

ORDINANCE NO. 3352
(Establish Section 4.05.124, Amend Section 4.05.020,
and Repeal Section 4.05.333 of Chapter 4.05 – Business License
Fee Schedules, and Amend Sections 4.80.050 and 4.80.060 of Chapter 4.80 –
Emergency Medical Services, of the Henderson Municipal Code)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON,
NEVADA, TO ESTABLISH SECTION 4.05.124 – AMBULANCE SERVICE,
AMEND SECTION 4.05.020 – PUBLIC UTILITY LICENSES, AND REPEAL
IN ITS ENTIRETY SECTION 4.05.333 – PRIVATE AMBULANCE SERVICE
OF CHAPTER 4.05 – BUSINESS LICENSE FEE SCHEDULES; AND AMEND
SECTIONS 4.80.050 – AMBULANCE SERVICES – BUSINESS LICENSE
REQUIRED, AND 4.80.060 – AMBULANCE SERVICES – FRANCHISE FEE
REQUIRED OF CHAPTER 4.80 EMERGENCY MEDICAL SERVICES, OF
THE HENDERSON MUNICIPAL CODE.

WHEREAS, Ordinance No. 3291 was adopted on October 6, 2015; and

WHEREAS, Ordinance No. 3292 was adopted on October 6, 2015; and

WHEREAS, An ambulance service business license fee structure that requires payments that reasonably approximate the cost for the City to administer their business license is generally viewed favorably by federal regulators as posing a lower risk of fraud and abuse; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Chapter 4.05 - Business License Fee Schedules of the Henderson Municipal Code is hereby amended as follows:

4.05.124 Ambulance Service

Each ambulance service provider shall:

A. Submit a nonrefundable ambulance service franchise application fee of \$1,000.00 as set forth in HMC 4.80.130(A).

B. Pay a semiannual license fee of \$50.00; and

C. Be subject to licensing requirements as set forth in chapter 4.80.

Establish Section 4.05.124, Amend Section 4.05.020, and Repeal Section 4.05.333 of Chapter 4.05, and Amend Sections 4.80.050 and 4.80.060 of Chapter 4.80 of the HMC

4.05.420 – Business license summary of fees.

<u>4.05.124</u>	<u>Ambulance service</u>	<u>Nonrefundable ambulance service franchise application fee of \$1,000.00 as set forth in HMC 4.80.130 (A); and a semiannual fee of \$50.</u>
[4.05.333	Private ambulance service	Nonrefundable ambulance service franchise application fee of \$1,000.00 as set forth in HMC 4.80.130 (A); and Fee based on Gross Revenue – See fee chart in section 4.05.010.]

4.05.333 Reserved [– Private ambulance service

Each private ambulance service provider shall:

- A. Submit a nonrefundable ambulance service franchise application fee of \$1,000.00 as set forth in HMC 4.80.130(A).
- B. Pay semiannual license fees set forth in section 4.05.010; and
- C. Be subject to licensing requirements as set forth in chapter 4.80.]

SECTION 2. Chapter 4.80 – Emergency Medical Services is hereby amended as follows:

4.80.050 – Ambulance services – Business license required.

Establish Section 4.05.124, Amend Section 4.05.020, and Repeal Section 4.05.333 of Chapter 4.05, and Amend Sections 4.80.050 and 4.80.060 of Chapter 4.80 of the HMC

A. No person shall engage in the business of operating an ambulance service upon the rights-of-way of the city without first obtaining a franchise, and thereafter maintaining a valid unexpired business license, as required by this chapter.

B. Each ambulance service licensed and receiving a franchise in the city under this chapter shall pay, in advance, a semiannual business license fee [based on the gross revenue of the business pursuant to the license fee schedule set forth in HMC 4.05.010] as set forth in section 4.05.124.

4.80.060 - Ambulance service—Franchise and fees required.

A. Except as provided in subsection [C]B of this section, it is unlawful for any person to provide ambulance service in support of the IEMS in the city without first obtaining and thereafter maintaining an ambulance service franchise and paying the franchise fee as required by this chapter.

B. A franchise is not required of any out-of-jurisdiction licensed ambulance service providing emergency cross-jurisdictional transport services originating outside the city, provided such ambulance service has obtained an ambulance service business license as required in this chapter.

SECTION 3. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 4. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on July 8, 2016, in the Review Journal.

Establish Section 4.05.124, Amend Section 4.05.020, and Repeal Section 4.05.333 of Chapter 4.05, and Amend Sections 4.80.050 and 4.80.060 of Chapter 4.80 of the HMC

PASSED, ADOPTED, AND APPROVED THIS 5TH DAY OF JULY, 2016.

Andy Hafen, Mayor

ATTEST:

Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on June 7, 2016, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on July 5, 2016, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held July 5, 2016, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Andy Hafen, Mayor
 Councilmembers:
 Debra March
 John F. Marz
 Gerri Schroder

Those voting nay: None
Those abstaining: None
Those absent: Sam Bateman

Andy Hafen, Mayor

ATTEST:

Sabrina Mercadante, MMC, City Clerk