

Published by Municipal Code Corporation

ORDINANCE NO. 1494

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY ADDING THERETO AN ARTICLE III TO REGULATE THE PROVIDING OF AMBULANCE SERVICES WITHIN THE CITY OF GRAND JUNCTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That Chapter 30 of the Code of Ordinances of the City of Grand Junction be amended by adding thereto an Article III which shall read as follows:

ARTICLE III. AMBULANCE SERVICE

Sec. 30-50. Declaration of Purpose. It is the intent and purpose of this ordinance:

(a) To provide for the regulation of all classes of ambulance service for hire within the City of Grand Junction in order to ensure competent and adequate care during the transportation of patients;

(b) To provide minimum standards for all classes of ambulances, attendants, vehicles and equipment used within the City of Grand Junction;

(c) To provide administrative procedures for the regulation of all classes of ambulance service for hire within the City.

Sec. 30-51. Definitions. The following words and phrases when used in this ordinance shall, for the purpose of this ordinance, have the meanings as set forth below, except where the context clearly indicates a different meaning:

(a) Rescue and emergency ambulance. Any privately owned vehicle that is specially designed or constructed, or equipped, and is intended to be used and is used for the transportation of the critically ill or injured patient, and under emergency situations, as well as less acute and/or non-emergency illness, injury, or situation.

(b) Ambulance. Any privately owned vehicle that is equipped, and is intended to be used and is used only for the transportation of convalescent or non-critically ill, or non-critically injured patients, and under non-emergency situations.

(c) Ambu-cab. Any privately owned vehicle that is equipped and intended to be used for commercial transportation of handicapped persons not requiring emergency first aid or assistance. This vehicle is not to be so equipped as to assume the characteristics of an ambulance but is intended to be distinct therefrom.

(d) Ambu-cab Driver. An individual who is qualified to drive only an ambu-cab or other transportation which is not related to an ambulance or emergency vehicle.

(e) Ambulance Attendant/Driver. A trained individual who shall be responsible for the rescue and/or operation of an ambulance and the care of patients in accordance with the level of ambulance service being provided; who shall also be able to act as a driver, however, he may not act in both capacities simultaneously.

(f) Ambulance Driver. An individual who is qualified to drive an emergency and rescue or regular ambulance under the supervision of a qualified attendant.

(g) Patient. An individual who is sick, injured, wounded, or otherwise incapacitated, and needing the services of an ambulance for hire.

Sec.30-52. Licenses-Permits, Contents, Fees, Expiration.

(a) All licenses and permits, unless otherwise provided in this Article, shall be prepared and issued by the City Clerk upon payment to her of the sum required to be paid hereunder and subject to compliance with the provisions of this Article. Said licenses and permits shall be signed by the City Clerk and shall have affixed thereto the seal of the City. Each license and permit so issued shall be dated as of the date of its issuance and shall set forth the person or persons to whom the same is issued, the object or nature of the license, and the date of expiration of such license or permit with the words "unless sooner revoked or cancelled" added after said designated date.

(b) The fees for the licenses and permits hereinafter referred to shall be as follows:

Emergency Services Business License \$25.00  
Vehicle License 15.00  
Ambulance Attendant/Driver Permit 5.00  
Ambulance Driver Permit-Ambu-Cab Driver Permit 5.00

A person qualified as both an Attendant and a Driver shall be required to hold only an Attendant/Driver Permit. The fees for renewal of any licenses or permits shall be as shown above.

(c) All licenses and permits, unless specifically excepted, shall be issued for a period of one year and shall run from January 1 to December 31 when they may be renewed; provided, however, that no license or permit shall be renewed unless the licensee or permit holder is not in violation of the provisions of this Article. All licenses and permits issued to any applicant, as hereinafter provided, shall be non-transferable.

Sec. 30-53. Suspension or revocation of licenses and permits.

(a) All licenses or permits issued hereunder may be suspended or revoked by the City Manager for cause at any time. Such cause shall exist whenever any licensee or permit holder fails or refuses to comply with the provisions of this ordinance which may now or hereinafter be in force. The following examples, but not limited to, shall also constitute sufficient cause for the suspension or revocation of any license or permit issued hereunder: conviction of any crime involving reckless driving, driving under the influence of intoxicating liquors, indecent acts, or any felony, or the habituation to intoxicating liquors or drugs, or failure to provide the licensed service when it can be performed and such failure results to aggravate the condition of anyone seriously injured or gravely ill.

(b) No license or permit shall be suspended or revoked unless the City Manager gives written notice to the licensee or permit holder and a hearing is held not sooner than five days nor more than thirty days from the mailing or giving of such notice. Said notice shall be mailed to the address as shown on the application. The licensee or permit holder shall be given an opportunity to be heard at said hearing and shall have the burden of showing why his license or permit should not be suspended or revoked. If, after such hearing, the City Manager determines that the licensee or permit holder has failed or refused to comply with the provisions of this Article, which may now or hereinafter be in force, without having shown good cause therefor, he may either suspend any license or permit for a period not to exceed sixty days or revoke same. For such cause, the City Manager may also direct the City Clerk to deny any application for the renewal of said license or permit for a period not to exceed sixty days. Whenever any license or permit is suspended or revoked, no part of the fee or fees paid therefor shall be returned or refunded to the holder of such license or permit.

(c) The City Manager may summarily suspend any license or permit issued hereunder, pending the outcome of the hearing to be held as provided in paragraph (b) hereof.

(d) The decision to suspend or revoke or deny the renewal of any license or permit by the City Manager may be appealed to the City Council, provided, however, that the suspension of any license or permit, pending the outcome of the hearing before the City Manager shall not be appealable to the City Council.

(e) The licensee or permit holder shall not be deemed to have exhausted his administrative remedies unless he first appeals the decision of the City Manager to the City Council as provided in paragraph (d) hereof.

(f) Every business licensee shall maintain accurate records, containing such information as may be required by the City Clerk, concerning the transportation of each patient within the City of Grand Junction, or from one place herein to another place within

or beyond its limits. Such records shall be available for inspection by the City Clerk at any reasonable time.

Sec. 30-54. Licenses - Permits required.

(a) It shall be unlawful for any person, as owner, agent, or otherwise to furnish, operate, conduct, maintain, advertise, or otherwise to be engaged in or profess to be engaged in the business of transporting patients for hire upon the streets, alleys, or other public ways or places in the City of Grand Junction, without first having complied with the provisions of this Article and applied for and received from the City a revocable license or permit therefor, granted by resolution of the City Council and issued in accordance therewith by the City Clerk. Every such license or permit shall expressly state that such license is revocable at any time by the Council.

(b) It shall be unlawful to drive, use or permit to be operated any ambulance for hire on any street, alley, or other public way or place within the City of Grand Junction, unless a vehicle license shall have been obtained for said vehicle from the City Clerk. Licenses will not be required for the occasional operation within the City performed by non-residents of the City for persons who are non-residents of the City or were not within the city at the time of the occurrence necessitating the transportation.

(c) It shall be unlawful for any person to drive, use or permit to be operated any vehicle for any ambulance purposes, on any street, alley, or other public way or place within the City of Grand Junction, unless said vehicle shall be under the immediate supervision of a person who is holding a currently valid permit as an ambulance attendant/driver.

(d) It shall be unlawful for any person to drive, operate, or permit to be operated any vehicle on any street, alley or other public way or place within the City of Grand Junction, for ambulance purposes, without having first obtained an ambulance driver's permit from the City Clerk.

(e) The provisions of this section shall not be applicable and no license or permit shall be required for an ambulance, or for the driver, or attendant of an ambulance, which:

(1) Is rendering assistance in care of a major catastrophe, or

(2) Is rendering assistance in an emergency where the licensed ambulances of the City of Grand Junction are unable to meet the needs of the community, or

(3) Is performed by a municipality or governmental agency or is under contract by another governmental entity or services are performed by a private business corporation for the exclusive use of its employees on an emergency basis, or

(4) Is performed without charge by a nursing home, convalescing hospital, etc. where they are transporting their own patients for treatment in a non-emergency situation.

Sec.30-55. Business License - Applications - Issuance.

(a) Application for a business license or permit to operate and engage in the business of transporting patients for hire within the City shall be submitted in writing to the City Clerk upon such forms as may be provided for said purpose. The application shall set forth the following information:

(1) The name and address of the applicant and the owner of the ambulances, as well as the name and address of every person having financial interest in the business for which the license is requested.

(2) The trade or other name, if any, under which the applicant does business or proposes to do business.

(3) The training and experience of the applicant in transporting and care of patients in emergency or non-emergency situations.

(4) The description of each ambulance, including its 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 applicant's ambulance.

(5) The location and description of the place or places from which it is intended to operate the ambulance service, which must be in an area properly zoned for such services (B-3, B-2, C-1, C-2, I-1, I-2).

(6) The area to be served by the proposed ambulance service.

(7) A schedule of rates indicating the basic charges that will be collected by the ambulance service.

(8) A list of the names and addresses of all other businesses in which any of the persons listed in (1) above are interested.

(9) Any other pertinent information requested by the City Clerk for the purpose of administering the provisions of this chapter.

(b) The application for a business license as herein provided for shall be forwarded to the City Council and no resolution for a revocable permit or license as provided for in Section 30-54(a) shall be adopted by the Council except upon an express finding that the public convenience and necessity of the City of Grand Junction will be served by such permit or license. The Council shall be satisfied as to the following:

(1) There is a substantial portion of the community not being served by an ambulance service.

(2) That only drivers and attendant-drivers duly licensed pursuant to the provisions of this ordinance are employed in such capacities.

(3) That the applicant has in effect the insurance coverage required by Section 30-57 hereof.

(4) The applicant has not been convicted of a crime involving reckless driving, driving under the influence of alcohol, indecent acts, or any felony.

(5) That the applicant is not habituated to the use of intoxicating liquors or drugs, is of sound moral character, and is of good reputation.

(6) All requirements of this ordinance and all other applicable laws and ordinances have been met.

(c) Within a reasonable time after the adoption of the resolution as provided for herein, the City Clerk shall issue to the applicant a business license.

(d) The City Clerk shall also issue to the applicant a vehicle license for each ambulance listed in the application, provided however, that the City Clerk is satisfied that the ambulance meets the requirements pertaining to ambulance and equipment as hereinafter set forth.

Sec. 30-56. Drivers and Attendants-Drivers-Permits-Applications, Issuance.

(a) Application for driver's and attendant-driver's permits shall be made to the City Clerk upon such forms as may be provided for said purpose. The application shall set forth the following information:

(1) The applicant's full name, current resident places of residence for two years previous to moving to his present address, and the length of time he has resided in the City of Grand Junction.

(2) The age of the applicant.

(3) Whether applicant has ever been convicted of a felony or misdemeanor, and if so, the pertinent facts relating thereto.

(4) The applicant's training and experience in the transportation and care of patients, including an affidavit from the holder of the ambulance business license that the applicant has completed training in the operation of, and is qualified to operate the basic equipment found in the ambulance vehicle and required

thereby, whether the applicant is licensed to operate motor vehicles in Colorado, and whether he has previously been licensed by the City of Grand Junction as a driver, or attendant-driver, and if so, when and where and whether his license has ever been revoked or suspended in any jurisdiction and for what cause.

(5) An affidavit from a duly licensed physician, upon examination attested to, that the applicant is of sound physique, possessing eyesight corrected to at least 20-40 in the better eye and free of physical defects or diseases which might impair the ability to drive or attend in an ambulance. For the renewal of a permit, said affidavit shall be required every third year.

(6) If application is made for a driver's or attendant-driver's permit, the applicant shall submit a currently valid certificate evidencing successful completion of:

(aa) Attendant/Driver. Proper training for the provision of emergency services to critically ill or injured patients, and under emergency situations, equivalent to the Advanced Course in First Aid given by the American Red Cross or the United States Bureau of Mines, and that training under the Emergency Medical Technician's Course will be initiated and completed within two years of the initial license (if available locally), and possessing a valid Colorado Chauffeur's license.

(bb) Ambulance Driver. As a driver for ambulance giving service to critically ill or injured patients, and under emergency situations, to have completed a course in Advanced First Aid given by the American Red Cross or the United States Bureau of Mines, and to have completed a program in Life Saving Skills as pertains directly to Cardio-Pulmonary Resuscitation (CPR) within the preceding six months (if available locally) as certified by an Emergency Medical Technician Course instructor or other appropriate agency, and having a valid Colorado Chauffeur's license.

(cc) Ambu-cab Driver. The applicant shall submit a currently valid certificate evidencing successful completion of proper training for the providing of advanced first aid under a course equivalent to that given by the American Red Cross or United States Bureau of Mines together with evidence of a valid Colorado Chauffeur's license.

(7) That the applicant is familiar with streets and addresses within the City and surrounding area of Grand Junction.

(8) Any other pertinent information requested by the City Clerk for the purpose of administering the provisions of this ordinance.

(b) Within a reasonable time after receipt of said application, a permit shall be issued to the applicant provided the City Clerk is satisfied as to the following:

(1) The applicant is eighteen years of age or older.

(2) The applicant is able to speak, read, and write the English language.

(3) That the applicant is of sound physique, possessing eyesight corrected to at least 20-40 in the better eye, and free of physical defects or diseases which might impair the ability to drive or to attend a patient in an ambulance.

(4) That the applicant for a driver's or attendant-driver's permit possesses a valid Chauffeur's license to operate motor vehicles in Colorado.

(5) The applicant has not been convicted of a crime involving reckless driving, driving under the influence of alcohol, indecent acts, or any felony within the last ten years.

(6) That any applicant for a driver's or attendant-driver's permit has fulfilled the requirements in sub-section (a)(6) as hereinabove stated.

Sec.30-57. Liability Insurance - Ambulance.

(a) No emergency service business license shall be issued under this ordinance nor shall such license be valid after issuance unless there is at all times in force and effect insurance coverage issued by an insurance company licensed to do business in the State of Colorado, for each and every ambulance owned and/or operated by said applicant or licensee, providing for the payment of damages:

(1) For the injury to or death of an individual or 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, and

(2) For the loss of or damage to the property of another, including personal property, under like circumstances. Said policy or policies shall provide for public liability coverage in the amount of not less than One Hundred Thousand Dollars (\$100,000) for injury or death to one person and Three Hundred Thousand Dollars (\$300,000) for injury or death for each accident involving bodily injury, and Twenty-Five Thousand Dollars (\$25,000) for property damages resulting from any accident.

(b) No ambulance business license shall be issued under this ordinance nor shall such license be valid after issuance unless there is at all times in force and effect, insurance coverage, issued by an insurance company licensed to do business in the State of Colorado, providing for professional liability coverage in the amount of not less than One Hundred Thousand Dollars (\$100,000) for injury or death to one person and Three Hundred



Thousand Dollars (\$300,000) for injury or death for each accident involving bodily injuries.

(c) Said insurance policies shall be submitted to the City Clerk for approval prior to the issuance of each vehicle license. Satisfactory evidence that such insurance is at all times in force and effect shall be furnished to the City Clerk in such form as she may specify, by all business licensees required to provide such an insurance under the provisions of this ordinance.

(d) Every insurance policy required hereunder shall contain a provision for 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 bankruptcy of the assured, and that until the policy is revoked, the insurance company will not be relieved from liability on account of nonpayment of premiums, failure to renew license at the end of the year, or any act or omission of the named assured.

(e) Every insurance policy required hereunder shall extend for a period to be covered by the license applied for, and the insurer shall be obligated to give not less than fifteen days written notice to the City Clerk and to the assured before any cancellation or termination of the policy earlier than its expiration date and the cancellation or other termination of any such policy shall automatically revoke and terminate the business license and the licenses issued for the vehicles 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.

#### Sec. 30-58. Outside Markings and Equipment.

(a) Each ambulance shall be clearly marked so that it is readily recognized as an ambulance and shall have the name of the ambulance company visible on said vehicle.

(b) Each ambulance shall be equipped with safe tires meeting all standards of the State of Colorado.

(c) Each ambulance shall be equipped with a minimum of two red flashing lights mounted on the roof thereof, a siren, a two-way radio or telephone, all such equipment to be approved by the Chief of Police of the City of Grand Junction.

#### Sec. 30-59. Ambulance equipment.

(a) Each emergency ambulance shall, at all times when in use as such, contain the following:

(1) The Police Chief of the City of Grand Junction shall require such equipment as he considers necessary to implement the standards provided for in this ordinance. In determining the required equipment, reference shall be made to the current list of

essential equipment for ambulances as adopted by the American College of Surgeons, or its duly authorized Committee on Trauma. The list of minimum equipment as herein required shall be compiled once each year and a copy thereof mailed to the ambulance business license holders within the City.

(2) The radio equipment or radio-telephone necessary to establish two-way communication with the base station.

(3) Adequate belts or other devices so as to protect the patient from any sudden stop or collision.

(4) Fire extinguisher, 5-pound, dry powder, Underwriters label attached.

(5) All other equipment as required by the applicable laws and local ordinances relating to health, sanitation and safety.

All of the above required equipment and the ambulance vehicle shall be maintained in good working order to allow for the safe operation thereof.

#### Sec.30-60. Inspection.

(a) Prior to the issuance of any vehicle licenses hereunder, the Chief of Police or his designated representative shall cause to be inspected the vehicles and equipment of the applicant in order to determine compliance with the provisions of the ordinance and shall file the written report of their findings with the City Clerk.

(b) Subsequent to the issuance of any vehicle license hereunder, the Chief of Police or his designated representative shall cause to be inspected each such vehicle and its equipment, and every six months thereafter, to determine that the vehicles are being properly maintained and contain the equipment specified in this ordinance or required by the list of the Police Chief. 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 an official certificate of motor vehicle inspection and approval, nor excuse compliance with the requirements of any other applicable general law or ordinance.

#### Sec.30-61. Other Regulations.

(a) All ambulances shall deliver patients to the hospital of the patient's choosing, or as directed by the patient's physician. In all cases where a preference is not expressed, the ambulance shall deliver the patient to a hospital having adequate emergency medical facilities.

(b) No ambulance shall be operated unless the same is staffed by two attendant-drivers or one attendant-driver and one driver.

(c) No license issued hereunder by the City of Grand Junction to operate an ambulance service within the City shall be abandoned or relinquished nor shall any operator, under such license cease operations without first giving notice in writing to the City Clerk of the City of Grand Junction not less than thirty days prior to the termination of such service.

(d) No ambulance shall be housed nor operated from any location other than the permanent established base of operation which has been inspected by the Mesa County Health Department and found to comply with the applicable health and sanitation regulations or laws.

(e) The ambulance company shall notify the City Clerk of any changes in the rates collected by it subsequent to the issuance of the license provided for herein.

(f) Any emergency service licensed by the City of Grand Junction shall provide twenty-four hour response service.

Sec. 30-62. Emergency Ambulances - Use of Sirens, Red Lights and Other Emergency Equipment.

(a) The siren and other emergency equipment on the emergency ambulance vehicle shall be used only if, in the opinion of the attendant-driver, an emergency exists, or the injury represents an immediate threat to the victim's life, or the physician in attendance recommends the use of both siren and red light.

(b) Siren and other emergency equipment shall not be used unless the circumstances meet the requirements set forth above, and when the siren and other emergency equipment are not in operation, the emergency ambulance vehicle shall be operated in compliance with all regulations of the Traffic Code of the City of Grand Junction.

(c) At no time will the driver of an emergency ambulance vehicle with the siren and other emergency equipment in operation proceed through red signal lights or stop signs or against traffic signs until first ascertaining that cross traffic has yielded, or exceed by more than ten miles per hour over the designated speed limits as provided by law for the streets being traversed, provided however, that the above and foregoing shall not protect the driver nor the employer from the consequences of any reckless disregard for the safety of persons or property.

2. Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, punishable as set forth in the Ordinances of the City of Grand Junction. Each day that a violation of this Ordinance continues shall constitute a separate and distinct offense under this Ordinance.

PASSED and ADOPTED this 3rd day of April, 1974.

Stanley R. Anderson

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President of the Council

ATTEST:

Neva B. Lockhart

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City Clerk

NOTICE OF PUBLICATION OF AN ORDINANCE OF THE CITY OF GRAND JUNCTION IN PAMPHLET FORM AND OF A HEARING THEREON

NOTICE IS HEREBY GIVEN that an Ordinance of the City of Grand Junction entitled: AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY ADDING THERETO AN ARTICLE III TO REGULATE THE PROVIDING OF AMBULANCE SERVICE WITHIN THE CITY OF GRAND JUNCTION is being published in pamphlet form and is available for inspection and reading in the office of the City Clerk during regular working hours.

A hearing on such proposed ordinance will be held in the City Hall before the City Council at 7:30 o'clock p.m. on April 3, 1974 to consider the adoption of such ordinance.

Dated this 21st day of March, 1974.

Neva B. Lockhart

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City Clerk

Published

NOTICE OF FINAL PUBLICATION OF ORDINANCE NO. 1494 OF THE CITY OF GRAND JUNCTION IN PAMPHLET FORM

NOTICE IS HEREBY GIVEN that Ordinance No. 1494 of the City of Grand Junction entitled: AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY ADDING THERETO AN ARTICLE III TO REGULATE THE PROVIDING OF AMBULANCE SERVICE WITHIN THE CITY OF GRAND JUNCTION has been finally passed and published in pamphlet form and is available for inspection and reading in the Office of the City Clerk during regular working hours.

Dated this 4th day of April, 1974.

Neva B. Lockhart

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City Clerk

Published 4-7-1974

