

CHAPTER 302

AMBULANCE ORDINANCE

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302.01 DEFINITIONS.

(a) “Ambulance” means a motor vehicle or other form of transport equipped as hereinafter provided, to transport sick, disabled or injured individuals.

(b) “Ambulance Service/Provider” means a person engaged in the business for profit of transporting sick, disabled or injured persons by motor vehicle or other forms of transport to and from facilities or institutions providing hospital service.

(c) “Business for Profit” means an ambulance service which is (1) operated for a fee or any other charge or consideration of value or (2) openly advertised by a business concern as a transportation service for sick, disabled or injured individuals whether or not for a fee, charge or other consideration.

(d) “Exempt Service” means the following enumerated ambulance services are exempt from provisions of this ordinance; namely:

(1) A hospital under the provisions of a valid operating certificate issued pursuant to Article 28 of the Public Health Law of the State of New York.

(2) The State of New York, a county, city, town village, school district, fire district or other district corporation or public benefit corporation (as such terms “district corporation” and “public benefit corporation” are defined in Section 3 of the General Corporation Law), or any agency of any such government or public corporation;

(3) A City, town, village or fire district fire department including an emergency, rescue and first aid squad thereof;

(4) A fire corporation located outside a city, village and fire district and subject to the control of town authorities as specified in subdivisions 1 and 2 of Section 112 of the Membership Corporations Law, including an emergency, rescue and first aid squad thereof;

(5) A non-profit membership corporation (other than a fire corporation) incorporated under or subject to the provisions of the Membership Corporations Law, or any other law, operating its ambulance or ambulances on a non-profit basis for the convenience of the members thereof and their families or of the community or under a contract with a county, city, town or village pursuant to Section 122-b of the General Municipal Law; and

(6) An unincorporated association of persons operating its ambulance or ambulances on a non-profit basis for the convenience of the members and their families or of the community.

(e) “Person” means any individual, firm, partnership, association, corporation, company and every legal entity whatsoever.

(f) “Patient” means an individual who is sick, injured, wounded, or otherwise incapacitated or helpless.

(g) “License Officer” means the Fire Chief of the City of Niagara Falls, New York or his/her designee.

(h) “Emergency Medical Technician” (EMT) means: A person who responds to emergency calls, performs certain medical procedures and transports patients to hospital in accordance with protocols and guidelines established by physician medical directors. They may work in an ambulance service. EMTs are trained to assess a patient’s condition, and to perform such emergency medical procedures as are needed to maintain a patient airway with appropriate destination for advanced medical care. Interventions include cardiopulmonary resuscitation, defibrillation, control of severe external bleeding, shock prevention, body immobilization to prevent spinal damage, and splinting of bone fractures. EMTs are trained in BLS, or basic life support. They must take an initial New York State EMT certification class by a certified course sponsor. Certification is good for three (3) year; prior to the expiration to keep their certification, the EMT must take a refresher class and pass the New York State EMT certification exam again to keep their certification.

(i) “Emergency Medical Technician-Intermediate” (EMT-I) means: A mid-level provider of pre-hospital emergency medical services in the United States. The EMT-I is not intended to deliver definitive medical care, but rather to augment pre-hospital critical care and provide rapid on-scene treatment. EMT-Intermediate is most commonly employed in ambulance services, working in conjunction with EMT-Basics and EMT-Paramedics. The EMT-Intermediate is typically authorized to provide more advanced medical treatment than the EMT-Basic and is typically authorized to provide advanced life support. The minimal psychomotor scope of practice at the national level for an advanced EMT includes all EMT level skills, basic airway management and the insertion of supraglottic airways, suctioning of an already intubated patient, patient assessment, and several pharmacological interventions beyond the EMT level. They must take an initial New York State EMT certification class by a certified course sponsor and pass the class and New York State certification exam for EMT. They must also attend an Intermediate Certification class by a certified course sponsor, passing the class and the New York State certification exam. The certification is good for three (3) years. Prior to the expiration of their certification, the EMT Intermediates need to take an EMT-Intermediate refresher course and pass the New York State certification exam again to keep their certification.

(j) “Paramedic” means: A healthcare professional who works in emergency medical situations. Paramedics provide advanced levels of care for medical emergencies and trauma. The majority of Paramedics are based in the field in ambulances, emergency response vehicles, or in specialist mobile units. Paramedics provide out-of-hospital treatment and some diagnostic services. They must take an initial New York State Paramedic certification class by a certification class by a certified course sponsor. Certification is good for three (3) years. Prior to the expiration of their certification, the Paramedic needs to take a Paramedic refresher course and pass the New York State certification exam again to keep their certification. The scope of practice includes performing semi-automated external defibrillation, interpretation of 4-lead or 12-lead ECG’s depending on the area, administration of symptom relief medications for a variety of emergency medical conditions (these include but are not limited to oxygen, epinephrine, glucagon, ASA (aspirin and nitroglycerine), performing trauma immobilization (including cervical immobilization), and other fundamental basic medical care. Primary Care Paramedics may also receive additional training in order to perform certain skills that are normally in the scope of practice of Advanced Care Paramedics. This is regulated both provincially (by statute) and locally (by the Medical Director), and ordinarily entails an aspect of medical oversight by a specific body or group of physicians. This is often referred to as Medical Control, or a role played by a base hospital. They must take an initial New York State EMT certification class by a certified course sponsor and pass the class and New York State certification exam for EMT. They must also attend a Paramedic Certification class by a certified course sponsor, passing the class and the New York State certification EMT-P exam. The certification is good for three (3) years. Prior to the expiration of their certification, they need to take an EMT-P refresher course and pass the New York State exam to keep their certification.

302.02 LICENSE REQUIRED.

(a) On and after the first day of March, 1973, 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 of the City of Niagara Falls, New York unless he holds a currently valid license for an ambulance, issued pursuant to this Ordinance.

(b) No ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit it to be operated for such purposes on the streets, alleys, or any public way or place of Niagara Falls, New York unless it shall have in attendance on each call a minimum of a one Emergency Medical Technician that will be the driver, and one Emergency Medical Technician will be the attendant for a BLS (basic life support) response. For an ALS (advance life support) response each unit will have one emergency medical technician that will be the driver and one Paramedic that will be the attendant. Each must be at least 18 years of age.

(c) Provided however, that no such licenses shall be required for 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 Niagara Falls, New York are insufficient or unable to cope; or

(2) Is operated from a location or headquarters outside of Niagara Falls, New York in order to transport patients who are picked up beyond the limits of Niagara Falls, New York to locations within Niagara Falls, New York but no such outside ambulance

shall be used to pick up patients within Niagara Falls, New York for transportation to locations within Niagara Falls, New York unless the driver, medical emergency technician and the person subject to the provisions of Section 302.02(a) of the Ordinance in respect of such ambulance, hold currently valid licenses issued pursuant to this Ordinance.

302.03 APPLICATION FOR AMBULANCE LICENSE.

(a) Applications for ambulance licenses hereunder shall be made by the owner of the ambulance service and made upon forms prescribed by the License Officer and shall provide such information as the License Officer and Board of Ambulance Service shall find reasonably necessary.

(b) Each application shall be accompanied by an agreement that, if emergency calls are answered by the attendance of the ambulance, the patient for whom a call is made will be taken to a hospital or other place of reception for the sick, disabled or injured, as the case may be.

(c) Each such application shall be accompanied by a license fee of two hundred dollars (\$200.00) for each ambulance to be operated.

302.04 STANDARDS FOR AMBULANCE LICENSE.

(a) A license hereunder shall not be issued unless the License Officer determines that the ambulance service is (or will be) staffed and equipped in accordance with the requirements of this section; provided, however, that where an existing ambulance service does not meet said requirements with respect to equipment and training of personnel for periods of time specified in the license.

(b) Requirements: Each Ambulance Service/Provider holding a license pursuant to Section 302.03 hereof, shall:

(1) Submit (in form prescribed by the License Officer) an annual report of the number and types of vehicles operated, and listings of all personnel employed.

(2) Be equipped with the following:

(a) Patient transfer equipment consisting of:

(i) wheeled ambulance cot capable of supporting the patients in the Fowlers position;

(ii) a device capable of carrying a second recumbent patient;

(iii) a device enabling ambulance personnel to carry a sitting patient over stairways and through narrow spaces where a rigid litter cannot be used. This requirement may be satisfied by use of one combination device capable of both operations;

(iv) all litters and cots used to transport patients shall be secured using crash resistant fasteners. The ambulance shall be equipped with securing devices such that two patient carrying devices can be simultaneously secured; and

(v) ambulance cots and other patient carrying devices shall be equipped with at least two, two-inch wide web straps with fasteners to secure the patient to the device and the cot.

(b) Airway, ventilation, oxygen and suction equipment consisting of:

(i) a manually operated self-refilling adult-size bag valve mask ventilation device capable of operating with oxygen enrichment, and clear adult-size masks and air cushions;

- (ii) four(4) oro-pharyngeal airways in adult sizes;
 - (iii) portable oxygen with a minimum 350 liter capacity (medical “D” size) with pressure gauge, regulator and flow meter and one spare cylinder, medical “D” size or larger. The oxygen cylinders must contact a minimum pressure of 1000/in²;
 - (iv) an in-ambulance oxygen system with a minimum 1200 liter capacity (tow medical “E” size) with yoke(s), or CDC fitting, pressure gauges, regulators, and flow meters capable of delivering oxygen to two patients at two different flow rates of up to 15 liters per minute simultaneously.
 - (v) four (4) of each size, non-rebreather oxygen masks, and four (4) nasal cannulae;
 - (vi) portable suction equipment capable, according to the manufacturer’s specifications, of producing a vacuum of over 300 millimeters of mercury when the suction tube is clamped. This will meet the 800.24(b)(7) requirement if equipped to operate off the ambulance electrical system;
 - (vii) installed adjustable suction capable of producing a vacuum of over 300 millimeters of mercury when tube is clamped; and
 - (viii) two (2) plastic Yankauer-type wide bore pharyngeal tips individually wrapped.
- (c) Immobilization equipment consisting of:
- (i) one (1) full size (at least 72 inches long and 16 inches wide) backboard with necessary straps capable of immobilizing the spine of a recumbent patient;
 - (ii) one (1) half-length spinal immobilization device with necessary straps capable of immobilizing the spine of a sitting patient;
 - (iii) one (1) traction splinting device for the lower extremity; and
 - (iv) two (2) of each of the following size padded boards, with padding at least 3/8 inches thick:
 - 4 ½ feet by 3 inches or equivalent device
 - 3 feet by 3 inches or equivalent device
 - 15 inches by 3 inches or equivalent device
 - (v) one (1) set of rigid extrication collars capable of limiting movement of the cervical spine. The set shall include large, medium and small adult-size rigid extrication collars which permit access to the patient’s anterior neck; and
 - (vi) a device or devices capable of immobilizing the head of a patient who is secured to a long backboard.
- (d) Bandage and dressing supplies consisting of:
- (i) twenty-four (24) sterile gauze pads 4 inches by 4 inches
 - (ii) three (3) rolls adhesive tape in two or more sizes;
 - (iii) ten rolls of conforming gauze bandages in two or more sizes;
 - (iv) two sterile universal dressings approximately 10 inches by 30 inches;
 - (v) ten large sterile dressing 5 inch by 9 inches minimum;
 - (vi) one pair bandage shears;
 - (vii) two sterile bed-size burn sheets;
 - (viii) six triangular bandages

- (ix) one liter of sterile saline in plastic container(s) within manufacturer's expiration date
- (x) roll of plastic or aluminum foil or equivalent sterile occlusive dressing.
- (e) Emergency childbirth supplies in a kit, consisting of the following sterile supplies:
- (i) disposable gloves;
 - (ii) scissors or scalpel;
 - (iii) umbilical clamps or tape;
 - (iv) bulb syringe;
 - (v) drapes; and
 - (vi) one (1) individually wrapped sanitary napkin.
- (f) Miscellaneous and special equipment in clean and sanitary condition consisting of:
- (i) linen and pillow on wheeled ambulance cot and spare pillow, two (2) sheets, two (2) pillow cases, and two (2) blankets;
 - (ii) four (4) cloth towels;
 - (iii) one (1) box facial tissues;
 - (iv) two (2) emesis containers;
 - (v) one (1) adult size blood pressure cuff with gauge;
 - (vi) stethoscope;
 - (vii) carrying case for essential emergency care equipment and supplies;
 - (viii) four (4) chemical cold packs;
 - (ix) one (1) mail urinal;
 - (x) one (1) bed pan;
 - (xi) two (2) sets masks and goggles or equivalent;
 - (xii) two (2) pairs disposable rubber or plastic gloves;
 - (xiii) one (1) liquid glucose or equivalent;
 - (xiv) six (6) sanitary napkins individually wrapped; and
 - (xv) one (1) penlight or flashlight.
- (g) Safety equipment consisting of:
- (i) six (6) flares or three U.S. Department of Transportation approved reflective road triangles;
 - (ii) one (1) battery lantern in operable condition; and
 - (iii) one (1) Underwriters' Laboratory rated five-pound ABC chemical fire extinguisher or any extinguisher having a rating of 10BC.
- (h) Pediatric equipment consisting of:
- (i) pediatric bag valve mask, equipped with oxygen reservoir system;
 - (ii) clear face masks in newborn, infant and child sizes, inflatable rim (or mask with minimal under-mask volume) to fit above;
 - (iii) two (2) each nasal cannula, and two each oxygen masks including non – rebreather in the pediatric size;

- airways;
- (iv) two (2) each oro-pharyngeal newborn, infant and child size
 - (v) sterile suction catheters, two each in sizes 5, 8 and 10 french;
 - (vi) two (2) sterile DeLee type suction catheters #10 or modified suction traps, or two (2) small bulb syringes;
 - (vii) one (1) sterile single use disposable oxygen humidification setup;
 - (viii) child and infant size blood pressure cuffs with gauge(s);
 - (ix) one (1) rigid extrication collar in pediatric size;
 - (x) one (1) pediatric stethoscope (interchangeable type acceptable);
 - (xi) one (1) commercially prepared infant swaddler.
- (3) All Medic/Supervisor Emergency Vehicles (Fly Cars) used by the current Ambulance service shall be equipped with:
- (a) emergency care equipment consisting of:
 - (i) twelve (12) sterile 4 inch x 4 inch gauze pads;
 - (ii) adhesive tape, three (3) rolls, assorted sizes;
 - (iii) six (6) rolls conforming gauge bandage, assorted sizes;
 - (iv) two (2) universal dressings, minimum 10 inch x 30 inch;
 - (v) six (6) 5 inch x 9 inch (minimum) sterile dressings or equivalent;
 - (vi) one (1) pair of bandage shears;
 - (vii) six (6) triangular bandages;
 - (viii) sterile normal saline in plastic container (0.5 liter minimum) within the manufacturer's expiration date;
 - (ix) one (1) air occlusive dressing;
 - (x) one (1) liquid glucose or equivalent;
 - (xi) disposable sterile burn sheet;
 - (xii) sterile obstetric [O.B.] kit;
 - (xiii) blood pressure cuff (sphygmomanometer) in adult and pediatric sizes with stethoscope;
 - (xiv) three rigid extrication collars capable of limiting movement of the cervical spine. These collars shall include small, medium and large adult sizes; and
 - (xv) carrying case for essential equipment and supplies.
 - (b) Oxygen and resuscitation equipment consisting of:
 - (i) portable oxygen with a minimum 350 liter capacity pressure gauge, regulator and flow meter medical "D" size or larger. The oxygen cylinder must contain a minimum of 1000 pounds per square inch;
 - (ii) manually operated self-refilling bag valve mask ventilation devices in pediatric and adult sizes with a system capable of operating with oxygen enrichment and clear adult, and clear pediatric size masks with air cushion;
 - (iii) four (4) individually wrapped or boxed oropharyngeal airways in a range of sizes for pediatric and adult patients;
 - (iv) two (2) each: disposable non-rebreather oxygen masks, and disposable nasal cannulae (individually wrapped);

(v) portable suction equipment capable (according to the manufacturer's specifications) of producing a vacuum of over 300 mmHg when the suction tube is clamped and including two plastic large bore rigid pharyngeal suction tips (individually wrapped); and

(vi) pen-light or flashlight.

(c) A two-way voice communications enabling direct communication with the agency dispatcher and the responding ambulance vehicle on frequencies other than citizens band.

(d) Safety equipment consisting of:

(i) six flares or three U.S. Department of Transportation approved reflective road triangles;

(ii) one battery lantern in operable condition; and

(iii) one Underwriters' Laboratory rated five-pound ABC fire extinguisher or any extinguisher having a UL rating of 10BC.

(e) Extrication equipment consisting of:

(i) one (1) short backboard or equivalent capable of immobilizing the cervical spine of a [sitting] seated patient. The short backboard shall have at least two inch by nine foot long web straps with fasteners unless straps are affixed to the device; and

(ii) one (1) blanket

(4) The Ambulance Service/Provider shall:

(a) maintain in good working order in each ambulance a means for treatment of sick, injured or disabled persons.

(b) maintain each ambulance and its equipment in a clean and sanitary condition, and when an ambulance has been utilized to transport a patient, proper decontamination must be performed before transporting the next case.

(c) permit designated representatives of the License Officer to conduct periodic inspections of vehicles, procedures, materials, staff, equipment and facilities.

(d) comply with all applicable laws, federal, state and local, relating to health, sanitation and safety.

(5) Each licensed ambulance, its equipment and all records relating to its maintenance and operation as such, shall be open to inspection by the License Officer or his designated representatives during usual hours of operation.

(6) Any change of ownership of a licensed ambulance shall terminate the license and shall require a new application and a new license, in conformance with all the requirements of this Ordinance as upon original licensing. No ambulance license may be sold, assigned, mortgaged or otherwise transferred without the approval of the License Officer and a finding of conformance with all the requirements of this Ordinance as upon original licensing. Application for transfer of any ambulance license to another or substitute vehicle shall require conformance with all the requirements of this Ordinance as upon original licensing.

(7) No official entry made upon a license may be defaced, removed or obliterated.

302.05 LIABILITY INSURANCE.

(a) No ambulance license shall be issued under this Ordinance, nor shall such license be valid after issuance, nor shall any ambulance be operated in Niagara Falls, New York unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the State of New York, for each and every ambulance owned and/or operated by or for the applicant or licensee, providing for the payment of damages;

(1) For injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or his agent in the amount of not less than one million dollars (\$1,000,000.00) for injury or death of any one person and two million dollars (\$2,000,000.00) for the injury or death of any number of persons in any one accident; and

(2) For the loss of or damage to the property of another, including personal property, under like circumstances, in the amount of not less than \$50,000.00.

(b) Said insurance policies shall be submitted to the Risk Manager for approval prior to the issuance of each ambulance license. Satisfactory evidence that such insurance is at all times in force and effect shall be furnished to the Risk Manager, in such form as he may specify, by all licensees required to provide such insurance under the provisions of this Ordinance, and said insurance policies shall name thereon the City of Niagara Falls, New York as an additional party insured. (Amended 09/04/84)

(c) Every insurance policy required hereunder 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 revoked the insurance company will not be relieved from liability on account of non-payment of premium, failure to renew license at the end of the year, or any act or omission of the named insured. Such policy of insurance shall be further conditioned for the payment of any judgments up to the limits of said policy, recovered against any person other than the owner, his agency or employee, who may operate the same with the consent or acquiescence of the owner.

(d) Every insurance policy required hereunder shall extend for the period to be covered by the license applied for and the insurer shall be obliged to give not less than thirty (30) days written notice to the License Officer and to the insured before any cancellation or termination thereof earlier than its expiration date and the cancellation or other termination of any such policy shall automatically revoke and terminate the licenses issued for the ambulances covered by such policy, unless another insurance policy complying with the provisions of this section shall be provided and be in effect at the time of such cancellation or termination.

302.06 APPLICATIONS FOR DRIVER/ATTENDANTS LICENSE

(a) Applications for driver/attendants license hereunder shall be made upon forms provided by the License Officer and shall contain such information as the License Officer and Ambulance Service Board shall deem reasonable necessary, in addition to meeting the following requirements and qualifications:

(1) Each applicant for an ambulance driver/attendants license shall submit a current certificate showing that applicant had satisfactorily completed both the required American Red Cross or American Heart CPR Course for Health Care Providers and possess their current New York State Emergency Medical Technician or higher certification card.

(2) Each applicant for a driver/attendant license shall submit evidence of a current, valid New York State driver's license.

(3) Each applicant must not have been charged or convicted of any crime, misdemeanor offense or any other violation of the law. A background check will be performed by the City's Police Department to verify.

(4) The driving record for each applicant will be provided by the Superintendent of Police, and must not have any major traffic violations or license suspensions on their record in order to qualify to be an ambulance driver.

(5) Each applicant for driver/attendant license must not have one of the following conditions: epilepsy, vertigo, heart disease, defective vision (must be at least 20/40 corrected each eye with ability to distinguish colors), defective hearing (must be at least 10/20 in better ear without hearing aid), no impairment of use of feet, legs, fingers, hands or arms or other structural defect or limitation, mental, nervous, organic or functional disease that is likely to interfere with safe driving or attending an ambulance.

(6) Applicant must have attained a minimum age of eighteen (18) years.

(7) Applicant must be able to speak, read and write the English language.

(8) Each such application shall be accompanied by a license fee of one hundred dollars (\$100.00).

(b) A license as driver/attendant issued hereunder shall not be assignable or transferable.

(c) No official entry made upon a license may be defaced, removed or obliterated.

302.07 DUTIES OF LICENSE OFFICER.

(a) The License Officer shall, within thirty (30) days after receipt of an application for an ambulance license, driver's or medical emergency technician's license, as provided for herein, cause such investigation as he deems necessary to be made of the applicant and of his proposed operations.

(b) The City Clerk, upon written approval by the Licensing Officer shall issue a license hereunder for a specified ambulance, to be valid for a period of one (1) calendar year unless earlier suspended, revoked or terminated, when he finds:

(1) That each such ambulance and its required equipment has been certified by the License Officer.

(2) That the applicant is a responsible and proper person to conduct or work in the proposed business based primarily upon the information contained in his application.

(3) That only duly licensed drivers/attendants are employed in such capacities.

(4) That all the requirements of this Ordinance and all other applicable laws, federal, state or local have been met.

(c) The City Clerk, upon written approval by the Licensing Officer, shall issue a license to a driver/attendant hereunder, valid for a period of one calendar (1) year, unless earlier

suspended, revoked or terminated, when he finds that the applicant:

- (1) Is not addicted to or an abuser of intoxicating liquors or narcotics and drugs, and is morally fit for the position;
- (2) Is a responsible and proper person to work in an ambulance service based primarily upon the information contained in his application.
- (3) Meets all the requirements of this Ordinance and all other applicable laws, federal, state or local. (Amended 09/04/84)

(d) The License Officer shall cause inspection of each licensed vehicle hereunder and its equipment whenever he deems such inspection to be necessary but in any event no less frequently than twice each year and shall report his findings in a written report to the Ambulance Service Board. Said inspection shall be at a time and place designated by the inspecting officers.

(e) The License Officer shall, with the advice and consent of the Ambulance Service Board, promulgate such rules and regulations as he deems advisable and reasonable, covering all related aspects of this Ordinance, including, but not being limited to, the procedure of dispatching calls by the Fire Department of Niagara Falls for ambulance service, as required, and obedience and exceptions to the traffic laws, traffic ordinances and traffic regulations.

302.08 AMBULANCE SERVICE BOARD: POWERS AND DUTIES.

(a) The Ambulance Service Board shall consist of six (6) members who shall be the City Administrator, the Corporation Counsel, the Superintendent of Police, the Medical Director for the Niagara Falls Fire Department, the License Officer and the City Clerk. The powers and duties of the Ambulance Service Board shall be as follows:

- (1) Investigate and determine whether public convenience and necessity requires proposed ambulance service upon notification by the License Officer of any new applications for an ambulance service license.
- (2) Have the duty to review all rulings of the License Officer made pursuant to the provisions of this Ordinance.
- (3) Advise and inform the public concerning any practices in connection with ambulance service which it may consider harmful to the persons in need thereof.
- (4) Grant a hearing on the denial of any application provided that the applicant demands said hearing in writing within 15 days after denial of the application by the License Officer. Such written demand shall be accompanied by the application of the applicant.
- (5) Hear and determine any and all matters relating to the revocation or suspension of licenses and certify its findings to the License Officer.
- (6) Any contract with an Ambulance Service/Provider must first be reviewed and approved, disapproved or denied by the Ambulance Service Board. If the contract is approved, it will be forwarded to the Mayor and City Council for final approval.

302.09 ISSUANCE OF AMBULANCE, DRIVERS/ATTENDANTS LICENSES.

The License Officer shall, upon completion of his investigation, direct the City Clerk to issue such licenses upon the payment of the required license fee. Each such license shall be valid for the calendar year for which it is issued unless sooner revoked or suspended and shall expire on December thirty-first of the year for which it is issued. At any time after a license has

been issued, the License Officer may make, or cause to be made further inspections, and if any ambulance is found by him to be in violation of this Ordinance, the License Officer may revoke or suspend such license or, if it is found that any licensee is violating any of the terms of this Ordinance, the License Officer may revoke or suspend such license. (Amended 09/04/84)

302.10 LICENSE FEES.

(a) The fee for an ambulance license shall be Two Hundred Dollars (\$200.00) payable annually to the City Clerk in advance. Separate licenses shall be required annually for each ambulance operated and they shall not be transferable except that a license issued for any vehicle belonging to the same licensee shall be transferred to another vehicle upon application therefor, duly verified and showing that the vehicle previously licensed is no longer to be used for the purpose herein contemplated. (Amended 09/04/84; 11/28/05; 07/24/17)

(b) The fee for an ambulance driver/attendant, other than a physician or hospital intern, shall be One Hundred Dollars (\$100.00) payable annually, to the City Clerk in advance. (Amended 09/04/84; 11/28/05; 07/24/17)

302.11 DUTIES OF LICENSED AMBULANCE OWNERS.

The owner of an ambulance to whom a license has been issued by the provisions hereof shall be under duty and obligation to:

(a) Co-ordinate the ambulance radios or other communica-media with the facilities provided by the Niagara Falls Fire Department.

(b) Designate stations for ambulance service where such service can be reached at all times.

(c) Give prior notice to the Fire Department when and why an ambulance is out of service. Notify the Fire Department when a particular ambulance is replaced and if replaced, provide the License Officer with all the required information to determine if said ambulance complies with the requirements of this Ordinance.

(d) Notify the Fire Department of all calls for ambulance service received with the exception of those calls pertaining to the licensed ambulance owner's private, routine business. (Amended 07/30/73)

(e) Strictly adhere to the procedures of dispatching ambulances on calls by the Fire Department as established by the License Officer with the advice and consent of the Ambulance Service Board.

(f) At no time and on no occasion permit jumping a call when the Fire Department dispatcher notifies an ambulance service other than the owners to attend to a call.

302.12 DUTIES OF DRIVERS/ATTENDANTS.

(a) Ambulance drivers and attendants shall comply with the request of the patient and/or relatives for removal to a hospital of their choice within a reasonable distance, providing that in their judgment the condition of the patient will withstand extra travel. If State or local protocols deem that a patient with a certain condition be taken to a specific facility, the protocols will be followed. No person in charge of an ambulance shall refuse to take a wounded, ill, infirm, or injured person to a hospital after the need for hospitalization has been determined by a physician, or if made at the request of the Police or Fire Department. Anyone who is found ill,

wounded, inform or injured in the street or any public place (however seriously) shall not be left in such location, but shall be removed to a hospital. When they arrive at the scene of an accident or disaster, ambulance drivers and Emergency Medical Technicians shall:

- (1) Notify the Niagara Falls Fire Department whether or not they are in need of additional ambulances and Emergency Medical personnel.
- (2) Take the injured person or the person in need of hospital services to the nearest hospital unless the patient (or advocate/guardian) directs otherwise or type of injury or sickness as per New York State protocols directs them to bring the patient to a specialty hospital.

302.13 GROUNDS FOR SUSPENSION OR REVOCATION OF LICENSE.

(a) The License Officer may, and is hereby authorized to suspend or revoke the license of an ambulance licensee issued hereunder for any of the following causes:

- (1) Failure of a licensee to comply and to maintain compliance with, or for his violation of, any applicable provisions, standards or requirements of this Ordinance, or of regulations promulgated hereunder by the License Officer or Ambulance Service Board, but only after warning and such reasonable time for compliance as may be set by the License Officer.
- (2) Failure of a licensee to comply with the provisions of any regulated federal, state or local laws, ordinances, codes, rules and regulations.
- (3) Removal and retention of property, money or other assets belonging to a patient.
- (4) Allowing the jumping of calls or jumping calls in noncompliance with the Fire Departments dispatcher's orders.
- (5) Conviction of crime involving moral turpitude.

(b) The License Officer may, and is hereby authorized to suspend or revoke the license of a driver or medical emergency technician issued hereunder for any of the following causes:

- (1) Failure to comply and to maintain compliance with, or for his violation of, any applicable provisions, standards or requirements of this Ordinance or of regulations promulgated hereunder by the License Officer or the Ambulance Service Board, but only after warning and such reasonable time for compliance as may be set by the License Office
- (2) Removal and retention of property, money or other assets belonging to a patient.
- (3) Unbecoming conduct and abusive language in rendering ambulance service.
- (4) Unprovoked assaults in the discharge of duties.
- (5) Excessive use of alcohol.
- (6) Jumping calls in noncompliance with the Fire Department dispatcher's orders.
- (7) Conviction of crime involving moral turpitude.

(c) Upon suspension, revocation or termination of an ambulance license hereunder, such ambulance shall cease operations as such and no person shall permit such ambulance to

continue operations as such. Upon suspension, revocation or termination of a driver's or medical emergency technician's license hereunder, such driver or medical emergency technician shall cease to drive or attend an ambulance and no person shall employ or permit such individual to drive or attend an ambulance.

302.14 RENEWAL OF LICENSE.

(a) Renewal of any license hereunder, upon expiry for any reason or after revocation, shall require conformance with all the requirements of this Ordinance as upon original licensing.

(b) Application for renewal of licenses authorized hereunder can be made thirty (30) days before the expiration date on forms furnished by the License Officer.

302.15 PENALTIES.

(a) Any person, driver/attendant, violating, or failing to comply with, the provisions of this Ordinance and the applicable rules and regulations hereof, shall be deemed guilty of a violation and upon conviction thereof shall be fined an amount not less than \$25.00 and not exceeding \$500.00 or imprisoned for a period not exceeding six (6) months, or be both so fined and imprisoned, for each offense.

(b) Each day that any violation of, or failure to comply with, this Ordinance is committed or permitted to continue shall constitute a separate and distinct offense under this section and shall be punishable as such hereunder; provided, however, that the Court may, in appropriate cases, stay the cumulation of penalties.

302.16 SEPARABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

302.17 ANNUAL FRANCHISE FEE.

The Ambulance Service/Provider who enters into a contract with the City shall be under a duty and obligation to follow all items that were included in the most current Ambulance Service/Provider "Request for Proposal" and ambulance service contract agreement with the City regarding payment of an annual contract Ambulance Franchise Fee.

302.18 EFFECTIVE DATE.

This Ordinance shall become effective on July 25, 2017.