

ORDINANCE NO. 6725

AN ORDINANCE AMENDING CHAPTER 21, "FIRE PREVENTION AND PROTECTION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Section 21.25 (7) of Chapter 21, "Fire Prevention and Protection", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(7) Transfer Ambulance means any motor vehicle licensed by the Texas Department of State Health Services constructed, equipped and used for transferring the injured or sick under circumstances which do not constitute an emergency and which have not been represented as an emergency, and which has been certified as an emergency ambulance by another governmental entity."

Section 2

That Section 21.27 of Chapter 21, "Fire Prevention and Protection", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 21.27 Private emergency service regulations

(A) It shall be unlawful for any person, either as owner, agent, or otherwise, other than a member of the Fire Department or an agency of the United States, to furnish, operate, conduct, maintain, advertise or otherwise be engaged in the operation of emergency ambulance service, upon the streets, alleys, or any public ways or places within the City, for the purpose of picking up patients within the City, except in the following circumstances:

(1) It shall be permissible for a person operating a transfer ambulance in the City, upon responding to a direct call for non-emergency transfer ambulance service, to operate such ambulance under emergency conditions, using emergency equipment, after notifying the police dispatcher and receiving permission to make an emergency run, when a

determination is made by the transfer ambulance attendant that an emergency exists requiring the sick or injured person to be transported with all practical speed to a hospital.

- (2) It shall be permissible for a person operating a transfer ambulance in the City, who is performing the service of maintaining an ambulance at a particular location for a sporting event, to operate such ambulance under emergency conditions, using emergency equipment, after notifying the police dispatcher and receiving permission to make an emergency run, when a determination is made by the transfer ambulance attendant that an emergency exists requiring the sick or injured person to be transported with all practical speed to a hospital.
- (3) It shall be permissible for a person operating a transfer ambulance in the City, if the place of emergency at which the sick or injured person was picked up by such ambulance is outside the City limits, and the ambulance making the emergency run is operated in accordance with Chapter 773 of the Texas Health and Safety Code; provided that the operator first notifies the police dispatcher of the route over which the emergency run will be made.
- (4) It shall be permissible for a person operating a transfer ambulance in the City on an emergency run when Fire Department ambulances are not available, and the fire alarm dispatcher requests the operator to furnish backup emergency ambulance service for the Fire Department.

(B) All transfer ambulances operating within the City limits shall comply with all laws and regulations of the state.

(C) Use of emergency lights, siren, or speed above the speed limit by a transfer ambulance is prohibited except when such an ambulance is on an emergency run as permitted in subsection (A) above.

(D) The City Manager shall have the authority to revoke the right of any person to operate an ambulance under the authority of this section for failure to comply with the provisions of this article. Any person whose authority is so revoked shall have the right to appeal such decision in writing to the City Council within ten days stating the reasons therefore. The

City Secretary shall notify the appellant within ten days of the time and place of the hearing by the Council, which shall be within thirty days of the receipt of such appeal. The decision of the City Council on such appeal shall be final

(E) Private emergency service providers seeking a letter of approval to provide emergency medical services within the City pursuant to Section 773.0573 of the Texas Health and Safety Code, shall submit a written request for the issuance of such a letter to the Office of the City Manager. The matter will thereafter be placed on an agenda for consideration by the City Council."

Section 3

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 4

That Chapter 21, "Fire Protection and Prevention", of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Section 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the 2nd day of September, 2014.

CITY OF GARLAND, TEXAS



Douglas Athas, Mayor

ATTEST:

Lisa Palomba
Lisa Palomba, City Secretary

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