

## CHAPTER 114. - AMBULANCE AND EMERGENCY MEDICAL SERVICE

### Sec. 114.01. - Definitions.

The following terms and phrases, as used in this chapter unless the context clearly indicates otherwise, shall have the meanings respectively ascribed to them in this section.

*City*, when used in this article, shall mean the City of Stephenville, Erath County, Texas.

*Emergency*, when used in this chapter shall mean the services used to respond to an individual's perceived need for immediate medical care to prevent death or aggravation of physiological or psychological illness or injury, or the sudden onset of a medical or traumatic condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in:

1. Placing a patient's health in serious jeopardy;
2. Serious impairment to bodily functions; or
3. Serious dysfunction of any bodily organ or part.

*EMS*, when used in this chapter, shall mean a provider of Emergency Medical Service, ambulance service, or EMS provider.

*Licensed ambulance service*, when used in this chapter, shall mean an ambulance service that is currently licensed as an EMS provider by the Texas Department of Health.

*Out of town emergency transfer*, when used in this chapter, shall mean the transporting of a patient to a medical facility in a town or city other than Stephenville. Primarily this would mean transporting of a patient, for whatever reason, from the local hospital to a hospital in another city.

*Private owned service*, when used in this chapter, shall mean an individual, company or organization that is in the business of providing an EMS or ambulance service that is primarily a for-profit operation.

*Stand-by*, when used in this chapter, shall mean a service provided by an EMS provider at a special event to provide for the treatment and transportation of the sick or injured. (example: football games, rodeos, races, and the like)

(Ord. 1999-22, passed 8-17-99)

### Sec. 114.02. - Emergency ambulance service.

- (A) The City of Stephenville Fire Department EMS shall be the primary provider of emergency ambulance service and emergency medical service within the city limits and in other areas under contract with the city to provide such service.
- (B) All patients transported by the city EMS shall terminate at the hospital Emergency Room.
- (C) Any person utilizing the city's EMS service shall pay for services rendered. A copy of the city's EMS fee schedule shall be kept on file in the office of the City Secretary.
- (D) It shall be unlawful for anyone, including the holder of a city permit or license from the Texas Department of Health, to intentionally furnish, operate, maintain, advertise for or otherwise be engaged or profess to be engaged in the operation of, or provide emergency ambulance service upon

the streets within the city or in any areas under contract with the city to provide such service. (see exceptions)

(Ord. 1999-22, passed 8-17-99)

Sec. 114.03. - Exceptions.

- (A) A licensed ambulance service may respond in situations where the city, or its authorized representative, requests or authorizes another service to assist in an emergency under circumstances in which a city ambulance is not available to respond to an emergency situation which may require treatment or transportation of a patient or patients.
- (B) It shall be permissible for a private owned ambulance service, who in the process of providing non-emergency ambulance service, and the situation develops into an emergency, to proceed with treatment and transportation of the patient to the hospital, provided that said service is licensed by the Texas Department of Health to provide such service.
- (C) It shall be permissible for any ambulance or person therein, to respond to or from an emergency situation, outside of the city or its contracted areas of service.
- (D) Private owned ambulance services that through a contractual arrangement or other agreement to provide service and stand-by at special events, are permitted to treat and transport patients to the local hospital within the city and its areas under contract.

(Ord. 1999-22, passed 8-17-99)

Sec. 114.04. - Private owned ambulance services.

- (A) When an applicant files for a permit to provide ambulance service, the City Council must determine that it would be beneficial for the public's convenience, necessity and welfare, to provide additional service. The City Council may then grant a permit.
- (B) Private owned ambulance services operating within the city are authorized to provide non-emergency transport, out of town emergency transfer, and stand-by service only.
- (C) All private owned ambulance services are required to obtain an annual permit on or before January 1 of each year, to operate and provide service within the city. Permit applications shall be kept on file in the office of the City Secretary, and the fee for the permit will be as per the city's current fee schedule.
- (D) Applications for permits to operate a private owned ambulance service within the city shall be reviewed by the Public Health and Safety Committee of the Stephenville City Council. The committee will consider all applications and will make a recommendation to the entire City Council.
- (E) Any private owned ambulance service operating within the city, or its areas under contract, shall at all times possess a current Texas Department of Health license to provide such service, and shall at all times meet the requirements of the Texas Department of Health in regards to staffing, equipment, and supplies.
- (F) All private owned EMS providers operating within the city or its contracted service areas, shall at all times have in full force and effect insurance coverage as follows:

- (1) General liability insurance providing coverage for bodily injury, property damage, advertising injury, or personal injury arising out of the operation of said ambulance service with a minimum of \$1,000,000.00 per occurrence and a general aggregate of \$1,000,000.00;
  - (2) Automobile liability insurance with a minimum combined single limit (each accident) of \$1,000,000.00 including hired and non-owned coverage;
  - (3) Uninsured/underinsured motorists coverage;
  - (4) Malpractice insurance; and
  - (5) Excess liability to cover all underlying liability policies.
    - (a) The insurance policies required herein shall be submitted to the Public Health and Safety committee, or its designated representative, for approval. Satisfactory evidence that such insurance is at all times in full force and effect, shall be provided in form as specified by the committee, or its representative.
    - (b) Every insurance policy required hereunder shall extend for the period to be covered by the permit granted for the operation of ambulance services herein, and the insured shall be obligated to give not less than 30 days' written notice to the city before any cancellation or other termination of any such policy.
    - (c) The cancellation or other termination of any policy of insurance required herein shall automatically revoke and terminate the permit for ambulance service granted herein, unless another insurance policy complying with the provisions of this section shall provide and be in full force and effect at the time of such cancellation or other termination.
- (G) All private owned ambulances operating in the city shall be maintained in sufficient mechanical condition as to comply with all the regulations set out by the Texas Department of Health.
- (H) All private owned ambulances operating in the city shall have the name of the service prominently displayed on each side on the vehicle in letters of at least three inches in height.
- (I) Any right, privilege or permit held, owned or obtained by any private owned ambulance service under the provisions of this article may be sold, assigned, leased or transferred, or inherited; provided, however, any proposed sale, assignment, lease or transfer shall first be presented in writing to the city council for its approval or disapproval.

(Ord. 1999-22, passed 8-17-99; Am. Ord. 2002-23, passed 10-1-2002; Am. Ord. 2005-33, passed 12-6-2005)

Secs. 114.05—114.98. - Reserved.

Sec. 114.99. - Penalty.

Each officer, agent or employee of any corporation and every other person who violates or fails to comply with, or who procures, aids or abets in the violation of, any provision of this chapter, or fails to obey, observe or comply with any other decision, rule or regulations, direction, demand or requirement of the City Council, shall be guilty of a Class "C" misdemeanor, and upon conviction shall be punished by a fine not exceeding \$200.00. Each day any provision of this chapter, or any rule, regulation or order of the City Council relevant thereto is violated shall constitute a separate offense, and the fact that the City Council may have caused prosecution for violation of its rules, regulations or orders under the penal

section of this article shall not operate to prevent or limit the exercise of the authority of the City Council to suspend, revoke, alter or amend permits or certificates as provided in this chapter.

(Ord. 1999-22, passed 8-17-99)