

ORDINANCE NO. 3985

AN ORDINANCE AMENDING CHAPTER 4.65 OF THE EDMOND MUNICIPAL CODE MEDICAL SERVICE PROGRAM BY MODIFYING SECTION 4.65.010 DEFINITIONS; AND BY MODIFYING SECTION 4.65.030 NONPARTICIPATION ELECTION; AND BY MODIFYING SECTION 4.65.040 COLLECTION OF SERVICE CHARGES; AND BY MODIFYING SECTION 4.65.050 ACCOUNTABILITY FOR FUNDS RECEIVED; AND BY MODIFYING SECTION 4.65.060 ADJUSTMENT OF CHARGES, APPEAL; AND BY ADDING NEW SECTION 4.65.061 UNLAWFUL AMBULANCE TRANSFER SERVICES; AND PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

SECTION 1. Section 4.65.010 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.010 - Definitions.

- (a) Ambulance Transportation Services shall mean any transportation of patients, in the course of providing emergency medical care, whether performed on-scene, en route, during Interfacility Transport, or at an emergency receiving facility when performed at the request of the receiving physician. Ambulance Transportation Services does not include funeral coaches used for the transportation of the deceased or air ambulance service.
- (b) Interfacility Transport shall mean transports from a healthcare facility within the Service Area and ending (i) within the Service Area or (ii) within a 20-mile radius of the Service Area.
- (c) Landlord shall mean any person, company, corporation, or other entity that owns or manages Single-family and/or Multifamily Residential Living Units and leases them to Tenants and is responsible for payment of the utility bills for the Living Units.
- (d) Living Unit shall mean a residential unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

- (e) Medical Service Program shall mean the services, products, expertise, equipment, and costs associated with the Ground Ambulance Membership Program offered pursuant to the Emergency Medical Services Agreement by and between the City of Edmond and American Medical Response Ambulance Service, Inc., billed monthly on a Utility Customer's bill.
- (f) Multifamily Residential Utility Customer shall mean an Edmond Utility Customer with two (2) or more Living Units served by one (1) City utility drainage bill; provided, Multifamily Residential Living Units will not include hotels, motels, or college dormitories.
- (g) Program Year shall be the one-year period commencing from the date of enrollment in the Medical Service Program, as applicable. January 10, 2023 shall be considered the date of enrollment for all Utility Customers enrolled in the Medical Care Program as of January 9, 2024. The Program Year may vary upon Utility Customers, depending on an individual Utility Customer's date of enrollment.
- (h) Single-family Residential Utility Customer shall mean an Edmond Utility Customer with one (1) Living Unit receiving one City utility drainage bill.
- (i) Tenant shall mean the person or persons that sign the lease for a Living Unit at a specific location within the city limits of Edmond, which Living Unit receives Edmond utility services.
- (j) Tenant's Household shall include all the individuals permanently residing together in the leased Living Unit with the Tenant.
- (k) Ground Ambulance Membership Program shall mean the program, as it currently exists or may hereafter be amended, which is sponsored by American Medical Response Ambulance Service, Inc.
- (l) Utility Customer shall mean the person or persons that established a utility account with Edmond for utility services for a Single-family Residential or a Multi-family Residential Living Unit.
- (m) Utility Customer's Household shall include all individuals permanently residing together in a Living Unit at a

specific location within the city limits of Edmond, which Living Unit receives Edmond utility services.

SECTION 2. Section 4.65.020 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.020 - Medical Service Program and Fee.

- (a) Each Single-family Residential Utility Customer and Multi-family Residential Utility Customer within the corporate limits of the City shall be included in the Medical Service Program, unless the Utility Customer affirmatively declines participation in said program in the manner set forth in Section 4.65.030 of this Chapter.
- (b) Single-family Residential Utility Customers participating in the Program shall have included within their utility bills a charge of Three and No/00 Dollars (\$3.00) per month.
- (c) Multifamily Residential Utility Customers participating in the Program shall be billed Three and No/00 Dollars (\$3.00) per month per occupied Living Unit. There is a rebuttable presumption that seventy-five percent (75%) of the total number of Living Units served solely by a single Edmond utility bill are occupied. The number of presumed Living Units shall be rounded down, but to not less than one (1).
- (d) The total number of Living Units attributed to Multifamily Residential Utility Customers and Landlords shall be based upon the number of housekeeping units on record with the Edmond Utilities Department. It is the responsibility of all Multifamily Residential Utility Customers and Landlords to annually confirm with the Utilities Department whether this number of housekeeping units is in fact accurate. Adjustments may be made to the number of housekeeping units on record with the Utilities Department based on information provided by sworn affidavit from the Multifamily Residential Utility Customer or Landlord and confirmed by the City. Multifamily Residential Utility Customers and Landlords shall make staff available to meet at the subject residences with City Utilities Department personnel to confirm the number of Living Units as provided for by the Utility Customer in the sworn affidavit mentioned herein.

SECTION 3. Section 4.65.030 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.30 - Nonparticipation Election.

- (a) A Utility Customer may choose to enroll in the Medical Service Program at any time. A Utility Customer who elects to participate in the Medical Service Program may not change his/her enrollment status, opting to unenroll, for the remainder of the Program Year. The Utility Customer's election in the Medical Service Program shall remain unchanged unless affirmatively changed at the request of the Utility Customer in writing. Any Utility Customer who desires not to participate in the Medical Service Program shall provide in writing to the Utilities Department all necessary information to properly identify their account and their intent of nonparticipation.
- (b) If a Multifamily Residential Utility Customer or Landlord or his or her authorized representative elects for a property not to participate in the Medical Service Program, the Multifamily Residential Utility Customer or Landlord or his/her authorized representative shall obtain from each Tenant a written and signed acknowledgement stating that the Tenant: (1) understands that the Tenant and the Tenant's Household are not included in the Medical Service Program; (2) understands that the Tenant may affirmatively elect to personally participate in the Medical Service Program by contacting American Medical Response Ambulance Service, Inc. and enrolling in the Medical Service Program, directly through contacting American Medical Response Ambulance Service, Inc., at the price of sixty-five dollars (\$65.00) annually, or as otherwise set by the ambulance service provider; (3) understands failure to participate in the Program will subject the Tenant and Tenant's Household to the full costs associated with American Medical Response Ambulance Service, Inc. services; and (4) has been informed of the estimated per trip cost for an emergency ambulance transport run. The written and signed acknowledgment described herein shall be maintained in the Multifamily Residential Utility Customer's or Landlord's or his/her authorized representative's records and available for inspection by the City of Edmond upon request. This acknowledgement must be obtained for all Tenants moving into the Landlord's or Multifamily Residential Utility Customer's property.
- (c) Failure to obtain and maintain on file the written acknowledgement from each Tenant shall be a separate violation of this section. In addition, every thirty (30) day period from the beginning of a lease until written

acknowledgment is received or the Multifamily Residential Utility Customer or Landlord or his/her authorized representative elects for a property to participate in the Medical Service Program shall constitute a separate offense for each Tenant affected.

SECTION 4. Section 4.65.040 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.040 - Collection of Service Charges.

- A. The service charges herein established for the Medical Service Program shall be billed to each Utility Customer monthly, along with the bill for other City utility services and shall carry the same due date as now or may hereafter be established for utility service bills.
- B. Disbursement of funds by the City to American Medical Response Ambulance Service, Inc. shall be upon the basis agreed to and approved through the annual budget or by subsequent budget amendments approved by the City Council.

SECTION 5. Section 4.65.050 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.050 - Accountability for funds received.

The City is not responsible for either the provision of services by American Medical Response Ambulance Service, Inc. or the Ground Ambulance Membership Program.

SECTION 6. Section 4.65.060 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.060 - Adjustment of Charges, Appeal.

Any Utility Customer who considers the Medical Service Program charges applicable to his/her Living Unit to be erroneous because said Utility Customer opted out of the Program, may request review of the charges by the City's Utilities Department. Additionally, any Landlord or Multifamily Residential Utility Customer who encounters special circumstances that would justify modifying the number of occupied Living Units determined in accordance with the provisions of Section 4.65.030 (such as fire, Act of God, or renovations), may request review thereof by the City's Utilities Department. Any other problems experienced by the Utility Customer with regard to his/her Medical Service Program

membership shall be referred to American Medical Response Ambulance Service, Inc.'s membership department.

SECTION 7. Chapter 4.65 of the Edmond Municipal Code is hereby amended by adding a new Section 4.65.061 to read as follows:

4.65.061 Unlawful Ambulance Transfer Services.

It shall be unlawful for any person, entity, or service to furnish, operate, advertise or otherwise engage or profess to be engaged in the service or operation of ambulance transportation services that originate at an address within the City of Edmond unless said person, entity, or service is:

- (a) Rendering assistance to patients in case of a major catastrophe or emergency with which the licensed ambulances of the City are unable to cope; or
- (b) Transporting a patient who is picked up from a location beyond the limits of the City and transported to a location within the City; or
- (c) Transporting a patient who is picked up from a location beyond the limits of the City and transported to a location beyond the limits of the City and only incidentally passing through the City; or
- (d) Transporting a patient who is picked up from a location within the City limits and transported to a location beyond a 20 mile radius of the limits of the City; or
- (e) Operated by an agent or employee of the federal or state government if such service is done in performance of his/her official duties.

SECTION 8. Section 4.65.070 of the Edmond Municipal Code is hereby amended to read as follows:

4.65.070 - Penalty.

Unless otherwise provided in this article, any person violating any of the provisions of this article shall be guilty of a Class "A" offense and upon conviction shall be punished by a fine of not more than \$500.00, excluding costs and fees.

SECTION 9. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 10. SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 11. EMERGENCY. WHEREAS it being necessary for the preservation of the peace, health, and public welfare of the City of Edmond and the inhabitants thereof that the provisions of this ordinance be put into full force and effect as of January 23, 2024, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after approval of this Emergency Clause by an affirmative vote of at least three-fourths (3/4) of the entire membership of the governing body.

PASSED AND APPROVED the 22nd day of January, 2024.

/s/ Darrell A. Davis
MAYOR

Attest: (seal)

Kory Atcuson
City Clerk

APPROVED as to form and legality this the 22nd
day of January, 2024.

/s/ Madeline Sawyer
CITY ATTORNEY