

**DIVISION 2. - AMBULANCE SERVICE CERTIFICATES OF PUBLIC
NECESSITY AND CONVENIENCE AND PERMITS**

**Sec. 42-121. - Certificate, ambulance permit and business license required;
fee; transfer.**

- (a) *Certificate required.* No commercial ambulance shall operate on any street of the city without the owner having first been issued a certificate declaring that the public necessity and convenience require such an operation.
- (b) *Ambulance permit and business license required; insurance; transfer of permit.* No commercial ambulance shall operate on any street of the city without having first been issued an annual ambulance permit from the police chief, maintaining an annual business license from the director of revenue, and maintaining current and valid insurance as provided in this article. The annual permit cannot be transferred from one vehicle to another.
- (c) *Certificate application fee.* At the time of application for the initial certificate of public necessity and convenience, the applicant shall pay a nonrefundable fee of \$1,000.00 in addition to any other fees and licenses which may be required.
- (d) *Transfer of licenses and permits.* All licenses and permits which are issued pursuant to the provisions of this article are non-transferable. Any change or transfer of ownership shall terminate such licenses and permits and shall require a new application in conformance with all the requirements of this article as upon an original application.
- (e) *Fire medic vehicle operations.* Fire medic vehicle operations shall be exempt from all license permits, business licenses and fees required by this article.

(Ord. No. O-57-02, § 1(11), 10-8-2002)

Sec. 42-122. - Exceptions to certificate requirement.

No certificate of public necessity and convenience (CPNC) shall be required for any person operating an emergency ambulance or other vehicle under the following conditions:

- (1) Rendering assistance during any catastrophe or major emergency when the ambulances authorized to operate in the city by CPNC are either insufficient in number or inadequate for any other reason as determined by the fire chief or dispatch center.
- (2) Operating an ambulance brought into the city solely for the purpose of a drill or training exercise.
- (3) Operating any ambulance rendering requested assistance currently authorized by the city in cases of disaster or major emergency.

(Ord. No. O-57-02, § 1(12), 10-8-2002)

Sec. 42-123. - Application.

Application for the operation of an ambulance within the city shall be in writing, signed and sworn to by the applicant, and shall be filed with the police chief on such forms as may be prepared by the fire chief. The application form submitted to the state department of public health may be submitted in lieu thereof if it contains substantially the following information:

- (1) The trade name under which the applicant does or proposes to do business; if the applicant is an individual, the name, age and address of the applicant and the length of time the applicant has resided in the city; or if a partnership or association, the business name thereof and the name and address of each partner and the length of time each partner has resided in the city; or if a corporation, the names and addresses of all officers and directors of such corporation.
- (2) The number of vehicles the applicant desires to be permitted and the class, size, design and color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate the applicant's vehicle.
- (3) Whether or not the applicant has ever been convicted of any federal or state crime, or a violation of any city ordinance, the disposition of same and the place of conviction.
- (4) Whether within the preceding ten years or not the applicant, his associates or employees have any claims or judgments against them for damages resulting from the negligent operation of an ambulance, or any other vehicle, the disposition of same and the place of claim or judgment.
- (5) The financial ability of the applicant to comply with the provisions of this article.
- (6)

The nature and character of the service that the applicant proposes to render; the proposed number of ALS and of BLS ambulances and proposed hours of operation and facts showing the demand for such service; the documented deficiencies of ambulance service in the area to be served including response time, level of care, level of staffing, and level of equipment; a plan to correct the alleged documented deficiencies in the area to be served; the experience that the applicant has had in rendering such service; and the period of time, if any, that he has rendered it in the city.

- (7) Documentation from the applicant's insurance carrier, stating that the insurance required under this article is available to the applicant and that such coverage is or will be provided prior to the issuance of the CPNC to operate under this article.
- (8) The training, experience, and credentials of the applicant and any employees of the applicant in the transportation and care of patients.
- (9) A description of each ambulance including its equipment; the make, model, and year of manufacture; motor and chassis number; current state license number; and the length of time the vehicle has been in use.
- (10) The location and description of the place from which the applicant intends to operate.
- (11) State of Alabama license number for the ambulance company and for each of its EMTs.

(Ord. No. O-57-02, § 1(13), 10-8-2002)

Sec. 42-124. - Investigation.

- (a) The police chief shall investigate the facts set out in the application required by [section 42-123](#) and report in writing to the council within 30 days of receipt thereof the results of his investigation as follows:
 - (1) His findings as to the truth or falsity of the facts set out in the application.
 - (2) Whether or not each such ambulance, its required equipment and the premises designated in the application meet the requirements of this article and other laws, ordinances and regulations.
 - (3) Any facts which may bear upon the question of whether or not the applicant is a responsible and proper person to conduct, carry on or engage in the proposed business.
 - (4) Whether or not the requirements of this article and all other applicable laws and ordinances relating to the application have been met.
- (b) The fire chief shall advise the council if the area to be served is in need of additional ambulance service based upon consideration of response times, projected revenue, level of care, level of staffing, and level of equipment, as well as the overall effectiveness and efficiency of the proposed service considering any existing CPNCs. Any existing holders of CPNCs may present material concerning the advisability of the application, with specific emphasis on changes in response time, level of care, level of service, level of equipment, and efficiency of the area to be served by the new provider and the city as a whole.

(Ord. No. O-57-02, § 1(14), 10-8-2002)

Sec. 42-125. - Hearing.

- (a) Upon receipt of all reports provided for in this division, the council shall set a date for a public hearing on such application to be held within 21 days after receipt of such reports. The city clerk shall notify the applicant of the time and place of the hearing and shall cause notice of such public hearing to be given by publishing the notice once in a newspaper of general circulation within the city at least ten days prior to the date set for such hearing. The purpose of such public hearing shall be to consider, among other things, the following:
 - (1) Reports from the police department and fire department.
 - (2) Whether or not the public convenience and necessity require the operation of such ambulance.
 - (3) Whether the applicant will be able to provide ambulance service of such permanence and quality as to best serve the public interest.
 - (4) The experience that the applicant has had in rendering ambulance service.
 - (5) The financial ability of the applicant to respond to damages to property resulting from the negligent operation of an ambulance.
 - (6) The character and condition of the ambulances and capabilities of ambulance EMT personnel to be used by the proposed ambulance business.
- (b) If the city council finds that the public convenience and necessity require the issuance of such a certificate and that the applicant meets the required qualifications and will be able to give proper and adequate service in the best interest of the inhabitants of the city, the police chief shall issue a certificate of public necessity and convenience (CPNC) to the applicant. The CPNC shall state any restrictions mandated by the city council, including, but not limited to, time of operation and number of authorized ambulances.

(Ord. No. O-57-02, § 1(15), 10-8-2002)

Sec. 42-126. - Form, contents and issuance of certificate.

- (a) Every CPNC issued under this division shall be signed by the police chief and shall contain, in addition to the name and address of the applicant, the number of vehicles authorized to be operated pursuant to such CPNC along with any time limits which may be applicable.

- (b) A copy of every CPNC issued shall be filed with and maintained by the police department, the fire department and the city clerk's office.

- (c) Every certificate holder shall post its CPNC prominently at its central place of business.

(Ord. No. O-57-02, § 1(16), 10-8-2002)

Sec. 42-127. - Grounds for suspension, revocation or alteration.

- (a) Every ambulance permit issued under this division shall be subject to revocation, alteration or suspension by the fire chief for failure to comply or maintain compliance with this article or if any of the following conditions should occur:
 - (1) The public convenience and necessity no longer warrants such operation.
 - (2) The owner has refused to render the full service authorized by his license.
 - (3) The owner has been convicted of a crime which directly relates to the duties and responsibilities of the ambulance operation.
 - (4) The license was obtained by an application in which a material fact was intentionally omitted or falsely stated.
 - (5) The owner has persisted in permitting his ambulances to be operated in violation of any law.
 - (6) The owner has willfully and knowingly violated or failed to comply with any of the provisions of this article.
 - (7) The owner or his agent has, without good cause, induced or sought to induce a change of destination to or from a hospital or other place specified by the person hiring the ambulance.
 - (8) The owner or his agent has allowed the ambulance service to be operated in a negligent manner.
 - (9) The insurance coverage required in this article has been canceled, reduced, withdrawn, suspended or terminated.
 - (10) The owner has allowed any of his vehicles or equipment to become damaged, deteriorated, unclean or lacking in proper equipment to the extent that they are unsatisfactory for public use.
 - (11) The owner fails to maintain the financial ability to comply with the terms of this article.
 - (12) The owner has failed to comply with the terms and limitations imposed by the city council in the CPNC.
 - (13) The owner has failed to comply with applicable federal, state or local laws or regulations.
 - (14) The owner has failed to comply with the complaint procedures as adopted by the fire chief.
- (b) Upon suspension, revocation or termination, such ambulance service shall immediately cease operation within the city.

(Ord. No. O-57-02, § 1(17), 10-8-2002)

Sec. 42-128. - Procedure for suspension, revocation or alteration.

The fire chief may at any time give notice in writing to the holder or person in control of the operation and maintenance of an ambulance service and the city clerk's office that he is requesting that the CPNC issued for the operation and maintenance of such ambulance service be suspended, altered or revoked. The notice shall outline the reason for suspension, alteration or revocation. The city clerk shall place this request on the council agenda for hearing within 14 days of receipt thereof and shall notify the certificate holder of the time and place of the hearing.

(Ord. No. O-57-02, § 1(18), 10-8-2002)

Sec. 42-129. - Records and reports.

- (a) Each CPNC holder shall maintain a daily manifest upon which shall be recorded the date of call, the time the call is received and the name of the individual calling, the time of arrival at the requested location, the place of origin, the patient's name and address, destination and charges for each trip and shall retain and preserve all daily manifests for at least 24 months. Pre-hospital reports on all patients shall be retained for a period of not less than 365 days, as shall all voice tapes of dispatches and instructions.
- (b) Each CPNC holder shall provide to the fire chief an annual statement which includes the following:
 - (1) A list of any legal claims pending or resolved in the past year.
 - (2) A statement of the total number of calls made in the previous calendar year, broken out to indicate those calls in which the points of origin and termination were within the city and those in which either the point of origin or the point of termination was outside the city.

(Ord. No. O-57-02, § 1(19), 10-8-2002)

Secs. 42-130—42-150. - Reserved.

DIVISION 3. - AMBULANCE SERVICE RULES AND REGULATIONS

Sec. 42-151. - Responsibilities of commercial ambulance services.

- (a) Commercial ambulance services within the city shall have the following emergency duties and responsibilities:
 - (1) Interfacility transfer of medically stable patients that require an EMT Intermediate or EMT Paramedic to monitor fluids or EKG rhythms or administer medications.
 - (2) Patients requiring routine emergency transport.
 - (3) Continuation of ALS instituted outside the city limits to a facility inside the city.
 - (4) Interfacility transport of emergency ALS patients.
 - (5) Transportation of patients to facilities outside of the city.
 - (6) Any other duties as assigned by [section 42-101](#), pertaining to mass gatherings.
- (b) All commercial ambulance services holding a currently valid business license and certificate of public necessity and convenience to operate a commercial ambulance in the city shall jointly provide at least three adequately staffed ambulances for the city under the dispatch control of the fire chief to receive and immediately respond to all calls on a 24-hour-per-day, seven-days-per-week basis.

(Ord. No. O-57-02, § 1(20), 10-8-2002; Ord. No. O-61-07, § 1, 8-21-2007)

Sec. 42-152. - Dispatch system.

- (a) Any call requiring an ambulance received by the Gadsden 911 center shall be dispatched by the city EMS dispatch center. The ambulances of the commercial ambulance services shall be located as approved by the EMS Supervisor in (1) the East Gadsden area, subject to reporting and coordination with Fire Station 9, (2) the Central City area, subject to reporting and coordination with Fire Station 1, and (3) the Alabama City area, subject to reporting and coordination with Fire Station 4.
- (b) As an additional condition of their certificate of public necessity and convenience, each licensed commercial ambulance service shall enter into an agreement regarding the placement and staffing of their ambulances at the locations in [subsection] (a). These three ambulances will be used exclusively for the transport of 911 patients. The commercial ambulance service will be responsible for billing and collecting for the services rendered to the patient.
- (c) If the commercial ambulance service fails to perform and comply with the agreement, as determined by the EMS supervisor in the fire department, the following penalties shall be assessed against and paid by the company:
 - 1st occurrence. Two times the index but not less than \$600.00
 - 2nd occurrence. Four times the index but not less than \$1,200.00
 - 3rd occurrence. Six times the index but not less than \$1,800.00
 - 4th occurrence. Eight times the index but not less than \$2,400.00
 - 5th occurrence. Review of continuation of certificate and license of ambulance service, with possible termination of certificate and license, or a progressive penalty.
- (d) The base index for the penalty in subsection (c) will be the maximum amount of reimbursement allowed by Medicare for an ALS (advance life support), Level 1-Emergency ground ambulance service in this urban area at the time of the occurrence, as provided in Chapter 15 of the Medicare Claims Processing Manual, Publication 100-04 of the Center for Medicare and Medicaid Services, including all schedules and attachments, as the same may be amended from time to time. The penalty shall be paid if and when the ambulance operator fails to adequately staff the ambulance. The escalating penalties shall be based on occurrences within 90 days of the first occurrence.
- (e) At no time shall the ambulance service company manipulate its ambulances or facilities in such a manner as to use the ambulances assigned pursuant to its agreement with the city for purposes of simple transport of a patient. At no time shall the assigned ambulances be used for any of the purposes set out in subsection [42-151\(a\)](#) during the time the ambulance is assigned to one of the three areas of service.
- (f) The EMS supervisor shall be the control administrator for the ambulance services provided pursuant to the agreement and the administrator of the penalties provided in subsection (c).
- (g) If an ambulance service disagrees with the assessment of a penalty, it may appeal to a board composed of the administrative assistant to the mayor, the police chief and the Director of the Gadsden Etowah County Emergency Management Agency, who may affirm or reject in whole or in part the decision of the EMS supervisor.
- (h) Each commercial ambulance service shall provide and maintain at its own expense a direct telephone line between its dispatcher and the EMS dispatch center.
- (i) If during a major emergency or catastrophe, the three assigned ambulances are insufficient in number or otherwise unable to cope with the emergency, the licensed commercial ambulance companies shall provide backup units until the emergency need is satisfactorily met.

Sec. 42-153. - Central place of business required.

Each ambulance service owner shall maintain a central place of business with at least one properly listed telephone for receiving all calls for ambulance service, where all business records and daily manifests required in this article shall be maintained and available upon request of the police chief and/or the fire chief. Each owner shall, in writing, immediately notify the fire chief of any change of the business address or of the telephone number where the owner may be contacted at all times. Each ambulance service shall provide a direct telephone connection in accordance with [section 42-152](#).

(Ord. No. O-57-02, § 1(22), 10-8-2002)

Sec. 42-154. - Required equipment.

- (a) The fire chief is hereby authorized to determine and establish a list of equipment required to be on board any ambulance operating in the city, which shall be kept on file in the offices of the city clerk and the fire chief.
- (b) Until the designation by the fire chief, each ambulance while in use for emergency purposes shall follow the requirements of the latest publication of emergency medical rules regarding equipment carried on an ambulance, in accordance with Regulations 420-2-1-.10 through 420-2-1-.11 of the state department of public health.

(Ord. No. O-57-02, § 1(23), 10-8-2002)

Sec. 42-155. - Operation without required equipment.

It shall be unlawful to operate any ambulance within the city without being equipped with all of the equipment required in [section 42-154](#) and such equipment being in satisfactory working condition.

(Ord. No. O-57-02, § 1(24), 10-8-2002)

Sec. 42-156. - Changes in equipment requirements.

- (a) The fire chief, upon making a determination based on procedures and equipment approved and/or adopted by the state EMS committee and REMSS, that changes are necessary to the list of equipment required to be on board any ambulance operating in the city, shall notify all commercial ambulance services by submitting a list detailing the proposed changes and the effective date of implementation of such changes, which date shall be a minimum of 30 days subsequent to the date of such notice.
- (b) Any commercial ambulance service objecting to any proposed change shall notify the fire chief and the city clerk in writing detailing such complaint at least 14 days prior to the effective date of implementation as stated in the notice. Any such items objected to shall be set for council hearing prior to the effective date of implementation. If no written objections are made 14 days prior to the scheduled implementation date, such changes shall forthwith take effect.

(Ord. No. O-57-02, § 1(25), 10-8-2002)

Sec. 42-157. - Inspection of equipment.

- (a) All mechanical, safety and special equipment shall be subject to inspection at any time by the police department or fire department.
- (b) Prior to issuance of any license and annually thereafter the holder of the license shall submit a safety and soundness inspection report including both his and the inspecting mechanic's affidavit that each vehicle is in sound mechanical condition and is safe for operation on the streets of the city as an emergency vehicle and meets the police department's criteria and all provisions of this article. This inspection will be performed by the fleet maintenance department of the city. The commercial ambulance service will be responsible for all inspection costs. The fleet maintenance department is authorized to charge a reasonable cost for its time to perform this service. The initial cost of inspection shall be \$25.00 per unit. Notice of any change in this cost will be sent by first class mail to all commercial ambulance services at least 30 days before implementation. The inspecting mechanic shall provide immediately after each inspection a certificate that the vehicle is sound and safe for operation on the streets of the city as an emergency vehicle, the date and time of inspection, make and model of vehicle, odometer reading, vehicle identification number, and a list of all mechanical and safety checks. The ambulance must meet all safety inspection requirements before it can be placed in service.
- (c)

It shall be unlawful for any person to transport a patient in an ambulance or to place such ambulance in service subsequent to an accident (which affects the motor, drive train, chassis, steering, sight vision for driver, or structural integrity of passenger compartment) involving such vehicle or alteration which impairs the safe operation of such vehicle until the vehicle has been inspected and determined to be in proper operative condition and in compliance with all the requirements of this article and a new safety and soundness affidavit submitted as provided in this section; provided, however, that this section shall not prohibit such an ambulance to continue the transportation of a patient who was being transported at the time of the accident when such can be done safely.

- (d) The fire chief shall be responsible for the annual inspection of such vehicles to insure that the vehicles are equipped in accordance with this article prior to issuance of a permit and at periodic intervals of his discretion. The periodic inspection required under this subsection 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 ordinance, and shall not excuse compliance with any requirement of law or ordinance to display any official certificate of motor vehicle inspection and approval, or excuse compliance with the requirements of any other applicable general law or ordinance. This inspection will be performed by personnel of the fire department designated by the fire chief.

(Ord. No. O-57-02, § 1(26), 10-8-2002)

Sec. 42-158. - Operating regulations.

- (a) Each ambulance shall have on each side thereof in letters not less than four inches in height the name of the ambulance service and the designation "Ambulance" as appropriate. Any additional emblems or markings must be approved by the fire chief.
- (b) Each ambulance shall at all times while in use:
 - (1) Be suitable for the transportation of patients from the standpoint of health, sanitation and safety and be maintained in sanitary condition.
 - (2) Contain adequate safety belts for the driver and a passenger in the front seat and all seating in the patient compartment (head of cot and three on bench) which shall conform with the standards, requirements and regulations for such equipment and which shall be in proper working order.
 - (3) Comply with all applicable laws, ordinances and regulations relating to health, sanitation and safety.
 - (4) Be equipped with such lights, sirens and special markings to designate it as an ambulance as may be prescribed by law or in reasonable regulations promulgated by the police chief.
- (c) No owner shall permit or allow a person to perform duties as an ambulance EMT (EMT or Paramedic) without a current permit issued by the police chief in accordance with this article.
- (d) In a medical emergency as declared by the fire department and when no other practical means of transportation, including any other properly equipped license holder, is reasonably available, an ambulance may deviate from the rules to the extent necessary to meet the medical emergency.

(Ord. No. O-57-02, § 1(27), 10-8-2002)

Sec. 42-159. - Dispatch procedure.

- (a) If the EMS dispatch center receives a call for ambulance service in the city, except for a non-emergency transfer, the caller shall be transferred to the fire dispatcher for a determination of the level of response.
- (b) It shall be unlawful for an ambulance EMT to make an emergency ambulance call on the city streets without having been requested by the fire department or the EMS dispatch center unless exempted by other sections of this article.

(Ord. No. O-57-02, § 1(28), 10-8-2002)

Sec. 42-160. - Liability insurance.

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

- (1) For each ambulance, such insurance policy shall provide insurance coverage in the amount of \$1,000,000.00 for personal injury or death arising from any one accident and \$50,000.00 for property damage liability, and uninsured motorist's liability coverage in the sum of \$20,000.00 per person for bodily injury liability and \$40,000.00 per accident for bodily injury liability, or \$1,000,000.00 combined single limit liability with \$1,000,000.00 excess liability coverage whether the operation of any such vehicle is by such person, his agent, servant or employee, or by any person in possession of such vehicle.
- (2) The insurance coverage required by this section shall at all times be maintained for the full amount. The policy of insurance required by this section to be filed with the city clerk shall contain a clause obligating the company issuing the policy to give not less than 30 days' written notice to the city clerk before cancellation thereof. Notice of cancellation shall not relieve the company issuing such policy of liability for any injury or claim arising before the cancellation becomes effective. The cancellation of

any such policy shall have the effect of suspending the permit of such person to operate the ambulances covered thereby until a new policy complying with the provisions of this section is filed with the city clerk.

- (3) Every insurance policy required under this section shall contain a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the insured, and that until the policy is canceled the insurance company will not be relieved from liability on account of nonpayment of premium, or any act or omission by the named assured. Such policy of insurance shall be further conditioned for the payment of any and all judgments, up to the limits of such policy, recovered against any person other than the owner, his agent or employee who may operate the ambulance with the consent or acquiescence of the owner.
- (4) In order to meet the policy filing requirements in this section, as an alternative, the insured may file a binder of liability and property damage insurance as required in this section and a letter from the insuring agent which shall state that the coverage is bound, the name of the company, the effective date of coverage, the limits of liability and a list of all vehicles covered and proof that the agent has the ability to bind the issuing company. The policy of insurance so bound shall be filed with the city clerk within 60 days of the effective date of coverage.

(Ord. No. O-57-02, § 1(29), 10-8-2002)

Secs. 42-161—42-180. - Reserved.

DIVISION 4. - AMBULANCE SERVICE VEHICLE PERMIT

Sec. 42-181. - Permit required for each vehicle.

- (a) After the owner has secured a CPNC, no vehicle shall be operated under the authority of such CPNC until the owner has made application to the police chief for and has been issued a permit for each motor vehicle to be operated under the CPNC. Every application for a permit shall be in writing, verified by the owner, and shall show the vehicle identification number, the make, type, year of manufacture, motor number, passenger capacity and exterior color for each motor vehicle for which a permit is requested. No permit shall be issued for the operation of any ambulance which is unsafe or unfit for the transportation of patients.
- (b) It shall be unlawful to own or cause to be operated an ambulance on any street of the city without first having obtained a permit therefor in accordance with this division unless exempted therefrom by the provisions of this article.

(Ord. No. O-57-02, § 1(30), 10-8-2002)

Sec. 42-182. - Annual fee.

No permit for any ambulance shall be issued or continued in operation unless the holder thereof has paid an annual permit fee for each vehicle to be operated within the city. The number of ambulances for which permits are issued shall not exceed the number authorized in the certificate of public necessity and convenience issued pursuant to this article. The permits required in this division shall be valid for one calendar year, beginning January 1 and ending December 31 of such year, and any owner desiring to continue the operation of any ambulance shall make application for renewal of any and all permits issued under this division prior to December 1 of any year for the privilege of operating during the following calendar year. The fee shall accompany the application and shall not be refundable. The amount of the permit fees prescribed in this section shall not be prorated for fractional parts of a calendar year. Payment of such fees does not relieve the owner of the necessity of obtaining any city, state or county occupation licenses or complying with any other requirement established by statute. Each permit shall designate a specific ambulance and shall not be transferable or assignable without the prior written consent of the fire chief. The annual permit fee shall be that amount charged under [section 42-157\(b\)](#) for annual inspection; there shall not be a separate annual permit fee.

(Ord. No. O-57-02, § 1(30), 10-8-2002)

Secs. 42-183—42-200. - Reserved.

DIVISION 5. - AMBULANCE EMT PERSONNEL

Subdivision I. - In General

Sec. 42-201. - Appearance and conduct.

- (a) No ambulance EMT shall operate on the streets of the city without wearing a distinctive uniform which shall first have been approved by the fire chief. Each such uniform shirt shall bear a badge or patch on the left shoulder with some identity or trade name of the company appearing thereon.
- (b)

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

- (c) It shall be unlawful to permit or to allow an ambulance EMT to be discourteous, to use vulgar, profane or obscene language, or to be under the influence of intoxicating beverages or drugs while on duty.

(Ord. No. O-57-02, § 1(37), 10-8-2002)

Secs. 42-202—42-220. - Reserved.

Subdivision II. - Permit

Sec. 42-221. - Required.

- (a) No ambulance EMT shall drive, manage or control any ambulance on any public street in the city, attend or render any care to any passenger, or otherwise perform duties in any such ambulance for compensation without having been examined and issued a permit by the fire chief. The fire chief shall issue to a person a permit card with the EMT's photograph and name certifying the same.
- (b) Each EMT shall have such permit conspicuously displayed on his person in the form of a tag.
- (c) No official entry made upon a permit required by this article may be defaced, removed or obliterated.

(Ord. No. O-57-02, § 1(32), 10-8-2002)

Sec. 42-222. - Application; fee.

- (a) Applications for ambulance EMT permits under this division shall be made upon such forms as may be prepared or approved by the fire chief and shall contain:
 - (1) The applicant's full name, current residence, and places of residence for five years previous to moving to his present address, and the length of time he has resided in this city.
 - (2) The applicant's age, height, and color of eyes and hair.
 - (3) Whether he has ever been convicted of a felony or misdemeanor, and, if so, when, where and for what cause.
 - (4) The applicant's EMT training and experience in EMS and whether his EMT license has ever been revoked or suspended in any jurisdiction and for what cause.
 - (5) Notarized affidavit of good character from two reputable citizens of the United States who are residents of the county and who have personally known such applicant and observed his conduct during two years next preceding the date of his application.
 - (6) Proof that applicant is a holder of a current, valid state driver's license.
 - (7) Such other information as the fire chief shall deem reasonably necessary to a fair determination of compliance with this article.
- (b) The initial EMT permit fee shall be \$10.00. The permit shall be automatically renewed annually thereafter, provided the permittee complies with [section 42-224](#).

(Ord. No. O-57-02, § 1(33), 10-8-2002)

Sec. 42-223. - Investigation; issuance.

- (a) The fire chief shall, within a reasonable time after receipt of any application as provided for in this division, cause such investigation to be made of the applicant for an EMT permit.
- (b) The fire chief may issue a license to an EMT under this division for a period of two years when he finds that an applicant:
 - (1) Is not addicted to the use of intoxicating liquors or narcotics.
 - (2) Is able to speak, read and write the English language.
 - (3) Is in sound physical condition, free from physical defects or diseases which might impair the ability to drive or provide care in an ambulance, and without any reportable communicable disease.
 - (4) Has a current valid emergency medical technician license issued by the state department of public health and has successfully completed a course in emergency vehicle operation recognized by the state department of public health.
 - (5) Has a current valid Alabama driver's license.

(Ord. No. O-57-02, § 1(34), 10-8-2002)

Sec. 42-224. - Renewal.

- (a) Renewal of any EMT permit shall be accomplished by submitting the following:
 - (1) A filled-out and signed reapplication form;
 - (2) A valid and current state emergency medical technician's license;
 - (3)

Proof of recent physical examination showing good health as is required by the original application; and

- (4) Proof of a valid state driver's license, including a current copy of the state motor vehicle accident record for the permittee.
- (b) Revocation of an EMT license or failure to renew such permit within two weeks prior to its expiration date shall require that a new and original application for an EMT permit be filed.

(Ord. No. O-57-02, § 1(35), 10-8-2002)

Sec. 42-225. - Denial, suspension or revocation.

- (a) The fire chief is authorized to deny, suspend or revoke a permit of an EMT issued under this division for failure of the applicant or permittee to comply with and to maintain compliance with this article or for his violation of any applicable provision, standard or requirement of this article or of any regulation promulgated under this article, after reasonable written notice of such violation by certified mail and reasonable time for correcting such violation if possible. Within seven days after any denial, suspension or revocation under this section, upon written request, the applicant or permit holder shall be afforded an oral hearing before the fire chief. The fire chief shall, within seven business days after the conclusion of such hearing, issue a written decision, which shall include findings as to the denial, suspension or revocation of an EMT permit and advise the applicant or permittee of the right to appeal to the city council, and mail a copy of such to the applicant or permittee. The permittee, if the permit is suspended or revoked, shall cease to drive or attend an ambulance and thereafter no owner or person shall employ or permit such individual to drive or attend an ambulance until such permittee has obtained a reinstatement of such permit or otherwise been issued another such permit.
- (b) An applicant or permittee may appeal the denial, suspension or revocation of an EMT permit by the fire chief by making application in writing to the city clerk within seven business days of the date of such decision. The city council, or a subcommittee appointed to hear such appeals, shall schedule a hearing within 14 days of the receipt of such appeal and notify the parties of the date, time and location for the appeal. Interested parties may be represented by counsel, and may present witnesses and or documents.
- (c) The city council or designated subcommittee shall issue a written decision within seven business days after the conclusion of such hearing. The decision shall include written findings as to the denial, suspension or revocation of the EMT permit. A copy of the decision shall be mailed to the applicant or permittee. The decision of the city council or designated subcommittee shall be final.

(Ord. No. O-57-02, § 1(36), 10-8-2002)

[Sec. 38-95. - Violation of orders.](#)

[Chapter 46 - ENVIRONMENT](#)