

ORDINANCE NO. 0-82-2

AN ORDINANCE ENTITLED "AN ORDINANCE GRANTING TO CONWAY MEMORIAL HOSPITAL A FRANCHISE TO OPERATE AN AMBULANCE SERVICE WITHIN THE CITY OF CONWAY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS the City Council of the City of Conway, Arkansas, has been concerned with the quality and rate structure of the present ambulance service being provided to the residents of the City of Conway, Arkansas, and

WHEREAS the City Council in the exercise of its duty to protect the health, safety, and welfare of the inhabitants of the City of Conway, Arkansas, and further considering the providing of an affordable and reliable ambulance service to be within the scope of its authority in protecting the health, safety and welfare of the inhabitants of the City of Conway, Arkansas;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1. Definition. "Ambulance Service" as used in this instrument shall mean the transportation and emergency medical technician care provided the critically ill or injured prior to arrival at a medical facility and within a medical facility subject to the individual approval of the medical staff and governing board of that facility, and further the transport to or from medical facilities including but not limited to hospitals, nursing homes, physicians offices, and other health care facilities, of persons who are infirm or injured and who are transported in a reclining position or who are ill but considered to be non-emergency in status and who request ambulance transportation.

Section 2. That there is hereby granted to the Conway Memorial Hospital, hereinafter referred to as "Hospital" a corporation organized under the laws of the State of Arkansas and licensed by the Arkansas Department of Health, the exclusive privilege of operating and maintaining an ambulance service within the City of Conway, Arkansas for a period beginning on the 3rd day of February, 1982 and ending on the 2 day of February, 1987. It is expressly provided, however, that no contract or franchise agreement for the providing of ambulance service by Hospital shall become effective, unless and until such contract or agreement shall have been executed by the Mayor and City Clerk of the City of Conway,

Arkansas.

Section 3. That said Hospital is hereby granted the exclusive right and privilege to operate an ambulance service in, and through, and over all streets, avenues, alleys, sidewalks and public grounds of said City, and is hereby granted the right of ingress and egress thereon for the purposes aforesaid during the term of this franchise. It is hereby expressly provided, however, that the rights and privileges of this Section of this ordinance granted to said Hospital shall not be assigned to other persons, firms or corporations, whether publicly, privately otherwise owned and operated, without the prior approval of the City Council of the City of Conway, Arkansas by resolution or ordinance for that purpose.

Section 3. Said Hospital shall, at all times during the term of this franchise, keep, operate and maintain an efficient and properly equipped ambulance service, together with the proper and sufficient equipment to operate in accordance with the terms of all ordinances, statutes, federal regulations, and other applicable laws or regulations now in effect and as subsequently amended; unless prevented by act of God, public enemy, strikes, process of court or other cause beyond the control of said Hospital.

Section 4. The said Hospital shall, at all times during the term of this franchise, furnish said ambulance service to inhabitants in the City of Conway at rates not exceeding the following schedule:

Emergency Transfer	\$75.00
Transfer	45.00
Mileage Rate for Emergency and Transfer	1.50 per mile

In addition to the above standards, the Hospital may assess additional fees as necessary for services supplied to supplement the standard services listed above such ^{vas} emergency medication and use of emergency medical equipment considered non-routine.

The said Hospital may make and enforce all such proper rules as to collection of delinquent bills as it may deem necessary.

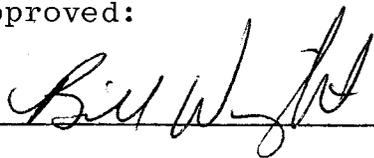
Section 5. The provisions of this franchise shall be accepted in writing by said Hospital concurrently with the execution of this Ordinance, whereupon said franchise shall be deemed to be in full force and effect. The Mayor and the City Clerk of the City of Conway, Arkansas, are hereby authorized and directed to enter into a franchise agreement in conformity with this ordinance. Said Hospital shall comply with all provisions of said franchise agreement, this ordinance, and any other ordinance of the City of Conway found to be applicable, or any other statute or law regulating the provision of ambulance service.

Section 6. All ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of the conflict. Should any section of this ordinance be found to be unconstitutional or unenforceable, same shall not affect the validity of the remainder of the provisions of this ordinance.

Section 7. The City Council having determined that the providing of efficient and reasonably priced ambulance service is necessary for the protection of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 2nd day of February , 1982.

Approved:



Attest:

