



City of Gulfport, Mississippi

Agenda City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, February 27, 2024

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 P.M.

Declaration of Special Call Meeting

Policy Issues

- 1** Ordinance - amending Sections 4-26 through and including 4-37 of the City of Gulfport, Mississippi's Code of Ordinances involving ambulances, and for related purposes.
- 2** Resolution - approving Agreement with Pafford Ambulance Services of Mississippi, LLC, for Ambulance Services in the City of Gulfport, and for related purposes.

Setting of Next Meeting and Adjournment

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the _____ day of _____, 2024, the following Ordinance:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF GULFPORT, MISSISSIPPI'S CODE OF ORDINANCES INVOLVING AMBULANCES, TO INCLUDE REVISING SECTIONS 4-26 THROUGH AND INCLUDING 4-37 AND ADDING SECTIONS SECTION 4-38 THROUGH AND INCLUDING 4-41; AND FOR RELATED PURPOSES

WHEREAS, the Governing Authority of the City of Gulfport, Mississippi has enacted various Ordinances through the years for the preservation and promotion of the health, safety, and well-being of its residents and visitors, to include those involving ambulance services found in Article II in Chapter 4 of the City's Code of Ordinances, and which provisions were previously adopted and/or codified in the 1960's; and

WHEREAS, from 1993 through early 2023, the provision of ambulance services within the City has been pursuant to an "Interlocal Cooperation Agreement" between and among Harrison County, Mississippi and the City and in accordance with an "Emergency Medical Services" ("EMS") District that was previously created and overseen by Harrison County; and

WHEREAS, the City created its own EMS District on June 20, 2023, and the "Interlocal Cooperation Agreement" is set to expire by mutual agreement on February 29, 2024; and

WHEREAS, there is a need to now amend the prior Ordinances involving ambulance services presently found in Sections 4-26 through and including 4-37, which is the codified version of an Ordinance or Ordinances that were adopted and/or codified in the 1960's pertaining to the provision of such services within the corporate limits of the City and which are found in Article II in Chapter 4 of the City's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That Article II of Chapter 4 of the Code of Ordinances of the City of Gulfport, Mississippi shall be, and hereby is, amended to now read as follows, with additions noted in bold and underlined and deletions stricken through and in bold and underlined and in grey highlights (due to the length of provisions involved):

Sec. 4-26. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them:

(a) *Ambulance* shall mean any privately or publicly owned motor vehicle that is specially designed, constructed, equipped and intended to be used for, and is maintained or operated for the transportation of patients or ill or injured persons to or from health care facilities. This shall not include rescue units which otherwise comply with the provisions of this article, except any such motor vehicle owned by, or operated under the direct control of, or under a valid contract with, the United States.

(b) *Ambulance Service* means the level of service attained when (i) the Ambulance Service Provider is licensed as a Basic Life Support (BLS) and Advanced Life Support (ALS) Ambulance Service by the Mississippi State Department of Health and (ii) the Ambulance Service Provider's vehicles are permitted as BLS and ALS vehicles by the Mississippi State Department of Health and each ALS Ambulance is occupied by at least one person certified as an Advanced Life Support Provider by the Mississippi State Department of Health, one person licensed as a pre-hospital registered nurse by the Mississippi State Board of Nursing or one person licensed as a physician by the Mississippi State Department of Health.

(c) *Ambulance Service Provider* means a person or organization, governmental or private, which operates one or more Ambulances.

~~Attendant shall mean a trained and/or qualified individual responsible for the operation of an ambulance and the care of the patients, whether or not the attendant also serves as driver.~~

~~Attendant/driver shall mean a person who is qualified as an attendant and a driver.~~

~~Driver shall mean an individual who drives an ambulance.~~

(d) *Emergency Services Coordinator* means the individual designated by the

City to administer the Operations Contract. All communications between the City and the Operations Contractor will take place through the Emergency Services Coordinator. Unless otherwise stipulated, the Emergency Services Coordinator shall be the then current City of Gulfport Fire Chief.

(e) *Emergency Transport Call* means a call for Emergency Ambulance Response to a situation where there is a potential patient that is presumptively classified as having an Emergency Medical Condition.

(f) *Emergency Medical Condition* means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain, psychiatric disturbances and/or symptoms of substance abuse) such that the absence of immediate medical attention could reasonably be expected to result in (i) placing the patient's health in serious jeopardy, (ii) serious impairment to bodily functions, or (iii) serious dysfunction of any bodily organ or part.

(g) *Emergency Ambulance Response* means an ambulance responding in the Emergency Mode, requiring the least amount of time practicably attainable, in response to a situation in which there is a high probability that a patient with an Emergency Medical Condition may exist and action by emergency personnel may reduce the seriousness of the situation.

(h) *Emergency Mode* means the use of headlights and emergency warning lights continuously while an ambulance is mobile. The siren must also be used with headlights and emergency warning lights when driving maneuvers are executed that would otherwise be prohibited or illegal for nonemergency situations. No such siren and emergency warning lights shall be used except when the vehicle is operated pursuant to an Emergency. All Ambulances responding to an Emergency Transport Call shall respond in the Emergency Mode. Nothing in this Ordinance is meant to usurp, contravene, or preempt state law regarding the operation of emergency vehicles on public roadways, and the provisions herein shall be interpreted as much as possible to be consistent with and not in contravention of applicable and governing laws.

(i) *Emergency Facilities* means those facilities which include as part of their mission providing for the treatment of patients with life- or limb-threatening conditions. They meet or exceed the Emergency Care Guidelines of the American College of Emergency Physicians and they receive ambulance patients with Emergency Medical Conditions.

(j) *Ambulatory Care Facilities* mean those facilities that provide primary medical care services and may be accessible without a prior doctor-patient relationship or without an appointment. In general, ambulatory care facilities do not solicit patients with Emergency Medical Conditions, nor patients requiring emergency ambulance transport.

(k) *Emergency Transport Call Time Measurements.* Unless set out differently in a separate contract or agreement with the City, such as the Operations Contract, the following standard definitions shall be used as time

measurements for all ambulance providers licensed pursuant to this Ordinance. All times shall be recorded in hours, minutes and seconds.

- (1) *Fractal Response Time.* Percentile of a specific category of requests for ambulance service that are appropriately answered within a stated response time goal or standard.
 - (2) *Call Received Time.* When the EMS telecommunicator has received essential call information (e.g. call-back number, location of call, chief complaint or nature of problem; or if the initial location information is obtained from a 911 data base, confirmation that the patient's location is the same as that of the caller or confirmation of the patient's actual location).
 - (3) *Unit Alert Time.* Elapsed time measurement to alert/ initiate dispatch after the information listed in Call Received Time has been obtained.
 - (4) *Out-of-Chute Time.* This is part of the mobilization phase. This stage begins with acknowledgment of notification of assignment to a specific call by the communications center. The stage ends when the ambulance declares itself to be enroute.
 - (5) *Travel Time.* This is part of the response phase. This stage begins when the unit declares itself enroute to an assignment and ends when the unit declares itself at the assigned location.
 - (6) *On-Scene Time.* This is part of the treatment phase. This stage begins when the unit declares itself on-scene and ends when the unit declares itself to be enroute to a destination.
 - (7) *Response Ready Hospital Down Time.* This is the exchange of care phase. This stage begins when the unit declares itself at the transport destination and ends when the unit declares itself to have the minimum essential equipment and staff necessary to respond to the next emergency call. It does not necessarily mean that the unit has completed all of its post-call tasks after delivering the patient.
 - (8) *Hospital Turn Around Time.* This state begins when the unit declares itself at the transport destination and ends when the unit has completed all of its post-call tasks and is ready to leave the destination.
 - (9) *Time on Task.* This refers to the whole call. This stage includes all aspects of the assignment from Unit Alert to Available for another assignment after completion of all post-call tasks.
- (l) *Emergency Medical Services ("EMS")* means the following pre-hospital and inter-hospital services:
- (1) *Access and Coordination* - The answering and processing of telephone

requests from the public for Ambulance or First Responder Services, including EMS dispatching, emergency and routine; the providing of medical pre-arrival instructions to callers by telephone; but excluding the process of 911 complaint-taking when the caller is immediately transferred to the ambulance provider's dispatch center.

(2) *First Responder Services* - Those emergency service, excluding transportation, which are performed by a First Responder. The EMS Lead Agency shall establish minimum standards for training, continuing education and performance standards for First Responders.

(3) *Medical Transportation* - Ambulance services, both emergency and routine, including Patient assessment, transportation, and medical procedures performed on scene, in route during inter-facility transport, or at an emergency receiving facility when performed at the request of the receiving physician.

(4) *On-line Medical Direction* - Instructions given by a Communications Resource facility as defined in the Rules and Regulations issued by the Division of EMS, Mississippi State Department of Health, to First Responders or ambulance personnel at the scene of an emergency, while in route to a hospital, or during an inter-facility Patient transfer. On-line Medical Direction in the City shall be sanctioned and coordinated by the EMS Lead Agency and the Off-Line Medical Director.

(5) *Off-line Medical Director* - The Off-line Medical Director is the administrative medical director appointed by the EMS Lead Agency. His duties are as defined in the Mississippi EMS, The Law Rules and Regulations published by the State Board of Health.

(m) *EMS Dispatch Center* – The EMS Dispatch Center is the facility operated or utilized by the EMS Lead Agency which serves as the central EMS communications center for the City.

(n) *EMS Lead Agency* - The EMS Lead Agency is the organization delegated the responsibility for coordinating all components and care aspects for the entire EMS system in the City. It will have the ultimate responsibility of providing this care alone or delegating part of this responsibility. It shall further be the responsibility of the EMS Lead Agency to constantly evaluate the response of all EMS support services in areas of appropriateness of prehospital care and medical control. The EMS Lead Agency shall also be authorized to develop and implement patient transportation and destination policies and guidelines. It shall sanction EMS continuing education activities, establish infection control standards for all prehospital EMS personnel, direct patient refusal procedures, and other EMS related activities. The EMS Lead Agency is authorized to enter into mutual aid agreements with other EMS, public safety, and ancillary support agencies.

(o) *Extrication* - Extrication means removal from a difficult situation or position, e.g., removal of a patient from a wrecked vehicle or other place of entrapment. The fire department or other public safety agency that has jurisdiction may be involved in extrication.

(p) *First Responder* - First Responder means any person, fire department unit, law enforcement unit, or non-transporting rescue unit capable of providing appropriate First Responder Service, excluding transportation.

(q) *Licensing Officer* – ~~Licensing Officer, when referred to herein, shall refer to the city clerk or his duly designated subordinate. The city clerk may designate different persons, from time to time, to perform the duties of a license officer~~ means the Emergency Services Coordinator or their designee who is empowered to issue Permits, as defined in this Ordinance, in accordance with protocols and/or procedures governing such issuance as set forth herein.

(r) *Medical Necessity for Service* - Medical necessity for service is established when the patient's condition is such that use of any other method of transportation is contraindicated in any case in which some means of transportation other than an ambulance could be utilized without endangering the individual's health, whether or not such other transportation is actually available.

(s) *Operations Contract* – Operations Contract means a contract between an entity and the City to provide BLS/ALS Ambulance Service to the City in response to Emergency Transport Calls and Routine/Nonemergency Transport Calls within the City and to serve as the EMS Lead Agency.

(t) *Operations Contractor* means the entity providing BLS/ALS Ambulance Service to the City in response to Emergency Transport Calls and Routine/Nonemergency Transport Calls within the City and serving as the EMS Lead Agency pursuant to the Operations Contract.

(u) *Patient* ~~shall~~ means an individual who is ill, sick, injured, wounded or otherwise incapacitated or helpless, **and who is in need, or is at risk of needing, medical care or assessment at the scene of a call and during transportation to or from a health care facility and who is or should be transported in a reclining position.**

(v) *Permit* means any of the permitting documents required to be obtained pursuant to this Ordinance, including the following:

(1) *Ambulance Service License - Emergency and Nonemergency* - Ambulance Service Providers responding to Emergency Transport Calls originating in the City shall be required to obtain an Ambulance Service License pursuant to this Ordinance. Ambulance Service Providers responding to Routine/Nonemergency Transport Calls that originate within the City shall be required to obtain an Ambulance

Service License pursuant to this Ordinance.

(2) *Ambulance Permit* - Every Ambulance operated by an Ambulance Service Provider shall be required to obtain an Ambulance Permit subject to inspection and recommendation of the Licensing Officer, pursuant to this Ordinance.

(w) *Person* shall means any individual, firm, partnership, association, corporation, company or group of individuals **or firms, partnerships, associations, corporations, companies, or any combination thereof**, acting together for a common purpose or organization of any kind, including any governmental agency other than the United States.

(x) *Rescue* means to free from a dangerous, destructive, or life-threatening situation (including life-threatening medical conditions) by prompt vigorous action. Search and rescue activities may be pursued or undertaken by the city fire department or other appropriate public safety agency that has jurisdiction.

(y) *Routine/Nonemergency Transport Call* means a call for ambulance service which is not an Emergency Transport Call.

(z) *System Standard of Care* means the federal, state, and local laws, and policies, rules, regulations and protocols of the EMS Lead Agency which establish standards governing all clinical and operational aspects of the EMS system in the City.

(aa) *System Status Controller ("SSC")* means and shall be an employee of the EMS Lead Agency and a person trained and competent as an EMS dispatcher. The minimum standard of training shall be the current edition of "Emergency Medical Services Dispatcher: National Standard Curriculum" as developed by the U.S. Department of Transportation, National Highway Traffic Safety Administration. In addition, all SSCs must meet or exceed the minimum standards for training EMS telecommunicators as established by the Mississippi Board of Emergency Telecommunications Standards and Training. The SSC must demonstrate competency in (a) receipt and processing of calls for ambulance service, (b) dispatch and coordination of EMS resources, (c) provision of medical information, and (d) coordination with other public safety services. Only qualified SSCs shall be permitted to work in the EMS Dispatch Center.

(bb) *System Status Plan* means the plan and protocols for staffing, deployment, and redeployment of Ambulances which is developed and utilized by an Ambulance Service Provider, and which specifies how many Ambulances will be staffed and available within the City each hour of the day, each day of the week, including the locations of available Ambulances (not assigned to calls) within the City, specified separately for each hour of the day, for each day of the week and the remaining number of Ambulances then available in the system, and including protocols for event-driven redeployment

of those remaining Ambulances. The Operations Contractor is responsible for development and implementation of the System Status Plan.

Sec. 4-27. ~~Ambulance license Required.~~ Operations Contract; EMS District.

(a) Operations Contract; Operations Contractor. The City may enter into an Operations Contract with an entity, which, upon execution of the Operations Contract, shall thereby become the Operations Contractor, to provide all BLS and ALS Ambulance Service to the City in response to Emergency Transport Calls and Routine/Nonemergency Transport Calls within the City and to coordinate all components and care aspects for the entire EMS system in the City. The City shall designate the Operations Contractor to be the EMS Lead Agency. The Operations Contractor shall staff, operate and control the EMS Dispatch Center. As the EMS Lead Agency, the Operations Contractor shall enter into agreements with Communications Resource facilities to provide On-Line Medical Direction. The Operations Contractor shall perform any other duties as provided hereunder or as provided in the Operations Contract ~~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, unless he holds a currently valid license for an ambulance, and for each such ambulance so operated, issued pursuant to this article. An ambulance operated by, or on a mission pursuant to a contract with an agency of the United States which contract existed on the effective date of Ordinance No. 1406, shall not be required to be licensed hereunder.~~

(b) The City may terminate the Operators Contract at any time and may enter into an Operations Contract with a different entity that meets the standards hereof, as determined by the City's Governing Authority and in furtherance and promotion of the safety, health, and well-being of its residents and visitors ~~Licenses for no more than ten (10) ambulances shall be issued for the operation of ambulances within the limits of this city, this being a number in excess of those lawfully in operation. The number of ambulances for which licenses may be issued for operation within the city limits shall be regulated, from time to time, by the city council, which shall determine, from time to time, the number of ambulances which are necessary and convenient for the city.~~

(c) EMS District. Pursuant to Section 41-59-53 et seq. of the Mississippi Code of 1972, the City of Gulfport is established as an emergency medical services (EMS) district. The Operations Contractor is hereby designated as the Emergency Medical Service Lead Agency. The governing board of the City of Gulfport's EMS District shall be the City of Gulfport's City Council. The EMS Lead Agency shall function as the City of Gulfport EMS Authority for the Council and as such, has the responsibility for coordinating all components and care aspects of the Emergency Medical Service system in accordance with local, state, and federal laws, rules and regulations. As the EMS Authority representing the City of Gulfport's EMS District, the EMS

~~Lead Agency is authorized to receive and expend appropriations from the State's Emergency Medical Service Operating Fund (EMSOF) In the event the owner or operator of an ambulance ceases to operate or fails to report operation of such ambulance for a period of thirty (30) days, as required by section 4-37 hereof, the owner shall lose or forfeit his license after written notice given him by the city of such forfeiture.~~

~~(d) — 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 the city unless it shall be under the immediate supervision and direction of a person who is holding a currently valid license as an attendant/driver or attendant.~~

~~(e) — Provided however, that no such licenses shall be required for an ambulance or for the driver, attendant or attendant/driver of an ambulance:~~

- ~~(1) — Which 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; or is~~
- ~~(2) — Operated from a location or headquarters outside of the city in order to transport patients who are picked up beyond the limits of the city to locations within the city.~~

Sec. 4-28. ~~Same—Application~~ Validity of Pre-existing Licenses or Permits.

Any ambulance license or permit issued pursuant to any preexisting municipal ordinance in effect prior to adoption of this Ordinance is hereby declared invalid. Any existing Ambulance Service Provider operating in the City, prior to the enactment of this Ordinance, shall be required to comply with the terms of Section 4-32 and all other applicable Sections of this Ordinance. The Operations Contractor selected pursuant to this Ordinance shall be deemed to have met all licensing and permit requirements of the Ordinance ~~Applications for ambulance licenses hereunder shall be made 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.~~
- ~~(2) — The trade or other fictitious name, if any, under which the applicant does business and proposes to do business.~~
- ~~(3) — The training and experience of the applicant in the transportation and care of patients.~~
- ~~(4) — A description of each ambulance, including the make, model, year of manufacture, motor and chassis number, current state license number, the length of time the ambulance has been in use, and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate applicant's ambulance.~~
- ~~(5) — The location and description of the place from which it intended to operate.~~
- ~~(6) — Such other information as the license officer shall deem reasonably necessary to a fair determination of compliance with this article.~~

~~(7) An accompanying license fee of twenty five dollars (\$25.00) per ambulance licensed. Such license fee shall become due thirty (30) days from the effective date hereof and renewed on October first of each year, and shall be in addition to any other license fees, privilege taxes, or other charges established by proper authority and applicable to such holder or the vehicle under his operation and control. The purpose of this license fee is not to raise revenue, but to defray expenses incurred in enforcement of this article.~~

Sec. 4-29. ~~Same Standards~~ Mandatory Centralized Emergency Transport Call Processing.

(a) All 911 telephone requests for ambulance services, both emergency and routine, originating within the City shall terminate at the EMS Dispatch Center, where a System Status Controller shall establish the call's classification, determine the Patient's location, and if appropriate, deliver pre-arrival instructions. The System Status Controller shall also determine the need for First Responder Services in accordance with established guidelines, alert the First Responder if appropriate, and dispatch the appropriate Ambulance.

(b) It shall be unlawful for anyone other than an Ambulance Service Provider who holds a valid Ambulance Service License to publish or advertise any telephone number for the purposes of soliciting request for Emergency Transport and Routine/Nonemergency Calls in the City.

(c) EMS Dispatch Center shall at all times have full authority to direct the positioning, movements, and run responses of all Ambulances, Ambulance Service Providers, EMS public safety providers, and other EMS personnel in the City.

(d) The EMS Lead Agency shall be authorized to develop and implement patient transportation and destination policies and guidelines, unless instructed otherwise by On-Line Medical Direction, ambulances transporting patients with Emergency Medical Conditions shall be directed to Emergency Facilities, Ambulances transporting patients not having Emergency Medical Conditions may deliver said patients to Ambulatory Care Facilities, if so requested.

(e) All call requests processed by the EMS Dispatch Center shall be recorded to facilitate subsequent auditing of the System Status Controller's actions and decisions by the Emergency Services Coordinator, and all such recordings shall be safely stored and shall not be erased for a period of six (6) months.

(f) The EMS Dispatch Center may be located inside or outside the City as determined by the EMS Lead Agency.

~~All vehicles used as ambulances shall conform to the following minimum specifications and requirements:~~

~~(1) — General construction. All bodies shall have at least three (3) doors, with at least one (1) leading into the driver's compartment and one (1) leading into the rear of the ambulance, so constructed that all doors may be opened from the inside and outside. All upholstery covering or interior lining in any ambulance shall be of leather or other nonabsorbent and washable material.~~

~~(2) — Equipment. Each vehicle used as an ambulance shall have the following minimum equipment: Four-wheel brakes capable of stopping ambulance within twenty-two (22) feet at twenty (20) miles per hour; parking brake; front and rear bumper; heater and defroster sufficient to heat interior of ambulance in cold weather; air conditioning sufficient to cool both patient's and driver's compartments; right and left side rear view mirrors and one (1) in driver's compartment; speedometer exposed to view (no ambulance to be operated with broken or disconnected speedometers); dual windshield wipers; tires must have a minimum of four thirty seconds inch tread; alternator with a minimum of sixty (60) amperes output; cot holder.~~

~~(3) — Lights. Each ambulance shall be equipped with a minimum of: One (1) revolving red light on top of ambulance; standard headlights with low and high beam approved by motor vehicle laws of the state; backup lights; rear compartment light; white light to illuminate license plate and handlight either attached or unattached to body.~~

~~(4) — Warning devices. Each ambulance shall be equipped with a rotary siren or an electronic siren with a minimum of seventy-five (75) watts output.~~

~~(5) — Communications. Each ambulance shall be equipped with a two-way radio licensed by the federal communications commission and in operative condition at all times. Also, each owner shall maintain a dispatcher twenty-four (24) hours every day at his base of operation for the purpose of communication with the public and with the ambulances.~~

~~(6) — First-aid equipment. Each ambulance shall be equipped with the following:~~

- ~~a. — Portable suction apparatus with wide-bore tubing and rigid pharyngeal suction tip.~~
- ~~b. — Hand operated bag-mask ventilation unit with adult, child, and infant size masks. Clear masks are preferable. Valves must operate in cold weather.~~
- ~~c. — Oropharyngeal airways in adult, child and infant sizes.~~
- ~~d. — Mouth-to-mouth artificial ventilation airways for adults and children.~~
- ~~e. — Portable oxygen equipment with adequate tubing and semi-open, valveless, transparent masks in adult, child, and infant sizes.~~
- ~~f. — Mouth gags, either commercial or made of three (3) tongue blades taped together and padded.~~
- ~~g. — Universal dressings, approximately ten (10) inches by thirty-six (36)~~

- ~~inches, compactly folded and packaged in convenient size.~~
- ~~h. Sterile gauze pads, four (4) inches by four (4) inches.~~
 - ~~i. Soft roller self-adhering type bandages, six (6) inches by five (5) yards.~~
 - ~~j. Roll of aluminum foil, eighteen (18) inches by twenty-five (25) feet, sterilized and wrapped.~~
 - ~~k. Two (2) rolls of plain adhesive tape, three (3) inches wide.~~
 - ~~l. Two (2) sterile burn sheets.~~
 - ~~m. Hinged half-ring lower extremity traction splint (ring nine (9) inches in diameter, overall length of splint forty-three (43) inches) with commercial limb support slings, padded ankle hitch, and traction strap.~~
 - ~~n. Two (2) or more padded boards, four and one-half (4½) feet long by three (3) inches wide, and two (2) or more similarly padded boards, three (3) feet long, or material comparable to four-ply wood for coaptation splinting of leg or thigh.~~
 - ~~o. Two (2) or more fifteen-inch by three-inch padded wooden splints for fractures of the forearm. (By local option, similar splints of cardboard, plastic, wire ladder, or canvas slotted lace on may be carried in place of the above thirty-six-inch and fifteen-inch boards.)~~
 - ~~p. Uncomplicated inflatable splints in addition to item (o) above or as substitute for the short boards.~~
 - ~~q. Short and long spine boards with accessories.~~
 - ~~r. Triangular bandages.~~
 - ~~s. Large-size safety pins.~~
 - ~~t. Shears for bandages.~~
 - ~~u. Sterile obstetrical kit.~~
 - ~~v. Poison kit.~~
 - ~~w. Blood pressure manometer cuff, and stethoscope.~~
 - ~~x. Several pillows.~~

~~(7) Maintenance. All vehicles used as ambulances shall be maintained as follows:~~

- ~~a. Each ambulance shall store first-aid equipment free from dust, insects and rodents.~~
- ~~b. The interior of each ambulance shall be cleaned and wiped with an approved antiseptic daily.~~
- ~~c. Weather permitting, each ambulance must be cleaned on the exterior each day.~~
- ~~d. In the event of transportation of a patient with a contagious or infectious disease, an ambulance shall be cleaned and wiped with approved antiseptic.~~
- ~~e. There shall be at all times freshly laundered linen on cots used to transport patients, changing linen after each patient carried.~~

~~(8) Daily inspection by owner. Each owner must inspect each ambulance every morning to ascertain cleanliness, mechanical and operational worthiness~~

~~for transporting patients. Each ambulance shall be subject to inspection at all times by an authorized representative of the city. Any ambulance found, upon inspection, to be unsafe for ambulance operations shall have such repairs and alterations made as may be required and no person shall operate or cause to be operated any such ambulances until all such repairs and alterations have been completed.~~

~~(9) — Periodic inspection by city clerk. Every vehicle operating as an ambulance under this article shall be periodically inspected by the city clerk or his duly designated subordinate at least semiannually and additionally at such intervals as shall be established by the city clerk to ensure the continued maintenance of safe operating conditions. Records of such inspections shall be made and kept current by the city clerk and the owner notified in writing of any deficiencies noted at such inspection. The owner shall be required to correct such deficiencies within a reasonable time and shall furnish evidence of the correction thereof to the police department.~~

~~(10) — Identification of vehicle. Each ambulance operated within the city shall bear the name of the owner and a unit number. All ambulances of each owner shall be of the same color scheme. All colors shall be of high visibility and easily distinguishable from the color scheme of ambulances of any other owner. Such trade name, design, color scheme or method of painting shall include the following matter:~~

~~a. — The name of the owner or the trade name under which he does business prominently displayed on each side of the ambulance. Whenever the name of the owner or the trade name under which he does business does not include the word "ambulance," then the word "ambulance" shall be prominently displayed on each side of the vehicle.~~

~~b. — All mandatory numbering, lettering and wording, whether in a particular trade name, design, color scheme, lettering or otherwise as hereinbefore provided, shall be at least two (2) inches in height and of such color as will contrast distinctly with the color of the body of the ambulance.~~

~~(11) — Effect of change of ownership on license. Any change of ownership of a licensed ambulance shall terminate the license and shall require a new application and a new license and conformance with all the requirements of this article as upon original licensing.~~

~~(12) — Transfer of license. Application for transfer of any ambulance license to another or substitute vehicle shall require conformance with all the requirements of this article as upon the 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 article as upon original licensing.~~

~~(13) Inspection of maintenance and operation. Each licensed ambulance, 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 city clerk or his designated representative during usual hours of operation.~~

~~(14) Defacing license. No official entry made upon a license may be defaced, removed or obliterated.~~

Sec. 4-30. ~~Liability~~ Insurance; Bond.

(a) ~~Each ambulance service provider shall keep in full force and effect a policy or policies of automobile liability and property damage insurance issued by an insurance company authorized to do business in the State of Mississippi, with coverage provisions insuring the public from any loss or damages that may arise to any person or property by reason of the negligent operation of such ambulance service provider, and providing amounts of recovery in limits of not less than the following sums. Every owner operating ambulances under a license pursuant to the provisions of this article shall submit to the city council evidence of public liability and property damage insurance in force with an insurance company licensed to conduct business in the state in the following amounts:~~

~~(1) For the damages arising out of bodily injury to or death of one or more persons in any one accident not less than \$1,000,000.00; Bodily injury—\$100,000 per person.~~

~~(2) For any injury to or destruction of property in any one accident, not less than \$1,000,000.00; and Bodily injury—\$300,000 per accident.~~

~~(3) For any combination of damages or injury, not less than \$2,000,000.00. Property damage—\$50,000 per accident.~~

~~(4) Malpractice—\$300,000 per claim.~~

(b) ~~Each Ambulance Service Provider shall keep in full force and effect a commercial general liability and professional liability policy or policies issued by an insurance company authorized to do business in the State of Mississippi, with coverage provisions insuring the public from any loss or damage that may arise to any person or property by reason of the negligent actions of the Ambulance Service Provider or any of its employees, and providing that the amount of recovery shall be in limits of not less than \$1,000,000.00 per occurrence, with annual aggregate of not less than \$2,000,000.00.~~

(c) ~~Insurance companies providing this coverage shall be licensed and admitted to operate in the State of Mississippi.~~

(d) ~~In addition to the insurance requirements stipulated above, all Ambulance Service Providers shall carry additional umbrella liability insurance with coverage limits of at least \$20,000,000.00. The umbrella coverage will apply in excess of the general liability, professional liability, and auto liability coverage.~~

(e) Cancellation or material alteration of any required insurance policy or coverage shall result in the automatic revocation of any Ambulance Service License issued hereunder, and the Ambulance Service Provider shall thereupon cease and desist from further ambulance service operations in the City.

(f) Each Ambulance Service Provider shall provide a certificate of insurance evidencing all coverages, limits, terms and conditions of this Section to the City. This certificate shall have a thirty (30) day notice of cancellation requirement to the City.

~~(d)~~**(g)** Such insurance policies shall be submitted to the license officer 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 license officer, in such form as he may specify, by all licensees required to provide such insurance under the provisions of this article.

~~(e)~~**(h)** 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 assured, and that until the policy is revoked the insurance company will not be relieved from liability on account of nonpayment of premium, failure to renew license on October first of each year, or any act or omission of the named assured. Such policy of insurance shall be further conditioned for the payment of any judgments up to the limits of such policy, recovered against any person other than the owner, his agent or employee, who may operate the same with the consent or acquiescence of the owner.

~~(d)~~**(i)** Every insurance policy required under this Section 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 assured 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.

(j) Bond. Each Ambulance Service Provider shall furnish performance security in the amount of \$500,000 in one of the following forms:

- (1) A faithful performance bond issued by a bonding company, appropriately licensed and acceptable to City; or**
- (2) An irrevocable letter of credit issued pursuant to this provision in a form acceptable to City and from a bank or other financial institution acceptable to City.**

Sec. 4-31. ~~Duties of city clerk~~ **Other Call Processing.**

All other call requests for ambulance service, Emergency or Routine/Nonemergency, which may be received by parties other than the Operations Contractor, shall be transferred immediately to the EMS Dispatch Center which will determine the appropriate EMS response.

~~(a) The city clerk shall, within fifteen (15) days after receipt of an application for an ambulance 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 shall issue a license hereunder for a specified ambulance, to be valid for a period of one (1) year unless earlier suspended, revoked or terminated, when he finds:~~

- ~~(1) That the public convenience and necessity require the proposed ambulance service;~~
- ~~(2) That each such ambulance, its required equipment and the premises designated in the application, meet the minimum standards as provided for herein;~~
- ~~(3) That the applicant is a responsible and proper person to conduct or work in the proposed business;~~
- ~~(4) That only duly licensed drivers, attendants and attendant/drivers are employed in such capacities;~~
- ~~(5) That all the requirements of this article and all other applicable laws and ordinances have been met.~~

Sec. 4-32. ~~Additional duties of license officer~~ Certificate of Necessity for Ambulance Service License.

~~(a) Any entity desiring to obtain an Ambulance Service License to operate in the City shall first make an application for a Certificate of Necessity for a Basic Life Support and Advanced Life Support Ambulance Service License to the Emergency Services Coordinator or his designee. Prior to the issuance of any ambulance license hereunder, the license officer shall cause to be inspected the vehicles, equipment and premises designated in each application hereunder, and shall certify his approval in a written report to the city clerk when he finds compliance with the standards prescribed in section 4-29, and with the regulations, if any, promulgated under such sections; provided, however, that under the terms of this article the license officer shall have no responsibility, and shall exercise no authority, in connection with laws and ordinances of general applicability which deal with motor vehicle inspection.~~

~~(b) The criteria for consideration of an application shall be as follows, and applications for such Certificate of Necessity shall include the following information, verified under oath: Subsequent to issuance of an ambulance license hereunder, the license officer shall cause to be inspected each such licensed vehicle, and its equipment and premises, whenever he deems such inspection to be necessary but in any event no less frequently than twice each year, and shall promptly report his findings in a written report to the city~~

~~clerk. The periodic inspection required hereunder shall be in addition to any other safety or motor vehicle inspection required to be made for ambulances or other motor vehicles, or other inspections required to be made, under general laws or ordinances, and shall not excuse compliance with any requirement of law or ordinance to display any official certificate of motor vehicle inspection and approval nor excuse compliance with the requirements of any other applicable general law or ordinance.~~

- (1) NAME: The name and address of the applicant seeking the Certificate of Necessity, and, in the event that the applicant is a corporation, a certified copy of the articles of incorporation.
- (2) EQUIPMENT & AMBULANCES: Equipment and Ambulances adequate to comply with the System Standard of Care and also adequate to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Applicant shall provide the make, type, year of manufacture, serial number, license tag number, and equipment therein for each Ambulance owned or operated or proposed to be operated by the applicant.
- (3) PERSONNEL: Personnel who are qualified by training, experience and work history to comply with the System Standard of Care and to fully, safely and reliably perform the services for which the Certificate of Necessity is requested, Personnel must meet federal, state and local certification requirements, Principals and employees of an applicant shall be subject to criminal record checks and background investigations.
- (4) APPLICANT'S EMS HISTORY: Complete listing of the applicant's relevant EMS experience. A favorable recommendation on an application shall not be made unless this history shows that the applicant is able to comply with the System Standard of Care and fully, safely and reliably perform the services for which the Certificate of Necessity is requested.
- (5) PLANS: (i) A proforma internal medical quality assurance plan, which shall describe applicant's medical quality assurance program, demonstrating a reasonable probability that the applicant, if licensed, will deliver medical care meeting the System Standard for Care, including, without limitation, the clinical quality for ambulance services set forth in Section 4-38 hereof; and (ii) A proforma System Status Plan demonstrating that all Ambulance operating within the City will be equipped and staffed to operate in accordance with the System Standard of Care, including without limitation, the clinical quality for ambulance services set forth in Section 4-38 hereof.
- (6) PROOF OF FINANCIAL CAPABILITY: Financial statements and a statement as to whether there are any unsatisfied judgments

of record against such applicant, and if so, the title of all actions and the amounts of all judgments unsatisfied. No Certificate of Necessity shall be granted to any applicant unless it is financially stable and financially capable of complying with the System Standard of Care and providing competent services for the entire period for which a license is requested and for the full scope of services proposed to be authorized. An applicant's failure to have paid any federal, state or local tax, including business license tax and personal property tax, shall be evidence of a lack of financial capability.

(7) ACCEPTANCE OF TERMS AND CONDITIONS: A statement of compliance with all applicable federal, state, and local laws, rules and regulations.

(8) PROOF OF PUBLIC NECESSITY FOR SERVICES: A statement of the public necessity for the services to be provided. No favorable recommendation shall be made for a Certificate of Necessity and no Certificate of Necessity shall be issued, unless the applicant proves by clear and convincing evidence that there is a public necessity for the services which is not being met by the existing Ambulance Service License holders, or which shall not be met within a reasonable period of time by such existing Ambulance Service License holders. The effect of any application on the ability of existing Ambulance Service License holders to continue providing services shall be a factor for consideration.

(c) No favorable recommendation shall be made, and no Certificate of Necessity shall be granted, unless an applicant meets all the foregoing criteria, without exception. Failure of an applicant to do so shall indicate that the applicant poses an unacceptable degree of risk to public safety. ~~A copy of each initial, semiannual or other ambulance, equipment and premises inspection report submitted by the license officer under the provisions of this section shall be promptly transmitted to the applicant or licensee to whom it refers.~~

(d) All existing Ambulance Service License holders pursuant to this Ordinance will be given notice of any application for a Certificate of Necessity and such Ambulance Service License holders will have twenty (20) working days from the date of notice to respond in writing to the Emergency Services Coordinator or his designee to oppose, object to, or request modification of the application, and to state whether the application, if granted, would negatively affect the ability of existing Ambulance Service License holders to continue providing services.

(e) After reviewing the application and response (if any), the Emergency Services Coordinator will identify any deficiencies or public necessities which are not being met by the existing Ambulance Service License holders. If the applicant proves by clear and convincing evidence that there is a public necessity for the services which is not being met by the existing Ambulance

Service License holders, the existing Ambulance Service License holders shall be granted reasonable time to cure any deficiency or public necessity before any recommendation is given to the City Council. The duration of "reasonable time" to cure any deficiency or public necessity shall be determined by the Emergency Services Coordinator. This information along with the enumerated deficiencies shall be conveyed in writing to the existing Ambulance Service License holders.

(f) After the existing Ambulance Service License holders have had an opportunity to cure any deficiencies, or if none are identified by the Emergency Services Coordinator, the Emergency Services Coordinator or his designee will make his recommendations in writing to the City Council to grant or deny the application for the Certificate of Necessity.

(g) The City's Governing Authority will vote to grant or deny the application for a Certificate of Necessity after consideration is given to the recommendation by the Emergency Services Coordinator or his designee and any responses received by existing Ambulance Service License holders.

(h) Any applicant who is dissatisfied with the decision of the City's Governing Authority shall have the right to a hearing before the Governing Authority, which is comprised of the City Council, at a regularly scheduled meeting, if written notice of appeal is filed with the Clerk of the City Council within ten (10) days after such decision. All Ambulance Service License holders under this Ordinance shall have an opportunity to be present and to oppose, object to, or request modification of the application. This hearing shall be informal, but the applicant shall have the right to counsel, the right to present evidence and argument in support of the application, and the right to know prior to the hearing the reasons for denial or modification of the request. A written decision on any such appeal shall be mailed to the applicant within ten (10) working days of the hearing.

(i) No applicant denied a Certificate of Necessity shall make application for a Certificate of Necessity for the same type of Ambulance Service License within twelve (12) months of final denial by the City Council or final denial of appeal thereof, or until applicant has remedied any deficiencies to the satisfaction of the City Council.

Sec. 4-33. Ambulance Service License ~~Driver's, attendant's, and attendant/driver's license Applications.~~

(a) No entity may provide emergency or routine/nonemergency ambulance services originating within the City without (i) first obtaining an Ambulance Service License issued pursuant to this Section, or (ii) being sanctioned by the Operations Contractor. The Operations Contractor shall be deemed to have an Ambulance Service License upon execution of the Operations Contract. Such license shall remain in effect until the Operations Contract is terminated.

(b) No Ambulance Service License issued pursuant to this Section shall be

assignable or transferable by the entity to whom issued without written approval by the City. Any transfer of controlling interest or any delegation of responsibility for the management or delivery of ambulance services to another entity by management agreement, subcontract or other arrangement shall be deemed a transfer or assignment.

(c) An Ambulance Service License shall be issued by the Licensing Officer upon presentment of the following:

- (1) A Certificate of Necessity issued to the applicant pursuant to Section 4-32 hereof.
- (2) A valid ambulance service license issued by the Mississippi State Department of Health.
- (3) Evidence of insurance as required by Section 4-30 herein, including original and duplicate certificates of insurance which shall indicate the types of insurance, the amount of insurance, and the expiration dates of all policies carried by the applicant, shall name the City as an additional named insured, and shall contain a statement by the issuer issuing the certificate that the policies of insurance listed thereon will not be canceled or materially altered by said insurer without thirty (30) days prior written notice received by the City.
- (4) Evidence of compliance with the clinical quality of ambulance services required by Section 4-38 hereof.

(d) Ambulance Service Licenses shall be renewable annually upon continued compliance with this Ordinance.

(e) No Ambulance Service License required by this Ordinance shall be issued or continued in operation unless the Ambulance Service License holder has paid an annual license fee of one hundred dollars (\$100.00). Such license fee shall become due on the first day of January each year and shall be in addition to any other license fees or charges established by proper authority and applicable to such Ambulance Service License holder or the Ambulances under its operation and control. The purpose of this license fee is not to raise revenue, but to defray expenses incurred in enforcement of this Ordinance.

(f) The application for and acceptance of an Ambulance Service License shall comprise an agreement by the Ambulance Service License holder to comply with all federal, state and local laws, rules and regulations and also any subsequent federal, state and local laws, rules and regulations. Failure to comply with all such laws, rules and regulations or the filing or providing of false or misleading information in connection with an application hereunder or with any state or local government, health care provider, medical facility or organization relating to or in connection with an application to provide ambulance service shall be grounds for termination of the Ambulance Service License.

Applications for driver's, attendant's and attendant/driver's licenses required

~~under this article shall be made to the city clerk or his designated subordinate and shall contain:~~

~~(1) The applicant's training and experience in the transportation and care of patients, and whether he has previously been licensed as a driver, chauffeur, attendant or attendant/driver, and if so, when and where and whether his license has ever been revoked or suspended in any jurisdiction and for what cause.~~

~~(2) Affidavits of good character from two (2) reputable citizens of the United States and residents of this city, who have personally known such applicant and observed his conduct during two (2) years next preceding the date of his application.~~

~~(3) Two (2) recent photographs of the applicant, of a size designated by the license officer, one (1) of which shall be attached by the license officer to the license.~~

~~(4) Such other information as the license officer shall deem reasonably necessary to a fair determination of compliance with this article.~~

~~(5) A certified copy of the applicant's birth certificate.~~

~~(6) An accompanying license fee of two dollars (\$2.00).~~

Sec. 4-34. Ambulance Service Permit ~~Same — Standards.~~

~~(a) No Ambulance Service Provider may provide ambulance services hereunder without first obtaining an Ambulance Permit issued pursuant to the provisions of this Section. The license officer shall, within a reasonable time after receipt of an application as provided for herein, cause such investigation as he deems necessary to be made of the applicant for a driver's, attendant's or attendant/driver's license.~~

~~(b) No Ambulance Permit shall be assignable or transferable by the Ambulance Service Provider to which it is issued. The license officer shall issue a license to a driver, attendant or attendant/driver hereunder, valid for a period to October first, unless earlier suspended, revoked or terminated, when he finds that the applicant:~~

~~(1) Is not addicted to the use of intoxicating liquors or narcotics, and is morally fit for the position and has not been convicted of a felony;~~

~~(2) Is able to speak, read and write the English language;~~

~~(3) Has been found by a duly licensed physician, upon examination attested to on a form provided by the health officer, to be of sound physique, possessing eyesight in both eyes and corrected to at least 20/40 in the better eye, and free of physical defects or diseases which might impair the ability to drive or attend an ambulance; and,~~

~~(4) For each applicant for attendant or attendant/driver's license, that~~

~~such applicant possesses a valid emergency medical technician state certificate or medical/nursing license.~~

~~Provided however, that no one shall be licensed as a driver or attendant/driver unless he holds a currently valid commercial driver's license from the state.~~

(c) The Licensing Officer shall issue Ambulance Permits for Ambulances operated by Ambulance Service Providers upon presentment of the following:
~~A license as driver, attendant or attendant/driver issued hereunder shall not be assignable or transferable.~~

- (1) An Ambulance Service License issued pursuant to this Ordinance.
- (2) For each Ambulance to be permitted, a valid ambulance vehicle permit issued by the Mississippi State Department of Health in compliance with Section 4-38 hereof.
- (3) A Certificate of Necessity issued to the applicant pursuant to Section 4-35 hereof, if such Ambulance Permit is for Ambulances designated in such Certificate of Necessity.

(d) Notwithstanding anything herein, the Licensing Officer shall issue the Operations Contractor Ambulance Permits as requested. Such Ambulance Permits will expire upon termination of the Operations Contract that was in effect at the time of issuance of the Permit(s). ~~No official entry made upon a license may be defaced, removed or obliterated.~~

Sec. 4-35. Certificate of Necessity for Additional Ambulance Permits
Renewal of license.

~~Renewal of any license under this article, upon expiring for any reason or after revocation, shall require conformance with all the requirements of this article as upon original licensing.~~

(a) Any entity issued an Ambulance Service License pursuant to this Ordinance and desiring to obtain Ambulance Permits to operate additional Ambulances shall make an application for a Certificate of Necessity for additional Ambulances to the Licensing Officer or his designee.

(b) The criteria for consideration for an application for a Certificate of Necessity for additional Ambulances shall be as follows, and the application for such Certificate of Necessity shall include the following information, verified under oath:

- (1) NAME: The name and address of the applicant seeking the Certificate of Necessity, and, in the event that the applicant is a corporation, a certified copy of its articles of incorporation.

(2) EQUIPMENT & AMBULANCES: Equipment and Ambulances adequate to comply with the System Standard of Care and also adequate to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Applicant shall provide the make, type, year of manufacture, serial number, license tag number, and equipment to be carried therein for each Ambulance proposed to be operated by the applicant.

(3) PROOF OF PUBLIC NECESSITY FOR ADDITIONAL AMBULANCES: A statement of the public necessity for the additional Ambulances to be provided. No favorable recommendation shall be made for a Certificate of Necessity and no Certificate of Necessity shall be issued, unless the applicant proves by clear and convincing evidence that there is a public necessity for the additional Ambulances requested which is not being met by the existing Ambulance Service License holders, or which shall not be met within a reasonable period of time by such existing Ambulance Service License holders. The effect of any application on the ability of existing Ambulance Service License holders to continue providing services shall be a factor for consideration.

(c) No favorable recommendation shall be made, and no Certificate of Necessity shall be granted, unless an applicant meets all of the foregoing criteria, without exception.

(d) All existing Ambulance Service License holders will be given notice of the application for the Certificate of Necessity for additional Ambulances, and such Ambulance Service License holders will have twenty (20) working days from the date of notice to respond in writing to the Emergency Services Coordinator or his designee to oppose, object to, or request modification of the application, and to state whether the application, if granted, would negatively affect the ability of the existing Ambulance Service License holders to continue providing services.

(e) The Licensing Officer or his designee will make a recommendation in writing to the City Council to grant or deny the application for the Certificate of Necessity. The recommendation, if favorable, shall designate a specific number of Ambulances.

(f) The City Council will vote to grant or deny the application after consideration is given to the recommendation of the Licensing Officer or his designee and any responses received by the existing Ambulance Service License holders. If granted, the Certificate of Necessity shall designate a specific number of Ambulances for which the applicant may seek an Ambulance Permit pursuant to Section 4-34 hereof.

(g) Any applicant who is dissatisfied with the decision of the City's recommendation shall have the right to a hearing before the City's Governing Authority at a regularly scheduled meeting, if written notice of appeal is filed

with the Clerk of City Council within ten (10) days after such decision. All Ambulance Service License holders shall have an opportunity to be present and to oppose, object to, or request modification of the application. This hearing shall be informal, but the applicant shall have the right to counsel, the right to present evidence and argument in support of the application, and the right to know prior to the hearing the reasons for denial or modification of the request. A written decision on any such appeal shall be mailed to the applicant within ten (10) working days of the hearing.

Sec. 4-36. Maintenance of Ambulances; Inspection ~~Revocation of license.~~

(a) All Ambulances shall be maintained in compliance with applicable federal, state and local laws, rules and regulations ~~The license officer may, and is hereby authorized to, suspend or revoke a license issued hereunder or to decline to issue a license for failure of a licensee or applicant to comply and to maintain compliance with, or for his violation of, any applicable provisions, standards or requirements of this article, or of regulations promulgated hereunder, or of any other applicable laws or ordinances or regulations promulgated thereunder, but only after warning and such reasonable time for compliance as may be set by the license officer. After a suspension, the licensee shall have ten (10) days to make a written request for a hearing before the city council. The license officer shall, within thirty (30) days after conclusion of such hearing, serve a written decision (which shall include written findings) as to the suspension of the license. Such written decision shall be promptly transmitted to the licensee to whom it refers. Any appeal from the decision of the city council in such case shall be in accordance with applicable state law.~~

(b) Each Ambulance Service Provider must inspect each Ambulance every day to ascertain cleanliness and mechanical and operational worthiness for transporting Patients, Each Ambulance shall be subject to inspection at all times by the Licensing Officer. Any Ambulance found, upon inspection, to be unsafe for ambulance services or not to be in compliance with any federal, state and local laws, rules and regulations shall have such repairs and alterations made as may be required and no Ambulance Service Provider shall operate or cause to be operated any such Ambulances until all such repairs and alterations have been completed ~~The initial, semiannual or other ambulance, equipment and premises inspection reports of the license officer herein provided for shall be prima facie evidence of compliance or noncompliance with, or violation of, the provisions, standards and requirements provided herein, and of the regulations promulgated hereunder, for the licensing of ambulances.~~

~~(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, attendant's or attendant/driver's license hereunder, such driver, attendant or attendant/driver shall cease to drive or attend an ambulance and no person requiring a license hereunder shall employ or permit such individual to drive or attend an ambulance.~~

Sec. 4-37. Coloring and Marking Reports.

Each Ambulance authorized to operate within the City pursuant to this Ordinance shall bear the name of the Ambulance Service Provider and a unit number and bear coloring and marking in compliance with applicable federal, state and local laws, rules and regulations.

~~(a) Within thirty (30) days after transporting any patient within the city, or from one (1) place within the city to another place beyond its limits, the licensee of an ambulance hereunder shall file a written report with the city license officer upon such form as he may provide or prescribe, giving all information therein required and any other relevant information which such license officer may require.~~

~~(b) The provisions of subsection (a) of this section shall apply with equal force in case such patient shall die before being so transported in such ambulance or dies while being transported therein or at any time prior to the acceptance of the patient into the responsibility of the hospital or medical or other authority if the patient is still under the care or responsibility of the ambulance.~~

Sec. 4-38. Clinical Quality of Ambulance Services.

Upon the effective date of this Ordinance, every response to an Emergency Transport Call at any location within the City shall be made in an ALS Ambulance by an Ambulance Service and every Routine/Nonemergency Transport Call at any location within the City shall be made by either a BLS Ambulance or by an ALS Ambulance based on the level of medical care necessitated by the patient by an Ambulance Service.

Sec. 4-39. Prohibition Against Refusal to Transport.

It shall be a violation of this Ordinance for the EMS Lead Agency, or any other Ambulance Service Provider at the request of the EMS Lead Agency, to fail to respond to an Emergency Transport Call originating within the City where there is a Medical Necessity for the Service as defined in Section 4-26.

Sec. 4-40. First Responder and Interagency Training.

(a) The Operations Contractor is authorized to coordinate the response of all EMS First Responders and EMS public safety personnel in the City. Training and certification of said EMS First Responders and EMS public safety personnel shall be coordinated by the Operations Contractor and offered on an annual basis.

(b) It is required that the EMS Lead Agency to participate in EMS sanctioned exercises and disaster drills and other interagency training in preparation for this type of response.

Sec. 4-41. Violations.

(a) It shall be unlawful and an offense for any person or any Ambulance Service Provider to commit any of the following acts:

- (1) To perform duties as an EMS driver attendant, (EMT-Basic, EMT-Intermediate, EMT-Paramedic or pre-hospital RN or licensed physician), without a current valid certification issued by the Mississippi State Department of Health.**
- (2) To allow any person to work as an ambulance driver or attendant, without current valid certification issued by the Mississippi State Department of Health.**
- (3) To use, or cause to be used, an ambulance service other than an Ambulance Service Provider holding a valid Ambulance Service License pursuant to this Ordinance.**
- (4) For any person, firm or organization to respond to emergency or routine/nonemergency ambulance calls which originate within the City, other than an Ambulance Service Provider which is the holder of a valid Ambulance Service License issued pursuant to this Ordinance or with the express authorization of the Operations Contractor.**
- (6) To knowingly give false information to induce the dispatch of an Ambulance or First Responder.**
- (7) To originate transportation of a dead human body in an Ambulance which has been permitted hereunder.**
- (8) To operate an Ambulance in the Emergency Mode when not responding to an Emergency Transport Call in compliance with this Ordinance.**
- (9) For any person, firm or organization to solicit or otherwise advertise for emergency or non-emergency ambulance service other than an Ambulance Service Provider holding a valid Ambulance Service License pursuant to this Ordinance.**

(b) Notwithstanding anything herein, it shall not be a violation of this Ordinance, and no Ambulance Service License shall be required if the vehicle or Ambulance is:

- (1) Responding to an emergency or routine/nonemergency transport call at the request of the EMS Agency.**
- (2) A privately owned vehicle not used in the business of transporting**

Patients who are sick, injured, wounded, incapacitated or helpless.

- (3) A vehicle rendering services as an Ambulance in the event of a major catastrophe or emergency when Ambulances with Permits based in the locality of the catastrophe or emergency are incapacitated or insufficient in number to render the services needed.
- (4) An Ambulance transporting a Patient to a location within the City which transport originated from a point outside the City, and (ii) an Ambulance operated by the same ambulance service as above, which transports the same Patient from the original destination within the City back to the point of origin of the original transport and the Patient (or a proper representative of the Patient) specifically requests the services of said ambulance service.
- (5) A vehicle engaged in the interstate transport of a Patient.
- (6) An ambulance service who responds with mutual aid and permission of the Operations Contractor, so long as the response is coordinated through the EMS Dispatch Center and the EMS Lead Agency determines that the ambulance service meets or exceeds the needs of the specific patient(s).

(c) Any person convicted of violating any provisions of this Ordinance shall be punished by fine and costs not to exceed the sum of \$1,000.00 for each violation.

(d) Each day that any violation of the provisions of this Ordinance is committed or permitted to continue shall constitute a separate offense.

Sec. 4-40. Suspension and Revocation.

(a) Any Ambulance Service License issued under the provisions of this Ordinance may be revoked or suspended by the City upon a finding of any one of the following:

- (1) Breach or violation of any of the provisions of this Ordinance, specifically including, but not limited to, those within this Section hereof.
- (2) Discontinuance of operations for more than thirty (30) days.
- (3) Discrimination in providing services pursuant to this Ordinance to any person on the basis of race, creed, or color.
- (4) Violation of any federal, state or local law, rule or regulation which are not correctable within thirty (30) days or are considered by competent authority to jeopardize the life or safety of any citizen

served.

(5) Filing or providing false or misleading information in connection with and application hereunder or with any state or local government, health care provider, medical facility or organization relating to or in connection with an application to provide ambulance service.

(b) Failing to respond fully and timely to any reasonable request from the Licensing Officer for information relating to ambulance service provided in the City.

(c) Prior to the suspension or revocation of an Ambulance Service License hereunder, the Ambulance Service License holder shall be given thirty (30) days written notice of the proposed action to be taken by the City and shall, upon written request within ten (10) days of such notice, be entitled to a hearing before the City Council upon such hearing, the City shall find that the Ambulance Service License holder has corrected any alleged deficiencies and brought itself in compliance with the provisions of this Ordinance, such Ambulance Service License shall not be suspended or revoked.

Sec. 4-41. Severability.

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

SECTION 3. All provisions of Article II of Chapter 4 of the Code of the Ordinances of the City of Gulfport, Mississippi not in conflict herewith shall remain in full force and effect as heretofore provided.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Authority hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. The Governing Authority further finds that the following shall serve as an

explanatory statement of this Ordinance for purposes of publication: “This Ordinance amends the City’s Code of Ordinances (revising Sections 4-26 through and including 4-37 and adding Sections 4-38 through and including 4-41) regarding the provision of ambulance services. A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk.” For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor lobby at City Hall (2309 15th Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City’s Hardy Building (1410 24th Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23rd Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.

SECTION 6: This Ordinance shall be in full force and effect thirty (30) days after the date of passage. It shall be published according to law and shall be spread upon the minutes of the Gulfport City Council.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by _____, seconded by _____ and was adopted by the following roll call votes, to-wit:

YEAS:

NAYS:

ABSTENTIONS:

ABSENT:

WHEREUPON the President declared the motion carried and the Ordinance adopted, this the _____ day of _____, 2024.

(SEAL:)

ATTEST:

ADOPT:

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor,
this the _____ day of _____, 2024.

MAYOR

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the _____ day of _____, 2024, the following Ordinance:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF GULFPORT, MISSISSIPPI'S CODE OF ORDINANCES INVOLVING AMBULANCES, TO INCLUDE REVISING SECTIONS 4-26 THROUGH AND INCLUDING 4-37 AND ADDING SECTIONS SECTION 4-38 THROUGH AND INCLUDING 4-41; AND FOR RELATED PURPOSES

WHEREAS, the Governing Authority of the City of Gulfport, Mississippi has enacted various Ordinances through the years for the preservation and promotion of the health, safety, and well-being of its residents and visitors, to include those involving ambulance services found in Article II in Chapter 4 of the City's Code of Ordinances, and which provisions were previously adopted and/or codified in the 1960's; and

WHEREAS, from 1993 through early 2023, the provision of ambulance services within the City has been pursuant to an "Interlocal Cooperation Agreement" between and among Harrison County, Mississippi and the City and in accordance with an "Emergency Medical Services" ("EMS") District that was previously created and overseen by Harrison County; and

WHEREAS, the City created its own EMS District on June 20, 2023, and the "Interlocal Cooperation Agreement" is set to expire by mutual agreement on February 29, 2024; and

WHEREAS, there is a need to now amend the prior Ordinances involving ambulance services presently found in Sections 4-26 through and including 4-37, which is the codified version of an Ordinance or Ordinances that were adopted and/or codified in the 1960's pertaining to the provision of such services within the corporate limits of the City and which are found in Article II in Chapter 4 of the City's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That Article II of Chapter 4 of the Code of Ordinances of the City of Gulfport, Mississippi shall be, and hereby is, amended to now read as follows, with additions noted in bold and underlined and deletions stricken through and in bold and underlined and in grey highlights (due to the length of provisions involved):

Sec. 4-26. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them:

(a) Ambulance shall mean any privately or publicly owned motor vehicle that is specially designed, constructed, equipped and intended to be used for, and is maintained or operated for the transportation of patients **or ill or injured persons to or from health care facilities.** This shall **not** include ~~rescue units which otherwise comply with the provisions of this article, except~~ any such motor vehicle owned by, or operated under the direct control of, or under a valid contract with, the United States.

(b) Ambulance Service means the level of service attained when **(i) the Ambulance Service Provider is licensed as a Basic Life Support (BLS) and Advanced Life Support (ALS) Ambulance Service by the Mississippi State Department of Health and (ii) the Ambulance Service Provider's vehicles are permitted as BLS and ALS vehicles by the Mississippi State Department of Health and each ALS Ambulance is occupied by at least one person certified as an Advanced Life Support Provider by the Mississippi State Department of Health, one person licensed as a pre-hospital registered nurse by the Mississippi State Board of Nursing or one person licensed as a physician by the Mississippi State Department of Health.**

(c) Ambulance Service Provider means a person or organization, governmental or private, which operates one or more Ambulances.

~~**Attendant shall mean a trained and/or qualified individual responsible for the operation of an ambulance and the care of the patients, whether or not the attendant also serves as driver.**~~

~~**Attendant/driver shall mean a person who is qualified as an attendant and a driver.**~~

~~**Driver shall mean an individual who drives an ambulance.**~~

(d) Emergency Services Coordinator means the individual designated by the

City to administer the Operations Contract. All communications between the City and the Operations Contractor will take place through the Emergency Services Coordinator. Unless otherwise stipulated, the Emergency Services Coordinator shall be the then current City of Gulfport Fire Chief.

(e) *Emergency Transport Call* means a call for Emergency Ambulance Response to a situation where there is a potential patient that is presumptively classified as having an Emergency Medical Condition.

(f) *Emergency Medical Condition* means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain, psychiatric disturbances and/or symptoms of substance abuse) such that the absence of immediate medical attention could reasonably be expected to result in (i) placing the patient's health in serious jeopardy, (ii) serious impairment to bodily functions, or (iii) serious dysfunction of any bodily organ or part.

(g) *Emergency Ambulance Response* means an ambulance responding in the Emergency Mode, requiring the least amount of time practicably attainable, in response to a situation in which there is a high probability that a patient with an Emergency Medical Condition may exist and action by emergency personnel may reduce the seriousness of the situation.

(h) *Emergency Mode* means the use of headlights and emergency warning lights continuously while an ambulance is mobile. The siren must also be used with headlights and emergency warning lights when driving maneuvers are executed that would otherwise be prohibited or illegal for nonemergency situations. No such siren and emergency warning lights shall be used except when the vehicle is operated pursuant to an Emergency. All Ambulances responding to an Emergency Transport Call shall respond in the Emergency Mode. Nothing in this Ordinance is meant to usurp, contravene, or preempt state law regarding the operation of emergency vehicles on public roadways, and the provisions herein shall be interpreted as much as possible to be consistent with and not in contravention of applicable and governing laws.

(i) *Emergency Facilities* means those facilities which include as part of their mission providing for the treatment of patients with life- or limb-threatening conditions. They meet or exceed the Emergency Care Guidelines of the American College of Emergency Physicians and they receive ambulance patients with Emergency Medical Conditions.

(j) *Ambulatory Care Facilities* mean those facilities that provide primary medical care services and may be accessible without a prior doctor-patient relationship or without an appointment. In general, ambulatory care facilities do not solicit patients with Emergency Medical Conditions, nor patients requiring emergency ambulance transport.

(k) *Emergency Transport Call Time Measurements.* Unless set out differently in a separate contract or agreement with the City, such as the Operations Contract, the following standard definitions shall be used as time

measurements for all ambulance providers licensed pursuant to this Ordinance. All times shall be recorded in hours, minutes and seconds.

- (1) *Fractal Response Time.* Percentile of a specific category of requests for ambulance service that are appropriately answered within a stated response time goal or standard.
 - (2) *Call Received Time.* When the EMS telecommunicator has received essential call information (e.g. call-back number, location of call, chief complaint or nature of problem; or if the initial location information is obtained from a 911 data base, confirmation that the patient's location is the same as that of the caller or confirmation of the patient's actual location).
 - (3) *Unit Alert Time.* Elapsed time measurement to alert/ initiate dispatch after the information listed in Call Received Time has been obtained.
 - (4) *Out-of-Chute Time.* This is part of the mobilization phase. This stage begins with acknowledgment of notification of assignment to a specific call by the communications center. The stage ends when the ambulance declares itself to be enroute.
 - (5) *Travel Time.* This is part of the response phase. This stage begins when the unit declares itself enroute to an assignment and ends when the unit declares itself at the assigned location.
 - (6) *On-Scene Time.* This is part of the treatment phase. This stage begins when the unit declares itself on-scene and ends when the unit declares itself to be enroute to a destination.
 - (7) *Response Ready Hospital Down Time.* This is the exchange of care phase. This stage begins when the unit declares itself at the transport destination and ends when the unit declares itself to have the minimum essential equipment and staff necessary to respond to the next emergency call. It does not necessarily mean that the unit has completed all of its post-call tasks after delivering the patient.
 - (8) *Hospital Turn Around Time.* This state begins when the unit declares itself at the transport destination and ends when the unit has completed all of its post-call tasks and is ready to leave the destination.
 - (9) *Time on Task.* This refers to the whole call. This stage includes all aspects of the assignment from Unit Alert to Available for another assignment after completion of all post-call tasks.
- (l) *Emergency Medical Services ("EMS")* means the following pre-hospital and inter-hospital services:
- (1) *Access and Coordination* - The answering and processing of telephone

requests from the public for Ambulance or First Responder Services, including EMS dispatching, emergency and routine; the providing of medical pre-arrival instructions to callers by telephone; but excluding the process of 911 complaint-taking when the caller is immediately transferred to the ambulance provider's dispatch center.

(2) *First Responder Services* - Those emergency service, excluding transportation, which are performed by a First Responder. The EMS Lead Agency shall establish minimum standards for training, continuing education and performance standards for First Responders.

(3) *Medical Transportation* - Ambulance services, both emergency and routine, including Patient assessment, transportation, and medical procedures performed on scene, in route during inter-facility transport, or at an emergency receiving facility when performed at the request of the receiving physician.

(4) *On-line Medical Direction* - Instructions given by a Communications Resource facility as defined in the Rules and Regulations issued by the Division of EMS, Mississippi State Department of Health, to First Responders or ambulance personnel at the scene of an emergency, while in route to a hospital, or during an inter-facility Patient transfer. On-line Medical Direction in the City shall be sanctioned and coordinated by the EMS Lead Agency and the Off-Line Medical Director.

(5) *Off-line Medical Director* - The Off-line Medical Director is the administrative medical director appointed by the EMS Lead Agency. His duties are as defined in the Mississippi EMS, The Law Rules and Regulations published by the State Board of Health.

(m) *EMS Dispatch Center* – The EMS Dispatch Center is the facility operated or utilized by the EMS Lead Agency which serves as the central EMS communications center for the City.

(n) *EMS Lead Agency* - The EMS Lead Agency is the organization delegated the responsibility for coordinating all components and care aspects for the entire EMS system in the City. It will have the ultimate responsibility of providing this care alone or delegating part of this responsibility. It shall further be the responsibility of the EMS Lead Agency to constantly evaluate the response of all EMS support services in areas of appropriateness of prehospital care and medical control. The EMS Lead Agency shall also be authorized to develop and implement patient transportation and destination policies and guidelines. It shall sanction EMS continuing education activities, establish infection control standards for all prehospital EMS personnel, direct patient refusal procedures, and other EMS related activities. The EMS Lead Agency is authorized to enter into mutual aid agreements with other EMS, public safety, and ancillary support agencies.

(o) *Extrication* - Extrication means removal from a difficult situation or position, e.g., removal of a patient from a wrecked vehicle or other place of entrapment. The fire department or other public safety agency that has jurisdiction may be involved in extrication.

(p) *First Responder* - First Responder means any person, fire department unit, law enforcement unit, or non-transporting rescue unit capable of providing appropriate First Responder Service, excluding transportation.

(q) *Licensing Officer* – ~~Licensing Officer, when referred to herein, shall refer to the city clerk or his duly designated subordinate. The city clerk may designate different persons, from time to time, to perform the duties of a license officer~~ means the Emergency Services Coordinator or their designee who is empowered to issue Permits, as defined in this Ordinance, in accordance with protocols and/or procedures governing such issuance as set forth herein.

(r) *Medical Necessity for Service* - Medical necessity for service is established when the patient's condition is such that use of any other method of transportation is contraindicated in any case in which some means of transportation other than an ambulance could be utilized without endangering the individual's health, whether or not such other transportation is actually available.

(s) *Operations Contract* – Operations Contract means a contract between an entity and the City to provide BLS/ALS Ambulance Service to the City in response to Emergency Transport Calls and Routine/Nonemergency Transport Calls within the City and to serve as the EMS Lead Agency.

(t) *Operations Contractor* means the entity providing BLS/ALS Ambulance Service to the City in response to Emergency Transport Calls and Routine/Nonemergency Transport Calls within the City and serving as the EMS Lead Agency pursuant to the Operations Contract.

(u) *Patient* ~~shall~~ means an individual who is ill, sick, injured, wounded or otherwise incapacitated or helpless, **and who is in need, or is at risk of needing, medical care or assessment at the scene of a call and during transportation to or from a health care facility and who is or should be transported in a reclining position.**

(v) *Permit* means any of the permitting documents required to be obtained pursuant to this Ordinance, including the following:

(1) *Ambulance Service License - Emergency and Nonemergency* - Ambulance Service Providers responding to Emergency Transport Calls originating in the City shall be required to obtain an Ambulance Service License pursuant to this Ordinance. Ambulance Service Providers responding to Routine/Nonemergency Transport Calls that originate within the City shall be required to obtain an Ambulance

Service License pursuant to this Ordinance.

(2) *Ambulance Permit* - Every Ambulance operated by an Ambulance Service Provider shall be required to obtain an Ambulance Permit subject to inspection and recommendation of the Licensing Officer, pursuant to this Ordinance.

(w) *Person* shall means any individual, firm, partnership, association, corporation, company or group of individuals **or firms, partnerships, associations, corporations, companies, or any combination thereof**, acting together for a common purpose or organization of any kind, including any governmental agency other than the United States.

(x) *Rescue* means to free from a dangerous, destructive, or life-threatening situation (including life-threatening medical conditions) by prompt vigorous action. Search and rescue activities may be pursued or undertaken by the city fire department or other appropriate public safety agency that has jurisdiction.

(y) *Routine/Nonemergency Transport Call* means a call for ambulance service which is not an Emergency Transport Call.

(z) *System Standard of Care* means the federal, state, and local laws, and policies, rules, regulations and protocols of the EMS Lead Agency which establish standards governing all clinical and operational aspects of the EMS system in the City.

(aa) *System Status Controller ("SSC")* means and shall be an employee of the EMS Lead Agency and a person trained and competent as an EMS dispatcher. The minimum standard of training shall be the current edition of "Emergency Medical Services Dispatcher: National Standard Curriculum" as developed by the U.S. Department of Transportation, National Highway Traffic Safety Administration. In addition, all SSCs must meet or exceed the minimum standards for training EMS telecommunicators as established by the Mississippi Board of Emergency Telecommunications Standards and Training. The SSC must demonstrate competency in (a) receipt and processing of calls for ambulance service, (b) dispatch and coordination of EMS resources, (c) provision of medical information, and (d) coordination with other public safety services. Only qualified SSCs shall be permitted to work in the EMS Dispatch Center.

(bb) *System Status Plan* means the plan and protocols for staffing, deployment, and redeployment of Ambulances which is developed and utilized by an Ambulance Service Provider, and which specifies how many Ambulances will be staffed and available within the City each hour of the day, each day of the week, including the locations of available Ambulances (not assigned to calls) within the City, specified separately for each hour of the day, for each day of the week and the remaining number of Ambulances then available in the system, and including protocols for event-driven redeployment

of those remaining Ambulances. The Operations Contractor is responsible for development and implementation of the System Status Plan.

Sec. 4-27. ~~Ambulance license Required.~~ Operations Contract; EMS District.

(a) Operations Contract; Operations Contractor. The City may enter into an Operations Contract with an entity, which, upon execution of the Operations Contract, shall thereby become the Operations Contractor, to provide all BLS and ALS Ambulance Service to the City in response to Emergency Transport Calls and Routine/Nonemergency Transport Calls within the City and to coordinate all components and care aspects for the entire EMS system in the City. The City shall designate the Operations Contractor to be the EMS Lead Agency. The Operations Contractor shall staff, operate and control the EMS Dispatch Center. As the EMS Lead Agency, the Operations Contractor shall enter into agreements with Communications Resource facilities to provide On-Line Medical Direction. The Operations Contractor shall perform any other duties as provided hereunder or as provided in the Operations Contract ~~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, unless he holds a currently valid license for an ambulance, and for each such ambulance so operated, issued pursuant to this article. An ambulance operated by, or on a mission pursuant to a contract with an agency of the United States which contract existed on the effective date of Ordinance No. 1406, shall not be required to be licensed hereunder.~~

(b) The City may terminate the Operators Contract at any time and may enter into an Operations Contract with a different entity that meets the standards hereof, as determined by the City's Governing Authority and in furtherance and promotion of the safety, health, and well-being of its residents and visitors ~~Licenses for no more than ten (10) ambulances shall be issued for the operation of ambulances within the limits of this city, this being a number in excess of those lawfully in operation. The number of ambulances for which licenses may be issued for operation within the city limits shall be regulated, from time to time, by the city council, which shall determine, from time to time, the number of ambulances which are necessary and convenient for the city.~~

(c) EMS District. Pursuant to Section 41-59-53 et seq. of the Mississippi Code of 1972, the City of Gulfport is established as an emergency medical services (EMS) district. The Operations Contractor is hereby designated as the Emergency Medical Service Lead Agency. The governing board of the City of Gulfport's EMS District shall be the City of Gulfport's City Council. The EMS Lead Agency shall function as the City of Gulfport EMS Authority for the Council and as such, has the responsibility for coordinating all components and care aspects of the Emergency Medical Service system in accordance with local, state, and federal laws, rules and regulations. As the EMS Authority representing the City of Gulfport's EMS District, the EMS

~~Lead Agency is authorized to receive and expend appropriations from the State's Emergency Medical Service Operating Fund (EMSOF) In the event the owner or operator of an ambulance ceases to operate or fails to report operation of such ambulance for a period of thirty (30) days, as required by section 4-37 hereof, the owner shall lose or forfeit his license after written notice given him by the city of such forfeiture.~~

~~(d) — 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 the city unless it shall be under the immediate supervision and direction of a person who is holding a currently valid license as an attendant/driver or attendant.~~

~~(e) — Provided however, that no such licenses shall be required for an ambulance or for the driver, attendant or attendant/driver of an ambulance:~~

- ~~(1) — Which 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; or is~~
- ~~(2) — Operated from a location or headquarters outside of the city in order to transport patients who are picked up beyond the limits of the city to locations within the city.~~

Sec. 4-28. ~~Same—Application~~ Validity of Pre-existing Licenses or Permits.

Any ambulance license or permit issued pursuant to any preexisting municipal ordinance in effect prior to adoption of this Ordinance is hereby declared invalid. Any existing Ambulance Service Provider operating in the City, prior to the enactment of this Ordinance, shall be required to comply with the terms of Section 4-32 and all other applicable Sections of this Ordinance. The Operations Contractor selected pursuant to this Ordinance shall be deemed to have met all licensing and permit requirements of the Ordinance ~~Applications for ambulance licenses hereunder shall be made 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.~~
- ~~(2) — The trade or other fictitious name, if any, under which the applicant does business and proposes to do business.~~
- ~~(3) — The training and experience of the applicant in the transportation and care of patients.~~
- ~~(4) — A description of each ambulance, including the make, model, year of manufacture, motor and chassis number, current state license number, the length of time the ambulance has been in use, and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate applicant's ambulance.~~
- ~~(5) — The location and description of the place from which it intended to operate.~~
- ~~(6) — Such other information as the license officer shall deem reasonably necessary to a fair determination of compliance with this article.~~

~~(7) An accompanying license fee of twenty five dollars (\$25.00) per ambulance licensed. Such license fee shall become due thirty (30) days from the effective date hereof and renewed on October first of each year, and shall be in addition to any other license fees, privilege taxes, or other charges established by proper authority and applicable to such holder or the vehicle under his operation and control. The purpose of this license fee is not to raise revenue, but to defray expenses incurred in enforcement of this article.~~

Sec. 4-29. ~~Same Standards~~ Mandatory Centralized Emergency Transport Call Processing.

(a) All 911 telephone requests for ambulance services, both emergency and routine, originating within the City shall terminate at the EMS Dispatch Center, where a System Status Controller shall establish the call's classification, determine the Patient's location, and if appropriate, deliver pre-arrival instructions. The System Status Controller shall also determine the need for First Responder Services in accordance with established guidelines, alert the First Responder if appropriate, and dispatch the appropriate Ambulance.

(b) It shall be unlawful for anyone other than an Ambulance Service Provider who holds a valid Ambulance Service License to publish or advertise any telephone number for the purposes of soliciting request for Emergency Transport and Routine/Nonemergency Calls in the City.

(c) EMS Dispatch Center shall at all times have full authority to direct the positioning, movements, and run responses of all Ambulances, Ambulance Service Providers, EMS public safety providers, and other EMS personnel in the City.

(d) The EMS Lead Agency shall be authorized to develop and implement patient transportation and destination policies and guidelines, unless instructed otherwise by On-Line Medical Direction, ambulances transporting patients with Emergency Medical Conditions shall be directed to Emergency Facilities, Ambulances transporting patients not having Emergency Medical Conditions may deliver said patients to Ambulatory Care Facilities, if so requested.

(e) All call requests processed by the EMS Dispatch Center shall be recorded to facilitate subsequent auditing of the System Status Controller's actions and decisions by the Emergency Services Coordinator, and all such recordings shall be safely stored and shall not be erased for a period of six (6) months.

(f) The EMS Dispatch Center may be located inside or outside the City as determined by the EMS Lead Agency.

~~All vehicles used as ambulances shall conform to the following minimum specifications and requirements:~~

~~(1) — General construction. All bodies shall have at least three (3) doors, with at least one (1) leading into the driver's compartment and one (1) leading into the rear of the ambulance, so constructed that all doors may be opened from the inside and outside. All upholstery covering or interior lining in any ambulance shall be of leather or other nonabsorbent and washable material.~~

~~(2) — Equipment. Each vehicle used as an ambulance shall have the following minimum equipment: Four-wheel brakes capable of stopping ambulance within twenty-two (22) feet at twenty (20) miles per hour; parking brake; front and rear bumper; heater and defroster sufficient to heat interior of ambulance in cold weather; air conditioning sufficient to cool both patient's and driver's compartments; right and left side rear view mirrors and one (1) in driver's compartment; speedometer exposed to view (no ambulance to be operated with broken or disconnected speedometers); dual windshield wipers; tires must have a minimum of four thirty seconds inch tread; alternator with a minimum of sixty (60) amperes output; cot holder.~~

~~(3) — Lights. Each ambulance shall be equipped with a minimum of: One (1) revolving red light on top of ambulance; standard headlights with low and high beam approved by motor vehicle laws of the state; backup lights; rear compartment light; white light to illuminate license plate and handlight either attached or unattached to body.~~

~~(4) — Warning devices. Each ambulance shall be equipped with a rotary siren or an electronic siren with a minimum of seventy-five (75) watts output.~~

~~(5) — Communications. Each ambulance shall be equipped with a two-way radio licensed by the federal communications commission and in operative condition at all times. Also, each owner shall maintain a dispatcher twenty-four (24) hours every day at his base of operation for the purpose of communication with the public and with the ambulances.~~

~~(6) — First-aid equipment. Each ambulance shall be equipped with the following:~~

- ~~a. — Portable suction apparatus with wide-bore tubing and rigid pharyngeal suction tip.~~
- ~~b. — Hand operated bag-mask ventilation unit with adult, child, and infant size masks. Clear masks are preferable. Valves must operate in cold weather.~~
- ~~c. — Oropharyngeal airways in adult, child and infant sizes.~~
- ~~d. — Mouth-to-mouth artificial ventilation airways for adults and children.~~
- ~~e. — Portable oxygen equipment with adequate tubing and semi-open, valveless, transparent masks in adult, child, and infant sizes.~~
- ~~f. — Mouth gags, either commercial or made of three (3) tongue blades taped together and padded.~~
- ~~g. — Universal dressings, approximately ten (10) inches by thirty-six (36)~~

- ~~inches, compactly folded and packaged in convenient size.~~
- ~~h. Sterile gauze pads, four (4) inches by four (4) inches.~~
 - ~~i. Soft roller self-adhering type bandages, six (6) inches by five (5) yards.~~
 - ~~j. Roll of aluminum foil, eighteen (18) inches by twenty-five (25) feet, sterilized and wrapped.~~
 - ~~k. Two (2) rolls of plain adhesive tape, three (3) inches wide.~~
 - ~~l. Two (2) sterile burn sheets.~~
 - ~~m. Hinged half-ring lower extremity traction splint (ring nine (9) inches in diameter, overall length of splint forty-three (43) inches) with commercial limb support slings, padded ankle hitch, and traction strap.~~
 - ~~n. Two (2) or more padded boards, four and one-half (4½) feet long by three (3) inches wide, and two (2) or more similarly padded boards, three (3) feet long, or material comparable to four-ply wood for coaptation splinting of leg or thigh.~~
 - ~~o. Two (2) or more fifteen-inch by three-inch padded wooden splints for fractures of the forearm. (By local option, similar splints of cardboard, plastic, wire ladder, or canvas slotted lace on may be carried in place of the above thirty-six-inch and fifteen-inch boards.)~~
 - ~~p. Uncomplicated inflatable splints in addition to item (o) above or as substitute for the short boards.~~
 - ~~q. Short and long spine boards with accessories.~~
 - ~~r. Triangular bandages.~~
 - ~~s. Large-size safety pins.~~
 - ~~t. Shears for bandages.~~
 - ~~u. Sterile obstetrical kit.~~
 - ~~v. Poison kit.~~
 - ~~w. Blood pressure manometer cuff, and stethoscope.~~
 - ~~x. Several pillows.~~

~~(7) Maintenance. All vehicles used as ambulances shall be maintained as follows:~~

- ~~a. Each ambulance shall store first-aid equipment free from dust, insects and rodents.~~
- ~~b. The interior of each ambulance shall be cleaned and wiped with an approved antiseptic daily.~~
- ~~c. Weather permitting, each ambulance must be cleaned on the exterior each day.~~
- ~~d. In the event of transportation of a patient with a contagious or infectious disease, an ambulance shall be cleaned and wiped with approved antiseptic.~~
- ~~e. There shall be at all times freshly laundered linen on cots used to transport patients, changing linen after each patient carried.~~

~~(8) Daily inspection by owner. Each owner must inspect each ambulance every morning to ascertain cleanliness, mechanical and operational worthiness~~

~~for transporting patients. Each ambulance shall be subject to inspection at all times by an authorized representative of the city. Any ambulance found, upon inspection, to be unsafe for ambulance operations shall have such repairs and alterations made as may be required and no person shall operate or cause to be operated any such ambulances until all such repairs and alterations have been completed.~~

~~(9) — Periodic inspection by city clerk. Every vehicle operating as an ambulance under this article shall be periodically inspected by the city clerk or his duly designated subordinate at least semiannually and additionally at such intervals as shall be established by the city clerk to ensure the continued maintenance of safe operating conditions. Records of such inspections shall be made and kept current by the city clerk and the owner notified in writing of any deficiencies noted at such inspection. The owner shall be required to correct such deficiencies within a reasonable time and shall furnish evidence of the correction thereof to the police department.~~

~~(10) — Identification of vehicle. Each ambulance operated within the city shall bear the name of the owner and a unit number. All ambulances of each owner shall be of the same color scheme. All colors shall be of high visibility and easily distinguishable from the color scheme of ambulances of any other owner. Such trade name, design, color scheme or method of painting shall include the following matter:~~

~~a. — The name of the owner or the trade name under which he does business prominently displayed on each side of the ambulance. Whenever the name of the owner or the trade name under which he does business does not include the word "ambulance," then the word "ambulance" shall be prominently displayed on each side of the vehicle.~~

~~b. — All mandatory numbering, lettering and wording, whether in a particular trade name, design, color scheme, lettering or otherwise as hereinbefore provided, shall be at least two (2) inches in height and of such color as will contrast distinctly with the color of the body of the ambulance.~~

~~(11) — Effect of change of ownership on license. Any change of ownership of a licensed ambulance shall terminate the license and shall require a new application and a new license and conformance with all the requirements of this article as upon original licensing.~~

~~(12) — Transfer of license. Application for transfer of any ambulance license to another or substitute vehicle shall require conformance with all the requirements of this article as upon the 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 article as upon original licensing.~~

~~(13) Inspection of maintenance and operation. Each licensed ambulance, 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 city clerk or his designated representative during usual hours of operation.~~

~~(14) Defacing license. No official entry made upon a license may be defaced, removed or obliterated.~~

Sec. 4-30. ~~Liability~~ Insurance; Bond.

(a) ~~Each ambulance service provider shall keep in full force and effect a policy or policies of automobile liability and property damage insurance issued by an insurance company authorized to do business in the State of Mississippi, with coverage provisions insuring the public from any loss or damages that may arise to any person or property by reason of the negligent operation of such ambulance service provider, and providing amounts of recovery in limits of not less than the following sums. Every owner operating ambulances under a license pursuant to the provisions of this article shall submit to the city council evidence of public liability and property damage insurance in force with an insurance company licensed to conduct business in the state in the following amounts:~~

~~(1) For the damages arising out of bodily injury to or death of one or more persons in any one accident not less than \$1,000,000.00; Bodily injury—\$100,000 per person.~~

~~(2) For any injury to or destruction of property in any one accident, not less than \$1,000,000.00; and Bodily injury—\$300,000 per accident.~~

~~(3) For any combination of damages or injury, not less than \$2,000,000.00. Property damage—\$50,000 per accident.~~

~~(4) Malpractice—\$300,000 per claim.~~

(b) ~~Each Ambulance Service Provider shall keep in full force and effect a commercial general liability and professional liability policy or policies issued by an insurance company authorized to do business in the State of Mississippi, with coverage provisions insuring the public from any loss or damage that may arise to any person or property by reason of the negligent actions of the Ambulance Service Provider or any of its employees, and providing that the amount of recovery shall be in limits of not less than \$1,000,000.00 per occurrence, with annual aggregate of not less than \$2,000,000.00.~~

(c) ~~Insurance companies providing this coverage shall be licensed and admitted to operate in the State of Mississippi.~~

(d) ~~In addition to the insurance requirements stipulated above, all Ambulance Service Providers shall carry additional umbrella liability insurance with coverage limits of at least \$5,000,000.00. The umbrella coverage will apply in excess of the general liability, professional liability, and auto liability coverage.~~

(e) Cancellation or material alteration of any required insurance policy or coverage shall result in the automatic revocation of any Ambulance Service License issued hereunder, and the Ambulance Service Provider shall thereupon cease and desist from further ambulance service operations in the City.

(f) Each Ambulance Service Provider shall provide a certificate of insurance evidencing all coverages, limits, terms and conditions of this Section to the City. This certificate shall have a thirty (30) day notice of cancellation requirement to the City.

~~(d)~~**(g)** Such insurance policies shall be submitted to the license officer 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 license officer, in such form as he may specify, by all licensees required to provide such insurance under the provisions of this article.

~~(e)~~**(h)** 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 assured, and that until the policy is revoked the insurance company will not be relieved from liability on account of nonpayment of premium, failure to renew license on October first of each year, or any act or omission of the named assured. Such policy of insurance shall be further conditioned for the payment of any judgments up to the limits of such policy, recovered against any person other than the owner, his agent or employee, who may operate the same with the consent or acquiescence of the owner.

~~(d)~~**(i)** Every insurance policy required under this Section 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 assured 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.

(j) Bond. Each Ambulance Service Provider shall furnish performance security in the amount of \$500,000 in one of the following forms:

- (1) A faithful performance bond issued by a bonding company, appropriately licensed and acceptable to City; or**
- (2) An irrevocable letter of credit issued pursuant to this provision in a form acceptable to City and from a bank or other financial institution acceptable to City.**

Sec. 4-31. ~~Duties of city clerk~~ **Other Call Processing.**

All other call requests for ambulance service, Emergency or Routine/Nonemergency, which may be received by parties other than the Operations Contractor, shall be transferred immediately to the EMS Dispatch Center which will determine the appropriate EMS response.

~~(a) The city clerk shall, within fifteen (15) days after receipt of an application for an ambulance 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 shall issue a license hereunder for a specified ambulance, to be valid for a period of one (1) year unless earlier suspended, revoked or terminated, when he finds:~~

- ~~(1) That the public convenience and necessity require the proposed ambulance service;~~
- ~~(2) That each such ambulance, its required equipment and the premises designated in the application, meet the minimum standards as provided for herein;~~
- ~~(3) That the applicant is a responsible and proper person to conduct or work in the proposed business;~~
- ~~(4) That only duly licensed drivers, attendants and attendant/drivers are employed in such capacities;~~
- ~~(5) That all the requirements of this article and all other applicable laws and ordinances have been met.~~

Sec. 4-32. ~~Additional duties of license officer~~ Certificate of Necessity for Ambulance Service License.

~~(a) Any entity desiring to obtain an Ambulance Service License to operate in the City shall first make an application for a Certificate of Necessity for a Basic Life Support and Advanced Life Support Ambulance Service License to the Emergency Services Coordinator or his designee. Prior to the issuance of any ambulance license hereunder, the license officer shall cause to be inspected the vehicles, equipment and premises designated in each application hereunder, and shall certify his approval in a written report to the city clerk when he finds compliance with the standards prescribed in section 4-29, and with the regulations, if any, promulgated under such sections; provided, however, that under the terms of this article the license officer shall have no responsibility, and shall exercise no authority, in connection with laws and ordinances of general applicability which deal with motor vehicle inspection.~~

~~(b) The criteria for consideration of an application shall be as follows, and applications for such Certificate of Necessity shall include the following information, verified under oath: Subsequent to issuance of an ambulance license hereunder, the license officer shall cause to be inspected each such licensed vehicle, and its equipment and premises, whenever he deems such inspection to be necessary but in any event no less frequently than twice each year, and shall promptly report his findings in a written report to the city~~

~~clerk. The periodic inspection required hereunder shall be in addition to any other safety or motor vehicle inspection required to be made for ambulances or other motor vehicles, or other inspections required to be made, under general laws or ordinances, and shall not excuse compliance with any requirement of law or ordinance to display any official certificate of motor vehicle inspection and approval nor excuse compliance with the requirements of any other applicable general law or ordinance.~~

- (1) NAME: The name and address of the applicant seeking the Certificate of Necessity, and, in the event that the applicant is a corporation, a certified copy of the articles of incorporation.
- (2) EQUIPMENT & AMBULANCES: Equipment and Ambulances adequate to comply with the System Standard of Care and also adequate to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Applicant shall provide the make, type, year of manufacture, serial number, license tag number, and equipment therein for each Ambulance owned or operated or proposed to be operated by the applicant.
- (3) PERSONNEL: Personnel who are qualified by training, experience and work history to comply with the System Standard of Care and to fully, safely and reliably perform the services for which the Certificate of Necessity is requested, Personnel must meet federal, state and local certification requirements, Principals and employees of an applicant shall be subject to criminal record checks and background investigations.
- (4) APPLICANT'S EMS HISTORY: Complete listing of the applicant's relevant EMS experience. A favorable recommendation on an application shall not be made unless this history shows that the applicant is able to comply with the System Standard of Care and fully, safely and reliably perform the services for which the Certificate of Necessity is requested.
- (5) PLANS: (i) A proforma internal medical quality assurance plan, which shall describe applicant's medical quality assurance program, demonstrating a reasonable probability that the applicant, if licensed, will deliver medical care meeting the System Standard for Care, including, without limitation, the clinical quality for ambulance services set forth in Section 4-38 hereof; and (ii) A proforma System Status Plan demonstrating that all Ambulance operating within the City will be equipped and staffed to operate in accordance with the System Standard of Care, including without limitation, the clinical quality for ambulance services set forth in Section 4-38 hereof.
- (6) PROOF OF FINANCIAL CAPABILITY: Financial statements and a statement as to whether there are any unsatisfied judgments

of record against such applicant, and if so, the title of all actions and the amounts of all judgments unsatisfied. No Certificate of Necessity shall be granted to any applicant unless it is financially stable and financially capable of complying with the System Standard of Care and providing competent services for the entire period for which a license is requested and for the full scope of services proposed to be authorized. An applicant's failure to have paid any federal, state or local tax, including business license tax and personal property tax, shall be evidence of a lack of financial capability.

(7) ACCEPTANCE OF TERMS AND CONDITIONS: A statement of compliance with all applicable federal, state, and local laws, rules and regulations.

(8) PROOF OF PUBLIC NECESSITY FOR SERVICES: A statement of the public necessity for the services to be provided. No favorable recommendation shall be made for a Certificate of Necessity and no Certificate of Necessity shall be issued, unless the applicant proves by clear and convincing evidence that there is a public necessity for the services which is not being met by the existing Ambulance Service License holders, or which shall not be met within a reasonable period of time by such existing Ambulance Service License holders. The effect of any application on the ability of existing Ambulance Service License holders to continue providing services shall be a factor for consideration.

(c) No favorable recommendation shall be made, and no Certificate of Necessity shall be granted, unless an applicant meets all the foregoing criteria, without exception. Failure of an applicant to do so shall indicate that the applicant poses an unacceptable degree of risk to public safety. ~~A copy of each initial, semiannual or other ambulance, equipment and premises inspection report submitted by the license officer under the provisions of this section shall be promptly transmitted to the applicant or licensee to whom it refers.~~

(d) All existing Ambulance Service License holders pursuant to this Ordinance will be given notice of any application for a Certificate of Necessity and such Ambulance Service License holders will have twenty (20) working days from the date of notice to respond in writing to the Emergency Services Coordinator or his designee to oppose, object to, or request modification of the application, and to state whether the application, if granted, would negatively affect the ability of existing Ambulance Service License holders to continue providing services.

(e) After reviewing the application and response (if any), the Emergency Services Coordinator will identify any deficiencies or public necessities which are not being met by the existing Ambulance Service License holders. If the applicant proves by clear and convincing evidence that there is a public necessity for the services which is not being met by the existing Ambulance

Service License holders, the existing Ambulance Service License holders shall be granted reasonable time to cure any deficiency or public necessity before any recommendation is given to the City Council. The duration of "reasonable time" to cure any deficiency or public necessity shall be determined by the Emergency Services Coordinator. This information along with the enumerated deficiencies shall be conveyed in writing to the existing Ambulance Service License holders.

(f) After the existing Ambulance Service License holders have had an opportunity to cure any deficiencies, or if none are identified by the Emergency Services Coordinator, the Emergency Services Coordinator or his designee will make his recommendations in writing to the City Council to grant or deny the application for the Certificate of Necessity.

(g) The City's Governing Authority will vote to grant or deny the application for a Certificate of Necessity after consideration is given to the recommendation by the Emergency Services Coordinator or his designee and any responses received by existing Ambulance Service License holders.

(h) Any applicant who is dissatisfied with the decision of the City's Governing Authority shall have the right to a hearing before the Governing Authority, which is comprised of the City Council, at a regularly scheduled meeting, if written notice of appeal is filed with the Clerk of the City Council within ten (10) days after such decision. All Ambulance Service License holders under this Ordinance shall have an opportunity to be present and to oppose, object to, or request modification of the application. This hearing shall be informal, but the applicant shall have the right to counsel, the right to present evidence and argument in support of the application, and the right to know prior to the hearing the reasons for denial or modification of the request. A written decision on any such appeal shall be mailed to the applicant within ten (10) working days of the hearing.

(i) No applicant denied a Certificate of Necessity shall make application for a Certificate of Necessity for the same type of Ambulance Service License within twelve (12) months of final denial by the City Council or final denial of appeal thereof, or until applicant has remedied any deficiencies to the satisfaction of the City Council.

Sec. 4-33. Ambulance Service License ~~Driver's, attendant's, and attendant/driver's license~~ Applications.

(a) No entity may provide emergency or routine/nonemergency ambulance services originating within the City without (i) first obtaining an Ambulance Service License issued pursuant to this Section, or (ii) being sanctioned by the Operations Contractor. The Operations Contractor shall be deemed to have an Ambulance Service License upon execution of the Operations Contract. Such license shall remain in effect until the Operations Contract is terminated.

(b) No Ambulance Service License issued pursuant to this Section shall be

assignable or transferable by the entity to whom issued without written approval by the City. Any transfer of controlling interest or any delegation of responsibility for the management or delivery of ambulance services to another entity by management agreement, subcontract or other arrangement shall be deemed a transfer or assignment.

(c) An Ambulance Service License shall be issued by the Licensing Officer upon presentment of the following:

- (1) A Certificate of Necessity issued to the applicant pursuant to Section 4-32 hereof.
- (2) A valid ambulance service license issued by the Mississippi State Department of Health.
- (3) Evidence of insurance as required by Section 4-30 herein, including original and duplicate certificates of insurance which shall indicate the types of insurance, the amount of insurance, and the expiration dates of all policies carried by the applicant, shall name the City as an additional named insured, and shall contain a statement by the issuer issuing the certificate that the policies of insurance listed thereon will not be canceled or materially altered by said insurer without thirty (30) days prior written notice received by the City.
- (4) Evidence of compliance with the clinical quality of ambulance services required by Section 4-38 hereof.

(d) Ambulance Service Licenses shall be renewable annually upon continued compliance with this Ordinance.

(e) No Ambulance Service License required by this Ordinance shall be issued or continued in operation unless the Ambulance Service License holder has paid an annual license fee of one hundred dollars (\$100.00). Such license fee shall become due on the first day of January each year and shall be in addition to any other license fees or charges established by proper authority and applicable to such Ambulance Service License holder or the Ambulances under its operation and control. The purpose of this license fee is not to raise revenue, but to defray expenses incurred in enforcement of this Ordinance.

(f) The application for and acceptance of an Ambulance Service License shall comprise an agreement by the Ambulance Service License holder to comply with all federal, state and local laws, rules and regulations and also any subsequent federal, state and local laws, rules and regulations. Failure to comply with all such laws, rules and regulations or the filing or providing of false or misleading information in connection with an application hereunder or with any state or local government, health care provider, medical facility or organization relating to or in connection with an application to provide ambulance service shall be grounds for termination of the Ambulance Service License.

Applications for driver's, attendant's and attendant/driver's licenses required

~~under this article shall be made to the city clerk or his designated subordinate and shall contain:~~

~~(1) The applicant's training and experience in the transportation and care of patients, and whether he has previously been licensed as a driver, chauffeur, attendant or attendant/driver, and if so, when and where and whether his license has ever been revoked or suspended in any jurisdiction and for what cause.~~

~~(2) Affidavits of good character from two (2) reputable citizens of the United States and residents of this city, who have personally known such applicant and observed his conduct during two (2) years next preceding the date of his application.~~

~~(3) Two (2) recent photographs of the applicant, of a size designated by the license officer, one (1) of which shall be attached by the license officer to the license.~~

~~(4) Such other information as the license officer shall deem reasonably necessary to a fair determination of compliance with this article.~~

~~(5) A certified copy of the applicant's birth certificate.~~

~~(6) An accompanying license fee of two dollars (\$2.00).~~

Sec. 4-34. Ambulance Service Permit ~~Same — Standards.~~

~~(a) No Ambulance Service Provider may provide ambulance services hereunder without first obtaining an Ambulance Permit issued pursuant to the provisions of this Section. The license officer shall, within a reasonable time after receipt of an application as provided for herein, cause such investigation as he deems necessary to be made of the applicant for a driver's, attendant's or attendant/driver's license.~~

~~(b) No Ambulance Permit shall be assignable or transferable by the Ambulance Service Provider to which it is issued. The license officer shall issue a license to a driver, attendant or attendant/driver hereunder, valid for a period to October first, unless earlier suspended, revoked or terminated, when he finds that the applicant:~~

~~(1) Is not addicted to the use of intoxicating liquors or narcotics, and is morally fit for the position and has not been convicted of a felony;~~

~~(2) Is able to speak, read and write the English language;~~

~~(3) Has been found by a duly licensed physician, upon examination attested to on a form provided by the health officer, to be of sound physique, possessing eyesight in both eyes and corrected to at least 20/40 in the better eye, and free of physical defects or diseases which might impair the ability to drive or attend an ambulance; and,~~

~~(4) For each applicant for attendant or attendant/driver's license, that~~

~~such applicant possesses a valid emergency medical technician state certificate or medical/nursing license.~~

~~Provided however, that no one shall be licensed as a driver or attendant/driver unless he holds a currently valid commercial driver's license from the state.~~

(c) The Licensing Officer shall issue Ambulance Permits for Ambulances operated by Ambulance Service Providers upon presentment of the following:
~~A license as driver, attendant or attendant/driver issued hereunder shall not be assignable or transferable.~~

- (1) An Ambulance Service License issued pursuant to this Ordinance.
- (2) For each Ambulance to be permitted, a valid ambulance vehicle permit issued by the Mississippi State Department of Health in compliance with Section 4-38 hereof.
- (3) A Certificate of Necessity issued to the applicant pursuant to Section 4-35 hereof, if such Ambulance Permit is for Ambulances designated in such Certificate of Necessity.

(d) Notwithstanding anything herein, the Licensing Officer shall issue the Operations Contractor Ambulance Permits as requested. Such Ambulance Permits will expire upon termination of the Operations Contract that was in effect at the time of issuance of the Permit(s). ~~No official entry made upon a license may be defaced, removed or obliterated.~~

Sec. 4-35. Certificate of Necessity for Additional Ambulance Permits
Renewal of license.

~~Renewal of any license under this article, upon expiring for any reason or after revocation, shall require conformance with all the requirements of this article as upon original licensing.~~

(a) Any entity issued an Ambulance Service License pursuant to this Ordinance and desiring to obtain Ambulance Permits to operate additional Ambulances shall make an application for a Certificate of Necessity for additional Ambulances to the Licensing Officer or his designee.

(b) The criteria for consideration for an application for a Certificate of Necessity for additional Ambulances shall be as follows, and the application for such Certificate of Necessity shall include the following information, verified under oath:

- (1) NAME: The name and address of the applicant seeking the Certificate of Necessity, and, in the event that the applicant is a corporation, a certified copy of its articles of incorporation.

(2) EQUIPMENT & AMBULANCES: Equipment and Ambulances adequate to comply with the System Standard of Care and also adequate to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Applicant shall provide the make, type, year of manufacture, serial number, license tag number, and equipment to be carried therein for each Ambulance proposed to be operated by the applicant.

(3) PROOF OF PUBLIC NECESSITY FOR ADDITIONAL AMBULANCES: A statement of the public necessity for the additional Ambulances to be provided. No favorable recommendation shall be made for a Certificate of Necessity and no Certificate of Necessity shall be issued, unless the applicant proves by clear and convincing evidence that there is a public necessity for the additional Ambulances requested which is not being met by the existing Ambulance Service License holders, or which shall not be met within a reasonable period of time by such existing Ambulance Service License holders. The effect of any application on the ability of existing Ambulance Service License holders to continue providing services shall be a factor for consideration.

(c) No favorable recommendation shall be made, and no Certificate of Necessity shall be granted, unless an applicant meets all of the foregoing criteria, without exception.

(d) All existing Ambulance Service License holders will be given notice of the application for the Certificate of Necessity for additional Ambulances, and such Ambulance Service License holders will have twenty (20) working days from the date of notice to respond in writing to the Emergency Services Coordinator or his designee to oppose, object to, or request modification of the application, and to state whether the application, if granted, would negatively affect the ability of the existing Ambulance Service License holders to continue providing services.

(e) The Licensing Officer or his designee will make a recommendation in writing to the City Council to grant or deny the application for the Certificate of Necessity. The recommendation, if favorable, shall designate a specific number of Ambulances.

(f) The City Council will vote to grant or deny the application after consideration is given to the recommendation of the Licensing Officer or his designee and any responses received by the existing Ambulance Service License holders. If granted, the Certificate of Necessity shall designate a specific number of Ambulances for which the applicant may seek an Ambulance Permit pursuant to Section 4-34 hereof.

(g) Any applicant who is dissatisfied with the decision of the City's recommendation shall have the right to a hearing before the City's Governing Authority at a regularly scheduled meeting, if written notice of appeal is filed

with the Clerk of City Council within ten (10) days after such decision. All Ambulance Service License holders shall have an opportunity to be present and to oppose, object to, or request modification of the application. This hearing shall be informal, but the applicant shall have the right to counsel, the right to present evidence and argument in support of the application, and the right to know prior to the hearing the reasons for denial or modification of the request. A written decision on any such appeal shall be mailed to the applicant within ten (10) working days of the hearing.

Sec. 4-36. Maintenance of Ambulances; Inspection ~~Revocation of license.~~

(a) All Ambulances shall be maintained in compliance with applicable federal, state and local laws, rules and regulations ~~The license officer may, and is hereby authorized to, suspend or revoke a license issued hereunder or to decline to issue a license for failure of a licensee or applicant to comply and to maintain compliance with, or for his violation of, any applicable provisions, standards or requirements of this article, or of regulations promulgated hereunder, or of any other applicable laws or ordinances or regulations promulgated thereunder, but only after warning and such reasonable time for compliance as may be set by the license officer. After a suspension, the licensee shall have ten (10) days to make a written request for a hearing before the city council. The license officer shall, within thirty (30) days after conclusion of such hearing, serve a written decision (which shall include written findings) as to the suspension of the license. Such written decision shall be promptly transmitted to the licensee to whom it refers. Any appeal from the decision of the city council in such case shall be in accordance with applicable state law.~~

(b) Each Ambulance Service Provider must inspect each Ambulance every day to ascertain cleanliness and mechanical and operational worthiness for transporting Patients, Each Ambulance shall be subject to inspection at all times by the Licensing Officer. Any Ambulance found, upon inspection, to be unsafe for ambulance services or not to be in compliance with any federal, state and local laws, rules and regulations shall have such repairs and alterations made as may be required and no Ambulance Service Provider shall operate or cause to be operated any such Ambulances until all such repairs and alterations have been completed ~~The initial, semiannual or other ambulance, equipment and premises inspection reports of the license officer herein provided for shall be prima facie evidence of compliance or noncompliance with, or violation of, the provisions, standards and requirements provided herein, and of the regulations promulgated hereunder, for the licensing of ambulances.~~

~~(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, attendant's or attendant/driver's license hereunder, such driver, attendant or attendant/driver shall cease to drive or attend an ambulance and no person requiring a license hereunder shall employ or permit such individual to drive or attend an ambulance.~~

Sec. 4-37. Coloring and Marking Reports.

Each Ambulance authorized to operate within the City pursuant to this Ordinance shall bear the name of the Ambulance Service Provider and a unit number and bear coloring and marking in compliance with applicable federal, state and local laws, rules and regulations.

~~(a) Within thirty (30) days after transporting any patient within the city, or from one (1) place within the city to another place beyond its limits, the licensee of an ambulance hereunder shall file a written report with the city license officer upon such form as he may provide or prescribe, giving all information therein required and any other relevant information which such license officer may require.~~

~~(b) The provisions of subsection (a) of this section shall apply with equal force in case such patient shall die before being so transported in such ambulance or dies while being transported therein or at any time prior to the acceptance of the patient into the responsibility of the hospital or medical or other authority if the patient is still under the care or responsibility of the ambulance.~~

Sec. 4-38. Clinical Quality of Ambulance Services.

Upon the effective date of this Ordinance, every response to an Emergency Transport Call at any location within the City shall be made in an ALS Ambulance by an Ambulance Service and every Routine/Nonemergency Transport Call at any location within the City shall be made by either a BLS Ambulance or by an ALS Ambulance based on the level of medical care necessitated by the patient by an Ambulance Service.

Sec. 4-39. Prohibition Against Refusal to Transport.

It shall be a violation of this Ordinance for the EMS Lead Agency, or any other Ambulance Service Provider at the request of the EMS Lead Agency, to fail to respond to an Emergency Transport Call originating within the City where there is a Medical Necessity for the Service as defined in Section 4-26.

Sec. 4-40. First Responder and Interagency Training.

(a) The Operations Contractor is authorized to coordinate the response of all EMS First Responders and EMS public safety personnel in the City. Training and certification of said EMS First Responders and EMS public safety personnel shall be coordinated by the Operations Contractor and offered on an annual basis.

(b) It is required that the EMS Lead Agency to participate in EMS sanctioned exercises and disaster drills and other interagency training in preparation for this type of response.

Sec. 4-41. Violations.

(a) It shall be unlawful and an offense for any person or any Ambulance Service Provider to commit any of the following acts:

- (1) To perform duties as an EMS driver attendant, (EMT-Basic, EMT-Intermediate, EMT-Paramedic or pre-hospital RN or licensed physician), without a current valid certification issued by the Mississippi State Department of Health.**
- (2) To allow any person to work as an ambulance driver or attendant, without current valid certification issued by the Mississippi State Department of Health.**
- (3) To use, or cause to be used, an ambulance service other than an Ambulance Service Provider holding a valid Ambulance Service License pursuant to this Ordinance.**
- (4) For any person, firm or organization to respond to emergency or routine/nonemergency ambulance calls which originate within the City, other than an Ambulance Service Provider which is the holder of a valid Ambulance Service License issued pursuant to this Ordinance or with the express authorization of the Operations Contractor.**
- (6) To knowingly give false information to induce the dispatch of an Ambulance or First Responder.**
- (7) To originate transportation of a dead human body in an Ambulance which has been permitted hereunder.**
- (8) To operate an Ambulance in the Emergency Mode when not responding to an Emergency Transport Call in compliance with this Ordinance.**
- (9) For any person, firm or organization to solicit or otherwise advertise for emergency or non-emergency ambulance service other than an Ambulance Service Provider holding a valid Ambulance Service License pursuant to this Ordinance.**

(b) Notwithstanding anything herein, it shall not be a violation of this Ordinance, and no Ambulance Service License shall be required if the vehicle or Ambulance is:

- (1) Responding to an emergency or routine/nonemergency transport call at the request of the EMS Agency.**
- (2) A privately owned vehicle not used in the business of transporting**

Patients who are sick, injured, wounded, incapacitated or helpless.

- (3) A vehicle rendering services as an Ambulance in the event of a major catastrophe or emergency when Ambulances with Permits based in the locality of the catastrophe or emergency are incapacitated or insufficient in number to render the services needed.
- (4) An Ambulance transporting a Patient to a location within the City which transport originated from a point outside the City, and (ii) an Ambulance operated by the same ambulance service as above, which transports the same Patient from the original destination within the City back to the point of origin of the original transport and the Patient (or a proper representative of the Patient) specifically requests the services of said ambulance service.
- (5) A vehicle engaged in the interstate transport of a Patient.
- (6) An ambulance service who responds with mutual aid and permission of the Operations Contractor, so long as the response is coordinated through the EMS Dispatch Center and the EMS Lead Agency determines that the ambulance service meets or exceeds the needs of the specific patient(s).

(c) Any person convicted of violating any provisions of this Ordinance shall be punished by fine and costs not to exceed the sum of \$1,000.00 for each violation.

(d) Each day that any violation of the provisions of this Ordinance is committed or permitted to continue shall constitute a separate offense.

Sec. 4-40. Suspension and Revocation.

(a) Any Ambulance Service License issued under the provisions of this Ordinance may be revoked or suspended by the City upon a finding of any one of the following:

- (1) Breach or violation of any of the provisions of this Ordinance, specifically including, but not limited to, those within this Section hereof.
- (2) Discontinuance of operations for more than thirty (30) days.
- (3) Discrimination in providing services pursuant to this Ordinance to any person on the basis of race, creed, or color.
- (4) Violation of any federal, state or local law, rule or regulation which are not correctable within thirty (30) days or are considered by competent authority to jeopardize the life or safety of any citizen

served.

(5) Filing or providing false or misleading information in connection with and application hereunder or with any state or local government, health care provider, medical facility or organization relating to or in connection with an application to provide ambulance service.

(b) Failing to respond fully and timely to any reasonable request from the Licensing Officer for information relating to ambulance service provided in the City.

(c) Prior to the suspension or revocation of an Ambulance Service License hereunder, the Ambulance Service License holder shall be given thirty (30) days written notice of the proposed action to be taken by the City and shall, upon written request within ten (10) days of such notice, be entitled to a hearing before the City Council upon such hearing, the City shall find that the Ambulance Service License holder has corrected any alleged deficiencies and brought itself in compliance with the provisions of this Ordinance, such Ambulance Service License shall not be suspended or revoked.

Sec. 4-41. Severability.

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

SECTION 3. All provisions of Article II of Chapter 4 of the Code of the Ordinances of the City of Gulfport, Mississippi not in conflict herewith shall remain in full force and effect as heretofore provided.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Authority hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. The Governing Authority further finds that the following shall serve as an

explanatory statement of this Ordinance for purposes of publication: “This Ordinance amends the City’s Code of Ordinances (revising Sections 4-26 through and including 4-37 and adding Sections 4-38 through and including 4-41) regarding the provision of ambulance services. A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk.” For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor lobby at City Hall (2309 15th Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City’s Hardy Building (1410 24th Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23rd Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.

SECTION 6: This Ordinance shall be in full force and effect thirty (30) days after the date of passage. It shall be published according to law and shall be spread upon the minutes of the Gulfport City Council.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by _____, seconded by _____ and was adopted by the following roll call votes, to-wit:

YEAS:

NAYS:

ABSTENTIONS:

ABSENT:

WHEREUPON the President declared the motion carried and the Ordinance adopted, this the _____ day of _____, 2024.

(SEAL:)

ATTEST:

ADOPT:

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor,
this the _____ day of _____, 2024.

MAYOR

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the ____ day of _____, 2024, the following Resolution:

A RESOLUTION BY THE GULFPORT CITY COUNCIL TO APPROVE AGREEMENT WITH PAFFORD AMBULANCE SERVICES OF MISSISSIPPI, LLC, FOR AMBULANCE SERVICES IN THE CITY OF GULFPORT, AND FOR RELATED PURPOSES

WHEREAS, from 1993 through early 2023, the provision of ambulance services within the City has been pursuant to an “Interlocal Cooperation Agreement” between and among Harrison County, Mississippi and the City and in accordance with an “Emergency Medical Services” (“EMS”) District that was previously created and overseen by Harrison County; and

WHEREAS, in accordance with *Miss. Code Ann.* § 41-59-51 (Rev. 2013), as amended, the City of Gulfport’s Governing Authority created an EMS District on June 20, 2023, to provide emergency hospital care and ambulance services for the area composed of all of the geographical area within Gulfport’s corporate limits and under its jurisdiction; and

WHEREAS, the City of Gulfport and the other four (4) incorporated municipalities located within Harrison County, Mississippi, as well as Harrison County, recently and previously agreed to jointly participate in a consortium process to solicit proposals for emergency medical care and ambulance services, also generally referred to as “emergency medical services” (“EMS”), in an effort to attempt to achieve the best pricing for the level of services unique and/or particular to each respective governmental jurisdiction; and

WHEREAS, as there are now three (3) “EMS” districts within Harrison County, one in the name of the City of Biloxi, another in the name of the City of Gulfport, and a third in the name of the County and which includes the Cities of D’Iberville, Long Beach, and Pass Christian, and the types and levels of services sought by the applicable governing authorities with respect to each of these EMS districts may be similar in some circumstances and different in others, the three (3) EMS districts contributed to participate in the noted RFP process in an effort to achieve the types and levels of services unique or specific to their own jurisdictions at the best pricing or availability for same; and

WHEREAS, each of the three (3) EMS Districts received proposals that were responsive to the collaborative RFP and which addressed the types and levels of services unique and specific to their own jurisdictions, and each governing authority with respect to same subsequently made determinations and selections regarding what they believed was the proposal best suited for their EMS District, with the City of Gulfport’s Governing Authority previously finding and determining that the proposal from Pafford Ambulance Services of Mississippi, LLC to be most responsive and best of those submitted with respect to the City of Gulfport and which Governing Authority authorized negotiation for a contract associated with the same; and

WHEREAS, the proposed Agreement between the City of Gulfport and Pafford Ambulance Services of Mississippi, LLC, is attached hereto as Exhibit “A” and approval of the same is believed to be in the best interest of the City of Gulfport.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS, TO WIT:

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the proposed Agreement between the City of Gulfport and Pafford Ambulance Services of Mississippi, LLC, for ambulance services within the City limits of Gulfport be and it is hereby approved in substantially the same form as is found in **Exhibit “A”** to this resolution and found to be in the best interests of the City of Gulfport, and the Mayor is, hereby, authorized to execute the same on behalf of the City of Gulfport.

Section 3. That this Resolution shall be in effect immediately upon its passage and enactment according to law, and shall be spread upon the minutes of the Gulfport City Council.

The above and foregoing Resolution, after having been first reduced to writing and read by the Clerk, was introduced by _____, seconded by _____, and was adopted by the following roll call vote:

AYES

NAYS

ABSENT

WHEREUPON, the President declared the motion carried and the Resolution adopted this the _____ day of _____, 2024.

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

F. B. "RUSTY" WALKER, PRESIDENT

The above and foregoing Resolution was submitted to and approved by the Mayor, this the _____ day of _____, 2024.

APPROVED:

BILLY HEWES, MAYOR