

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 756  
ESTABLISHING REGULATIONS FOR ALS AMBULANCE,  
AIR AMBULANCE, BLS AMBULANCE, AND CRITICAL CARE TRANSPORT PROVIDERS

Section 1. Ordinance No. 756 is amended in its entirety to read as follows:

Section 1. PURPOSE AND INTENT. The County, through its EMS Agency and as identified in its Emergency Medical Service Plan, has determined the need to enact local regulations consistent with, and which enhance the County's responsibilities under, the "Emergency Medical Services System and the Prehospital Emergency Medical Act" (Health & Safety Code Sections 1797 et seq.) and which further serve and protect the health and safety of patients in the County while being transported.

A. “911 Emergency Ambulance” shall mean an ambulance permitted pursuant to this ordinance and operated by a REMSA-authorized Exclusive Operating Area (EOA) or Non-Exclusive Operating Area (Non-EOA) emergency ambulance provider as identified in the County EMS Plan.

B. “911 Emergency Ambulance Services” shall mean ambulance services at any REMSA-authorized level (ALS, LALS, BLS) provided in response to 9-1-1 and seven digit or ten-digit requests for emergency medical service through an authorized Public Safety Answering Point (PSAP); or prehospital emergency calls received directly by an EMS provider.

- 1 C. “911 Emergency Ambulance Transport” shall mean any ambulance transport  
2 originating from a 9-1-1, seven digit or ten-digit requests for service through an  
3 authorized Public Safety Answering Point (PSAP) or originating from prehospital  
4 emergency calls received directly by an EMS provider or an ambulance transport of  
5 a patient suffering a medical emergency from the prehospital environment to a  
6 REMSA-authorized Prehospital Receiving Center (PRC) Emergency Department.
- 7 D. “Advanced Life Support (ALS)” shall means special services designed to provide  
8 definitive prehospital emergency medical care, including, but not limited to,  
9 cardiopulmonary resuscitation, cardiac monitoring, cardiac defibrillation, advanced  
10 airway management, intravenous therapy, administration of specified drugs and  
11 other medicinal preparations, and other specified techniques and procedures  
12 administered by authorized personnel under the direct supervision of a base hospital  
13 as part of a local EMS system at the scene of an emergency, during transport to an  
14 acute care hospital, during interfacility transfer, and while in the emergency  
15 department of an acute care hospital until responsibility is assumed by the emergency  
16 or other medical staff of that hospital.
- 17 E. “Air Ambulance” means any aircraft specially constructed, modified, or equipped,  
18 and used for the primary purposes of responding to emergency calls and transporting  
19 critically ill or injured patients.
- 20 F. “Air Ambulance Provider” shall mean an air transportation service permitted to  
21 operate within the County to provide Air Ambulance services.
- 22 G. “ALS Ambulance” shall mean an ambulance equipped or arranged and staffed for  
23 the purpose of providing ALS care. The meaning includes, but is not limited to,  
24 privately and publicly owned ambulances operating within exclusive operating areas  
25 while under contract with the County or conducting ALS Inter-facility Transports  
26 between two medical facilities.
- 27 H. “ALS Ambulance Provider” shall mean an operator or permittee in possession of a  
28 written agreement with and permitted by the County to provide ALS care or an

operator or permittee who has been granted and permitted as such by the County to conduct ALS Inter-facility Transports.

I. “ALS Inter-facility Transports” shall mean the medical transport of a patient between medical facilities where it has been determined by the patient’s treating physician that such transport requires medical staff supervision consisting of a paramedic.

J. “Ambulance” shall mean any motor vehicle which meets the standards of Title 13 of the California Code of Regulations and is specifically constructed, modified or equipped, or arranged, used, licensed, or operated for the purpose of transporting sick, injured, convalescent, infirmed, or otherwise incapacitated person(s) in need of medical care. The meaning includes, but is not limited to, privately and publicly owned ambulances operating within the County.

K. “Ambulance Service” shall mean the activity, business, or service for hire, profit, or otherwise of transporting one (1) or more persons by ambulance upon any of the streets, roads, highways, alleys, or any public way or place whether ALS, BLS, CCT, or Air Ambulance.

L. “Ambulance Provider” shall mean a person or entity that operates, or causes the operation of, an Ambulance Service.

M. “Applicant” shall mean any person or entity which makes application for a Provider Permit prescribed by this ordinance.

N. “Basic Life Support (BLS)” shall means emergency first aid and cardiopulmonary resuscitation procedures which, as a minimum, include recognizing respiratory and cardiac arrest and starting the proper application of cardiopulmonary resuscitation to maintain life without invasive techniques until the victim may be transported or until advanced life support is available.

O. “BLS Ambulance” shall mean an ambulance equipped, or arranged, and staffed for the purpose of providing BLS care. The meaning includes, but is not limited to, privately and publicly owned ambulances operating within the County.

P. “BLS Ambulance Provider” shall mean an operator permitted by the County to provide BLS care.

- 1 Q. "County" shall mean the County of Riverside.
- 2 R. "Critical Care Transport (CCT)" shall mean the medical transport of a patient
- 3 between medical facilities where it has been determined by the patient's treating
- 4 physician that such transport requires medical staff supervision consisting of a Nurse
- 5 or physician.
- 6 S. "CCT Provider" shall mean an operator permitted by the County to provide CCT
- 7 services.
- 8 T. "Department" shall mean the Riverside County Emergency Management
- 9 Department.
- 10 U. "Emergency Management Department (EMD)" shall be the County Department
- 11 having primary responsibility for the preparation, management, and mitigation of
- 12 disaster/emergency services in Riverside County.
- 13 V. "Emergency Medical Services (EMS)" shall mean care rendered to a person or
- 14 persons in need of immediate medical care.
- 15 W. "EMS Agency" shall mean the County's designated local Emergency Medical
- 16 Services Agency and/or local EMS Agency established pursuant to Health and Safety
- 17 Code Section 1797.200.
- 18 X. "EMS Call" shall mean any sudden or serious illness or injury requiring immediate
- 19 medical attention, where delay in providing such services may aggravate the medical
- 20 condition or cause the loss of life. All Emergency Medical Service calls shall be
- 21 responded to by resources identified by primary or secondary Public Safety
- 22 Answering Point (PSAP) as appropriate.
- 23 Y. "EMS Plan" shall mean that document(s) developed by the EMS Agency pursuant
- 24 to Health and Safety Code Section 1797.250.
- 25 Z. "EMS System" shall mean the interrelated but separate public and private entities
- 26 including, but not limited to, ambulance providers, fire departments, and hospitals
- 27 which, optimally, work together in the timely and appropriate provision of
- 28 emergency medical services to the citizens and visitors of the County.

- 1 AA. "Emergency Medical Technician (EMT)" shall mean a person certified to render  
2 BLS medical care pursuant to Health and Safety Code section 1797 et seq.
- 3 BB. "Emergency Medical Technician-Advanced (AEMT)" shall mean a California-  
4 certified EMT with additional training in limited advanced life support (LALS)  
5 according to the standards prescribed by Title 22 of the California Code of  
6 Regulations.
- 7 CC. "Enforcement Officer" shall mean any County employee or agent designated by the  
8 Administrator of REMSA to enforce any provision of this ordinance.
- 9 DD. "Entity" shall mean any public or private organization, firm, partnership, or  
10 association.
- 11 EE. "Exclusive Operating Areas (EOA)" shall mean an area or sub-area defined by the  
12 County EMS Plan for which REMSA, upon recommendation of the County, restricts  
13 operations to one or more emergency ambulance services or providers of limited  
14 advanced life support (LALS) or ALS pursuant to the Health and Safety Code,  
15 Division 2.5, 1797.224.
- 16 FF. "Incident Action Plan (IAP)" shall mean a plan that documents incident goals,  
17 operational period objectives, and the response strategy defined by the incident  
18 command during a response planning. It contains general tactics to achieve goals  
19 and objectives within the overall strategy, while providing important information on  
20 event and response parameters. The IAP facilitates dissemination of critical  
21 information about the status of response assets themselves.
- 22 GG. "Limited Advanced Life Support (LALS)" shall mean special service designed to  
23 provide prehospital emergency medical care limited to techniques and procedures  
24 that exceed basic life support but are less than advanced life support and are those  
25 procedures specified pursuant to Health and Safety Code, Division 2.5, 1797.171.
- 26 HH. "Medical Care" shall mean any medical care rendered by an appropriately certified  
27 and/or licensed person.  
28

- 1 II. "Medical Director" shall mean that physician designated to serve as the Medical  
2 Director of the EMS Agency pursuant to Section 1797.202 of the Health and Safety  
3 Code.
- 4 JJ. "Mobile Intensive Care Nurse (MICN)" shall mean a registered nurse authorized to  
5 provide ALS Medical care pursuant to Section 1797.56 of the Health and Safety  
6 Code.
- 7 KK. "Neonatal Intensive Care Unit (NICU)" shall mean an intensive care unit  
8 specializing in the care of ill or premature newborn infants.
- 9 LL. "Non-Emergency Medical Call" shall mean the transportation of a patient by ground  
10 ambulance or Air Ambulance that would not constitute an emergency medical  
11 service call.
- 12 MM. "Non-Exclusive Operating Area (Non-EOA)" - shall mean an EMS area or subarea  
13 that has no restrictions to limit operations to one or more emergency ambulance  
14 services or providers of limited advanced life support or advanced life support.
- 15 NN. "Nurse" shall mean a registered nurse licensed in the State of California.
- 16 OO. "Paramedic" shall mean a person licensed and accredited to render ALS medical care  
17 pursuant to Section 1797.84 of the Health and Safety Code.
- 18 PP. "Patient" as defined in REMSA Policy 101.
- 19 QQ. "Pediatric Intensive Care Unit (PICU)" shall mean an area within a hospital  
20 specializing in the care of critically ill infants, children, teenagers, and young adults  
21 aged 0-21.
- 22 RR. "Permit Holder" shall mean a person or entity possessing a valid provider permit as  
23 authorized by this ordinance.
- 24 SS. "Permit Officer" shall mean the County of Riverside EMS Agency Administrator or  
25 his/her designated representative.
- 26 TT. "Physician" shall mean the same as such defined by Section 4039 of the Business  
27 and Professions Code.
- 28

- 1 UU. "Provider Unit" shall mean each ambulance, Air Ambulance, or other vehicle, as  
2 authorized by the EMS Agency, which a Permit Holder uses in the course of its  
3 permitted provider service.
- 4 VV. "Public Safety Answering Point (PSAP)" shall mean a 24-hour, state, local, or  
5 contracted communications facility, which has been designated by the local service  
6 board to receive 911 service calls and dispatch emergency response services in  
7 accordance with the E911 service plan.
- 8 WW. "Quality Assurance" shall mean the sum of all activities undertaken to assure that  
9 prehospital emergency medical transportation services and non-emergency medical  
10 transportation services maintain established standard by appropriate regulatory  
11 agencies.
- 12 XX. "Quality Improvement" shall mean the evaluation of prehospital emergency medical  
13 services and non-emergency transportation services to identify where personnel  
14 performance or the system itself can be improved, the implementation of potential  
15 improvements, and their re-evaluation and refinement in a continuous cycle. While  
16 Quality Assurance traditionally focuses on the detection of defects, Quality  
17 Improvement strives to prevent them. A Quality Improvement program must  
18 include, but is not limited to, Quality Assurance, and must encompass the sum of all  
19 activities undertaken to assure that prehospital emergency medical services maintain  
20 the standard of care established for those services.
- 21 YY. "REMSA" shall mean the Riverside County Emergency Medical Services (EMS)  
22 Agency.
- 23 ZZ. "Respiratory Therapist" shall mean a person licensed by the Respiratory Care Board  
24 of California.
- 25 AAA. "Special Events" shall mean any situation where a scheduled event places a grouping  
26 or gathering of people in one general locale sufficient in number that it creates a  
27 potential need to have organized emergency medical care available.  
28

BBB. "Specialized Services Transport (SST) Provider" shall mean operator permitted by the County of Riverside to provide transport services in conjunction and coordination with hospital based specialized Pediatric Intensive Care Unit (PICU) and/or Neonatal Intensive Care Unit (NICU) transport team.

Section 3. PROHIBITIONS. It is prohibited and shall be unlawful for any person or entity to operate, or advertise the operation of an ALS Ambulance, an Air Ambulance, a BLS Ambulance, Critical Care Transport Provider, or a Specialized Services Transport Provider service in the County without having obtained a Provider Permit to do so, or as otherwise may be authorized by this ordinance, or if having a Provider Permit, to operate or advertise in violation of the terms, conditions, or restrictions of said Provider Permit.

Section 4. NON-APPLICABILITY.

- A. A non-permitted ALS Ambulance or Air Ambulance service provider based and operated under the regulatory authority of a governmental entity other than the County may operate in the County for a limited purpose of transporting patients to or through the County if the transportation of the patient was initiated outside the County.
- B. A non-permitted BLS Ambulance or CCT/SST service provider based and operated under the regulatory authority of a governmental entity other than the County may operate in the County for limited purpose of transporting Patients to or through the County if the transportation of the patient was initiated outside the County.
- C. In the event of a local disaster, as proclaimed by the Riverside County Board of Supervisors, the requirements of this ordinance may be suspended in whole or part by the Director of the Emergency Management Department until such time as the disaster proclamation is rescinded.

Section 5. PROVIDER PERMITS.

- A. Initial Issuance. Pursuant to the procedures and conditions established, or as may be established, by this ordinance and REMSA policies, the Permit Officer shall issue Provider Permits and Provider Unit Permits to:

- 1. ALS 911 Emergency Ambulance Provider(s) as approved pursuant to the



EMS Plan.

2. ALS Inter-facility Ambulance Provider(s) for operation in the County.
3. Air Ambulance Provider(s) for operation in the County.
4. BLS Ambulance and CCT Service Provider(s) for operation in the County.
5. Specialized Services Transport (SST) Providers for operation in the County (Hospital based PICU/NICU Team Transport only).

B. Renewal. An application for renewal of a Provider Permit shall be submitted to the Enforcement Officer at least sixty (60) days prior to the expiration of the Provider Permit to be renewed. A Permit Holder shall have its permit renewed upon expiration if the Permit Holder does not seek a substantial change in the permit and there do not exist grounds for denial for renewal of the permit as specified in Section 5 subsection M of this ordinance. For the purpose of this subsection, a "substantial change in the permit" shall mean a change in the level, scope or manner of service permitted under the Permit Holder's current or previous Provider Permit or such condition as may be determined by the Permit Officer.

1. Late Renewal Application Penalty. If a Permit Holder makes application for the renewal of a Provider Permit less than sixty (60) days prior to the expiration of the Permit Holder's Provider Permit for which renewal application is made, the Permit Holder shall pay an additional twenty percent (20%) of the fee due.

C. Expiration. Except as provided herein below for the issuance of temporary Provider Permits, all Provider Permits shall expire on the date of June 30 of each year.

D. Application. Application for a Provider Permit shall be made to the Enforcement Officer on form(s) as may be prescribed by the Permit Officer. At the time the application is made, the applicant shall provide, the information as required in REMSA Ambulance Permit Policy.

E. Application Review. Upon the submittal of an application, the EMS Agency shall review the application to ensure its conformity with Section 5 subsection D. of this

1 ordinance within ninety (90) days of receipt, unless the Enforcement Officer  
2 investigates pursuant to Section 5 subsection F. Where the Enforcement Officer  
3 conducts such an investigation, the review of an application shall be completed  
4 within one hundred twenty (120) days of receipt. Upon the completion of the  
5 application review, and further investigation if required, the applicant shall  
6 immediately be notified in writing of the granting or denial of the application by the  
7 Enforcement Officer.

8 F. Application Investigation. Upon receipt of an initial or renewal application, the  
9 Enforcement Officer may conduct, or cause to be conducted, an investigation into  
10 the applicant's proposed provision of service, if deemed necessary.

11 G. Denial of Permit Upon Initial Application. An Initial Application for a Provider may  
12 be denied by the Enforcement Officer. For the purpose of this subsection, an "Initial  
13 Application" shall mean an application submitted by an applicant that is not a Permit  
14 Holder at the time application is made or, if a Permit Holder, makes application for  
15 a Provider Permit other than which it presently holds and would therefore not qualify  
16 for renewal of a Provider Permit as provided in Section 5 subsection C of this  
17 ordinance. The grounds for denial of an initial application shall be provided in  
18 REMSA Ambulance Permit policy.

19 1. Notification. The Enforcement Officer shall provide the applicant with  
20 written notification that its application has been denied and stating the  
21 grounds upon which the denial is based as provided hereinabove and a brief  
22 statement of the facts and circumstances upon which Enforcement Officer  
23 has made his/her determination that the grounds for the denial of the  
24 application exists. Said notification shall also advise the applicant of its right  
25 to have the decision to deny the application reviewed by the Permit Officer  
26 pursuant to procedures prescribed herein below.

27 2. Procedure for Review.

28 a. Within fifteen (15) days of receipt of written notification that its

1 initial application has been denied, the applicant may file a written  
2 request for review of the Enforcement Officer's decision to deny the  
3 application. The applicant's request for review shall briefly state the  
4 reasons that the Enforcement Officer's decision to deny the initial  
5 application should be reversed. The applicant may accompany the  
6 request for review with documentation relevant to its basis for  
7 requesting the review.

8 b. The Permit Officer, upon timely receipt of a request for review of  
9 denial of an initial application, shall, within thirty (30) days, conduct  
10 such further investigation as may be warranted after due consideration  
11 of the applicant's request. Thereupon the Permit Officer may vacate  
12 the Enforcement Officer's decision to deny the application for initial  
13 permit and grant said application.

14 c. If, upon further consideration of the request for review, the Permit  
15 Officer does not reverse the Enforcement Officer's decision to deny  
16 the application, the Permit Officer shall so notify the applicant in  
17 writing and further advise the applicant that the Permit Officer will  
18 personally hear the request, if requested by the applicant, to ensure  
19 that the request and all relevant information is given due consideration  
20 by the Permit Officer.

21 d. In no event shall the Permit Officer's review of the request exceed  
22 a period of sixty (60) days after the applicant's written request is  
23 received, unless the applicant and Permit Officer so stipulate to an  
24 extension of this time period for review of the request.

25 e. The decision of Permit Officer to deny an initial Provider Permit  
26 shall be final.

27 H. Condition of permit. The acceptance of a Provider Permit shall obligate the Permit  
28 Holder to meet otherwise fulfill each condition set forth in the REMSA policies and  
this ordinance.

- I. Form and Content of Permits. Provider and Provider Unit permits shall be issued in a form as may be prescribed by the Permit Officer. The content of a Provider Permit shall include, but not be limited to, the Provider authorized under the permit, any special conditions or restrictions as authorized by this ordinance and, as to ALS Ambulance Provider, the Exclusive Operating Area(s) as prescribed by the EMS Plan within which such provider shall operate.
- J. Permit Variance. Upon written request by a Permit Holder, the Permit Officer may grant a variance in writing from the conditions specified in a Permit Holder's permit if the Permit Officer finds that such change is in substantial compliance with the minimum provider operation requirements established by this ordinance and appropriate REMSA policies and that such action is necessary to protect the health, safety, or welfare of public or to better serve the public
- K. Provider Permit Transfer Prohibition. The transfer of a Provider Permit from a Permit Holder to another person or entity shall be prohibited. The transfer of a Permit Holder's ownership interest in part or whole in a permitted Provider shall require the filing of an initial application for a Provider Permit by the person or entity to whom ownership will be transferred.
- L. Provider Unit Permit Transfer Prohibition. The transfer of a Provider Unit Permit from one Provider Unit to another Provider Unit is prohibited. For any permitted Provider Unit that ceases to be operational, the Permit Holder shall give written notice of this fact to the Enforcement Officer. The Permit Holder shall file a written request for Provider Unit permit which the Permit Holder intends to operate under a Provider Permit, but which has not been previously issued a Provider Unit Permit. The Permit Holder shall pay the established Provider Unit fee at the time of such request.
- M. Denial of Renewal, Suspension and Revocation of Provider Permit. The Enforcement Officer, after conducting an investigation or upon such facts or circumstances as may be known to him/her, may deny the renewal of, suspend or revoke a Provider Permit issued under the provision of this ordinance when it has

1           been found that a Permit Holder has not met the provisions listed in REMSA  
2           ambulance permit policy and/or this ordinance. In addition to the foregoing grounds,  
3           those listed in REMSA policies, and/or others list in this ordinance, the Enforcement  
4           Officer may deny renewal, suspend or revoke a Provider Permit when the continued  
5           operation of the permitted provider causes, or threatens to cause, harm to the health  
6           and safety of the public as determined by the Permit Officer.

7           1.       Notification.

- 8                   a.       Upon the Enforcement Officer's denial of renewal, suspension, or  
9                            revocation of a Provider Permit, he/she shall give the Permit Holder  
10                           written notice of such determination by mail via electronic and  
11                           certified. The written notice shall advise the Permit Holder of the  
12                           grounds upon which the action is being taken, a brief statement of the  
13                           facts or circumstances in support of such grounds, and the effective  
14                           date(s) of the adverse action.
- 15                   b.       The denial of renewal of a Provider Permit shall be made no more  
16                            than thirty (30) days after the Permit Holder makes application for  
17                            renewal of a Provider Permit.
- 18                   c.       The suspension or revocation of a Provider Permit shall be effective  
19                            no less than fourteen (14) days after receipt of notification, unless the  
20                            Enforcement Officer makes a determination that the protection of the  
21                            public health and safety warrants the immediate suspension or  
22                            revocation of a Provider Permit in which case the suspension or  
23                            revocation will be effective upon the Permit Holder's receipt of the  
24                            notification.

25           2.       Administrative Review.

- 26                   a.       Within seven (7) days of receiving notification of denial of renewal,  
27                            suspension or revocation of its Provider Permit, the Permit Holder  
28                            may request that the Permit Officer review the adverse action. The  
                              administrative review request shall be in writing. The written request

1 for administrative review must be accompanied by a deposit equal to  
2 the full amount of the administrative fine(s) specified in the notice of  
3 administrative fine, if applicable. Failure to deposit this amount  
4 concurrently with the request for administrative review shall  
5 constitute a waiver of the operator's entitlement to the administrative  
6 review. The review request and fee deposit shall be deemed filed on  
7 the date received by the local EMS agency.

8 b. Absent a determination by the Permit Officer that the immediate  
9 imposition of an adverse action as provided in this subsection is  
10 warranted, the Permit Officer shall set a date, time and location for  
11 the requested review prior to the date(s) set for the proposed adverse  
12 action and shall give written notice of same to the Permit Holder.  
13 The date set for the administrative review shall not be continued  
14 beyond the date set for imposition of the adverse action unless such  
15 continuation is mutually agreed to by the Permit Officer and the  
16 Permit Holder.

17 c. In the review, the Permit Holder shall have the burden of presenting  
18 all arguments and/or information relevant to the Permit Officer's  
19 action or mitigation thereof. The failure of the Permit Holder to  
20 appear at the administrative review shall constitute an abandonment  
21 of the review request and a failure to exhaust administrative remedies  
22 to judicially the imposition of the administrative fine. If the  
23 administrative review is abandoned, the issuing department shall keep  
24 the funds deposited with the review request.

25 d. After the administrative review, the Permit Officer may affirm,  
26 modify, or set aside the original adverse action. The Permit Officer  
27 shall give written notice of such decision to the Permit Holder, as soon  
28 as possible. However, in no event shall such notice be given more  
than seven (7) days after the administrative review.

1 e. As may be appropriate, the Enforcement Officer shall notify all public  
2 safety agencies, permitted Providers and public safety  
3 communication centers, hospitals and other agencies and  
4 organizations of any adverse action taken against a permitted Provider  
5 pursuant to this subsection.

6 3. Appeal to the Board. If, after an administrative review as provided  
7 hereinabove, the Permit Officer imposes adverse action against a Permit  
8 Holder, the Permit Holder may appeal such action to the Board, and the Board  
9 shall consider the appeal pursuant to the following procedures. Such appeal  
10 shall not suspend the imposition of any adverse action taken by the Permit  
11 Officer.

12 a. Request for Appeal Hearing. The Permit Holder shall submit a  
13 request for a hearing in writing to the Clerk of the Board within twenty  
14 (20) days following the denial of renewal, suspension, or revocation  
15 of a Provider Permit. The Board shall hear the appeal directly, or at  
16 its sole discretion, may appoint a neutral hearing officer to hear the  
17 appeal and make findings of fact on behalf of, and recommendations  
18 thereupon, to the Board.

19 b. Hearing Appeal Procedures. The Board or its appointed hearing  
20 officer shall hear the matter within sixty (60) days of receipt of the  
21 Permit Holder's request for appeal pursuant to the following  
22 procedures:

- 23 • Witnesses shall swear or affirm to tell the truth.
- 24 • Each party may present oral testimony and documentary  
25 evidence or other exhibits.
- 26 • The appealing Permit Holder shall present its case first.
- 27 • Each party shall have the right to be presented by counsel  
28 and shall have the right of cross-examination of witnesses.
- After both sides have completed presenting evidence, each

1 party may, by closing argument, comment on the evidence.

2 c. Appeal Decision. Upon completion of the appeal hearing, the Board  
3 shall make findings of fact or, where appropriate, adopt the findings  
4 of fact of the appointed Hearing Officer, and shall make such  
5 determination thereupon. The decision of the Board shall be final for  
6 purposes of Judicial Review under Code of Civil Procedure Section  
7 1094.5 and Ordinance No. 628.

8 N. Permit Fees. Upon application made for a Provider Permit, the applicant shall pay  
9 a non-refundable permit fee in accordance with the schedule identified in REMSA  
10 Ambulance Policy and shall pay a fee for each Provider Unit that the applicant  
11 proposes to operate under the Provider Permit for which application is made in the  
12 amount identified in REMSA Ambulance policy.

13 1. Non-Payment of Fee, Grounds for Rejection of Application. Failure of the  
14 Applicant to submit an application with the appropriate Provider(s) Permit  
15 and Provider Unit(s) fees may serve as grounds for the Permit Officer to  
16 refuse the receipt of an initial or renewal Provider Permit application.

17 2. Late Fee Penalty. If, upon review of an accepted application, the  
18 Enforcement Officer determines that a Provider Permit or a Provider Unit  
19 fee due at the time the application is made was not paid in full, the applicant  
20 shall pay the additional amount due within thirty (30) days of written notice  
21 of same and shall pay a penalty in the amount of twenty percent (20%) of the  
22 fee(s) due.

23 3. Prorated Fee. Provider Permit fees may be prorated on a quarterly basis on  
24 such permits that are issued for a period of less than a year.

25 4. Publicly owned and operated provider. Publicly owned and operated entities  
26 are exempt from all fees specified by this ordinance.

27 5. Public Interest Fee Exemption. The Permit Officer may, upon investigation  
28



and determination that it is in the public interest, waive all or part of Provider and/or Provider Unit fees that would be due prior to the issuance of a Provider Permit.

O. Temporary Provider Permit. The Permit Officer may issue a Provider Permit as authorized by this ordinance on a temporary basis which shall not exceed a period of sixty (60) days in response to extraordinary conditions where the Permit Officer determines that the public health and safety necessitates the issuance of such a temporary permit and that the proposed temporary Permit Holder possesses the minimum standards as prescribed by the ordinance. Provider Permits issued under this subsection may be revoked on such grounds specified in Section 5 subsections A. and M. of this ordinance on twenty-four-hour notice to the Permit Holder. The decision of the Permit Officer to revoke a Provider Permit issued under this section shall be final without rights of administrative review to the Permit Officer or the Board.

Section 6. ORDINANCE ADMINISTRATION. The EMS Agency shall be responsible for the administration of this ordinance, including, but not limited to, promulgating such policies, protocols, and regulations as expressly required herein or as may be necessary to effectuate other provisions of the ordinance subject to the approval of the Permit Officer and, where appropriate, the Medical Director.

Section 7. ENFORCEMENT. This ordinance and policies, protocols, and regulations established pursuant to it shall be enforced by the Enforcement Officer.

Section 8. VIOLATION.

A. Administrative Fines.

1. Permitted Provider. A Permit Holder that violates, or causes the violation of, any provision of this ordinance shall pay a fine for each such violation in the amount of five hundred dollars (\$500.00) for each violation to the County.
2. Penalty for Late Payment of Administrative Fine. The administrative fines established hereinabove shall be paid within thirty (30) days of written notification being mailed in the U.S. Postal Service, and shall be deemed delinquent thirty (30) days after they are due and payable and deemed to be

1 a debt to the County. If any fine is not paid prior to becoming delinquent,  
2 there shall be a penalty added to such fee, and such penalty shall be equal to  
3 twenty percent (20%) of the fee normally due.

4 B. Public Nuisance. Any continued violation of any provision of this ordinance is  
5 deemed a public nuisance dangerous to the health and safety of the public and may  
6 be enjoined or summarily abated in the manner provided by law.

7 C. Criminal Penalties. Any person who violates provisions of this ordinance shall be  
8 guilty of an infraction, and upon conviction thereof shall be punished by: (1) a fine  
9 not to exceed one hundred dollars (\$100.00) for the first violation of this ordinance;  
10 (2) a fine not to exceed two hundred dollars (\$200.00) for a second violation of the  
11 ordinance within one (1) year; and (3) a fine not to exceed five hundred dollars  
12 (\$500.00) for each additional violation of this ordinance after second violation within  
13 one (1) year. Notwithstanding the above, even a first offense may be charged and  
14 prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve a  
15 person from the responsibility for correcting the violation.

16 D. Remedies.

17 1. An action may be commenced in the name of the County in any court of  
18 competent jurisdiction for payment of the amount of any delinquent  
19 administrative fee or fine and penalty thereon.

20 2. All remedies available to the County shall be cumulative, and the use of one  
21 or more remedies by the County shall not bar the use of any other remedy for  
22 the purpose of enforcing the provisions of this ordinance. Nor shall the  
23 payment of any administrative fee or fine prevent criminal prosecution for  
24 violation of the provisions of this ordinance.

25 3. The additional remedies, penalties, and procedures for violation of this  
26 ordinance and for recovery of costs related to enforcement provided for in  
27 Ordinance No. 725, as it may be amended from time to time, are incorporated  
28 herein by this reference.

1           Section 9.     SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this  
2 ordinance as herein enacted, or the application thereof to any person or circumstances is held invalid or  
3 unconstitutional by decision of any court of competent jurisdiction, such invalidity shall not affect the other  
4 provisions or applications of this ordinance, or any section or portion of section hereof, which can be given  
5 effect without the invalid provisions where application and to this in the provision so this ordinance are and  
6 are intended to be, severable. The Board of Supervisors hereby declares that it would have passed this  
7 ordinance and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or  
8 more other sections, subsections, clauses, or phrases may be declared invalid or unconstitutional.

9           Section 10.   EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its  
10 adoption.

11 756.1 Item 3.12 of 11/07/2023 (Eff: 12/07/2023)