ORDINANCE NUMBER 2019-15

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE II, OF THE CODE OF ORDINANCES OF THE CITY OF OXFORD

BE IT ORDAINED by the City Council of the City of Oxford, Alabama, as follows:

Section 1. That Chapter 12, Article II, "Ambulances", of "The Code of Ordinances of the City of Oxford, Alabama, be and the same is hereby amended in its entirety as follows:

DIVISION 1 – PURPOSE

Section 1 - Applicability, Title.

(a) The provisions of this chapter shall apply to the operation of any ambulance which has a patient pickup point within the City of Oxford, Alabama, except when operated by the Oxford Fire Department.

(b) In order to lessen congestion caused by emergency vehicles and to provide for the safety of pedestrians and vehicles on the public streets, to facilitate the prompt and coordinated dispatch of emergency transport vehicles when needed to protect life, safety and health, and to further preserve and promote the health, safety and welfare of its citizens, the City designates the Oxford Fire Department to oversee and enforce the policies mentioned in this ordinance.

(c) In order to assure that ambulances operated in the City are properly operated, staffed, equipped, and financially accountable, the Council enacts this Ordinance. The Ordinance is intended to also assure that backup ambulances are available if the available resources of the licensed ambulance service are already committed.

(d) This ordinance shall be known as the Ambulance and Transportation Ordinance of the City of Oxford, Alabama.

Sec. 2 - Definitions.

For the purpose of this Ordinance, the following words, terms, phrases and their derivations shall have the meanings respectively ascribed thereto by this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number, the use of the words he, him, and his shall include both the masculine and feminine. The word "shall" is mandatory and the word "may" is permissive. Words not defined shall be given their common and ordinary meanings. For the purpose of this ordinance, those terms used and defined in the Code of Alabama Section 22-18-1, "Alabama Emergency Medical Services", shall have the meaning given those terms in Section 22-18-1, as now or hereafter amended.

ADPH - Alabama Department of Public Health.

ADPH/OEMS - Alabama Department of Public Health, Office of Emergency Medical Service.

Ambulance - A motor vehicle including a convalescent ambulance that is intended to be used for and is maintained or operated for the transportation to a medical care facility of persons who are sick or injured.

Ambulance driver - Any individual who has successfully completed the Emergency Vehicle Operation Course (EVOC) as prescribed by the ADPH/OEMS and who has been granted a current valid license by the ADPH/OEMS.

Ambulance Call - The act of responding with an ambulance for the purpose of transporting and/or treating any patient for compensation.

a) Emergency Response - A response in which it is believed that the illness, injury or disability requires immediate medical services wherein delay of such services may endanger personal health or safety. This call shall be accomplished with use of all warning devices and lights.

b) Non-Emergency Response - A response that does not require the use of warning devices, including but not limited to inter-hospital transfers, discharges to home, wheel chair transports and visits to physician's offices.

Emergency – Any occurrence or situation involving illness, injury or disability requiring immediate medical services, wherein delay in the provision of such services is likely to aggravate the condition and endanger the personal health or safety of the patient.

Emergency Medical Services (EMS) - Those pre-hospital functions and services which are necessary to prepare for and respond to emergencies and basic life support services, including rescue, transportation, treatment, triage, communications, evaluation and public education.

Emergency Medical Services (EMS) Committee - A committee established by the City Council to survey, evaluate and provide recommendations for improving all aspects of the City's emergency medical care; and investigate, study, advise, and recommend minimum standards for care of emergency patients including mass casualty incidents; and other responsibilities as provided herein.

Emergency Medical Dispatch - A system by which calls are prioritized into emergency or non-emergency categories through a series of algorithm-based questions asked by the call takers in the EMS Dispatch Center.

Emergency Medical Services (EMS) Dispatch Center - The Communications Center of the City of Oxford from which all E-911 and emergency call dispatches originate.

Emergency Medical Dispatcher - An individual employed in the EMS Dispatch Center who has completed a nationally recognized Emergency Medical Dispatch course of instruction to become an Emergency Medical Dispatcher.

Emergency medical technician, basic (EMT-B) - Any person 18 years of age or older who has successfully completed the basic emergency medical technician course of instruction, or its equivalent, as approved by the state board of health or its designee, and passed the state EMT basic examination and who has been granted a current and valid license by the state board of health or its designee.

Emergency medical technician, intermediate (EMT-I) - Any person 18 years of age or older who has successfully completed the intermediate emergency medical technician course of instruction, or its equivalent, as approved by the state board of health or its designee, and passed the state EMT

intermediate examination and who has been granted a current and valid license by the state board of health or its designee.

Advanced Emergency Medical Technician (AEMT) - Any person 18 years of age or older who has successfully completed the AEMT course of instruction, or its equivalent, as approved by the State Board of Health or its designee, and has passed the State approved AEMT certification exam, and who has been granted a current, valid AEMT license by the State Board of Health.

Emergency medical technician paramedic (EMT-P) - Any person 18 years or older who has successfully completed the EMT paramedic course of instruction, or its equivalent, as approved by the state board of health or its designee, and passed the state EMT paramedic examination and who has been granted a current and valid license by the state board of health or its designee.

Emergency Vehicle Operators Course (EVOC) - The national standard curriculum developed by the NHTSA and conducted by an authorized ADPH/OEMS instructor or the Alabama Fire College Apparatus Operator Course.

Fire Chief - The Chief of the Oxford Fire Department or such member of the fire department as he may from time to time designate to act for him under this chapter.

Licensee- Any person or entity that is duly licensed and authorized by the city to provide medical transport.

Medical Control Physician - A physician licensed to practice medicine in the State of Alabama, knowledgeable in the applicable medical protocols, radio procedures and general operating policies and from whom ambulance personnel shall take medical direction in person, by radio, or by remote communications device.

Mutual aid - An agreement made between two like entities to provide assistance to each other in times of emergencies.

Patient - An individual who receives or requests medical care, or for whom medical care is requested, because such individual is sick or injured.

Police Chief - The Chief of the Police Department of the City of Oxford, Alabama or his/her duly authorized representative.

Response Time – The elapsed time in minutes and seconds from the moment the patient location, call back number and the problem type are obtained to the moment the first ambulance arrives at the scene.

Response Time Exceptions – Response times that exceed the standard outlined in the Ambulance and Transportation Ordinance of the City of Oxford.

Sec. 3 - Applicability of article.

The provisions of this article shall apply to the operation of any ambulance, with or without a patient, while traveling on a street within the police jurisdiction of the City of Oxford, Alabama.

Sec. 4 - Penalty for violation.

Any licensee who shall violate any provision of this article or fail to comply therewith or with any requirement thereof, or who shall do any act prohibited therein or fail to do any act required therein, shall be subject to suspension and/or revocation of their license to operate within the city.

Sec. 5 - Liability insurance required.

No permit required by this article or business license shall be granted to any person to operate any ambulance upon the streets of the city until such person shall have first filed with the city clerk and treasurer a personal injury and property damage liability insurance policy issued to such person by a public liability insurance company authorized to do business in the state providing insurance coverage for each ambulance as follows:

(1) For each ambulance the insurance policy shall provide insurance coverage in the amount of $500,000.00 for personal injury or death arising from any one accident, $100,000.00 for property damage liability, and $1,000,000.00 per occurrence for injury to or death of a person, or damage to property, resulting from an accident or collision arising out of or occurring by reason of the careless or negligent operation of such vehicle by such person, his agent, servant or employee, or by any person in possession of such vehicle.

(2) The insurance coverages required by this section shall at all times be maintained for the full amount. The policy of insurance required by this section to be filed with the city clerk and treasurer shall contain a clause obligating the company issuing the insurance to give not less than 30 days' written notice to the city clerk and treasurer before cancellation thereof. Notice of cancellation shall not relieve the company issuing such policy of liability for any injury or claim arising before the cancellation becomes effective. The cancellation of any such policy shall have the effect of suspending the permit the licensee to operate the ambulances or invalid coaches covered thereby until a new policy complying with the provisions of this section is filed with the city clerk and treasurer.

(3) Every insurance policy required under this section shall contain a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the insured, and that until the policy is cancelled the insurance company will not be relieved from liability on account of nonpayment of premium, or any act or omission by the named insured. Such policy of insurance shall be further conditioned for the payment of any kind and all judgments, up to the limits of the policy, recovered against any person other than the owner, his agent or employee who may operate the ambulance with the consent or acquiescence of the owner.

Sec. 6 - Emergency calls.

(a) It shall be the duty of any person operating ambulances, upon receiving an emergency call that doesn't come through the 911 system, to first report such call to the Oxford Fire Department Dispatch Center, give the name of the person requesting the ambulance and/or the address of the response location, and the circumstances under which the call was received, and obtain the oral permission of such dispatcher before sending, permitting or driving any ambulance to answer such emergency call.

(b) It shall be the duty of the dispatcher at the Oxford Fire Department Dispatch Center, upon receiving a request for permission to send or drive an ambulance to answer an emergency call made as provided in this section to immediately give permission thereof, unless an ambulance has already

been permitted to go to the scene of the same accident or emergency, in which case such dispatcher shall refuse permission for another ambulance to answer such call unless he is convinced that more than one ambulance is necessary to take care of the emergency properly.

(c) It shall be impermissible for any licensee to send, drive, permit or allow an ambulance to answer an emergency call without having first obtained permission from the dispatcher as provided in subsection (b) of this section.

(d) It shall be impermissible for any licensee operating any ambulance or place of business wherein an ambulance service business is conducted, or any place used in connection therewith to permit any radio at such place of business or in any vehicle used by such business to be so adjusted or tuned to receive messages or signals on frequencies assigned by the Federal Communications Commission (FCC) to police, firefighters, or contract ambulance service of the city unless such ambulance service business has been designated as an emergency vehicle receiving station to be assigned the use of frequencies assigned to the city. The provisions of this subsection shall not apply to any radio station licensed by the FCC for these frequencies.

(e) It shall be impermissible for an ambulance which has responded to a non-emergency call to proceed to the hospital or other destination with the use of emergency warning equipment upon the City streets unless the Oxford Fire Department Dispatcher has been notified of the circumstances surrounding the call and the need to use emergency warning equipment.

(f) No clearance shall be necessary for patients being transported from a point of pick-up to a physician's office, clinic, nursing home, funeral home or morgue; however, emergency warning equipment is not authorized and is illegal for such transports.

(g) Any licensee failure to comply with this section may result in the suspension or revocation of their license to operate within the city.

Sec. 7- Rotation of Request for Services.

Any request for an ambulance call shall be rotated among all authorized licensees.

Sec. 8 - Response; personnel.

(a) All emergency calls will be responded to as outlined in this article concerning permission, communication, reporting and traffic law obedience. There shall be no less than two emergency personnel in the vehicle on all emergency calls, an attendant driver or greater and a Paramedic (EMTP), for purposes of patient care and ambulance driving.

(b) All non-emergency calls will be responded to as outlined in this article concerning permission, communication, reporting and traffic law obedience. There shall be no less than two emergency personnel in the vehicle on all non-emergency calls, an attendant-driver and an EMT-B, EMT-I, AEMT or EMT-P, for purposes of patient care and ambulance driving.

Sec. 9 - Record.

Each holder of an ambulance license issued under this article shall maintain accurate records concerning the dispatching and transportation of each patient within the city or from one place therein to another place within or beyond its limits, upon forms in words and figures substantially as follows: Such records shall be available for inspection by the Fire Chief at any reasonable time, and unredacted copies

thereof shall be made available by the holder of such license within 24 hours after a request by the Fire Chief.

Sec. 10 – Unlawful or Prohibited Acts.

It shall be unlawful for any person or ambulance service to intentionally or knowingly:

(a) Follow any police car or fire department apparatus which is traveling in response to any emergency call on the streets of the City or to follow any fire apparatus or police vehicle to or near the scene of an emergency call on the streets of the City unless the ambulance has been dispatched to the scene.

(b) Solicit on the streets of the City the business of transporting emergency injured or sick persons.

(c) Intercept by any means any Fire or Police radio or telephone communication that is reasonably accessible to the public concerning traffic accidents or other medical emergencies on the streets of the City and divulge or publish the existence, contents, substance, purpose, effect or meaning of such intercepted communication for the purpose of benefiting an owner of or an agent of an owner of a commercial ambulance service. No electronic equipment capable of receiving or transmitting on Oxford Fire or Police Department communications frequencies may be installed in any ambulance, ambulance company vehicle, ambulance company office or dispatch center unless written permission has been given by the Fire Chief and Police Chief.

(d) Use a uniform, insignia, badge, title, identification card, or vehicle marking that either closely resembles or mimics those of the Oxford Fire Department

(e) No person licensed solely as an Ambulance Driver (a person who is not a licensed EMT) by the Alabama Department of Public Health shall operate or be employed on an ambulance that picks up emergency patients in the City of Oxford, Alabama. Unless that person has completed a certified EVOC course or Fire Department Apparatus Operator Course.

(f) Request the services of any ambulance which is not licensed or permitted or exempted therefrom in accordance with the provisions of this Ordinance.

(g) Make or cause another to make a request for a licensed ambulance service to make an emergency response to or from any location within the city for any reason except as described herein.

(h) Enter into a contract to provide emergency response to or from any location within the city for any reason except as described herein.

(i) Any violation of this section shall be considered a misdemeanor offence and will be punished by a fine not to exceed five hundred dollars ($500.00).

Sec. 11 - Obedience of driver to traffic laws, ordinances and regulations.

(a) The driver of an ambulance, when responding to an emergency call or while transporting a patient, may exercise the privileges set forth in this section, but such privileges are subject to the conditions stated in this section, and shall be exercised only when such driver has reasonable grounds to believe that an emergency in fact exists requiring the exercise of such privileges.

(b) Subject to the provisions of this section the driver may:

(1) Stop, stand or park the ambulance in any place in order to provide medical services irrespective of the otherwise applicable provisions of law, ordinance or regulations;

(2) Proceed with warning devices operating past a red or stop signal or stop sign, but only after slowing down as is necessary for safe operation;

(3) Exceed the maximum speed limits permitted by law, ordinance or regulation; provided, however, that any governing directives issued by the City's Chief of Police are obeyed and that life and property are not endangered thereby; and

(4) Disregard laws, ordinances or regulations governing direction or movement or turning in specified directions.

(c) The foregoing provisions shall not operate to relieve the driver of any ambulance from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

DIVISION 2. - BUSINESS LICENSE

Sec. 1 - Ambulance license—Required.

(a) No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients upon the streets, alleys or any public way or place in the city unless he holds a currently valid business license for an ambulance issued under this division.

(b) No ambulance shall be operated, and no individual shall drive, attend or permit an ambulance to be operated for such purposes on the streets, alleys or any public place or public way in the city, unless such ambulance shall be under the immediate supervision and direction of a person who is holding a currently valid license as an EMT by the ADPH/OEMS and has completed a certified EVOC course or Fire Department Apparatus Operator, or an ambulance driver who has completed a certified EVOC course or Fire Department Apparatus Operator.

(c) No such license, however, shall be required for an ambulance or for the ambulance driver, EMT of an ambulance which:

(1) Is rendering assistance to licensed ambulances in the case of a major catastrophe or emergency with which the licensed ambulances of the city are insufficient or unable to cope;

(2) Is rendering mutual aid assistance to licensed ambulances. Mutual aid agreements by licensed ambulances with non-licensed ambulances must be approved by the Fire Chief;

Sec. 2 - Application.

Application for an ambulance license under this division shall be made and sworn to upon such forms as may be prepared or prescribed by the city clerk and shall contain:

(1) The name and address of the applicant and of the owner of the ambulance service, including the owner's residence and place of business.

(2) The trade or corporate name under which the applicant does business and proposes to do business.

(3) The location and description of the places from which it is intended to operate.

(4) The names and addresses where previous and current ambulance service have or is provided by the applicant.

Sec. 3 - Hearing upon application; issuance or denial.

Within 21 days after the application has been filed with the city clerk, the City Council shall set a date for a hearing after the application has been investigated by the Fire Chief under Division 2, Section 7 of this ordinance on the application, and at the hearing, or upon any date to which the hearing is continued, shall hear all evidence offered by any party that may be presented bearing upon such application. If the city council finds that the applicant is ready, willing and able to comply with all the provisions of this article, state law and that the territory proposed to be served by the operation under the license is, in the opinion of the city council, not adequately served by ambulance facilities, and that the public necessity and convenience require the issuance of such license, then such application shall be granted and a license issued to operate such number of ambulances upon the streets of the city as the city council deems in the public interest, which license shall be issued by the city clerk upon payment to the city by the applicant of a license fee. The amount for an ambulance service license shall be established by the city council, from time to time, and made available for public examination in the office of the city clerk and attached as an appendix to this Code.

Sec. 4 - Transferability of license.

Any change of ownership by licensee shall terminate such license and shall require a new application and new license and conformance with all the requirements of this article as upon an original application.

Sec. 5 - Revocation of license.

(a) The city council may and is hereby authorized to suspend or revoke an ambulance license issued under this division for failure of a licensee to comply or to maintain compliance with, or for his violation of any applicable provisions, standards or requirements of this article, or for regulations promulgated under this article, or for failure to operate or cause to be operated for which such license was issued, or when, in the opinion of the city council, the public necessity, convenience or good renders such revocation advisable, upon not less than ten days' notice to the licensee and after a public hearing.

(b) An ambulance equipment and/or premises inspection report of the ADPH/OEMS or Fire Chief shall be prima facie evidence of compliance or noncompliance with, or violation of the provisions, standards and requirements provided in this division, and of the regulations promulgated under this article.

(c) Upon suspension, revocation or termination of an ambulance license under this division, such ambulance service shall cease operations as such, and no person shall permit such ambulance service to continue operations as such.

(d) Each written complaint received by the city or an officer or employee thereof relating to the operations of ambulance services or their employees in the city shall, in addition to such other action as may be taken thereon, be referred to the Fire Chief and EMS committee.

Sec. 6 - Inspection of ambulances.

(a) Subsequent to issuance of an ambulance license, the Fire Chief shall cause to be inspected each ambulance and its equipment and premises.

(b) All reports resulting from inspections by the ADPH/OEMS will be provided to the Fire Chief within 24 hours of said inspections.

(c) Each ambulance or invalid coach, its equipment and the premises designated in the application, and all records relating to its maintenance and operation as such shall be open to inspection by the Fire Chief or his designated representative at any time during the usual hours of operation.

Sec. 7 - Investigation and report by Fire Chief.

Each and every application for an ambulance license filed with the city clerk shall be immediately referred to the Fire Chief for investigation and report. The Fire Chief shall investigate the facts set out in the application and report to the EMS committee the results of his investigation, as follows:

(a) His finding as to the truth or falsity of the facts set out in the application.

(b) Whether or not the applicant's ambulances and equipment comply with all requirements of the ADPH/OEMS.

(c) Whether or not the personnel employed by the applicant comply with all requirements of the ADPH/OEMS.

(d) Any facts which he has which bear upon or may bear upon the question of whether or not the applicant is a responsible and proper person or company to conduct or work in the proposed business.

(e) Provide a recommendation as to whether or not the public necessity and convenience require or will be served by the proposed ambulance service.

Sec. 8 – City of Oxford ambulance service provider.

(a) The City of Oxford may utilize one or more licensed ambulance services to provide patient transport for calls that originate through the public safety dispatch center.

(b) The EMS Committee will recommend the ambulance services to be used by the City of Oxford to the mayor, and city council for approval.

(c) On all calls where fire department personnel are on the scene, fire department personnel will be in charge of the scene and ambulance personnel shall cooperate and assist fire department personnel.

(1) If any disagreement over patient care should arise, the fire department personnel shall make the decision as long as the fire department personnel EMS level is equal to or higher than the ambulance personnel. The online medical control physician shall have final control if needed.

(2) Fire department personnel will maintain the right to provide and/or assist with patient care during transport to receiving medical facility.

(d) Ambulance services shall have the capability to provide continuous operation to ensure that ambulances consistently respond to calls for emergency services within the city.

(e) The ambulance service provider will be responsible to dispatch a mutual aid service, in the event that they are unable to respond on request within five (5) minutes of receiving the call. The provider will notify the dispatch center that the call has been rolled and provide the name and ETA of the responding ambulance service. In the event that the ambulance service provider hasn't notified a mutual aid service due to not being able to respond, Oxford Fire Department may make that request thru Fire Department Dispatch.

(f) For Emergency Calls the ambulance service provider will respond and arrive on scene within ten (10) minutes for calls within the Oxford City Limits. This response time shall be complied with no less than 90 percent of the time.

(g) The ambulance service provider will provide the Fire Chief with a monthly report of response times and response time exceptions for all emergency calls.

(1) Report shall be provided no later than the tenth day of each month.

(2) Time period will be from the first day of each month to the last day of each month.

(h) The Fire Chief may at any time suspend an ambulance service providing transport for the City of Oxford for any of the following reasons:

(1) Failure to comply with any part of this division.

(2) Failure to maintain required response times.

(3) Any act involving dishonesty, fraud or deceit which gives rise to a cause of action by any person.

(4) For any reason deemed to be in the best interest of the citizens and employees of the city.

(i) A suspended ambulance service may appeal to the EMS Committee within 10 calendar days of any such suspension. The EMS Committee will have 20 days to investigate said suspension and make a ruling to uphold the suspension or reverse the suspension. The ambulance service may appeal within 10 calendar days of the EMS Committee's decision to the City Council following the procedures set forth in this document.

Section 9 - Complaint Procedure.

(a) Any member of the public having a complaint regarding service and/or charges shall first notify the person at the ambulance company or at the Police/Fire Department as listed on the schedule of charges. The Police/Fire Department shall forward a copy of any complaints it receives to the ambulance company. The ambulance company shall notify the complainant in writing within ten (10) days of receipt of the complaint as to the outcome of the complaint and the procedure to be followed to appeal any complaints which are not resolved satisfactorily. Any person desiring to appeal such review shall file a written complaint with the EMS committee within ten (10) days of receipt of the ambulance company's response

(b) The Fire Chief shall cause the charges of any complaint appeal to be investigated. The results of the investigation shall be turned over to the EMS Committee within ten (10) days.

(c) Upon receipt of any such complaint, the EMS Committee or an appointed subcommittee shall hold a hearing on such complaint within thirty (30) days. The EMS committee or subcommittee hearing the complaint shall make a written report within seven (7) business days to the Fire Chief, Police Chief, complainant, and the ambulance company, stating their findings. Such decision shall be final.

(d) The ambulance company shall keep a record of all complaints and how each is resolved for the preceding 24-month period when the call that is subject of the complaint originates within the city of Oxford.

Section 10 -Promulgation of Additional Standards and Regulations.

(a) The Chief of Police and Fire Chief are hereby authorized to establish, with the approval and concurrence of the EMS Committee, additional procedures, standards and regulations for the administration of this Ordinance and operation of ambulances by permit holders not in conflict with any provision of this Ordinance. Such standards and regulations shall include and set forth the procedures to be followed in processing and handling complaints against permit holders made to the City, may clarify any provision of this Ordinance and may establish any procedure necessary to the accomplishment of the provisions of this Ordinance.

b) Such standards and regulations as shall be established in accordance with subsection (a) of this section and the effective date of implementation of such changes, which date shall be a minimum of thirty (30) days subsequent to the date of said notice, shall be mailed to all permit holders hereunder. If no written objections are made fourteen (14) days prior to the scheduled implementation date such changes shall forthwith take effect.

(c) Any ambulance company objecting to any proposed standard or regulation shall notify the Fire Chief in writing detailing such complaint at least fourteen (14) days prior to the effective date of implementation as stated in the notice. Any such items objected to shall be reviewed by the Fire Chief, Police Chief and the EMS Committee prior to the effective date of implementation and a written response given to the complainant. If such response results in amendments to the standards and regulations and/or the implementation date all ambulance companies shall be given written notice of such changes as provided herein.

(d) The standards and regulations, or any part thereof, as provided herein, may be revoked at any time by appropriate action of the City Council.

Section 11 – Ambulance Company's Records and Reports

(a) Each ambulance company shall maintain a daily manifest upon which shall be recorded the date of call, time call received, time of dispatch to, time of arrival at requested location, place of origin, patient's name and address, and destination for each trip and shall retain and preserve all daily manifests for at least twenty-four (24) months. Each ambulance company hereunder shall keep accurate records of receipts and expenses from operations and such other operating information as may be required by the Fire Chief. Prehospital reports on all patients shall be retained for a period of not less than three hundred and sixty-five (365)

days. (b) Copies of daily manifests for the previous month, broken out to indicate those calls in which the points of origin or termination were within the City.

(c) Each ambulance company shall provide to the Fire Chief an annual statement which includes the following:

(1) A list of any legal claims pending, or resolved in the past year.

(2) A statement of the total number of calls made in the previous calendar year broken out to indicate those calls in which the points of origin and termination were within the City.

(3) An annual report of emergency call response times, compliance, and variances from compliance for response time standards, as outlined in this ordinance.

Section 12 - Appearance and Conduct of EMT's

(a) No EMT shall operate on the streets of the City without wearing a distinctive uniform which shall first have been approved by the Fire Chief. Each such uniform shirt shall bear a badge or patch with some identity or trade name of the company and the EMT's license level appearing thereon. Uniforms worn must be clean and neat in appearance.

(b) It shall be unlawful for any owner to permit or allow an employee to work while not sanitary or not clean and neat in appearance.

(c) It shall be unlawful for any owner to permit or to allow an employee of the ambulance service to be discourteous, to use vulgar, profane or obscene language, or to drink or be under the influence of intoxicating beverages or drugs while on duty.

(d) Complaints made against individual agency employees may be reviewed by the City, regardless if the complaint was reported to the State. If the City deems the implemented sanctions determined by the State inadequate, the City may implement sanctions or additional sanctions against the individual. The individual will have appeal rights to the EMS committee.

(e) Background checks performed by private services on all employees shall be made available to the City for review within 24 hours upon request.

DIVISION 3. Emergency Medical Services Committee

Section 1 - Created; Purpose.

There is hereby created the Emergency Medical Services Committee of the City of Oxford, for the purpose of surveying, evaluating and providing recommendations for improving all aspects of the City's emergency medical care, services and facilities including all ambulance companies and hospital emergency services and serving as an advisory body to the City Council for the coordination of all lay and professional activities necessary to provide emergency care, transportation, and definitive treatment of emergency medical cases to the victims of accidental injury and sudden illness; and to investigate, study, advise and recommend minimum standards for care of emergency victims including mass casualty incidents; and to hear appeals of the denial, suspension or revocation of ambulance permits, decals and EMT permits; and to advise

and recommend to the City Council the minimum standards for highest possible efficiency in day-to-day care of emergency victims including victims of mass casualty incidents.

Section 2 - Membership

The Emergency Medical Services Committee shall consist of five (5) members to be approved by the City Council as follows:

(a) The Fire Chief shall be a permanent member of this committee. The Oxford Police Representative shall be appointed by the Police Chief at his discretion.

(b) The remaining three (3) members shall be appointed as follows: one (1) representative appointed by the Mayor, and two (2) members appointed by the City Council. These members shall serve a three (3) year term with the first appointments being staggered.

(c) There shall further be associate members without voting privileges who may be appointed by and serve at the pleasure of the chairman of the committee. The Chair of this committee shall appoint one nonvoting member from each approved ambulance service.

(d) All members of the Committee are appointed in their status as representatives of the named organization or by virtue of their office, therefore if a person representing an organization of holding an office leaves the organization or office that position shall become vacant. The Chairman of the EMS Committee shall notify the City Clerk of any vacancy occurring in its voting membership. Any vacancy on the committee shall be filled by the Council for the unexpired term of such vacancy.

Sec. 3 - Officers, subcommittees.

(a) The Fire Chief shall serve as the Chairman of the committee. The Vice Chairman and Secretary shall be elected annually by the voting membership.

(b) The Chairman may appoint such subcommittees as needed to more efficiently carry out the functions of the committee.

Sec. 4 - Meetings, quorum.

(a) The committee shall meet at least four (4) times a year and as directed by the chairman.

(b) Three (3) voting members of the committee shall constitute a quorum for any meeting or hearing.

Sec. 5 - Services to committee.

Investigation as needed under this chapter shall be furnished by the Chief of Police and/or the Fire Chief.

Sec. 6 - Compensation.

The members of the committee shall receive no compensation whatsoever for their services or expenses.

Sec. 7 - Powers and duties.

(a) The committee shall have the power to do all acts and things necessary to carry out the objectives and purposes set forth in this chapter subject to the general administrative process and procedures controlling departments of city government.

(b) The committee shall adopt rules and shall keep a record of its resolutions, transactions and findings which shall be public record.

(c) The committee shall act in an advisory capacity to the mayor and council in regard to matters set out in this chapter and such other information as is required from time to time by the city council.

(d) The committee shall review all applications for private ambulances for hire and shall report its findings and recommendations to the city council as provided by this chapter.

(e) The committee shall review all appeals of denial, suspension or revocation of EMT permits by the Chief of Police or Fire Chief and any appeals for the denial of decals or removal from service of a particular ambulance or ambulances and hear appeals from complaints by members of the public and ambulance providers.

Sec. 8 - Notice to Committee

Any notice required to be given to the EMS Committee by this Ordinance shall be made to the Chairman of such Committee.

Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. The City Council finds and declares that it would have adopted each and every provision of this ordinance, even if it had not adopted any other provision.

This ordinance shall become effective upon its passage by the City Council and publication as required by law.

APPROVED and ADOPTED this 14th day of May, 2019.

CITY COUNCIL OF THE CITY OF OXFORD, ALABAMA

Chris Spurlin, Council President

Charlotte Hubbard, Council Member

Phil Gardner, Council Member

Steven Waits, Council Pro Tempore

Mike Henderson, Council Member

APPROVED:

Alton Craft. Mayor

ATTEST:

Alan B. Atkinson, City Clerk

CERTIFICATION OF ADOPTION

I hereby certify that the attached ordinance was duly adopted by the Oxford City Council in regular session assembled on the 14th day of May, 2019, and is recorded in the official minutes of the Oxford City Council.

Alan B. Atkinson, City Clerk

CERTIFICATION OF PUBLICATION

I, Alan B. Atkinson, City Clerk for the City of Oxford, Alabama, do hereby certify this Ordinance was posted in three public places within the City and at Oxford City Hall beginning on the 16th day of May, 2019, as in accordance with the provisions of Code of Alabama, 1975, Section 11-45-8.

Alan B. Atkinson, City Clerk