

AN ORDINANCE TO LICENSE AND REGULATE

AMBULANCE SERVICE

IN

THE CITY OF SHARON

THE TOWNSHIP OF HICKORY

THE CITY OF FARRELL

THE BOROUGH OF SHARPSVILLE

THE TOWNSHIP OF PYMATUNING

THE TOWNSHIP OF SHENANGO

THE TOWNSHIP OF SOUTH PYMATUNING

THE BOROUGH OF WHEATLAND

THE BOROUGH OF WEST MIDDLESEX

THE BOROUGH OF CLARK

ALL OF MERCER COUNTY, PENNSYLVANIA

ORIGINALLY SUBMITTED, APRIL, 1971

REVISED, DECEMBER, 1974

REVISED, FEBRUARY, 1975

REVISED, JUNE, 1975

REVISED, AUGUST, 1975

AN ORDINANCE to License and Regulate Ambulance Service in the City of Sharon, the Township of Hickory, the City of Farrell, the Borough of Sharpsville, the Township of Pymatuning, the Township of Shenango, the Township of South Pymatuning, the Borough of Wheatland, the Borough of West Middlesex and the Borough of Clark all of Mercer County, Pennsylvania.

WHEREAS, it is a common occurrence that inhabitants of the City of Sharon, the Township of Hickory, the City of Farrell, the Borough of Sharpsville, the Township of Pymatuning, the Township of Shenango, the Township of South Pymatuning, the Borough of Wheatland, the Borough of West Middlesex and the Borough of Clark are or become ill, injured, wounded, or otherwise incapacitated or rendered helpless, and

WHEREAS, under such circumstances the temporary or immediate care, treatment, handling and transportation of such inhabitants is commonly rendered by an Ambulance Service, and

WHEREAS, under such circumstances, it is desirable and necessary for the preservation of life, health, safety and welfare within the said municipalities that such care, treatment, handling and transportation be accomplished in an efficient, adequate, safe and especially skillful manner, and

WHEREAS, there are at the present no franchises or other requirements within the said municipalities relating to the business of Ambulance Service under which the said municipalities could ensure the skillful and trained care, handling, treatment and transportation determined to be necessary for the preservation of life, health, safety and welfare of residents,

NOW THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained as follows:

SECTION 1. DEFINITIONS

- (a) "Participating Municipalities" shall mean the City of Sharon, the Township of Hickory, the City of Farrell, the Borough of Sharpsville, the Township of Pymatuning, the Township of Shenango, the Township of South Pymatuning,

the Borough of Wheatland, the Borough of West Middlesex and the Borough of Clark and such other municipalities as may hereafter adopt this ordinance.

- (b) "Ambulance" means any privately or publicly-owned motor vehicle that is specially designed or constructed, or equipped, and is intended to be used for and is maintained or operated for the transportation of patients, including dual purpose police and fire vehicles specifically designed for rescue and funeral coaches or hearses which otherwise comply with the provisions of the Ordinance, except any such motor vehicle owned by, or operated under the direct control of, the United States.
- (c) "Attendant" means a trained and qualified individual responsible for the operation of an ambulance and the care of the patients whether or not the attendant also serves as driver.
- (d) "Attendant-Driver" means a person who is qualified as an attendant and as a driver.
- (e) "Driver" means an individual who is qualified to operate and drive an ambulance.
- (f) "Dual purpose police and fire vehicle" means a vehicle, operated by a police and/or fire department, which is equipped as an ambulance, even though it is used for other police and fire department purposes.
- (g) "License Officer" means a designated qualified individual or agent duly appointed by the governing body of each participating municipality.
- (h) "Patient" means an individual who is ill, injured, wounded or otherwise incapacitated or rendered helpless.
- (i) "Person" means any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose or organization of any kind, including any governmental agency other than the United States.
- (j) "EMT Basic" persons who have successfully completed an approved 81 hour U. S. Department of Transportation course in the care and transportation of the sick and injured or has passed the National Registry examinations. This designation is Basic EMT - Ambulance in the National

SECTION 2. LICENSE REQUIRED

- (a) No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients upon the streets, alleys, or any public way or place within the territorial limits of the participating municipalities unless he holds a currently valid license for an ambulance, issued pursuant to this Ordinance. An ambulance operated by an agency of the United States shall not be required to be licensed hereunder.
- (b) No ambulance, during its use in the transport of patients, shall be operated, and no individual shall drive, attend, or permit it to be operated on the streets, alleys, or any public way or place within the participating municipalities unless it shall be under the immediate supervision and direction of a person who is holding a currently valid license as a driver, attendant-driver or attendant.
- (c) Provided, however, that no such licenses shall be required for an ambulance, or for the driver, attendant or attendant-driver of an ambulance which:
1. Is rendering assistance to licensed ambulances in the case of a major catastrophe or emergency with which the licensed ambulances of the participating municipalities are insufficient or unable to cope; or
 2. Is operated from a location or headquarters outside of the participating municipalities in order to transport patients who are picked up within or beyond the limits of the participating municipalities to locations within or beyond the participating municipalities.
 3. Is operated with a licensed physician in attendance with a patient within the ambulance; or
 4. Is operating under a six month temporary license due to personnel or other unforeseen difficulties. Such temporary license must be approved by the License Officer and must be reviewed every 90 days before a renewal can be granted. Only one renewal of the initial temporary license shall be permitted and the renewed temporary license cannot exceed a six month period of time.

SECTION 3. DUTIES OF LICENSE OFFICER

- (a) The License Officer 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 the applicant's proposed operations, as may be necessary to determine whether requirements of Sections 5, 6, and 12, inclusive, have been satisfied.
- (b) The License Officer shall issue a license hereunder for a specified ambulance, to be valid for a period of one (1) year unless earlier revoked, suspended, or terminated, when he determines that:
1. Each such ambulance, its required equipment and the premises designated in the application, comply with the standards prescribed herein;
 2. Only duly licensed drivers, attendants and attendant-drivers are employed in such capacities; and
 3. All the requirements of this Ordinance and all other applicable laws and ordinances have been met.
- (c) 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 participating municipality when he finds compliance with the standards and regulations prescribed herein.
- (d) Subsequent to issuance of any 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. 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 law 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 non-compliance with the requirements of any other applicable law or ordinance.
- (e) A copy of each initial, semi-annual or other ambulance, equipment, and premises inspection report by the License Officer shall be

promptly transmitted to the participating municipality and the applicant or licensee to whom it refers.

SECTION 4. APPLICATION FOR AMBULANCE LICENSE

- (a) Applications for ambulance licenses hereunder shall be made upon such forms as may be prescribed by the License Officer 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 the applicant's ambulance;
 5. The location and descriptions of the place or places from which the ambulance is intended to be operated;
 6. A written statement from a physician stating that he is acting as the Ambulance Service's medical advisor;
 7. A written statement from the Ambulance Service indicating its intention to cooperate and participate in an area wide Emergency Medical Services system, avail it's personnel to attend scheduled EMT Basic training courses, participate and utilize the Hospital Emergency Medical Radio System and offer full cooperation with the area hospital's emergency room facilities and scheduled disaster drills.
 8. A description of the 2-way radio equipment installed as a base station and in each ambulance, listing the "call letters" of the license, the specific frequency capabilities of the equipment, and the various stations which can be communicated with;
 9. A statement of the fee schedule intended to be in force for ambulance services;

10. Such other information as the License Officer shall deem reasonably necessary for a fair determination of compliance with this Ordinance; and
11. An accompanying annual license fee of \$25.00 for the first vehicle, plus \$10.00 for each additional ambulance to be used.

- (b) Each licensed ambulance, its equipment and the premises designated in the license application, and all records relating to its maintenance and operation as such, shall be open to inspection by the License Officer during usual hours of operation.
- (c) No official entry made upon a license may be defaced, obliterated or removed.

SECTION 5. STANDARDS FOR AMBULANCE, EQUIPMENT AND OPERATIONS

- (a) Each ambulance shall, at all times when in use as such:
 1. Be enclosed and shall be of sufficient interior length in the patient compartment to adequately accommodate a patient on a level ambulance cot. The height of the ambulance shall be such as to allow the patient to be placed in a sitting position while on the ambulance cot.
 2. Contain 2-way radio equipment capable of communicating with the ambulance base station, the regularly serviced hospitals, and, where such exists, the Emergency Operating Center. The 2-way radio equipment must be of such design as to be able to transmit and receive verbal messages, using the assigned Emergency Medical Services frequency of 155.34 Mhz.
 3. Contain equipment conforming with the standards and requirements of this Section and as provided for in Section 6 of this ordinance, which equipment shall be in proper and good condition for the use for which intended;
 4. Be equipped with such lights, sirens and special markings to designate it as an ambulance as may be prescribed by State and Federal law and by reasonable regulations not inconsistent therewith, promulgated by the License Officer;

5. Be equipped with approved safety belts for the driver, and for a passenger in the front seat if such seat is provided; and
6. Be suitable for the transportation of patients from the standpoint of health, safety and sanitation, and be maintained in suitable premises;
7. Be, at all times staffed with two (2) attendants, one of which may serve as an Attendant-Driver, who have at least advanced first aid training as certified by the American Red Cross and six (6) months after the enactment of this ordinance, be staffed with one attendant licensed at the EMT Basic level who will accompany the patient in the patient compartment during transport, and within one (1) year after enactment, both attendants, one of which may serve as an Attendant-Driver, must be licensed at the EMT Basic level.

(b) All vehicles, equipment, and supplies shall be maintained in a sanitary manner, with vehicles and equipment disinfected on a regular routine basis. All linens shall be changed after each use and laundered before re-use. Blankets shall be changed frequently enough to keep them clean and sanitary. After use in communicable disease, or possible communicable disease cases, blankets shall be laundered before re-use and the cot mattress shall be washed with soap and water. All first aid equipment and supplies that come into contact with the patient, regardless of the patient's injury or illness, shall be disposed of or thoroughly washed in soap and water.

(c) The License Officer is authorized and directed to certify standards for ambulance equipment and to implement the standards as provided. In determining the adequacy of equipment, the most current list of minimal equipment for ambulances, adopted by the American College of Surgeons or its duly authorized Committee on Trauma shall be considered, together with such other equipment as in the opinion of the License Officer, is necessary.

SECTION 6. MINIMAL AMBULANCE EQUIPMENT LIST.

- (a) The minimum emergency equipment hereby required to be maintained in each ambulance shall consist of the following:
1. Portable suction apparatus with widebore tubing and rigid pharyngeal suction tip,
 2. Hand operated bag-mask ventilation unit with adult-, child-, and infant-sized masks. Clear masks are preferable. Valves must operate in cold weather, and unit must be capable of use with oxygen supply,
 3. Oropharyngeal airways in adult, child, and infant sizes,
 4. Mouth-to-mouth artificial ventilation airways for adults and children,
 5. Portable oxygen equipment with adequate tubing and semi-open, valveless, transparent masks in adult, child, and infant sizes,
 6. Mouth gags, either commercial or made of three tongue blades taped together and padded,
 7. Sterile intravenous agents, preferably in plastic bags, with administration kits,
 8. Universal dressings, approximately 10 inches by 36 inches, compactly folded and packaged in convenient size,
 9. Sterile gauze pads, 4 inches by 4 inches,
 10. Soft roller self-adhering type bandages, 6 inches by 5 yards,
 11. Roll of aluminum foil, 18 inches by 25 feet, sterilized and wrapped,
 12. Two rolls of plain adhesive tape, 3 inches wide,
 13. Two sterile burn sheets,
 14. Hinged half-ring lower extremity traction splint (ring 9 inches in diameter, overall length of splint 43 inches) with commercial limb-support slings, padded ankle hitch, and traction strap,
 15. Two or more padded boards, 4-1/2 feet long by 3 inches wide, and two or more similarly padded boards, 3 feet long, of material comparable to four-ply wood for coaptation splinting of leg or thigh,

16. Two or more 15-inch by 3-inch padded wooden splints for fractures of the forearm, (similar splints of cardboard, plastic, wire ladder, or canvas slotted lace-on may be carried in place of the above 36-inch and 15-inch boards).
17. Uncomplicated inflatable splints in addition to Item (16) above or as substitute for the short boards,
18. Short and long spine boards with accessories,
19. Triangular bandages,
20. Large-sized safety pins,
21. Shears for bandages,
22. Sterile obstetrical kit,
23. Poison kit, and,
24. Blood pressure manometer, cuff, and stethoscope. Litters, sheets, pillows, blankets, and other safety and house-keeping equipment, are not specified, since it is assumed that these basic items, as well as installed or portable suction and oxygen, must be carried.

SECTION 7. APPLICATION FOR DRIVERS, ATTENDANTS, AND ATTENDANT-DRIVERS LICENSES.

(a) Applications for divers, attendants, and attendant-drivers licenses hereunder shall be made upon such forms as may be provided by the License Officer and shall contain:

1. The applicant's full name, current residence, place of residence previous to moving to his present address, length of time he has resided at his current address and his driver's license number;
2. The applicant's age, marital status, and physical description;
3. Whether he has been convicted of a felony or misdemeanor, and if so, where and when and for what cause;
4. The applicant's training and experience in the transportation and care of patients including his current National Registry number or Pennsylvania Department of Health EMT-1 number.
5. Such other information as the License Officer shall deem reasonably necessary for a determination of compliance with Section 8 of this Ordinance.
6. An accompanying annual license fee of \$1.00 for each driver, attendant or attendant-driver to be licensed.

SECTION 8. STANDARDS FOR DRIVERS, ATTENDANTS, AND ATTENDANT-DRIVER LICENSES.

- (a) 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 driver, attendant, or attendant-driver licenses.
- (b) The License Officer shall issue a license to a driver, attendant or attendant-driver hereunder, valid for a period of one (1) year, 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;
 2. Is able to speak, read, and write the English language;
 3. Has been found by a duly licensed physician to be of sound body, possessing eyesight corrected to at least 20/40 in the better eye, and free from physical defects which might impair his ability to drive or attend an ambulance;
 4. Is at least eighteen (18) years of age or older;
 5. For each applicant for attendant or attendant-drivers license during the first year of the Ordinance that such applicant has a currently valid certificate evidencing successful completion of a course in advanced first-aid as given by the Red Cross, the U. S. Bureau of Mines, St. John Ambulance Association, or the equivalent EMT Basic certification.
 6. Has EMT Basic certification and shall have evidence of the successful completion of the ambulance attendant training program as conducted by the Emergency Health Services Division of the Pennsylvania Department of Health. After the first year of operation under this Ordinance, all applicants must have at least EMT Basic or EMT-1 training and a current registration number;
 7. PROVIDED, HOWEVER, that no one shall be issued a license as a driver or attendant-driver unless he holds a currently valid operator's license as issued by the Commonwealth of Pennsylvania.
- (c) All ambulance personnel shall practice good personal hygiene and shall wear clean uniforms, while on duty.
- (d) A license as driver, attendant, or attendant-driver issued hereunder shall not be assignable or transferrable.

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

SECTION 9. REPORTS.

- (a) Each licensee of an ambulance hereunder shall maintain accurate records made upon such forms as may be prescribed by the License Officer and shall submit such records for inspection by the License Officer when requested. Such records shall contain:
1. The location where the patient was picked up; where the patient was taken; the time the call was received; the time the ambulance arrived; the time the ambulance discharged the patient; and whether the rate was the usual stated rate for an ambulance call or different from the usual stated rate, and if different, why the rate varied;
 2. The names of attendants and their license numbers.
- (b) The provisions of Sub-Section (a) of the Section shall apply in 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, medical or other receiving authority or person.
- (c) Provide any additional information as may be requested by the hospitals serviced.

SECTION 10. OBEDIENCE TO TRAFFIC LAWS, ORDINANCES AND REGULATIONS.

- (a) The driver of an ambulance, when responding to an emergency call or while transporting an ill patient or otherwise, is required to comply with the Vehicle Code of the Commonwealth of Pennsylvania and all other applicable laws, ordinances or regulations.

SECTION 11. NON-DISCRIMINATION.

- (a) No person shall fail to transport any patient solely upon the basis of the patient's race, color, creed, sex, national origin, or economic well-being.

SECTION 12. LIABILITY INSURANCE.

- (a) No ambulance license shall be issued; nor shall such license be valid after issuance, nor shall any licensed ambulance be operated in the participating municipalities unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the Commonwealth of Pennsylvania, for each and every

ambulance owned or operated, or both, by or for the applicant or licensee, which insurance coverage shall provide indemnification:

1. For injury to or death of individuals in accidents resulting from any cause for which the owner of said ambulance would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or his agent, in the amount of \$100,000/\$300,000;
2. For the loss of or damage to the property of another, including personal property, under the circumstances, in the amount of \$50,000; and,

(b) Said insurance policies, or certificates thereof, 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.

(c) Every insurance policy required hereunder shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding and 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 non-payment of premium, failure to renew license at the end of the year, or any act or omission of the named insured. Such policy of insurance shall be further conditioned for the payment of any judgments up to the limits of said policy, recovered against any person other than the owner, his agent or employee, who may operate the same with the consent or acquiescence of the owner.

(d) Every insurance policy required hereunder shall extend for the period to be covered by the license applied for, and the insurer shall be obliged to give not less than ten (10) days written notice to the License Officer and to the assured before any cancellation or termination of the policy earlier than its stated expiration date. Cancellation or other termination of 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.

SECTION 13. RENEWAL OF LICENSE.

- (a) Renewal of any ambulance, driver, attendant or attendant-driver license hereunder, upon expiration or after revocation, shall require conformance with all the requirements of the original licensing for the license involved.

SECTION 14. TRANSFER OF LICENSE

- (a) Any change of ownership of a licensed ambulance shall terminate the license and shall require a new application, a new license and conformance with all the requirements of Sections 5, 6 and 12, inclusive, as upon original licensing. No ambulance license may be sold, assigned, mortgaged or otherwise transferred.

SECTION 15. REVOCATION OF LICENSE.

- (a) The License Officer may, and is hereby authorized to, suspend or revoke a license issued hereunder for failure of a licensee to comply and to maintain compliance with, or for his violation of, any provisions, standards or requirements of this Ordinance, or of any 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, but not less than ten (10) days in any event. Within twenty (20) days after a suspension, the licensee, after at least a three day written notice, shall be afforded a hearing before the Board of Appeals. The Board of Appeals shall be designated as the governing body of the participating municipality in which the subject Ambulance Service is located or headquartered. The License Officer shall, within five (5) days after the conclusion of such hearing, issue a written decision (which shall include written findings) as to the suspension of said licensee. Such written decision shall be promptly transmitted to the participating municipality and the licensee to whom it refers.
- (b) The initial, semi-annual or other ambulance, equipment and premise inspection reports of the License Officer, herein provided for, shall be prima facie evidence of compliance or non-compliance 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, 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, such person shall cease to drive or attend an ambulance and no person shall employ or permit such individual to drive or attend an ambulance.

SECTION 16. PENALTIES.

- (a) Any person violating any of the provisions of this Ordinance shall upon conviction be liable to a penalty not exceeding \$300.00 for each and every offense, together with costs of prosecution, or be imprisoned in jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 17. SEPARABILITY.

- (a) If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions thereof.

SECTION 18. ORDINANCES REPEALED.

- (a) All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are repealed in so far as they are inconsistent herewith.

SECTION 19. EFFECTIVE DATE.

This Ordinance shall become effective on the 1st day of November, 1975.

ENACTED AND ORDAINED this 9 day of OCTOBER, 1975.

TOWNSHIP OF PYMATUNING by

Vern E. Barlow
Charles J. Soudenski
Harry H. Urangst
Supervisors

Attest:

Scott J. Baker
Township Secretary