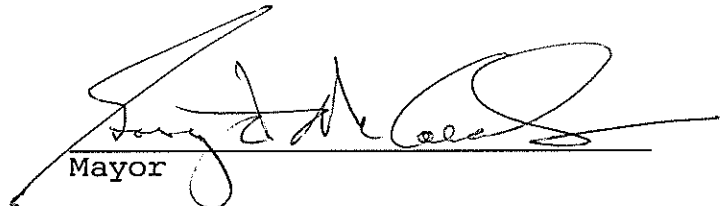
Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 13 day of September, 1990.

ATTEST:



City Secretary



Mayor

APPROVED:



City Attorney

Exhibit "A"

Sec. 5-1. Definitions.

Ambulance: Any privately owned vehicle equipped or used for transporting the wounded, injured, sick and including, but not restricted to, emergency or transfer vehicles used for such purpose, and invalid coaches, but does not include funeral coaches used for the transportation of the dead or air ambulance service.

Ambulance service: Any transporting of patients or persons for hire or gratuitously, either for emergency or transfer reasons performed by an ambulance, but does not include funeral coaches used for the transportation of the dead or air ambulance service.

Emergency: Any circumstance that calls for immediate action and in which the element of time in transporting the sick, wounded or injured for medical treatment is essential to the health or life of the person.

Transfer: Any circumstance in which a patient is transported from a location within the city limits of Abilene, Texas to a location outside the city limits of the City of Abilene.

License officer: The City Manager or his designee.

Sec. 5-3. Schedule of emergency rates; posting rates.

Rates to be charged for all emergency ambulance services within the city shall be determined by the council upon application of the operator. Any changes or revision to such rates shall be accomplished in a like manner after notice and public hearing before the council. A true and correct copy of the authorized rates shall be filed with the city secretary's office and maintained therein for inspection by interested members of the public. Every ambulance shall have posted in a conspicuous place readily visible to the occupants, a statement showing the rates to be charged. Such rates, as posted, shall be the same as those contained in the schedules filed with the city secretary's office.

Sec. 5-4. Certification of Attendants.

(a) No person shall serve as an ambulance attendant within the city, who has not satisfactorily completed the American Red Cross Standard First Aid Course and the American Red Cross Advanced First Aid Course, or who is not registered by the State of Texas as an emergency care attendant or emergency medical technician.

Sec. 5-5. Twenty-four service. Emergency ambulance service.

Every emergency ambulance license holder shall be required to provide immediate ambulance service twenty-four (24) hours daily,

each and every day.

Sec. 5-6. Promptness of service.

Every emergency ambulance call for ambulance service shall be answered promptly. Patients shall be loaded and transported without being subjected to unreasonable delays.

Sec. 5-9. Manifests.

(a) Every ambulance operator shall provide each driver with a daily manifest, upon which shall be recorded the name of the patient and the time, place of origin, destination and charges for each trip made.

(b) Every ambulance operator shall retain and preserve all daily manifests for at least twelve months, and said manifests shall be available for inspection by the city on request.

(c) A transfer ambulance operator shall file a sworn statement with the City Secretary by the 30th day of the month for the preceding month.

The sworn statement shall swear that the manifest information is true and correct.

If the operator is a corporation, the president shall file the affidavit; if the operator is a partnership or association, the partners or associates shall file the affidavit; if a private person or sole proprietor, the private person or sole proprietor shall file the affidavit.

Sec. 5-10. Dispatcher.

Every emergency ambulance operator shall, at all times, have stationed at his central place of business, a person who shall be required to properly answer all calls for service, promptly dispatch ambulances and be generally responsible for the conduct of the business.

Every transfer ambulance operator shall, Monday through Friday, between the hours 8:00 a.m. to 5:00 p.m., have stationed at his central place of business, a person who shall be required to properly answer calls for transfer service and be generally responsible for the conduct of the business, including making available the manifest for city inspection.

Sec. 5-22. Required.

No person shall operate an ambulance or ambulance service upon the streets of the city without first obtaining a license of public convenience and necessity from the city council. No such license shall be granted until after publication of notice and public hearing under the procedures set forth in this article.

An applicant granted permission to operate emergency ambulance service may also perform transfer ambulance service.

An applicant granted permission to operate transfer ambulance service may not perform emergency ambulance service.

Sec. 5-24. Application for emergency or transfer services.

- (i) Complete and up-to-date financial statements of the applicant, including income statements and balance sheet, and any supporting documentation as required.

Sec. 5-28. Prerequisites to issuance.

- (a) That the public convenience and necessity require the proposed emergency or transfer ambulance service for which the application has been submitted, and that such service would not adversely affect total ambulance service to the people of this city nor adversely affect the overall costs or quality thereof.

Sec. 5-46. Required.

No licensee or ambulance operator shall operate any emergency or transfer ambulance vehicle within the city until a permit has been issued for such vehicle.

Sec. 5-47. Inspection; minimum standards.

Each emergency or transfer ambulance operated within the city shall be inspected by the license officer and have affixed to its windshield a permit issued by him certifying that such vehicle is in a satisfactory and safe mechanical condition.

(DELETE a, b and c)

Sec. 5-51. Annual inspection.

Each emergency or transfer ambulance, for which a permit is required under this article, shall be inspected not less than once every twelve (12) months to insure that the minimum standards prescribed for such vehicle are being met. Failure to meet such minimum standards shall result in a revocation of such vehicle permit and a discontinuance of its use as an ambulance within the city. The operation of an ambulance without the required permit shall be unlawful.

The Ambulance Ordinance, Chapter 5 of the Abilene Municipal Code, shall remain in full force and effect, except for the changes heretofore made.