

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 19-09

An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article IV. (Boards, Commissions And Committees), Section 2-204 (Enumeration), Chapter 18 (Emergency Services), Article II (Ambulances), Section 18-52 (Ambulance Service Commission), Section 18-56 (Unlawful To Operate Without Franchise), Section 18-57 (Reporting Procedures), And Section 18-58 (Limits Of Members' Liability) Regarding the Ambulance Commission and Ambulance Service District, And Establish The Effective Date Of This Ordinance

PURPOSE

The purpose of this ordinance is to delete the Ambulance Commission/Ambulance Service Commission and authorize the rescue squads to assist in providing emergency ambulance services.

NOW, THEREFORE, BE IT ORDAINED by the governing body of Darlington County, South Carolina, the Darlington County Council, that:

SECTION 1.

Darlington County Code of Ordinances, Chapter 2 (Administration), Article IV. (Boards, Commissions And Committees), Section 2-204 (Enumeration), which currently reads:

Sec. 2-204. - Enumeration.

The county has the following boards, commissions, and committees that serve at the pleasure of the county council:

- (1) Alcohol and Drug Citizen Advisory Committee;
- ~~(2) —Darlington County Ambulance Commission;~~
- (3) Darlington County Board of Assessment Appeals;
- (4) Darlington County Board of Fire Control;
- (5) Darlington County Construction Board of Adjustment and Appeals;
- (6) Darlington County Economic Development Partnership Board;
- (7) Darlington County Historical Commission;
- (8) Darlington County Airport Commission;
- (9) Darlington County Library Board;
- (10) Darlington County Parks and Recreation Commission;
- (11) Darlington County Planning Commission.

Be amended to remove Item 2 and renumber the remaining items as follows:

Sec. 2-204. - Enumeration.

The county has the following boards, commissions, and committees that serve at the pleasure of the county council:

- (1) Alcohol and Drug Citizen Advisory Committee;
- (2) Darlington County Board of Assessment Appeals;
- (3) Darlington County Board of Fire Control;
- (4) Darlington County Construction Board of Adjustment and Appeals;
- (5) Darlington County Economic Development Partnership Board;
- (6) Darlington County Historical Commission;
- (7) Darlington County Airport Commission;
- (8) Darlington County Library Board;
- (9) Darlington County Parks and Recreation Commission;
- (10) Darlington County Planning Commission.

SECTION 2.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Division 2 (Darlington Ambulance Service District), Section 18-52 (Ambulance Service Commission), which currently reads:

~~Sec. 18-52. — Ambulance service commission.~~

- ~~(a) — *Created; members.* The ambulance service district shall have a commission to be known as the county ambulance service commission which shall be composed of eight members appointed by each county councilmember to represent each of the eight council districts. The terms of office of the members shall be subject to the term limitations provided in section 2-203.~~
- ~~(b) — *Officers.* Immediately upon the appointment of the commission, it shall organize by electing one of its members as chairman, a second as vice-chairman and a third as secretary. The officers of the commission shall hold office for terms of one year and until their successors are elected and qualified.~~
- ~~(c) — *Powers.* The ambulance commission shall be empowered as follows:~~
 - ~~(1) — To define a quorum for its meetings.~~
 - ~~(2) — To make bylaws for the management and regulation of its affairs.~~
 - ~~(3) — To advise the county council on any matter affecting the operation of the county's ambulance service district and emergency medical services.~~

- (4) —To keep abreast of and advise the county council on all state and federal regulations or requirements with regard to the operation of the county's ambulance service district and emergency medical services.—
- (5) —To advise and assist the county on the compliance with any and all such regulations.—
- (6) —To investigate and determine the requirements for the maintenance of, efficient and fiscally responsible operation of the ambulance service district and emergency medical services department; as well as make recommendations to county council concerning the same. Such advice shall be made in the form of a written report to the emergency services director, summarizing the activities, findings, and functions of the commission. The emergency services director will be responsible for coordination with the county administrator in evaluating the information and presenting such information to county council.—
- (7) In no event, however, shall this commission enter into any contracts, contractual obligations, employment of personnel, purchase of equipment, or expenditure of funds not itemized and authorized in the budget, without the prior written consent, affirmation and authorization of the county council. All itemized expenditures for the budget must follow all county policies and have the approval of the county administrator. In any event, the power and authority to enter into any contract binding the county, construction, equipment, improvement, maintenance, and operation of the ambulance service district or the emergency medical services department is vested and shall remain in the county council and is not herein delegated to this commission.—
- (8) To grant franchises to private or eleemosynary concerns under such terms and conditions as it deems necessary, for the right to furnish ambulance service in part of or in the entire district.—

Be deleted in its entirety.

SECTION 3.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Division 2 (Darlington Ambulance Service District), Section 18-54 (Reserved), **be unreserved to read as follows:**

Sec. 18-54. - Reserved: Rescue Squads acknowledged by county council.

The Darlington Fireman Rescue Squad, Hartsville Rescue Squad, Lamar Rescue Squad, and Society Hill Rescue Squad are authorized to provide

emergency ambulance services in the county. The county and the rescue squads shall be bound by an agreement that defines the role of each rescue squad and their primary coverage area. In addition to providing emergency ambulance services in their assigned coverage area, the Darlington Fireman Rescue Squad, Hartsville Rescue Squad, Lamar Rescue Squad, and Society Hill Rescue Squad may be called on by the Darlington County Emergency Medical Services Department through direct administrative contact or through 911 central communications to provide emergency ambulance services in other parts of the county.

SECTION 4.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Division 2 (Darlington Ambulance Service District), Section 18-55 (Procedure, presumption in case of unconscious person, which currently reads as follows:

~~Sec. 18-55. Procedure, presumption in case of unconscious person.~~

~~Any person who is unconscious and in apparent need of ambulance service shall be presumed to have granted permission to anyone to request such service. In the case of a minor, the parent or guardian shall be presumed to have granted such permission.~~

Be deleted in its entirety.

SECTION 5.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Division 2 (Darlington Ambulance Service District), Section 18-56 (Unlawful to operate without a franchise), which currently reads as follows:

~~Sec. 18-56. Unlawful to operate without franchise.~~

~~It shall be unlawful for any person to operate an ambulance service in the ambulance service district without a franchise or written permission from the commission.~~

Be deleted in its entirety.

SECTION 6.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Division 2 (Darlington Ambulance Service District), Section 18-57 (Reporting procedures), which currently reads as follows:

~~Sec. 18-57. Reporting procedures.~~

The ambulance service commission shall report minutes for each of the commission's meetings to the county council after each ambulance commission meeting.

Be deleted in its entirety.

SECTION 7.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Division 2 (Darlington Ambulance Service District), Section 18-58 (Limits of members' liability), which currently reads as follows:

~~Sec. 18-58. Limits of members' liability.~~

~~No member of the ambulance service commission shall be liable for any civil damages as a result of any act or omission on the part of any franchisee, permittee, agent, servant or employee of the commission in rendering emergency care or as a result of any act or failure to act on the part of any franchisee, permittee, agent, servant or employee of the commission.~~

Be deleted in its entirety.

Section 8

The provision of this ordinance shall be included and incorporated in Darlington County Code of Ordinances as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 9.

This ordinance shall become effective upon third reading.

DARLINGTON COUNTY COUNCIL

ATTEST:

Bobby Hudson, Chairman

J. JaNet Bishop
Clerk to Council

FIRST READING: May 6, 2019
SECOND READING: June 3, 2019
THIRD READING: July 1, 2019
PUBLIC HEARING: June 3, 2019