

INTRODUCED: November 13, 2018

AN ORDINANCE No. 2018-291

To amend City Code §§ 10-79, concerning the award of franchises and permits to operators of emergency medical service vehicles, and 10-83, concerning the suspension of authorization to operate emergency medical service vehicles, to make modifications to the City’s regulations governing the operation of emergency medical service vehicles in the right-of-way.

Patron – Mayor Stoney

Approved as to form and legality
By the City Attorney

PUBLIC HEARING: DEC 10 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 10-79 and 10-83 of the Code of the City of Richmond (2015), as amended, be and are hereby **amended** and reordained as follows:

Sec. 10-79. Awarding of franchises and permits.

It is in the best interest of the City to create and to regulate a unified emergency medical services system. It is the policy of the City to promote the provision of adequate and continuing ambulance service to transport sick or injured persons in the metropolitan area in order to preserve, protect and promote the public health, safety and general welfare of the public residing

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: MAY 13 2019

in this area. In furtherance of this policy, the City may, from time to time, award or revoke by ordinance franchises or permits for the operation of emergency medical service (EMS) vehicles, subject to such public health, safety, and general welfare requirements as it may impose under this article. The holder of a franchise or permit shall be referred to in this article as an “authorized provider.” Any franchise or permit, other than any franchise granted to the Richmond Ambulance Authority, shall be for a period of two years; however, an authorized provider may apply for a new franchise or permit to replace an expiring franchise or permit. No franchise or permit may be transferred by any means, direct or indirect, including, without limitation, change of ownership or control, trusteeship, and sale of assets. The award of a franchise or permit may be conditioned upon the attainment of norms for quality of care and response times that the City establishes for its emergency medical services system generally.

Sec. 10-83. Suspension of authorization to operate.

The Chief [~~Administrative Officer~~] of Fire and Emergency Services may summarily suspend any franchise or permit issued pursuant to this article for any reason involving a danger to public health, safety or welfare, including bankruptcy or insolvency. Such a suspension shall not exceed two weeks in length, and any provider so suspended shall have a right to a hearing before the [~~Emergency Medical Services Control Board~~] Chief Administrative Officer, who may (i) reinstate the franchise or permit immediately, (ii) take no action to modify the duration of the suspension pursuant to this section, or (iii) extend the suspension for a period of up to 90 days and impose additional conditions on the authorized provider, either or both. The hearing shall be de novo. It shall comply with due process requirements but shall not be governed by strict rules of evidence or procedure.

§ 2. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST
4-8325
NOV 05 2018
Office of the Chief Administrative Officer

O&R REQUEST

DATE: 11/2/2018 EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

Handwritten note: on behalf of Mayor Levar Stoney

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

Handwritten initials: SCG

FROM: Melvin Carter, Fire Chief

Handwritten signature: Melvin Carter

RE: Amend language City Code § 10-79 and § 10-83

ORD. OR RES. No. _____

PURPOSE: To amend City Code §10-79, concerning the award of franchises and permits to operators of non-emergency medical service vehicles to grant the City authority to revoke any franchise or permit issued under this section and set as two (2) year duration for any franchise or permit issued under this section other than the franchise granted to Richmond Ambulance Authority which is of unlimited duration, and to amend City Code §10-83, to grant the Fire Chief authority to summarily suspend a franchise or permit and provide for a review of the Fire Chief's decision by the CAO and establish the actions that the CAO may take on the suspension.

REASON: The original City Code language did not place any limit on the duration of a franchise or permit and provided for review by an oversight board that no longer exists.

RECOMMENDATION: Approval of ordinance as submitted.

BACKGROUND: An amendment is required to authorize the Fire Chief of the Richmond Department of Fire and Emergency Services the authority to oversee and regulate both initial and renewal permit applications; and authorize same to summarily suspend any franchise or permit issued pursuant to this article for any reason involving a danger to public health, safety or welfare, including bankruptcy or insolvency. This action may then be appealed to the Chief Administrative Officer in place of an oversight board that no longer exists.

FISCAL IMPACT / COST: None

FISCAL IMPLICATIONS: None

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: December 10, 2018

REQUESTED INTRODUCTION DATE: November 13, 2018

CITY COUNCIL PUBLIC HEARING DATE: December 10, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Public Safety

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Richmond Ambulance Authority

AFFECTED AGENCIES: Department of Fire and Emergency Services; Richmond Ambulance Authority

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS:

STAFF:

Melvin Carter, Fire Chief – Department of Fire and Emergency Services
(804) 646-5450

Tracy Thomas, Staff Battalion Chief – Department of Fire and Emergency Services
(804) 308-4562