

ORDINANCE 2012- 01
AN ORDINANCE RELATING TO FRANKLIN
COUNTY AMBULANCE SERVICES

I. Preamble:

Whereas, The State of Illinois has declared it a matter of public policy that in order to preserve, protect, and promote the public health safety and general welfare, adequate and continuing emergency ambulance service should be available to the citizens of the State of Illinois;

Whereas, Private enterprise and other units of local government within Franklin County, Illinois are unable to provide effective and necessary emergency ambulance service to meet the needs of the citizens of Franklin County and it is necessary for Franklin County to enter into contracts as the board deems appropriate with private persons, hospitals, corporations, or other governmental units for the provision and operation of ambulance service or subsidize the service thereof within Franklin County, Illinois and to limit of the number of ambulance services operating within the County, and establish statutes or regulations relating to ambulance services in order to effectively provide emergency ambulance services to the citizens of Franklin County;

Whereas, Limiting of the number of ambulance services which are allowed to operate within the county is necessary for both emergency and non-emergency ambulance service operations and transports in order to attract ambulance service providers or resources willing to conduct business and to provide adequate emergency ambulance service coverage to Franklin County, Illinois.

Whereas, Chapter 55 Illinois Compiled Statutes Act 5 Section 1053 empowers Franklin County to address ambulance services within Franklin County;

II. Definition:

Ambulance Service(s), for the purposes of this ordinance, includes ground only medical transportation service(s) provided by means of an ambulance, medi-car, service car, or a taxi and includes emergency and non-emergency transport; Ambulance Service(s) does not mean a friend, family member, or Good Samaritan who provides transport for a sick or injured person without charge. Ambulance Service(s) does not mean transportation of the sick or injured via a helicopter or by airplane.

III. Enactment:

The Franklin County Board does hereby ordain, adopt and decree as follows:

A. That the Franklin County Board may enter into contracts as it deems appropriate with private persons, hospitals, corporations, or other governmental units for the provision and operation of ambulance service or subsidize the service thereof within Franklin County, Illinois;
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B. That the Franklin County Board may limit the number of ambulance services operating within Franklin County as they deem appropriate to meet the needs of the citizens of Franklin County;

C. That the Franklin County Board may establish regulations not inconsistent with the statutes or regulations of the Department of Public Health relating to ambulance service and may fix, charge and collect fees for ambulance service not exceeding the reasonable cost of the service;

D. That no ambulance service may operate in Franklin County unless specifically authorized by the Franklin County Board or by a hospital facility or unit of local government within Franklin County, Illinois. This prohibition includes both emergency and non emergency operations or transports, unless one or more of the following exceptions exist:

Exceptions:

1. The West Frankfort Fire Department is currently providing emergency ambulance service to Denning and Frankfort Townships as part of their fire protection district in Franklin County and are excepted from this prohibition;
2. In the event an ambulance service is operating under a mutual aid agreement with Franklin County, a unit of local government located within Franklin County, or any ambulance service which is duly authorized by the County, then said ambulance service is excepted from this prohibition;
3. Ambulance Service(s) providing transportation to a location within Franklin County or traveling through Franklin in which the dispatch for service does not originate in Franklin County are excepted from this prohibition;
4. Ambulance Service(s) operating within Franklin County after the declaration of a disaster in an area of Franklin County by any legally authorized governmental entity are excepted from this prohibition;

IV. Violations/Penalty:

That any person or entity who provides ambulance service within Franklin County in violation of this ordinance may be fined up to \$500.00 for each violation; Each non-authorized transport of a sick or injured person shall constitute a violation of this ordinance;

V. Repeal of Prior Laws:

With the enactment of this ordinance, the Franklin County Board expressly repeals Franklin County Ordinances 2003-01 and 2009-01 in their entirety. Any other Franklin County Ordinances that are in conflict with the provisions of this ordinance are hereby repealed and replaced by the enactment of this ordinance.

VI. Savings/Severability:

In the event that any provision, clause, or part of this ordinance is found to be invalid by any court of competent jurisdiction or in the event that any provision of this ordinance is repealed by the Franklin County Board, then the remaining provisions, clauses, and parts of this ordinance shall remain in effect and shall be read together without the invalid or repealed provision, clause, or part to obtain its meaning.

This Ordinance shall be in force and effect from and after its passage, approval, and publication as provided by law.

PASSED at the regular meeting of the Franklin County Board on the 21st day of MARCH, 2012.

Randall Crocker
Randall Crocker, Chairman

ATTEST:

Dave Dobill
Dave Dobill

Franklin County Clerk

YEAS 8

NAYS 0

ABSENT 1

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