

**Ordinance Establishing a Franchise for Non-Emergency
Ambulance Operators and Creating an Oversight Committee for
both Emergency Medical Services Providers and Non-
Emergency Ambulance Operators in Pitt County**

(By passage of this Ordinance, the following ordinances are hereby repealed as of the effective date of this Ordinance:

- 1) "Ambulance and Emergency Medical Franchise Ordinance"
 - 2) "Pitt County Emergency Medical Services Advisory Commission Ordinance")
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**Part I. The Pitt County Emergency Medical Services System
Plan Oversight Committee Created:**

There is hereby created the Pitt County Emergency Medical Services System Plan Oversight Committee (hereinafter referred to as the "Oversight Committee"). This Committee will provide oversight for both Emergency Medical Services Providers and Non-Emergency Ambulance Providers. (On January 17, 2007, by a motion duly made and seconded, the Pitt County Board of County Commissioners created the Oversight Committee. On January 22, 2007 the Board voted to increase the number of at large citizens to three (3) instead on the one (1) previously passed by the Board on the 17th of January.)

A. Membership: Membership shall consist of the following nine (9) members:

- 1) One (1) County Commissioner
- 2) One (1) Medical Director
- 3) One (1) Continuing Education Representative from Pitt Community College (PCC)
- 4) One (1) Pitt County Memorial Hospital (PCMH) representative.
- 5) One (1) Representative from Pitt County Emergency Management
- 6) One (1) Representative from Pitt County Association of Rescue/EMS (PCAREMS)
- 7) Three (3) Citizens at large

8) The Chairman of the Board of Commissioners will appoint the (1) County Commissioner, the (1) Medical Director shall be the Medical Director of the Pitt County EMS System Plan, (1) the representative from PCC will be appointed from the recommendation of the President of PCC, the (1) representative of PCMH will be appointed by the recommendation of the Chief Executive Officer of PCMH, the (1) representative from Pitt County Emergency Management shall be the EMS Coordinator, the (1) representative from PCAREMS shall be the President of the PCAREMS or their designee, and (3) citizens at large will be appointed by the Pitt County Board of Commissioners.

9) Liaisons: The following positions shall serve in a non-voting capacity representing a resource for the Oversight Committee:

- a. County Attorney or designated Attorney from Legal Department
- b. County Finance Director or designee from Finance Department
- c. Greenville Fire & Rescue representative
- d. Chair of ECU Emergency Medicine

B. Term of Office, Duties and Powers of members of the Oversight Committee:

1) All at large members are eligible to serve two three year terms as follows: one person will begin with a one year term, one person will begin with a two year term and one person will begin with a three year term, thereafter each eligible person will serve a three year term upon expiration of these beginning terms.

2) All other Committee members shall serve for as long as they hold their respective positions with the agency they represent or until they are replaced as Committee members by the agency they represent.

3) The duties and powers of the committee shall be as specified herein and the Oversight Committee shall make rules and regulations necessary to carry out the provisions of this Ordinance.

4) The Oversight Committee shall meet bi-monthly or may be called as needed by the Pitt County Director of Emergency Management or the Chairman of the Committee, to address urgent business.

5) The Oversight Committee shall, from time to time, review the regulations and requirements contained herein and shall make recommendations to the Director of Emergency Management serving as liaison to the Board of Commissioners of any amendments or changes which the Committee may deem advisable to allow the Committee to function as oversight of the Pitt County Emergency Medical Services System Plan.

C. Voting Rights and Responsibilities of Members:

1) All members of the Oversight Committee shall have full and equal voting rights and responsibilities on matters brought before the Oversight Committee.

2) All members must vote on all matters brought before the Oversight Committee; unless excused for a specific stated conflict of interest, by a majority vote of those members present.

3) The Pitt County Director of Emergency Management shall serve as staff and act as Chairman until a Chairman from the membership is elected at the first meeting of the Oversight Committee, thereafter Director of Emergency Management shall serve as liaison between Oversight Committee and Board of Commissioners.

4) The Chairman shall be elected annually by the membership.

Part II. Definitions: The following definitions shall apply in the interpretation and enforcement of this Ordinance:

ALS: Advanced Life Support as recognized by NCOEMS

Active Member in Good Standing: A person who has completed, or is in the process of completing, thirty-six (36) hours of annual; EMS training, meetings, or drills, and is actively involved in the operation or business of the Provider.

Ambulance: Any privately or publicly owned motor vehicle that is specially designed, constructed, or modified and equipped; and is intended to be used for and is maintained or operated, for the transportation, on the streets or highways of this state; of persons who are sick, injured, wounded, or otherwise incapacitated or helpless.

Approved: Approved by the NCOEMS pursuant to the latest rules and regulations promulgated under G.S. 143B-165.

BLS: Basic Life Support as recognized by NCOEMS

Credentialed/Certified Personnel: Personnel credentialed/certified by NCOEMS to the level of service authorized to be provided by the individual who holds the certification and approval to practice locally by a skills examination given by the Pitt County Medical Director.

Contract: A signed agreement between an EMS Provider and County dealing with a specific service area (district) including the roles and responsibilities of both County and Provider.

County: The Pitt County Board of County Commissioners or its designated representative.

Courtesy - Special Events: The Provision of standby services by Providers at events such as: Football games, County Fair, fire scenes, etc.

DEA: Drug Enforcement Agency

Dispatcher: A person who is available at all times to receive requests for emergency services, to dispatch emergency services, and to advise local law enforcement agencies and emergency medical facilities of any existing or threatened emergency.

Driver's License: Any driver's license to operate a motor vehicle issued under or granted by the laws of the State of North Carolina.

Emergency Medical Service Provider: Through the use of an ambulance, or QRV, its equipment, and personnel certified to provide the level of medical care recognized

by NCOEMS to treat and to transport a patient who is in need of immediate medical treatment any place where patient is found in order to prevent loss of life, further aggravation, or psychological harm or injury.

Emergency Medical Technician (EMT): An individual who has completed a training program in emergency medical care at least equal to the national standard training program for Emergency Medical Technicians, as defined by the United States Department of Transportation, and has been certified as an EMT by NCOEMS; may include, BLS, Intermediate and Paramedic level of Certification.

EMS: Emergency Medical Services

EOC: Emergency Operations Center (operated by Pitt County during any emergency or disaster)

First Responder: Any person or agency that may be the first to respond to an event or incident.

Franchise: A permit issued by Pitt County Office of Emergency Management to a person.

Franchisee: Any person having been issued a franchise by the Pitt County Office of Emergency Management.

Frivolous Complaint: A complaint filed without valid proof of wrongdoing.

HIPAA: Health Information Portability and Accountability Act

ICS: Incident Command System.

Medical Responder: An individual who has completed a training program in emergency medical care and first aid approved by NCOEMS and has been credentialed as a Medical Responder by NCOEMS.

Minimum ambulance and QRV equipment: Everything required by NCOEMS and/or by Pitt County.

Mutual Aid: A formal agreement among emergency responders to lend assistance across jurisdictional boundaries when required or requested by either Pitt County 911 or the Pitt County Emergency Management Office as a

result of an emergency that exceeds local resources or a disaster.

NCOEMS: North Carolina Office of Emergency Medical Services.

NIMS: National Incident Management System

Non-Emergency Ambulance Operator: A person with personnel and equipment in the business of transporting patients, not in need of immediate medical treatment, between various locations.

Non-Emergency Ambulance Operator Franchise: A franchise granted to a person with personnel trained at the Emergency Medical Technician (EMT) level and certified by NCOEMS. This franchise is to transport patients between health care facilities and other locations in non-emergent situations within Pitt County. The use of warning lights and audible warning devices is strictly prohibited.

Operator: An individual in actual physical control of an ambulance, which is in motion or which, has the engine running.

Oversight Committee: The Pitt County Emergency Medical Services System Plan Oversight Committee.

Paramedic: The highest designated level of emergency medical services, as recognized by NCOEMS.

Paramedic Ambulance (dedicated to emergency only): A vehicle licensed by the State of North Carolina as an ambulance, under the rules and regulations set forth by NCOEMS.

Patient: An individual receiving services under this Ordinance.

Person: Any individual, firm, partnership, association, corporation or organization of any kind, including any governmental agency other than the United States.

PHI: Protected Health Information

Pitt County EMS System Plan: The Plan currently adopted by Pitt County Board of Commissioners and filed with the State of North Carolina which defines how EMS will be delivered in Pitt County.

Provider: The person, whether "for profit" or "not for profit", or governmental agency other than U.S. Government, that contracts to provide EMS to County.

QRV (Paramedic): Quick Response Vehicle (Paramedic) - a vehicle, equipped with a Paramedic to respond as a first responder to an emergency and to provide on site emergency medical services.

Response Time: The time elapsed from the moment a unit is dispatched by the Pitt County 911 Communications Center until the unit arrives at the location given.

Service area or service district (also known as response area): The specific geographic area designated where services will be provided under the contract with County.

SOP: Standard Operating Procedures

Part III. Duties of Oversight Committee.

A. The duties of the Pitt County EMS System Plan Oversight Committee shall be as follows:

1) To provide oversight of EMS activities in the County to ensure that each EMS provider's equipment, personnel, method of operation, training, and skills are adequate to furnish EMS to the area the provider covers. These activities shall include the following:

a. Providing ongoing evaluation and recommendations for improvement of EMS services.

b. Providing public information campaigns.

c. Promoting other activities to improve EMS services in the County.

d. To review an annual budget package prepared and submitted by Emergency Management Director.

- e. To review the County's EMS service areas (districts) to advise The Board of Commissioners concerning restructuring and/or consolidating districts as necessary to carry out the Committee's mission of providing quality cost effective EMS services throughout the County.
- f. The Oversight Committee shall have the responsibility and duty of advising the Director of Emergency Management on matters relating to the enforcement of this Ordinance, and shall develop and recommend to the Director of Emergency Management for approval by the Pitt County Board of County Commissioners such standards of care, policies, regulations, procedures, and actions which will maintain and improve the quality of both emergency medical services and non-emergency ambulance services for the residents of the County.
- g. To review the EMS Providers' and the Non-emergency Franchisees' compliance with this Ordinance.
- h. To review measurable "performance standards" to be complied with by all providers having a contract with the County to provide emergency medical services.
- i. To review measurable "performance standards" for non-emergency franchisees.
- j. To review reports of inspections conducted by the Emergency Management Director or his designee.
- k. To schedule and conduct a hearing on application for franchise upon request by Director of Emergency Management upon receipt of a complete application for a franchise. Within thirty (30) days of the hearing, Pitt County shall cause such investigation as it may deem necessary to be made of the applicant and the applicant's proposed operations.
- l. To support and encourage non-profit providers to conduct fund raisers and utilize volunteers for cost effectiveness.

Part IV. Specific Regulations and Required Performance:

A. Inspections:

1) Notice of deficiency. If during any inspection by the Emergency Management Director, or his designee, it is determined that the franchisee or the EMS Provider is not meeting minimum standards as set forth herein, notice of specific deficiencies shall be given in writing by the Emergency Management Director or his designee. The notice must be sent to the EMS Provider as noted in the individual contract between the County and the Provider. The notice to the Franchisee, Ambulance Operator, must be sent to the person and address as given annually to the EM Director upon renewal of the Franchise.

2) Minimum standards for EMS Providers:

Each EMS Provider operating in the County shall meet the following minimum standards:

a. The Provider shall be incorporated in North Carolina and operate under the laws of North Carolina. If Provider is a "not for profit" corporation, it shall have a 501(c)3 tax exempt status from the U.S. Internal Revenue Service. A municipal EMS provider shall be organized under an ordinance of the governing body of the incorporated city or town. A "for profit" corporation must be current with all applicable taxes and regulations, including filings with the NC Secretary of State.

b. Each EMS provider shall have a captain or chief operating officer and other necessary officers and personnel to provide twenty-four (24) hour coverage, seven (7) days a week, fifty-two (52) weeks a year, or as directed by their specific contract.

c. An accurate and current listing of all members employees, and volunteers showing each person's address, phone number, driver's license number, last four digits of the social security number, and date of birth must be on file with the County Emergency Management Office. A current copy of each individual's current state certification shall be kept on file at all times.

d. All active members in good standing of an EMS provider shall have a photo ID card approved by the County for identification as a bona fide emergency

medical services provider. No person other than an active member in good standing of the provider shall be allowed to possess this identification.

e. Each EMS provider shall have the minimum equipment as specified by the NCOEMS and as specified in the guidelines adopted by the County and the County Medical Director.

f. Each EMS Provider shall secure and retain all State and Federal licenses required to handle drugs under DEA or other regulations.

g. Each EMS Provider shall secure and keep in force the following insurance policies:

(1) general liability insurance in the amount of at least \$1,000,000 per occurrence, \$2 million umbrella coverage, for a combined total of \$3 million, with a combined single limit with contractual coverage endorsements;

(2) Vehicle liability with insurance limits covering bodily injury, death and property damage claims in the amount of at least \$1,000,000 per occurrence, \$2 million umbrella for combined coverage of 3 million, with combined single limits;

(3) Professional liability, errors and omissions insurance for all personnel in the minimum amount of \$1,000,000, per occurrence, \$3 million combined coverage.

Copies of each insurance policy listed above with original, signed, insurance certificates noting that the County Risk Manager and the Emergency Management Department shall be notified 30 days prior to any cancellation or change of any such insurance coverage, all said certificates shall be received by County prior to any payments being made under this Contract by County. All said insurance policies shall hold the County harmless of any liability for the covered acts.

h. Each EMS provider shall carry out an organized documented training program, that shall include:

(1) The training and qualifying of emergency medical services vehicle operators shall ensure that only qualified drivers shall operate any

emergency medical services vehicles. A list of those qualified drivers shall be posted at the station and furnished to each member of the Provider. Drivers shall exercise caution at all times, allowing only qualified operators of emergency vehicles to drive the truck when responding to a call. With the exception of individuals in training, no one other than active members in good standing of the Provider, or persons with a responsibility to monitor or evaluate the County EMS Plan, shall ride the truck when responding to a call.

(2) The participation at a minimum with each member/employee having a minimum of 24 hours of EMS training per fiscal year. Annual HIPAA and blood borne pathogen training will be a mandatory part of this requirement.

(3) Each EMS Provider, at their discretion, may allow individuals to ride along on trucks as part of their education and training.

i. Each EMS provider shall respond to the call of the Emergency Management Director or his designee for assistance. It shall be the duty of the Emergency Management Director to take such steps as are necessary to ensure that in the event of such a call, if at all possible, the service area (district) of a provider answering a call is not left unprotected.

j. The EMS provider captain, crew chief or supervising personnel, of the service area the emergency is in, will be in charge of patient care at the scene of the emergency and shall follow NIMS and ICS command structure.

k. All Providers are responsible for keeping accurate records of all calls, as well as other records and reports required by the County or the State of North Carolina. Reports on each and every call will be sent to the County Emergency Management Office by the 10th day of the subsequent month, or according to their specific contract terms, for payment by the County on the 10th of the month. The Provider is also responsible for filing with the County any additional reports which are

required by the Pitt County EMS System Plan Oversight Committee or by the NCOEMS.

Part V. Qualifications for Financial Assistance for Not for Profit Corporations:

A. Agreement to Maintain Standards: Each "not for profit" corporation EMS provider desiring to qualify for County financial assistance, shall agree in the application for financial assistance to meet all the standards contained herein and such application shall be signed by the president of the corporation, the secretary of the corporation and the emergency medical services captain.

B. Budget: Each EMS "not for profit" provider shall prepare an annual balanced budget showing their anticipated expenses for the coming year. A copy of this budget shall be presented to the Pitt County Emergency Management Office in March of each year, or as directed by Pitt County.

1) **Financial Statement of Revenues and Expenditures:** In addition, to the budget, each EMS "not for profit" provider shall prepare an annual financial statement showing the receipts and expenditures related to County funding, and any and all other income and revenue.

2) A copy of the verified financial statement shall be presented to the County Emergency Management Office by September 1st of each year.

3) The County will perform an annual audit of the financial statement and the EMS provider's records.

Part VI. Contents of Application to Provide Services:

A. Application: Any EMS provider making application to operate in the County shall make application to the Pitt County Emergency Management Director. Both emergency medical services Providers and non-emergency ambulance franchisees will use such forms as may be required by the County from time to time which shall contain the following:

1) The name and address of the provider or franchisee.

2) The trade and all other names, if any, under which the applicant does business, along with a certified copy of an assumed name certificate stating such name or names or articles of incorporation stating such name or names.

3) A complete resume of the training and experience of the applicant in the transportation and care of patients.

4) A full description of the type and level of service to be provided including the location of the place or places from which the Applicant intends to operate; for non-emergency ambulance operators: the manner in which the public will be able to obtain assistance and how the non-emergency vehicles will be dispatched.

5) An audited financial statement of the applicant as the same pertains to operations in Pitt County; said financial statement to be in such form and in such detail as may be required by the County.

6) A description of the EMS applicant's capability to provide services for the service area applied for, and an accurate estimate of the minimum and maximum number of minutes for an emergency response to calls within such service area.

7) A description of the non-emergency ambulance applicant's capability to provide regular transportation services in the County.

8) Any information the County shall deem reasonably necessary for a fair determination of the capability of the applicant to provide ambulance services in the County in accordance with the requirements of state law and the County as detailed herein.

9) Each EMS Provider must provide EMS services to the service area (district) in which it is located twenty-four (24) hours a day, seven (7) days per week, fifty-two (52) weeks per year, under contract with the County, or as contracted specifically with the County.

Part VII. Other Requirements of all Providers and Franchisees:

A. All Providers and Franchisees must:

- 1) Participate in County mutual aid agreement. Each emergency medical services provider and Franchisee must be a participant in the mutual aid agreement in the County.
- 2) Agree that disclosure of specific patient-related information to the public is forbidden; penalties:
 - a. Any emergency medical services Provider or non-emergency franchisee determined to have disclosed specific patient related information to the public may no longer be recognized by the County, may lose its funding from the County, if any, its contract may be terminated and its franchise may be terminated respectively.

Part VIII. Minimum Standards for Non-Emergency Ambulance Franchisees:

A. Enforcing Agency: The Pitt County Office of Emergency Management shall be the enforcing agency for the regulations contained in this Ordinance and shall establish policies, procedures and standards for the evaluation of non-emergency ambulance franchise applications and shall:

- 1) Receive all applications for franchise from potential Operators.
- 2) Evaluate each application for compliance with the requirements of this Ordinance, before presenting application to the Oversight Committee.
- 3) After approval of the Oversight Committee, present to the Pitt County Board of Commissioners the recommendation concerning an award of a franchise to the applicant.
- 4) Inspect the premises, vehicles, equipment, and personnel of franchisees to assure compliance to this Ordinance and perform any other inspections as deemed necessary.
- 5) With approval of the Oversight Committee, recommend to the Pitt County Board of Commissioners the temporary or permanent suspension of a franchise in

the event of non-compliance with the terms of this Ordinance.

- 6) Receive complaints from the public, other enforcing agencies, and others regarding franchisee infractions. Review any complaints with the Oversight Committee. Obtain recommended corrective action with the approval of the Oversight Committee.
- 7) With the approval of the Oversight Committee, recommend improvements to the Pitt County Board of Commissioners, which will ensure better ambulance transportation services.
- 8) Maintain all records required by this Ordinance and other applicable State and County regulations.
- 9) Require and receive monthly reports from franchisees.

B. Ensure Due Process as Follows:

- 1) Require written complaints filed against a franchisee be submitted to the Pitt County Office of Emergency Management.
- 2) Provide a hearing by the Oversight Committee where both sides have an opportunity to present their case regarding the written complaint, in writing or in person.
- 3) Oversight Committee shall deliberate following hearing, excluding any parties who were involved in the complaint.
- 4) The decision of the Oversight Committee regarding the written complaint shall be sent by mail to all parties within fifteen (15) days of the hearing, providing procedures for appeal.
- 5) Upon receipt of the Oversight Committee's written decision, franchisee will have fifteen (15) days to send a written appeal to the Pitt County Board of Commissioners.

6) Upon receipt of written appeal from franchisee, the Pitt County Board of Commissioners shall render a decision in writing within thirty (30) days. The decision, at their discretion, may include, but is not limited to, probation, suspension, fines or termination of franchise.

Part IX. Enforcement of the Franchise:

A. Violations and Penalties:

1) It shall be a violation of this Ordinance for anyone to file a frivolous complaint against any franchisee or any employee or representative of a franchisee, with the intent to cause a fine, suspension, probation or termination of any ambulance franchise granted herein.

2) Penalties may be imposed by the Board of Commissioners for violations of or acts of non-compliance with any of the franchise terms of this Ordinance. Penalties may be imposed and fines collected by Pitt County Office of Emergency Management as follows:

- (a) First offense: Fine of five hundred dollars (\$500.00)
- (b) Second offense: (If within one (1) year of the first offense) Fine of one thousand dollars (\$1000.00)
- (c) Third offense: (If within one (1) year of the second offense) Fine of two thousand dollars (\$2000.00)
- (d) Fourth offense: (If within one (1) year of the third offense) shall cause the Oversight Committee to recommend to the Pitt County Board of Commissioners the permanent termination of the franchise.
- (e) Penalties for any offense may include fines and suspension, probation, or termination of the franchise or contract, at the discretion of the Board of County Commissioners.

3) Default in any of the terms or conditions of the Ordinance by Ambulance Operators may cause termination of the franchise at the discretion of the County.

Part X. State Permits and County Franchise Requirements:

A. Requirements: 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 transportation of patients within Pitt County, unless the person holds a valid permit for each ambulance used in such business or service issued by the NCOEMS, and has been granted a franchise for the operation of such service by Pitt County, pursuant to this Ordinance.

1) Exemptions from Franchise Requirements. No franchise shall be required for:

(a) Any entity rendering assistance to a franchised ambulance service in the case of a disaster, major catastrophe, mutual aid, or emergency when the services franchised by Pitt County are insufficient or unable to cope, and assistance has been requested.

(b) Any entity operated from a location or headquarters outside of Pitt County, transporting to facilities located within Pitt County, or picking up patients within Pitt County for transportation to locations outside of Pitt County.

(c) Ambulances owned and operated by an agency of the United States Government.

(d) Vehicles owned and operated by EMS Providers chartered by the State of North Carolina as corporations and under contract to Pitt County to operate in Pitt County to provide emergency medical services, or municipal EMS Providers, all of which are operating as part of the County EMS Plan as of the effective date of this Ordinance.

(e) Any entity providing emergency transportation services within the meaning of this Ordinance that provides trauma transportation services in connection with a state-certified trauma transportation program.

2) Franchise Districts. Prior to accepting applications for operation as a non-emergency ambulance operator, the Pitt County Board of Commissioners may designate specific service areas as

franchise districts. Such districts may be established using criteria that include geographic size, road access, and the location of existing non-emergency medical transportation services, population, and response time. Should the Pitt County Board of Commissioners choose not to designate specific districts, the franchise shall include the entire County of Pitt.

3) Franchise Fees to County.

A fee of twelve hundred dollars (\$1200.00) shall accompany all original applications and renewal applications, before consideration will be given to the application or renewal thereof. Fees are non-refundable. Renewal fee is due on or sixty (60) days prior to renewal date, or franchise shall terminate.

4) Appeals of Franchise Rejection.

Any applicant for franchise who is rejected by the Pitt County Office of Emergency Management shall have the right to appeal first to the Oversight Committee and thereafter to the Pitt County Board of Commissioners for a final decision. The aggrieved party shall give written notice of appeal to the Pitt County Board of Commissioners within fifteen (15) days from the date the decision to be appealed is received from the Oversight Committee.

5) Term of Franchise; Renewal.

A franchise pursuant to this Ordinance shall be valid for a term of one (1) year (12 months).

a. Either party may terminate the franchise upon sixty(60) days' written notice to the other party. After a notice of service termination is given, the non-emergency ambulance provider may reapply for a franchise.

b. The franchise may be renewed following the submission of an application and payment of a twelve hundred-dollar fee (\$1200.00) sixty(60) days before the current term expires.

6) Insurance: The ambulance operator shall also furnish to the Pitt County Office of Emergency Management, prior to the issuance of the franchise and thirty (30) days in advance of each insurance renewal

date, a certificate of insurance in a form acceptable to Pitt County, which documents that the ambulance operator has complied with the insurance required in the Franchise Application.

7) Records, Reports: Each franchisee shall maintain the following permanent records:

a. Record of dispatch: Showing time call for transport was received, time ambulance dispatched, time arrived on scene, time arrived at destination, time in service, and time returned to base.

b. Trip record: The trip record shall be so designed as to provide the patient with a copy of it and may serve as a receipt for any charges paid.

c. Daily report log: Shall be maintained for the purpose of identifying all persons transported in any given day.

d. Daily driver and attendant checklist and inspection report: Shall list contents and description of operations for each vehicle, signed by the individual verifying vehicle operations and equipment.

8) Cessation of Activity upon Termination of Franchise:

a. Upon suspension, revocation, or termination of a franchise such franchised ambulance operator shall immediately cease operations.

b. Upon suspension, revocation, or termination of a driver's license, attendant's certification or Emergency Medical Technician Certificate, such persons shall cease to drive an ambulance, perform service, or attend an ambulance.

c. The franchisee shall not permit any person whose license or credentials is invalid to drive an ambulance or provide medical care in conjunction with the ambulance operator.

9) Compliance with Law. Each franchised ambulance operator shall comply at all times with the

requirements of this Ordinance, and all applicable federal, state and local laws relating to taxes, health, sanitation, safety, and equipment.

10) Change of Ownership, etc.:

a. Prior approval of the Pitt County Office of Emergency Management shall be required where ownership, control, or right of control of more than ten (10) percent of the franchise is to be acquired by a person or group of persons acting in concert, none of whom own or control ten (10) percent or more of such right of control, singularly or collectively, at the date of the franchise. By its acceptance of the franchise, the franchisee specifically agrees that any such acquisition occurring without prior approval of the Pitt County Office of Emergency Management shall constitute a violation of the franchise by the franchisee and shall be cause for penalties at the option of the Oversight Committee and/or the Pitt County Board of Commissioners.

b. Any change of ownership of a franchised ambulance operator without the approval of the Pitt County Office of Emergency Management shall terminate the franchise immediately. A new application and fee shall be required to request franchise under new ownership or control.

c. No franchise may be sold, assigned, mortgaged, or otherwise transferred without the approval of the Pitt County Office of Emergency Management. Each franchised ambulance operator, 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 State of North Carolina, Pitt County, or their designated representatives at all reasonable times.

d. A franchise document may not be defaced, removed, or obliterated except by an authorized person.

11) Standards for communications.

a. Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of the County to each hospital emergency department in the County in which the ambulance is based. Each ambulance vehicle shall be equipped with two-way radio communication capabilities compatible with all hospital emergency departments to which transportation of patients is made on a regular or routine basis anywhere within the state. Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of Pitt County with the ambulance-dispatching agency within the county.

b. Each Ambulance Operator shall maintain current authorization or Federal Communication Commission licenses for all frequencies and radio transmitters operated by that provider. Copies of all authorizations and licenses shall be on display and available for inspection per the Federal Communication Commission's rules and regulations.

c. Each base of operation must have at least one (1) open telephone line. Telephone numbers must be registered with each law enforcement agency and Pitt 911 Communications Center in Pitt County.

12) Rates and charges to customers.

a. Each franchisee shall submit a schedule of rates to the Pitt County Office of Emergency Management for approval and shall not charge more than the approved rates without specific approval of Pitt County.

b. On non-emergency calls, or calls where a person requires transportation to a non-emergency facility, collection for service (payment) can be made before the ambulance begins the trip.

13) Any entity providing ambulance services within Pitt County on the effective date of this Ordinance may continue to provide that same service following the new effective date of this Ordinance, provided that

such entity continues to demonstrate its compliance with N.C.G.S. 131E-155 et seq. (formerly, Chapter 130, Article 26), and Pitt County's annual renewal of franchise, as applicable.

By passage of this Ordinance Article V. of the Pitt County Ordinances, titled "Ambulance Services Franchises" and Article I. titled "In General" (dealing with Emergency Medical Services Advisory Commission) are hereby repealed in their entirety, this the _____ day of _____, 2007.

Chairman,
Pitt County Board of
Commissioners

ATTEST:

Clerk to the Board