

## CHAPTER 1

### FIRE PREVENTION

<b>Section 13-101</b>	<b>Adoption of Fire Prevention Code.</b>
<b>Section 13-102</b>	<b>Fire department to enforce code.</b>
<b>Section 13-103</b>	<b>Limits within which storage of flammable liquids in outside aboveground tanks is prohibited.</b>
<b>Section 13-104</b>	<b>Limits in which bulk storage of liquefied petroleum gases is to be restricted.</b>
<b>Section 13-105</b>	<b>Limits in which storage of explosives and blasting agents are prohibited.</b>
<b>Section 13-106</b>	<b>Modifications.</b>
<b>Section 13-107</b>	<b>New materials, processes, or occupancies which may require permits.</b>
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<b>Section 13-109</b>	<b>Burning trash.</b>
<b>Section 13-110</b>	<b>Penalties.</b>

#### **SECTION 13-101    ADOPTION OF FIRE PREVENTION CODE.**

A. There is hereby adopted by the city council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the National Fire Protection Association, being particularly the latest edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended by this code. At least one copy of the Fire Prevention Code is on file in the office of the city clerk. The Fire Prevention Code is hereby adopted and incorporated as fully as if set out at length herein; and from the date on which this code shall take effect, the provisions thereof shall be controlling within the limits of the city.

B. For the purpose of the Fire Prevention Code, the “fire official” shall mean the fire chief or his designee. The “Appointing Authority” shall be the city manager. (Prior Code, Sec. 8-1, as amended)

#### **SECTION 13-102    FIRE DEPARTMENT TO ENFORCE CODE.**

A. The Fire Prevention Code shall be enforced by the fire department of the city under the supervision of the chief of the fire department.

B. The chief of the fire department may detail such members of the fire department as inspectors as may from time to time be necessary. (Prior Code, Sec. 8-2)

#### **SECTION 13-103    LIMITS WITHIN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED.**

A. The limits referred to in the Fire Prevention Code, in which storage of flammable liquids in outside aboveground tanks is prohibited, are established as the city limits.

B. The limits referred to in the Fire Prevention Code, in which new bulk plants for flammable liquids are prohibited, are established as the city limits. (Prior Code, Sec. 8-3)

Cross Reference: Zoning regulations, see Section 12-201 et seq.

**SECTION 13-104      LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.**

The limits referred to in the Fire Prevention Code, in which bulk storage of liquefied petroleum gas has been prohibited, are established as the city limits. (Prior Code, Sec. 8-4)

Cross Reference: See Part 5 of this code for other provisions on liquefied petroleum gases.

**SECTION 13-105      LIMITS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS ARE PROHIBITED.**

The limits referred to in the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, are established as the city limits.

**SECTION 13-106      MODIFICATIONS.**

The chief of the fire department, with the approval of the city manager, shall have power to modify any of the provisions of the Fire Prevention Code and the life safety code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification, when granted or allowed and the decision of the fire chief and city manager thereon, shall be entered upon the records of the city manager, and a signed copy shall be furnished the applicant. (Prior Code, Sec. 8-5)

**SECTION 13-107      NEW MATERIALS, PROCESSES, OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.**

The chief of the fire department, the city manager, and one person appointed by the mayor with the approval of the council shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies, which shall require permits, in addition to those now enumerated in the code. The fire chief shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons. (Prior Code, Sec. 8-7)

**SECTION 13-108      APPEALS.**

Whenever the chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the city council within thirty (30) days from the date of the decision appealed. (Prior Code, Sec. 8-6)

**SECTION 13-109      BURNING TRASH.**

Bonfires and burning trash or rubbish outdoors are permitted only in accordance with the Fire Prevention Code, the city's air quality control ordinance, and State Health Department rules. (Prior Code, Sec. 8-13)

**SECTION 13-110    PENALTIES.**

A.     Any person who violates any of the provisions of the Fire Prevention Code or other code hereby adopted or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed therein, shall severally for every such violation and noncompliance respectively, be guilty of an offense, punishable by a fine as provided in Section 1-108 of this code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B.     The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Prior Code, Secs. 8-8, 8-16)

## CHAPTER 2

### FIRE DEPARTMENT AND SERVICE

#### ARTICLE A

##### FIRE DEPARTMENT

<b>Section 13-201</b>	<b>Fire department, chief of the department.</b>
<b>Section 13-202</b>	<b>Duties of the fire chief.</b>
<b>Section 13-203</b>	<b>Duties of the assistant chief.</b>
<b>Section 13-204</b>	<b>Use of fire equipment, inventory and repair.</b>

##### **SECTION 13-201 FIRE DEPARTMENT, CHIEF OF THE DEPARTMENT.**

There shall be a fire department, the head of which shall be the chief of the fire department appointed by the city manager for an indefinite term. The chief of the fire department shall be an officer of the city, and shall have supervision and control of the fire department. There shall be such additional firefighters as may be authorized. All firefighters shall be officers of the city. It is the duty of the fire department, among others, to extinguish fires; to rescue persons endangered by fire; to resuscitate, and to administer first aid to, persons injured in or about burning structures, or elsewhere in case of an emergency; to promote fire prevention; and unless otherwise provided, to enforce all ordinances relating to fires, fire prevention, and safety of persons from fire and explosions in theaters, stores, and other public buildings. (Prior Code, Secs. 1-9 to 1-16, 1-26 in part)

**State Law Reference:** Fire departments in general, 11 O.S. Sections 29-101 et seq.; volunteer departments, 11 O.S. Sections 29-201 et seq.

##### **SECTION 13-202 DUTIES OF THE FIRE CHIEF.**

The chief shall be at the head of the department, subject to the laws of the state, ordinances of the city, and the rules and regulations adopted in this chapter. The chief shall have the following powers and duties:

1. The chief shall be responsible for the general condition and efficient operation of the department, the training of members, and the performance of all other duties imposed upon him;
2. The chief may inspect or cause to be inspected by members of the department, the fire hydrants, cistern and other sources of water supply at least twice each year;
3. The chief shall maintain a library or file of publications on fire prevention and fire protection and shall make use of it to the best advantage of all members;
4. The chief shall make every effort to attend all fires and direct the officers and members in the performance of their duties;
5. The chief shall see that the citizens are kept informed on fire hazards in the community and on the activities of the department;
6. The chief shall see that each fire is carefully investigated to determine its cause, and in the case of suspicion of incendiarism shall notify proper authorities and secure and preserve all possible evidence for future use in the case;
7. The chief is authorized to enter any building or premise in the city at any reasonable hour for the purpose of making inspections and to serve written notice on the owners or occupants to correct any hazards or violations that may be found; and

8. The chief shall see that complete records are kept of all fires, inspections, apparatus and equipment, personnel and other information of the department and shall make reports to the city manager as he may require. (Prior Code, Secs. 1-19, 1-25, 1-28 to 1-31, in part)

**SECTION 13-203 DUTIES OF THE ASSISTANT CHIEF.**

In the absence of the chief, the assistant chief on duty shall command the department and be held responsible therefor in all respects with the full powers and responsibilities of the chief. The assistant chief shall be appointed by the city manager. Other officers or employees as deemed necessary shall be appointed by the city manager after consultation with the fire chief. (Prior Code, Sec. 1-20, in part)

**SECTION 13-204 USE OF FIRE EQUIPMENT, INVENTORY AND REPAIR.**

No person shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the department. No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the department unless accompanied by, or having the special permission of, an officer or authorized member of the department.

## ARTICLE B

### VOLUNTEER DEPARTMENT

<b>Section 13-210</b>	<b>Volunteer department, number.</b>
<b>Section 13-211</b>	<b>Volunteer department, company officers.</b>
<b>Section 13-212</b>	<b>New members of volunteer department.</b>
<b>Section 13-213</b>	<b>Rules and regulations.</b>

#### **SECTION 13-210    VOLUNTEER DEPARTMENT, NUMBER.**

A. There shall be a volunteer fire department which has in its employ not more than two(2) full-time salaried firefighters (if any), and it shall be comprised of not less than twelve (12) nor more than twenty (20) volunteer firefighters.

B. For the purpose of this chapter, a volunteer firefighter is one who is enrolled as a member of the fire department and who serves in such capacity without receiving a regular salary. (Prior Code, Secs. 1-17, 1-18)

#### **SECTION 13-211    VOLUNTEER DEPARTMENT, COMPANY OFFICERS.**

A. The company officers of the volunteer department shall be selected upon their ability to meet the following requirements:

1. Their knowledge of firefighting;
2. Their leadership ability; and
3. Their knowledge of firefighting equipment.

B. One member elected by the fire department shall be secretary-treasurer. His duties shall consist of the following:

1. Calling the roll at the opening of each meeting;
2. Keeping the minutes of each meeting; and
3. Collecting any money due the department by the members. (Prior Code, Secs. 1-21, 1-22)

**State Law Reference:**            Volunteer fire departments, 11 O.S. Sections 29-201 et seq.

#### **SECTION 13-212    NEW MEMBERS OF VOLUNTEER DEPARTMENT.**

A. All new members shall be on probation for one year after their appointment.

B. New volunteer members, upon completion of their probation period, must be approved by the majority of full time and volunteer members of the fire department and appointed by the city manager. (Prior Code, Sec. 1-23)

#### **SECTION 13-213    RULES AND REGULATIONS.**

The volunteer fire department shall be subject to the following rules and regulations which shall be incorporated in the bylaws of the department:

1. A volunteer firefighter is required, when notified, to respond to alarms of fire and other emergencies;

2. A volunteer firefighter is required to be present at all regular meetings, call meetings and schools presented for the benefit of the firefighters;
3. There shall be at least one regular business meeting each month;
4. Any volunteer firefighter having two (2) unexcused absences in succession or three (3) unexcused absences in a period of three (3) months will be dropped from the fire department rolls;
5. Volunteer firefighters leaving the city for an extended period of time will be required to notify the chief;
6. Any volunteer firefighter refusing to attend training classes provided for him will be dropped;
7. Any volunteer member of the fire department shall be dropped from the rolls for the following offenses:
  - a. Conduct unbecoming a firefighter;
  - b. Any act of insubordination;
  - c. Neglect of duty;
  - d. Any violation of rules and regulations governing the fire department; or
  - e. Conviction of a felony. (Prior Code, Sec. 1-24)

## ARTICLE C

### CALLS OUTSIDE LIMITS

<b>Section 13-220</b>	<b>Mutual aid.</b>
<b>Section 13-221</b>	<b>Repealed.</b>
<b>Section 13-222</b>	<b>Repealed.</b>
<b>Section 13-223</b>	<b>Repealed.</b>
<b>Section 13-224</b>	<b>Repealed.</b>

#### **SECTION 13-220    MUTUAL AID.**

Assistance granted to other municipalities or fire protection districts by the fire department of the city shall be pursuant to and consistent with Oklahoma Statutes, sections 29-105 to 29-108 of Title 11. (Ord. No. 441, 2/1/94)

**State Law Reference:**            Mutual aid, fire contracts outside limits, 11 O.S. Sections 29-106 to 29-109.

#### **SECTION 13-221    CONTRACT TERMS, FEES FOR SERVICE.**

Repealed. Ord. No. 441, 2/1/94.

#### **SECTION 13-222    AUTHORITY TO ANSWER CALLS.**

Repealed. Ord. No. 441, 2/1/94.

#### **SECTION 13-223    FIREFIGHTERS SERVING IN REGULAR LINE OF DUTY.**

Repealed. Ord. No. 441, 2/1/94.

#### **SECTION 13-224    DEPARTMENT CONSIDERED AGENT OF STATE.**

Repealed. Ord. No. 441, 2/1/94.

## CHAPTER 3

### POLICE DEPARTMENT AND SERVICES

<b>Section 13-301</b>	<b>Police department created, chief.</b>
<b>Section 13-302</b>	<b>Duties.</b>
<b>Section 13-303</b>	<b>Police officers.</b>
<b>Section 13-304</b>	<b>Mutual aid.</b>
<b>Section 13-305</b>	<b>Reserve police unit.</b>

#### **SECTION 13-301    POLICE DEPARTMENT CREATED, CHIEF.**

There is a police department, the head of which is the chief of police, or police chief, appointed by the city manager for an indefinite term, and removable by the city manager. The chief of police is an officer of the city, and has supervision and control of the police department. All police officers are officers of the city. (Prior Code, Sec. 1-14, in part)

**State Law Reference:**            Municipal police departments generally, 11 O.S. Sections 34-101 et seq.

#### **SECTION 13-302    DUTIES.**

It is the duty of the police department to apprehend and arrest on view or on warrant and bring to justice all violators of the ordinances of the city; to suppress all riots, affrays, and unlawful assemblies which may come to their knowledge, and generally to keep the peace; to serve all warrants, writs, executions, and other processes properly directed and delivered to them; to apprehend and arrest persons violating federal or state law as provided by law, and to turn them over to proper authorities; and in all respects to perform all duties pertaining to the offices of police officers. The police department has charge of and operates the city jail. (Prior Code, sec. 1-15, in part.)

#### **SECTION 13-303    POLICE OFFICERS.**

Police officers shall perform such duties as shall be required of them by the chief of police, city ordinances, federal, state and county regulations and any other actions required in the maintenance of good order and public peace. Employees or officers deemed necessary shall be appointed by the city manager after consultation with the chief of police. (Prior Code, Secs. 1-14, 1-15, in part)

#### **SECTION 13-304    MUTUAL AID.**

Assistance granted to other municipalities or law enforcement agencies by the police department of the city shall be pursuant to and consistent with Oklahoma Statutes, Title 11, Section 34-103. (Res. No. 85-28, 6/18/85; Ord. No. 441, 2/1/94)

#### **SECTION 13-305    RESERVE POLICE UNIT.**

A.        A reserve police force is hereby established to augment the regular police force in the event of emergency or disaster or at other times as deemed necessary or directed by the chief of police.

B. All members of the reserve police force will be subject to the policies, rules and regulations established for the regular police force in addition to any specifically established for the reserve police force by the chief of police with the approval of the city manager.

C. The reserve police force shall consist of not more than ten (10) persons who will be selected from applicants following a selection process which will be specifically established by the chief of police and selected applicants shall be submitted to the city manager for approval.

D. Membership in the reserve police force shall be on a voluntary basis and members shall serve without compensation other than worker's compensation insurance coverage which shall be provided by the city.

E. Reserve police force members shall be required to comply with the Oklahoma State Statutes requiring basic police training during the initial year of membership of attending training sessions established to provide such required training or shall forfeit the position or be suspended from the position as a member until completing the training requirements. Either action specified shall be made by the chief of police following approval of the city manager. (Ord. No. 212, 12/15/81)

## CHAPTER 4

### CIVIL DEFENSE

<b>Section 13-401</b>	<b>Purpose of civil defense organization.</b>
<b>Section 13-402</b>	<b>Department of civil defense created.</b>
<b>Section 13-403</b>	<b>Director of civil defense; powers and duties.</b>
<b>Section 13-404</b>	<b>Further powers and duties.</b>
<b>Section 13-405</b>	<b>Civil defense; emergency powers.</b>
<b>Section 13-406</b>	<b>Enforcement of laws and ordinances.</b>

#### **SECTION 13-401    PURPOSE OF CIVIL DEFENSE ORGANIZATIONS.**

The purpose of this chapter is to create a civil defense organization for the city to be prepared for, and to function in the event of, emergencies endangering the lives and property of the people of such city. The duty of such civil defense organization shall be the protection of lives and health of the citizens of the city and of property rights, both private and public, and to perform all functions necessary and incident thereto. (Prior Code, Sec. 1-35)

**State Law Reference:**            Local civil defense organizations, 63 O.S. Sections 683.11, 683.12

#### **SECTION 13-402    DEPARTMENT OF CIVIL DEFENSE CREATED.**

There is hereby established under the executive branch of the government of the city a department of civil defense, which shall consist of:

1.     A director of civil defense who shall be nominated by the mayor of the city and serve at his pleasure;
2.     A civil defense advisory committee. This committee shall consist of the mayor as chairman and five (5) members appointed by the mayor and serving at his pleasure. The committee shall select from its members a vice-chairman and secretary. It shall hold such meetings as are directed by the mayor or the director of civil defense. (Prior Code, Sec. 1-36)

#### **SECTION 13-403    DIRECTOR OF CIVIL DEFENSE; POWERS AND DUTIES.**

The director of civil defense shall be the executive head of the department of civil defense, and shall be responsible for carrying out the civil defense program of the city. He shall serve without compensation but may be reimbursed for expenses incurred in the performance of his duties. It shall be the duty of the director of civil defense, as soon as practicable after his appointment, to perfect an organization to carry out the purposes set forth in this chapter. He shall have all necessary power and authority to form committees or other bodies and to appoint and designate the chairman or chief officer of such bodies and to appoint and designate the chairman or chief officer of such bodies as may be necessary to perfect such an organization. He shall have such further duty and responsibility to cooperate with all civil defense agencies of other governmental units including the state and federal government. He shall be an officer of the city and shall have the power necessary to enforce the duties provided in this chapter. (Prior Code, Sec. 1-37)

**SECTION 13-404    FURTHER POWERS AND DUTIES.**

The director of civil defense is further authorized to formulate written plans and gather information and keep written records thereof to govern the functions of the civil defense organization. He may carry out plans with the state officials of civil defense in cooperating with the federal government and to make available to the city and county program the benefits of federal laws, subject to the approval of the city council, the county, and civil defense committee. (Prior Code, Sec. 1-38)

**SECTION 13-405    CIVIL DEFENSE; EMERGENCY POWERS.**

In the event of an enemy-caused emergency or emergency resulting from natural causes, the director of civil defense, after due authorization from the city council of the city, shall have the power and authority to enforce all rules and regulations relating to civil defense and, if necessary, take control of transportation, communications, stocks of fuel, food, clothing, medicine, and public utilities for the purpose of protecting the civilian population. He shall cooperate in every way with the activities of other governmental agencies or civil defense organizations. If required by the mayor, he shall have control over any and all funds allocated from any source for the purpose of alleviating distress conditions in the city. (Prior Code, Sec. 1-39)

**SECTION 13-406    ENFORCEMENT OF LAWS AND ORDINANCES.**

The director of civil defense and other members of the civil defense organization created by him shall have the power and authority to enforce the laws of the state and ordinances of the city during the period of emergency, and shall at such time have the further power to make arrests for violations of such laws or ordinances. (Prior Code, Sec. 1-40)

## CHAPTER 5

### PRIVATE PROPERTY IN CUSTODY OF POLICE

<b>Section 13-501</b>	<b>Complete record required.</b>
<b>Section 13-502</b>	<b>Disposition of unclaimed property, use by city.</b>
<b>Section 13-503</b>	<b>Disposition of proceeds from sale.</b>
<b>Section 13-504</b>	<b>Refund of purchase price.</b>
<b>Section 13-505</b>	<b>Property found by a private person.</b>

#### **SECTION 13-501    COMPLETE RECORD REQUIRED.**

All personal property which comes into the possession of any police officer, which has been found or stolen or taken off the person or out of the possession of any prisoner or person suspected of, or charged with, being a criminal, and which is not known to belong to some person laying claim thereto, shall be, by the officer securing possession thereof, delivered into the charge of the chief of police. The chief shall, in a permanent record book kept for that purpose, make a record sufficient to identify the property, with:

1. The date and circumstances of the receipt thereof;
2. The name of the person from whom it was taken, if known;
3. The place where it was found; and
4. The subsequent disposal thereof, giving the date of sale, name and address of the purchaser, and the amount for which it was sold. (Ord. No. 132, 12/7/76)

**State Law Reference:** Uniform disposition of unclaimed property act, reports and turning over to Tax Commission, 60 O.S. Section 661; relating to finders of lost goods, see 15 O.S. Sections 511 et seq.; as regards disposal of stolen or embezzled property coming into hands of police, 22 O.S. Sections 1321 et seq.; as regards disposal of liquor and gambling equipment seized by police, see 22 O.S. Sections 1261 et seq.

#### **SECTION 13-502    DISPOSITION OF UNCLAIMED PROPERTY, USE BY CITY.**

A. Any unclaimed personal property, other than animals, which remains in the possession of the chief of police, unclaimed, or the ownership of which is not to him satisfactorily established, for a period of thirty (30) days, shall be sold or disposed of by the chief.

B. Ten (10) days before a sale of such unclaimed property, the chief of police shall sign and have posted in at least four (4) public places in the city, one of which shall be the city hall, notice of the time, place, and manner of such sale, and general description of the property to be sold.

C. If in the opinion of the mayor, all or any portion of the personal property may be more advantageously used in any city department or office, he shall so instruct the chief of police in writing, and the chief shall thereupon deliver the personal property designated to that department or office of city government and make a permanent record of its disposition. (Ord. No. 132, 12/7/76)

#### **SECTION 13-503    DISPOSITION OF PROCEEDS FROM SALE.**

The proceeds of a sale conducted pursuant to this chapter shall be paid over to the city clerk, who shall issue his receipt therefor, and deposit the same to the credit of the general fund of the city. (Ord. No. 132, 12/7/76)

**SECTION 13-504    REFUND OF PURCHASE PRICE.**

If any property is sold as herein provided, and the owner thereof takes and recovers possession of same from the purchaser, the amount paid therefor shall be returned to the purchaser upon a verified claim being submitted, approved and allowed by the proper officers of the city. (Ord. No. 132, 12/7/76)

**SECTION 13-505    PROPERTY FOUND BY A PRIVATE PERSON.**

Any personal property found by a person other than a public official or employee, which is delivered to any police officer for identification, if not claimed or identified within thirty (30) days, shall, within ten (10) additional days thereafter, if requested by the finder, be returned to him, and a record of such disposal made thereof. If the finder does not request return of the property to him within such additional ten (10) days, then the chief of police shall sell the property as if it had been found by a public official or employee, or on instruction by the city manager, deliver it to some department or office of the city government for its use. (Ord. No. 132, 12/7/76)

## CHAPTER 6

### UNIFORM AMBULANCE CODE

<b>Section 13-601</b>	<b>Definitions.</b>
<b>Section 13-602</b>	<b>Medical director.</b>
<b>Section 13-603</b>	<b>Mandatory centralized dispatch and primary service answering point (PSAP)</b>
<b>Section 13-604</b>	<b>Mandatory EMS data system and reporting standards.</b>
<b>Section 13-605</b>	<b>Insurance requirements.</b>
<b>Section 13-606</b>	<b>Ambulance permits.</b>
<b>Section 13-607</b>	<b>Response time performance required.</b>
<b>Section 13-608</b>	<b>Prohibition against refusal to transport.</b>
<b>Section 13-609</b>	<b>Violations.</b>
<b>Section 13-610</b>	<b>Penalties.</b>

#### **SECTION 13-601    DEFINITIONS.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

1. “Ambulance” means any vehicle which is equipped to transport patients, in a reclining position, to or from health care facilities or providers;
2. “Base station physician” means a physician licensed to practice medicine in the state, knowledgeable in the medical protocols, radio procedure and general operating policies of the ambulance system, and a person from whom ambulance personnel may take medical direction by radio or other remote communications device, who shall be approved by the medical director;
3. “Emergency medical personnel” means those persons as defined and described in Section 330.74 of Title 63 of the Oklahoma Statutes, who shall have the authority to perform the acts described therein;
4. “EMS” means emergency medical service;
5. “EMS control center” or “control center” means the single facility which is the central communications center from which all ambulances operating in the service area shall be dispatched and controlled, and which receives all nine-one-one (911) emergency medical calls;
6. “EMT (emergency medical technician)”, and variants thereof, shall have the meaning ascribed by state law;
7. “First responder” means any person, fire department vehicle, police vehicle or non-transporting ambulance unit capable of providing appropriate first responder service, under the first responder program administered by the medical director;
8. “Helicopter rescue unit” means any rotary wing aircraft providing basic or advanced life support and transportation;
9. “Medical director” means the licensed physician serving as administrative officer in carrying out the duties described below in Section 13-602;
10. “Medical protocol” means any diagnosis-specific or problem oriented written statement of standard procedure, or algorithm, promulgated by the medical director as the medically appropriate standard of pre-hospital care for a given clinical condition;
11. “Mutual aid agreement” means a written agreement between one or more providers of emergency medical services whereby the signing parties agree to lend aid to one another under conditions specified in the agreement and as approved by the medical

- director as to quality of care and medical accountability;
12. “Patient” means an individual who is either ill, sick, injured, wounded, helpless or otherwise incapacitated, and who is in need of, or is at risk of needing, medical care or assessment during transport to or from a health care facility, and who is reclining or should be transported in a reclining position under applicable medical protocols;
  13. “Permit” means that document required to be obtained annually by each:
    - a. Provider;
    - b. Emergency medical personnel; and
    - c. Ambulance under Sections 13-602(3) or 13-606.
  14. “Person” means and includes any individual, firm, association, partnership, corporation, or other group or combination acting as a unit;
  15. “Primary provider” means a public or private ambulance service organization which has been designated by one or more governmental entities to provide emergency ambulance coverage throughout a defined geographic area;
  16. “Priority type calls”:
    - a. “Code Three (3) call” means an emergent type of call. This call is made with the use of emergency call is defined as any request for ambulance services suspected of being life or limb threatening in nature, and requiring the immediate response of an ambulance provider;
    - b. “Code One (1) call” means the non-emergency type of call. This call is made without the use of emergency equipment. A non-emergency call is any call that a routine transport for either medically urgent or advanced scheduled and non-life/limb threatening;
  17. “Provider” means any ambulance operator granted a permit by this jurisdiction to provide ambulance service in the service area;
  18. “Response time” means the actual elapsed time between receipt of notification at the EMS control center that an ambulance is needed at a location and the actual arrival of an ambulance, staffed and equipped to operate at not less than the EMT/advanced level at that location within the service area;
  19. “Response time standards” means the actual elapsed time between receipt of notification at the EMS control center that an ambulance is needed at a location and the actual arrival of an ambulance, staffed and equipped to operate at not less than the EMT/advanced level at that location within the service area. All non-emergent medical urgent calls shall be serviced within one hour of receipt. All scheduled transfers shall be serviced within one hour of the scheduled time;
  20. “Service area” means that primary service area which is contained within the boundaries of the municipalities which have adopted and agreed to enforce this uniform ambulance code;
  21. “System standard of care” means the written body of standards and policies governing clinical aspects of the EMS system. As used in this context, System Standard of Care is a comprehensive term including:
    - a. Input standards (e.g. personnel certification requirements, in-service training requirements, equipment specifications, on-board inventory requirements, and other requirements which the system must fulfill before receipt of a request for service);
    - b. Performance standards (e.g. priority dispatching protocols and pre-arrival instructions, medical protocols, standing orders, response time standards, and other performance specifications describing how the system should behave upon receipt of a request for service); and

22. “System status plan” means the dispatching plan and protocols which determine how many ambulances will be available for dispatch, protocols for event-driven deployment and re-deployment of those ambulances. (Ord. No. 394, 2/20/90)

**SECTION 13-602    MEDICAL DIRECTOR.**

The medical director shall:

1. Promulgate a system standard of care to include medical protocols designed to achieve a state-of-the-art medical quality of emergency medical care within the service area;
2. Prescribe EMS data system and reporting standards by rule or regulation;
3. Prescribe and administer written and practical tests and criteria for the certification and licensing of emergency medical personnel and ambulance vehicles;
4. Prescribe and administer a first responder and an emergency medical technician/defibrillator (EMT/D) program;
5. The salary of the medical director shall be borne pro-rata by providers; and
6. The medical director shall be appointed by the mayor of the city approved by the council. The Midwest City Hospital Board of Governors shall be consulted by the mayor prior to making his appointment. The appointment shall be for a three (3) year period. (Ord. No. 394, 2/20/90)

**SECTION 13-603    MANDATORY CENTRALIZED DISPATCH AND PRIMARY SERVICE ANSWERING POINT (PSAP).**

A. All providers rendering emergency service under this chapter shall be dispatched and controlled from the PSAP. It shall be unlawful for any provider to publish or advertise any telephone number for the purposes of receiving requests for emergency ambulance service except the emergency number (911) of the PSAP.

B. For any provider receiving centralized dispatch services from the PSAP, the PSAP shall prepare a quarterly analysis of PSAP operating costs per run dispatched, and shall bill to each provider the actual cost of such dispatches to provider, and each provider shall make payment to the PSAP within thirty (30) days after receipt of the billing, as a condition of maintenance of the provider’s permit in good standing. Failure to pay within thirty (30) days shall result in the immediate suspension of the permit which shall remain in effect until full payment is made. If there is only one provider licensed within this jurisdiction, this provision may be waived by mutual agreement of both parties by entering into a contract for services, in which event the minimum consideration for the contract shall be the estimated operating costs of the PSAP.

C. The PSAP shall at all times have full authority to direct the positioning, movements and run responses of all ambulance units of all providers at all times. (Ord. No. 394, 2/20/90)

**SECTION 13-604    MANDATORY EMS DATA SYSTEM AND REPORTING STANDARDS.**

A. As a condition of maintaining its permit in good standing, each provider shall comply with EMS data system and reporting standards as prescribed by the medical director.

B. Failure to comply with data system and reporting requirements, or to keep the PSAP completely informed concerning the location and status of all units at all times, or failure to carry out

PSAP directives shall constitute grounds for immediate suspension or revocation of the provider's permit. (Ord. No. 394, 2/20/90)

**SECTION 13-605    INSURANCE REQUIREMENTS.**

A. Each provider shall keep in full force and effect a policy or policies of public liability and property damage insurance, issued by a casualty insurance company authorized to do business in the state, with coverage provisions insuring the public from any loss or damage that may arise to any person or property by reason of the operation of the provider's ambulances, and providing that the amount of recovery shall be in limits of not less than the following sums:

1. For damages arising out of bodily injury to or death of one person in any one accident, not less than Five Hundred Thousand Dollars (\$500,000.00);
2. For damages arising out of bodily injury to or death of two (2) or more persons in any one accident, not less than Five Hundred Thousand Dollars (\$500,000.00); or
3. For any injury to or destruction of property in any one accident, not less than Five Hundred Thousand Dollars (\$500,000.00).

B. Each provider shall keep in full force and effect a general comprehensive liability and professional liability policy or policies issued by a casualty insurance company authorized to do business in the state, with coverage provisions insuring the public from any loss or damage that may arise to any person or property by reason of the actions of the provider or any of his employees, and providing that the amount of recovery shall be in limits of not less than Three Million Dollars (\$3,000,000.00).

C. Each provider shall furnish, prior to issuance of its permit, an original and duplicate certificates of insurance which shall indicate the types of insurance, the amount of insurance and the expiration dates of all policies carried by the operator. Each certificate of insurance shall name the city as an additional named insured, and shall contain a statement by the insurer issuing the certificate that the policies of insurance listed thereon will not be canceled or mutually altered by the insurer absent thirty (30) days written notice received by the city.

D. Cancellation or material alteration of a required insurance policy or coverage shall automatically revoke the provider's permit and the provider shall thereupon cease and desist from further ambulance operations. (Ord. No. 394, 2/20/90)

**SECTION 13-606    AMBULANCE PERMITS.**

A. No person shall provide ambulance service on an emergency within this jurisdiction without first obtaining a permit issued pursuant to the provisions of this chapter, except when such is being used in a routine transfer or transport to and from a medical service facility with an "aid car" type service.

B. No permit shall be issued or continued in operation unless the holder thereof has paid an annual fee to the amount previously established by ordinance, for the right to engage in the ambulance business, and the amount established by ordinance each year for each vehicle bearing a vehicle permit authorized under ordinances.

C. No permit shall be assignable or transferable by the person to whom issued except as herein provided.

D. No transfer or assignment of existing permits shall be effective absent the assent and approval of the city.

E. Any transfer of shares of stock or interest of any person or provider so as to cause a change in the directors, officers, shareholders, or managers of such person or provider shall be deemed a transfer or assignment, subject to these provisions.

F. The issuance of any permit by the city shall be made only to a provider holding a valid Oklahoma State permit, and such permit shall be conditioned upon written submission of and approval by the medical director of the following items:

1. Proforma system status plan which shall describe the applicant's system status plan, for the entire service area, and which shall include post locations and priorities, and which shall show assumed response time reliability based thereon;
2. Proforma medical quality assurance plan, which shall describe the applicant's medical quality assurance plan, and which shall demonstrate applicant's ability to deliver medical care meeting the system standard of care, as promulgated by the medical director;
3. Proforma staffing plan, which will show compliance with the Oklahoma State Department of Health requirements for paramedic life support service unit equipment and drugs. All drugs carried shall be described in the patient care protocols, and approved for use by the medical director. In addition to the described equipment and drugs, all units shall have the following diagnostic equipment:
  - a. Non-invasive cardiac pacemaker;
  - b. Portable ventilator and demand valve;
  - c. Pula eximetry;
  - d. Electronic intravenous infusion control device;
  - e. Electronic blood flow detection device (Doppler);
  - f. Method for blood glucose determination; and
4. Evidence of insurance, as required in Section 13-605.

G. Upon approval by the medical director of applicant's submission, applicant shall receive a probationary permit. Such probationary permit shall allow applicant to provide, from the effective date of the probationary permit, ambulance service within this jurisdiction.

H. Each provider shall comply with its proforma system status plan and its proforma medical quality assurance plan, from the effective date of its probationary permit.

I. During the first six (6) months of provider's probationary permit period, provider's response times and clinical quality of care will be carefully evaluated. If provider's performance is consistently and substantially within its proforma plans, and in compliance with the terms of this chapter, such probationary permit shall become a valid permit, renewable annually upon continual compliance with this chapter.

J. Thereafter, chronic failure to comply with response time standards or clinical quality of care shall be grounds to revoke plan provider's permit.

K. If any provider's permit is suspended three (3) times within any three (3) year period for failure to make required payments under paragraph 5 of Section 13-602 or Subsection B of Section 13-603, permit shall be automatically revoked, upon the third event.

L. No permit shall be issued or continued in operation unless the holder thereof has paid an annual license fee for the right to engage in the ambulance business and a fee each year for each vehicle bearing a vehicle permit authorized under the license of public convenience and necessity. Every applicant or registration as a chauffeur or attendant shall pay an annual fee for such registration for the first year and shall be entitled to a renewal thereafter upon payment of the renewal registration fee. The amounts of the permit fees herein prescribed shall not be prorated for fractional parts of a fiscal year. The license shall be renewed on or before July 1 of each year.

M. The Midwest City Regional Hospital Ambulance Service is hereby granted a temporary permit which shall expire July 1, 1990. (Ord. No. 394, 2/20/90) Ord. No. 399, 6/19/90)

**Ed. Note:** The following fees were established effective 2/20/90:

- |    |                            |            |
|----|----------------------------|------------|
| 1. | Annual license fee         | \$30.00;   |
| 2. | Vehicle permit fee         | 15.00;     |
| 3. | Chauffeur or attendant fee | 10.00; and |
| 4. | Renewal registration fee   | 5.00       |

### **SECTION 13-607    RESPONSE TIME PERFORMANCE REQUIRED.**

Every provider, as a condition of maintaining its permit, shall employ sufficient personnel, acquire sufficient equipment, and manage its resources as necessary to achieve the response time standards on all emergency calls or requests for routine transport originating within the city limits, received by, or referred to the provider as established in Section 13-601 of this chapter (Ord. No. 394, 2/20/90)

### **SECTION 13-608    PROHIBITION AGAINST REFUSAL TO TRANSPORT.**

It shall be a violation of this chapter for any provider to fail to respond to a call or to transport or to render first aid treatment, as is necessary, or to otherwise refuse or fail to provide any ambulance services originating within the service area because of the patient's perceived, demonstrated or stated inability to pay for such services, or because of the location of the patient within the service area or because of the unavailable status of any provider's ambulance units at the time of the request. Chronic violation of this provision shall be grounds to revoke a provider's permit. (Ord. No. 394, 2/20/90)

### **SECTION 13-609    VIOLATIONS.**

It shall be unlawful:

1. To perform duties as an ambulance driver or attendant (EMT or paramedic) without a current permit;
2. To permit a person to work as an ambulance driver or attendant without a current permit;
3. To use, or cause to be used, any ambulance provider or other than a provider holding a valid permit, except those services described in paragraph 6 of this section;
4. For any person, firm or organization to provide ambulance service, within this jurisdiction, other than a provider which is a holder of a valid permit;
5. To knowingly give false information to induce the dispatch of an ambulance or helicopter rescue unit;
6. It shall be a defense to an alleged violation that the vehicle or ambulance is:
  - a. A privately owned vehicle not ordinarily used in the business of transporting

- patients who are sick, injured, wounded, incapacitated or helpless;
- b. A vehicle rendering services as an ambulance in the event of a major catastrophe or emergency when ambulances with permits based in the locality of the catastrophe or emergency are incapacitated or insufficient in number to render the service needed;
  - c. An ambulance owned or operated by the federal or state government;
  - d. An ambulance transporting a patient to a location within this jurisdiction, which transport originated from a point outside the service area;
  - e. Was assigned to a call pursuant to a mutual aid agreement with a licensed provider;
  - f. Owned and operated by a hospital, and used exclusively for specialized mobile intensive care or for inter-institutional transfers of admitted patients of the owner hospital, provided the ambulance or helicopter rescue unit has a valid special use permit issued by the medical director on a need and necessity basis. (Ord. No. 394, 2/20/90)

**SECTION 13-610    PENALTIES.**

A. Any person convicted of violating this chapter shall be punished as provided in Section 1-108 of this code. This does not serve to limit any other remedies available to this jurisdiction in law or equity.

B. Each day that any violation of this chapter is committed or permitted to continue shall constitute a separate offense. (Ord. No. 394, 2/20/90)