

MARIPOSA COUNTY ORDINANCE NO. 876

AN ORDINANCE ADDING CHAPTER 8.52
TO THE MARIPOSA COUNTY CODE
ENTITLED "AMBULANCE SERVICE "

WHEREAS, the County of Mariposa is responsible for providing pre-hospital emergency medical services (EMS) to its residents, and

WHEREAS, it is in the best interest of the County and its residents to satisfy this requirement through the use of private ambulance companies under contract with the County, and

WHEREAS, it is necessary to specify the terms upon which such contractors shall provide EMS to the County and to assure that such contracts provide for stability in the provisions of EMS in the County;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: A new Chapter 8.52 entitled "Ambulance Service" shall be added to the Mariposa County Code and shall read in its entirety as follows:

"Sections:

- 8.52.010 Intent of the Chapter
- 8.52.020 Definitions
- 8.52.030 License Required
- 8.52.040 Application for License
- 8.52.050 Standards for Ambulance Service
- 8.52.060 Granting/Denial of License
- 8.52.070 Bond Required
- 8.52.080 Subsidy by County
- 8.52.090 Assigning Emergency Calls
- 8.52.100 Temporary Licenses
- 8.52.110 Revocation or Suspension of License/Fine
- 8.52.120 Fees

8.52.010 Intent of the chapter.

It is the intent of this chapter to protect the public from unsafe and/or unsanitary operation of ambulance services and from disruption or the abrupt cessation of ambulance services.

8.52.020 Definitions.

A. Except as otherwise required by the context of this chapter, words and phrases shall have meanings as set forth below:

B. "Ambulance" means a vehicle constructed and equipped specifically for the purpose of transporting sick, injured, convalescent, infirm or otherwise incapacitated persons. Ambulance does not mean any vehicle staffed and used to provide first aid or stabilizing medical aid while awaiting the arrival of an ambulance, such as those vehicles retained to provide such stabilizing services at sporting and entertainment events.

C. "Ambulance staff" means people who have been adequately trained and certified to work on an ambulance, minimally certified as an EMT-IA.

D. "Backup Ambulance" means an ambulance available, operational, equipped and staffed such that it can function as an emergency ambulance vehicle with no advanced warning should any other ambulance be unavailable to respond.

E. "Board of Supervisors" means the Board of Supervisors of Mariposa County.

F. "Dispatch Agency" means the agency responsible for dispatching ambulances and emergency ambulance services as designated by the local emergency medical services agency.

G. "Dispatch time" means the time elapsed from notification of ambulance staff of an emergency call until the ambulance is en route to that emergency.

H. "Emergency medical services" means the service performed in response to an emergency call.

I. "Local EMS agency" means an EMS Agency designated by the Mariposa County Board of Supervisors as the EMS Agency for Mariposa County.

J. "Standby" means the same thing as "backup".

8.52.030 License required.

A. No person (either as owner, agent or otherwise) shall furnish, operate, conduct, maintain, or otherwise engage in or advertise, offer or profess to engage in the provision of emergency ambulance service in Mariposa County unless that person has a currently valid license to do so issued by Mariposa County and is, and remains at all times in compliance with the provisions of this chapter except as in "B" below.

B. Notwithstanding anything to the contrary contained herein, there shall be no license required to operate an emergency ambulance in the following areas of Mariposa County:

1. Yosemite National Park, including areas of private inholding within Yosemite National Park.

2. The area served by State Highway 140 from the border of Yosemite National Park through and including the confluence of the Merced River and the South Fork of the Merced River.

3. All areas of Mariposa County adjacent to Highway 41 from Oakhurst to the entrance of Yosemite National Park.

4. The community contiguous to Yosemite National Park known as "Yosemite West".

C. Licenses for ambulance service in Mariposa County are non-transferable and, upon change in ownership of any licensed ambulance service, application for a new license must be made to the County.

8.52.040 APPLICATION FOR LICENSE

A. Application for a license to provide ambulance service shall be made on a form and in a manner prescribed by the local EMS Agency.

B. Data which shall be supplied in applying for a license to provide ambulance service shall include all the items required by the local EMS Agency, including but not limited to the following:

1. Names and addresses of the applicant(s), registered owner(s), director(s) and controlling share holder(s) of the ambulance company.

2. Documentation of the applicant's training and experience in ambulance service.

3. The name of the ambulance company under which the applicant proposes to engage in ambulance service in Mariposa County.

4. Standard financial statement for the current and previous fiscal year, prepared by a certified public accountant, as a representation of the provider's financial viability.

5. Description of the ambulances to be utilized in the ambulance service in Mariposa County, including make, model, year of manufacture, vehicle identification number, current state license number, and the length of time the vehicle has been in use.

6. A description of the proposed operation of the ambulance service within Mariposa County, including number of vehicles to be supplied, location where the vehicles will be based, staffing pattern, and backup plans for provision of ambulance service in case of equipment failure or inability to provide personnel at any given time.

7. A description of the company's program for maintaining the vehicles.

8. A description of the number, type, and frequency of the private line of the vehicle's radios.

9. A description of the location from which ambulance service will be offered, noting the hours of operation and the number of ambulance units to be deployed on each shift.

10. A current list, amended as necessary, giving the name and certification level of all staff or a reasonable proof of ability to hire the required number of adequately certified staff.

11. A description of the company's training and orientation program for ambulance staff.

12. Statement of the legal history of the applicant(s), including criminal and civil convictions, judgments or liens.

13. Description of the applicant's ability to provide ambulance service within the County twenty-four (24) hours a day, seven (7) days a week, year round.

14. All current and proposed service charges and rate structure of the company.

15. Affirmation that the applicant possesses and maintains currently valid California Highway Patrol Inspection Reports for each vehicle listed in the application.

16. Evidence of insurance coverage which meets or exceeds that required by the California Vehicle Code and meets or exceeds coverage of one million dollars (\$1,000,000) of professional liability insurance, per occurrence, with Mariposa County named as additional insured.

17. Documentation of any past experience of the applicant in the operation of ambulance service or emergency medical service, including any prior governmental sanctions imposed against the applicant(s), including but not limited to, revocation of prior permits to provide ambulance service.

18. Documentation of a business office location or proposed business office location within Mariposa County and location of the ambulances and documentation that these locations will not cause significant traffic congestion.

19. Documentation of the proposed painting scheme of the ambulances.

20. A description of the proposed method for maintaining ambulance staff clinical proficiency when assigned to low call volume areas.

8.52.050 Ambulance service standards.

The following standards shall be maintained at all times by all holders of a license to provide ambulance service within Mariposa County. At the time of application for said license, the applicant shall provide to the local EMS Agency documentation of how these standards will be met and maintained.

A. Twenty-Four a Day/One Year Service: Ambulance service shall be provided within Mariposa County by each holder of a license for ambulance service in the County, on a twenty-four (24) hour a day, seven (7) day a week basis for a period of time not less than one year, from the date that the license is initially granted.

B. Minimum of Two Ambulances: Licensee shall, at all times, have available within Mariposa County a minimum of two ambulances, adequately equipped and staffed to provide Advanced Life Support. One of the vehicles may be used as backup or "standby" in the case that, for any reason, the first line ambulance is unable to respond for any given period of time.

C. Advanced Life Support: The minimum level of staffing for licensed ambulances in Mariposa County shall be at least EMT-P, as specified by local EMS policy, dispatched on all emergency calls. Ambulances equipped to provide basic life support and staffed by EMT-IA's only may not be utilized for emergency ambulance service.

D. Response Standards: Licensee shall respond to all emergency calls assigned to licensee. If licensee is unable to respond to any given emergency call, licensee shall immediately so inform the dispatch agency and subsequently (but no later than the next working day) provide written documentation to the local EMS Agency, explaining why licensee was unable to respond to the emergency call.

E. Vehicle Standards: All ambulances utilized for emergency ambulance service shall be adequately maintained in a safe condition such as to comply with all state and county requirements as documented by the California Highway Patrol.

F. Dispatch Time: Ambulances shall respond to emergency calls within a dispatch time of four (4) minutes or less at least 95 percent of the time.

G. Local Orientation: All staff to be utilized in responding to emergency ambulance calls shall, in addition to possessing current certification as an EMT-IA, EMT-II, or EMT-P, or MICN in the State of California, have adequately completed a local orientation to Mariposa County as documented by the local EMS Agency.

H. Policies: Licensee shall, at all times, follow all policies regarding emergency medical service applicable within Mariposa County.

8.52.060 Granting/denial of license.

A. The local EMS Agency shall, within ninety (90) days of receiving all required information of an applicant for an ambulance service license, notify the applicant in writing of it's decision either to grant a license, or to deny a license.

B. Cause for denial of an ambulance license shall include, but not be limited to, the following:

1. Inadequacy of the vehicles proposed to be utilized as ambulances.

2. Evidence of a Permit to Operate Ambulance Service having previously been revoked in any other jurisdiction or any significant negative action having been taken against the owners or applicants for the license with regard to operation of emergency ambulance service in a previous jurisdiction.

3. Documentation, upon review of references of the ambulance service or owner or operator thereof, that there is a significant question regarding the ability of the

applicant to provide quality emergency ambulance service.

4. Evidence that the proposed place of business would cause significant traffic congestion.

5. Evidence that the proposed paint scheme on the ambulance would cause confusion with regard to identification of the ambulance sufficient to disrupt safe operation of the ambulance service or some other similar emergency service within the County.

6. Any other reason or combination of reasons which leads to the determination by the local EMS Agency that the applicant does not, or will not, meet all requirements within this chapter.

C. Appeal of Denial: If agreement cannot be reached between the applicant and the local EMS Agency within thirty (30) days of the initial Notification of Denial of License, applicant may file an appeal with the County Board of Supervisors. A hearing on the request shall be scheduled before the Board within ninety (90) days from the receipt of written request for an appeal hearing. Hearing may be held before a hearing officer designated by the Board of Supervisors, at the direction of the Board of Supervisors. Decision by the Board of Supervisors, or their designated hearing officer, shall be final.

8.52.070 Bond required.

To protect the interest of the citizens of Mariposa County and to maintain stability of ambulance service in the County, the owner of the licensed ambulance service shall post a performance bond, or other performance security acceptable to the local EMS Agency, with a value of no less than one hundred and twenty-five thousand dollars (\$125,000.00). In the event that the licensee fails to adequately perform it's obligations under this chapter, Mariposa County will have the right to call upon the bond for damages resulting from the failure to perform.

8.52.080 Subsidy.

Nothing herein, shall be deemed to require the County to pay such a subsidy to any holder of a license of ambulance service in the County.

8.52.090 Assigning emergency calls.

In the event that there are ambulance services which overlap in any geographical area of the County, a system to divide calls for emergency ambulance service among or between the ambulance services shall be devised by the local EMS Agency and executed by the dispatch agency. In devising

this system, the health and safety of the citizens shall be the primary concern, financial equitability by distribution of calls a secondary concern.

8.52.100 Temporary licenses.

The County Health Officer may grant a temporary license for ambulance service to cover the period of time during which formal processing of an application for a license is taking place. To do so, the Health Officer must find that it is in the best interest of the citizens of the County that such a temporary license be granted, and that the ambulance service to which the temporary license is granted has reasonably demonstrated its ability to provide ambulance service at a level necessary to protect the public health and safety.

8.52.110 Revocation or suspension of license/fine.

Any licensee who violates any section of this chapter may be subject to revocation or suspension of its License to Operate Ambulance Service.

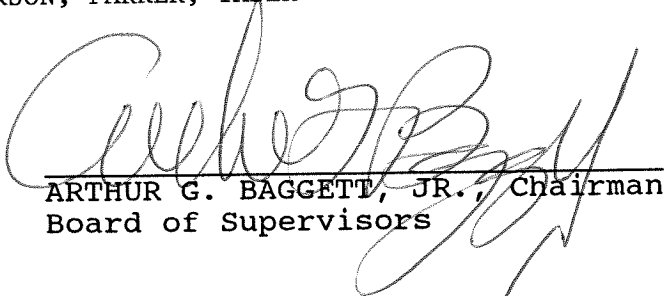
8.52.120 Fees.

Fees may be set by the Board of Supervisors from time to time by resolution."

SECTION II: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED this 16th day of August, 1994 by the Mariposa County Board of Supervisors by the following vote:


- AYES: BALMAIN, ERICKSON, PARKER, TABER
- NOES: BAGGETT
- ABSENT: NONE
- ABSTAINED: NONE



 ARTHUR G. BAGGETT, JR., Chairman
 Board of Supervisors

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

ATTEST:

By: 

 MARGIE WILLIAMS
 Clerk of the Board



 JEFFREY G. GREEN
 County Counsel