

## **AN ORDINANCE AMENDING CHAPTER 217 ENTITLED “AMBULANCES” TO MODIFY THE TERMINOLOGY USED TO DESCRIBE THE AMBULANCE SERVICES AND TO MODIFY THE PENALTIES FOR VIOLATIONS**

**WHEREAS**, Chapter 217 of the Municipal Code of the Township of Bridgewater was originally adopted in 2003 by Ordinance No. 03-07 to increase availability of rescue squads for emergency situations in health-care facilities; and

**WHEREAS**, the current language of Chapter 217 only covers the volunteer rescue squads within the Township without any inclusions or limitations on any contracted ambulance services for non-emergency transports; and

**WHEREAS**, the Township is a party to a shared service agreement with RWJ Health Network, Inc. as an ambulance provider in the Somerset Ambulance Shared Service Alliance (SASSA); and

**WHEREAS**, it is the desire of the Township to modify the terminology within this Chapter to include said contracted ambulance services where appropriate; and

**WHEREAS**, it is the desire of the Township to modify the penalties for violations in order to drive improved compliance with this Chapter upon the health-care facilities; and

**BE IT THEREFORE ORDAINED**, by the Township Council of the Township of Bridgewater in the County of Somerset and State of New Jersey that Chapter 217 of the Municipal Code of the Township of Bridgewater, County of Somerset, State of New Jersey entitled “Ambulances” is amended pursuant to the provisions hereof (additions are noted **thusly** and deletions are noted ~~thusly~~):

### **Section I**

Chapter 217 is hereby amended as follows:

#### **§ 217-1Purpose.**

The purpose of this chapter is in an effort to increase the availability of volunteer rescue squads for emergency situations, and to eliminate the use of volunteer rescue squads for nonemergency services.

#### **§ 217-2Availability of ambulance; certification.**

All state-licensed long term care facility (nursing homes), health-care facilities, rest homes, health maintenance organizations and other licensed medical care providers within the Township are hereby required to own, lease, rent or have immediately available by other arrangement an appropriately staffed ambulance for the transporting of patients in need of nonemergency care. The ambulance shall be available 365 days a year and 24 hours a day, and shall be utilized as primary responder. The resident director, manager or corporate officer of such locations shall certify the availability of an appropriately staffed ambulance, and communicate the terms of the chapter to all employees involved with emergency care.

§ 217-3**Emergency care situations warranting ambulance.**

A duly licensed nursing home, rest home or health maintenance organization and other licensed medical care providers may request the appropriate ~~Volunteer First Aid Squad or Rescue Squad~~ serving **Emergency Medical Services Agency providing emergency ambulance service to** said nursing home, rest home or health maintenance organization in any situation which falls within the definition of "advanced life support," as such term is defined in N.J.S.A. 26:2K-7 et seq., and applicable regulations promulgated by the New Jersey Department of Health. Such situations, by way of example subject to any statutory clarifications and definitions cited above, shall include chest pain, difficulty in breathing, sudden loss of consciousness, stroke, diabetic emergency, cardiac arrest, life-threatening hemorrhaging or other life-threatening condition.

§ 217-4**Proof of availability of ambulance.**

A. All nursing homes, rest homes and health maintenance organizations and other licensed medical care providers shall file proof of the availability of an ambulance with the Township Clerk within 60 days from the final passage of this chapter and on or before September 1 of each and every year thereafter.

B. Proof of ambulance availability shall consist of a contract with an ambulance company or other documentation satisfactory to the Township Health Officer. If such vehicle is owned by the nursing home, rest home or health maintenance organization, such proof shall indicate the make, model, year, color, ~~serial~~ **vehicle identification** number, license plate number, location and ownership of said vehicle. If such vehicle is owned by a party other than the nursing home, rest home or health maintenance organization, proof shall be submitted showing the agreement under which said vehicle is available to the nursing home, rest home or health maintenance organization.

§ 217-5**False alarms.**

It shall constitute a violation of this chapter for any nursing home, rest home or health maintenance organization, or any agent, servant or employee thereof, to cause ~~any Volunteer First Aid Squad or Rescue Squad~~ **the Emergency Medical Services Agency providing emergency ambulance service for the area in which the facility is located** to respond to a false alarm. For the purposes of this chapter, "false alarm" shall be defined as any circumstance where a determination is made by a mobile intensive care paramedic, emergency medical technician or mobile intensive care nurse at the scene that the situation does not meet the designated advanced life support criteria as defined by the applicable statute and regulations promulgated thereunder.

§ 217-6 **Violations and penalties; enforcement.**

A. Any person, firm, association, partnership, company, joint venture or corporation violating any of the provisions of this chapter shall be subject to a fine ~~not exceeding \$1,000~~ **of at least \$1,500, but not more than a fine of \$5,000**, for each such violation. Each day such violation continues and/or each time a ~~Volunteer First Aid Squad or Rescue Squad~~ **the Emergency Medical Services Agency providing emergency ambulance service** is called to the site shall constitute a separate violation. Fines collected under this section shall be returned to the responding squad less appropriate court costs.

B. The Township Health Officer may, from time to time, promulgate rules and regulations supplementing this chapter in order to provide for recordkeeping and efficient management.

C. Any entity failing to provide proof of ambulance availability by the designated date shall be in violation of this chapter. The entity shall be subject to an initial fine of \$1,000 with a daily penalty of \$500 for each day thereafter, until such time. ~~Each day that the entity fails to file the proof of ambulance availability shall constitute a separate offense.~~

D. Enforcement of this chapter shall run concurrently with both the Bridgewater Police Department and the Township of Bridgewater Health Officer. Both are authorized to issue summonses for violation of this chapter.

**Section II**

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section III**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**Section IV**

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Township Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

Adopted: July 19, 2021

Effective: August 9, 2021