

Chapter 6.114

ALAMEDA COUNTY EMERGENCY MEDICAL SERVICES AMBULANCE ORDINANCE

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ORDINANCE NO. _____ By 

**AN ORDINANCE ADDING CHAPTER 6.114 TO TITLE 6
OF THE ORDINANCE CODE OF THE COUNTY OF ALAMEDA
RELATING TO EMERGENCY MEDICAL SERVICES'**

The Board of Supervisors of the County of Alameda ordains as follows:

**SECTION I
FINDINGS**

WHEREAS, pursuant to Division 2.5 of the Health and Safety Code, Section 1797.200, et seq., the County of Alameda has designated the Alameda County Emergency Medical Services District (COUNTY) to be the local Emergency Medical Services (EMS) Agency for the purpose of the administration of local EMS services; and

WHEREAS, Division 2.5 of the Health and Safety Code Sections 1797.224 and 1797.85 allows the COUNTY to create Exclusive Operating Areas to restrict operations to one or more providers of emergency ambulance services and Advanced Life Support (ALS) services in the development of an emergency medical services plan; and

WHEREAS, providers of 9-1-1 ALS emergency ambulance service are regulated through contracts; and

WHEREAS, emergency and non-emergency Critical Care Transport services, and emergency and non-emergency Basic Life Support transport services have been unregulated;

Now therefore, the COUNTY has developed this Ambulance Ordinance.

**SECTION II
AMENDMENT OF ORDINANCE CODE**

Chapter 6.114 is added to Title 6 of the Ordinance Code of the County of Alameda to read as follows:

**ARTICLE I
GENERAL PROVISIONS**

6.114.010 TITLE

¹ The numbering of the text (i.e., 6.114.010, etc.) may change when it is placed in the Ordinance Code. The ordinance will be in Chapter 6 of the Ordinance Code, but the articles may be numbered differently.

This ordinance shall be known as the "Alameda County Emergency Medical Services Ambulance Ordinance."

6.114.020 PURPOSE

The purposes of this ordinance are to:

- (A) Establish formal policies and regulations for issuing certificates and permits, and regulating the operation of ground ambulance services in Alameda County;
- (B) Protect the public by assuring that ambulances operate safely and meet certain minimum levels and standards of equipment, staffing, and mechanical reliability;
- (C) Allow for adequate, appropriate, and efficient ambulance services in all areas of Alameda County;
- (D) Allow for the orderly and lawful operation of a local emergency and non-emergency medical services system pursuant to the provisions of Health and Safety Code Section 1797 et seq.; and
- (E) Allow for all ambulance services to be a part of the County EMS system with the necessary training, policies, procedures, and communication systems.

6.114.030 AUTHORITY WITHIN THE COUNTY AND CITIES

- (A) Upon adoption by the County Board of Supervisors, the ordinance shall apply within the county's unincorporated areas and to ambulance companies that transport intracounty but do not have a physical business location within the county.
- (B) Upon adoption by a city of the ordinance, the COUNTY shall have enforcement powers within that city. However, lack of adoption of all or part of this ordinance by a city shall not be interpreted as limiting any authority granted to the COUNTY by Division 2.5 of the California Health and Safety Code and the California Code of Regulations, Title 22, Division 9.

6.114.040 ORDINANCE ADMINISTRATION

- (A) The COUNTY shall be responsible for the administration of this ordinance, and shall make necessary and reasonable policies, procedures, and/or protocols for the effective and reasonable administration of this ordinance. These policies, procedures, and/or protocols shall be codified in the COUNTY's Field Manual and Administration Manual and shall include, but not be limited to:
 - (1) Response time standards for non-emergency responses in each area of the county
 - (2) Identification of required clinical or operational reports and dispatch records
 - (3) Personnel requirements
 - (4) Equipment requirements
 - (5) Vehicle requirements
 - (6) Other clinical, operational, and dispatch standards

- (7) Clinical and operational data reports
- (8) Special event stand-by
- (9) Emergency and disaster operations

(B) All references herein to COUNTY policies and medical orders/direction by the EMS Medical Director shall be interpreted as referring to the current version and all subsequent additions/deletions to such policies and regulations.

ARTICLE II DEFINITIONS

6.114.050 GENERALLY

Unless otherwise specifically provided, or required by the context, the following terms have the meanings set forth in this chapter.

(A) 9-1-1 AMBULANCE SERVICE

"9-1-1 Ambulance Service" means a private company or a County fire department first responder ALS provider with a contract to provide 9-1-1 emergency ambulance service.

(B) 9-1-1 EMERGENCY CALL

"9-1-1 Emergency call" means a 9-1-1 request for an ambulance to transport or assist persons in apparent sudden need of medical attention; or an ambulance transport that is initially classified as a non-emergency call that becomes a 9-1-1 emergency call due to a change in the patient's medical condition; or a medical emergency, as determined by a physician, to transport blood, or any therapeutic device, accessory to such device, or tissue or organ for transplant.

(C) ADVANCED LIFE SUPPORT AMBULANCE SERVICE

"Advanced Life Support Ambulance Service" or "ALS" means the service performed in response a 9-1-1 emergency call which, due to the patient's medical condition, requires care at the paramedic level of service. This service is provided under contract at a 9-1-1 service level. This includes transportation of a patient, regardless of a presumption of death of the patient, or transportation of a body for the purpose of making an anatomical gift, as provided in Section 12811, Vehicle Code, and the Uniform Anatomical Gift Act, Health and Safety Code sections 7150 et seq.

(D) AMBULANCE

"Ambulance" means a ground transportation vehicle certified by the California Highway Patrol (CHP) that is specially constructed, modified or equipped and used for the purpose of transporting sick, injured, convalescent, infirm, or otherwise incapacitated persons and staffed with no less than two EMT-1s. "Ambulance" does not include the transportation of persons in a Gurney or Wheelchair Van as defined in this section.

(E) AMBULANCE PERMIT

“Ambulance Permit” means the document and/or decal issued by the COUNTY for each ambulance conforming to the requirements of these regulations, which is owned or controlled by a person holding a Certificate of Operation.

(F) AMBULANCE PROVIDER

"Ambulance provider" means a person, firm, partnership, corporation or other organization, which furnishes or offers to furnish ambulance service.

(G) AMBULANCE SERVICE

"Ambulance service" means the activity, business or service, for hire, profit or otherwise, of transporting one or more persons by an ambulance certified by the CHP on or in any of the streets, roads, highways, alleys, or any public way or place in this County.

(H) BASIC LIFE SUPPORT AMBULANCE SERVICE

"Basic Life Support Ambulance Service" or “BLS” means the service performed in response to a non-emergency call. Specifically, first aid and cardiopulmonary resuscitation (CPR) procedures that as a minimum, includes recognizing respiratory and cardiac arrest and starting the proper application of an automatic external defibrillator (AED) and CPR to maintain life without invasive techniques until the victim may be transported or until advanced life support is available.

(I) CERTIFICATE OF OPERATION

“Certificate of Operation” means the document issued by the COUNTY to a PERMITTEE that has met the requirements to operate an ambulance service in Alameda County. Certificates of Operation will be issued for BLS and CCT levels of service.

(J) COUNTY

“COUNTY” means the Alameda County Emergency Medical Services District (EMS).

(K) COUNTY COMMUNICATIONS CENTER

“County Communications Center” means the County of Alameda Emergency Operations Center (EOC).

(L) COUNTY DISPATCH

“County Dispatch” means the COUNTY designated Public Safety Answering Point dispatch center(s).

(M) COUNTY POLICIES

“County Policies” means the policies and regulations as defined in the COUNTY’s Administrative Manual and Field Manual.

(N) CRITICAL CARE TRANSPORT

“Critical Care Transport or “CCT” means any emergency or non-emergency transport of a patient where the skill level required in the care of that patient during transport requires, or may require, care within the CCT-Paramedic or CCT-RN scope of practice.

(O) CRITICAL CARE TRANSPORT POLICIES

“Critical Care Transport Policies” means the policies and regulations as defined in the COUNTY’s Administrative Manual and Field Manual.

(P) EMERGENCY MEDICAL TECHNICIAN

“Emergency Medical Technician,” or “EMT,” “EMT-1” or “EMT-B” means an individual trained and certified in basic life support care in accordance with the provisions contained in the California Code of Regulations, Title 22, Division 9, Chapter 2, et seq.

(Q) EMERGENCY MEDICAL TECHNICIAN – PARAMEDIC

“Emergency Medical Technician – Paramedic,” or “EMT-P” or “paramedic” means an individual trained and licensed in advanced life support care in accordance with the provisions contained in the California Code of Regulations, Title 22, Division 9, Chapter 4, et seq. and accredited by the COUNTY.

(R) EXCLUSIVE OPERATING AREA

“Exclusive Operating Area” or “EOA” means an EMS area or sub area as defined by the COUNTY, which restricts operations to one or more ambulance providers.

(S) FIRST RESPONDER ALS

“First Responder ALS” means a unit staffed and equipped with a minimum of one California State licensed and Alameda County accredited paramedic capable of providing ALS at scenes of medical emergencies.

(T) GURNEY VAN TRANSPORT

“Gurney Van Transport” means any vehicle specially constructed, modified or equipped and/or used for the purpose of transporting patients who cannot travel in an upright, sitting position and for whom the need for any medical care, treatment or procedure is not required, likely, or foreseeable.

(U) NON-EMERGENCY CALL

“Non-emergency call” means a request for an ambulance to transport or assist persons that would not constitute a 9-1-1 emergency call.

(V) PARAMEDIC

“Paramedic,” “Emergency Medical Technician – Paramedic,” or “EMT-P” means an individual trained and licensed in advanced life support care in accordance with the provisions contained in the California Code of Regulations, Title 22, Division 9, Chapter 4, et seq. and accredited by the COUNTY.

(W) PERMITTEE

“PERMITTEE” means a person, firm, partnership, corporation or other organization to whom a Certificate of Operation and Ambulance permit(s) have been issued for purposes of operating an ambulance service.

(X) PERSONAL PROTECTIVE EQUIPMENT - PPE

“Personal Protective Equipment” or “PPE” means the minimum equipment, supplies, and personal protective equipment – per responder – to ensure safety and readiness.

(Y) SPECIAL EVENT

“Special event” means a designated event, including, but not limited to street fairs, concerts, sporting events, contests, or other events that place a grouping or gathering of people in one general locale sufficient in number, or subject to activity that creates the need to have one or more ambulances pre-positioned at the event.

(Z) WHEELCHAIR VAN TRANSPORT

“Wheelchair Van Transport” means any vehicle specially constructed, modified or equipped and/or used for the purpose of transporting patients in wheelchairs for whom the need for any medical care, treatment or procedure is not required, likely, or foreseeable.

**ARTICLE III
CERTIFICATE OF OPERATION AND PERMITS**

6.114.060 AMBULANCE SERVICES

- (A) Advanced Life Support (ALS) emergency ambulance services shall only be provided under a 9-1-1 contract with the COUNTY under provisions of the Health & Safety Code 1797.200, 201, and 224.
- (B) Basic Life Support (BLS) emergency and non-emergency transport service shall be provided under the provisions of this ordinance.
- (C) Critical Care Transport (CCT) ALS emergency and non-emergency transport service, either CCT-P or CCT-RN, shall be provided under the provisions of this ordinance and the COUNTY’s CCT and Administrative policies.
- (D) Nothing in this ordinance shall be construed as regulating the clinical work of Registered Nurses (RN) working in a CCT-RN ambulance.

6.114.070 CERTIFICATE OF OPERATION AND PERMITS REQUIRED

- (A) No person (either as owner, agent or otherwise) shall furnish, operate, conduct, maintain or otherwise engage in or advertise, offer or profess to engage in ambulance service within Alameda County unless the person holds (and is entitled to hold) a currently valid ambulance Certificate of Operation issued by the COUNTY.
- (B) No person (either as owner, agent or otherwise) shall furnish and operate an ambulance unless that ambulance has a currently valid Ambulance Permit issued by the COUNTY.
- (C) Gurney and Wheelchair Van Transport providers are not required to hold an ambulance Certificate of Operation.
- (D) No Certificate of Operation or Ambulance Permit is required for the delivery into Alameda County of persons picked up outside the County boundaries. No Certificate of Operation or Ambulance Permit is required for specialized teams (e.g. CCT and neonatal intensive care unit teams) that are permitted by another

emergency medical services agency and that pick up patients in Alameda County for transportation to an acute care hospital based outside of the County.

(E) Exclusive Operating Areas:

The COUNTY has not established Exclusive Operating Areas (EOA) for BLS, and/or CCT emergency and/or non-emergency transport, but retains its option to do so in the future.

6.114.080 CERTIFICATE OF OPERATION AND PERMIT PROCESS

- (A) Application forms for an ambulance service Certificate of Operation shall be supplied by the COUNTY.
- (B) The applicant should be a licensed CHP ambulance service prior to submitting an application.
- (C) Required data: Each applicant who desires an ambulance service Certificate of Operation shall submit the following on, or as attachments, with their application:
 - (1) The names and addresses of the applicant(s), registered owner(s), partner(s), officer(s), director(s) and controlling shareholder(s), hereafter called "applicant";
 - (2) The name under which the applicant has engaged, does, or proposes to engage in ambulance service;
 - (3) The ambulance service level requested – BLS, CCT, or both;
 - (4) A statement specifying whether the applicant has provided ambulance service in Alameda County prior to the establishment of this ordinance, and if so, what type and for how long;
 - (5) A statement specifying whether the applicant has previously operated an ambulance company outside of Alameda County, and if so, under what name, what type, where and for how long;
 - (6) A copy of a current CHP Emergency Ambulance Non-Transferable License;
 - (7) An assets and liabilities statement or a letter prepared by a certified public accountant showing proof of financial solvency;
 - (8) A copy of the business license for the city in which the applicant is doing business;
 - (9) A statement of the legal history of the applicant, including criminal and civil convictions;
 - (10) A statement specifying the education, training, and experience of the applicant in the care and transportation of patients;
 - (11) A statement that the applicant will abide by the regulations of the California Vehicle Code and the California Code of Regulations, Title 13, Motor Vehicles;
 - (12) A statement that the applicant owns or has under his control, in good mechanical condition, required equipment to consistently provide quality ambulance service in the area for which he is applying, and that the applicant owns or has access to suitable facilities for maintaining equipment in a clean and sanitary condition;

- (13) A statement that the applicant understands and will comply with the COUNTY's Staffing, and Equipment and Supply Specifications policies regarding equipment carried in each ambulance, including AEDs;
- (14) A list of the actual number of ambulances and for each: the make and model, year, the vehicle identification number (VIN), State vehicle license number and proof of current Department of Motor Vehicle registration, and proof of California Highway Patrol Ambulance Inspection Report and Ambulance Identification Certificate;
- (15) A statement that the applicant understands and will comply with the ambulance inspection process, including the required fees.
- (16) A statement that the applicant has or will have sufficient personnel adequately trained and available to deliver ambulance service of good quality at all times, including copies of their certifications/licenses;
- (17) A statement of the applicant's training and orientation programs for EMT-1s and/or paramedics, and dispatchers;
- (18) A description of the number and type, frequency and private line codes of the vehicle's radios, and if used, phone numbers of the vehicle's cellular phones;
- (19) A description of the company's program for maintenance of the vehicles;
- (20) A description and photo/image of the company's logo and color scheme to be used to designate the ambulances of the applicant;
- (21) The number of ambulances to be deployed on each shift;
- (22) A description of the locations from which ambulance services will be offered, noting the hours of operation and phone numbers;
- (23) Evidence of insurance coverage compliance under section 6.114.130;
- (24) A Certificate of Consent to Self Insure issued by the California State Director of Industrial Relations, or a Certificate of Workman's Compensation Insurance;
- (25) A Quality Management program as specified in section 6.114.410;
- (26) A Disaster Response Plan as specified in section 6.114.460;
- (27) All service charges and rates to be charged, showing compliance with any maximum charges established by the County;
- (28) The application fee for a Certificate of Operation as set forth in the COUNTY's Administration Manual;
- (29) In a separate payment, the Ambulance Inspection fee for each ambulance to be inspected as set forth in the COUNTY's Administration Manual. This fee may be returned if the PERMITTEE does not meet the basic requirements of section 6.114.080 (C) and ambulances are not inspected.
- (30) If applying for a CCT Certificate of Operation, copies of all paperwork for interfacility transport as identified in the COUNTY's CCT and Administrative policies.

- (31) Any other information the COUNTY deems necessary for determination of compliance with this division.
- (D) Within sixty (60) days of receipt of a complete application and the required fee, the COUNTY shall determine a – h (below) or if an extension is necessary:
- (1) Whether the applicant is a licensed CHP ambulance service, and
 - (2) Whether the applicant meets the requirements of this ordinance and of other applicable laws, ordinances, and regulations; and
 - (3) Whether the applicant is able to provide the requested service, and
 - (4) Whether the applicant has knowingly made a false statement of fact in such application, and
 - (5) Whether the applicant has knowingly failed to disclose facts pertinent to the application process, and
 - (6) Whether the applicant was previously a provider of ambulance service prior to the establishment of this ordinance, which has not been renewed by the CHP, and
 - (7) Whether the applicant was previously a holder of a Certificate of Operation issued under this chapter, which has been revoked or not renewed based on the provisions of this ordinance, and
 - (8) Whether the applicant's vehicles, equipment, and appurtenances, including radios, are in good working order and the ambulances pass an inspection, according to the provisions of section 6.114.160 - 170.
- (E) Approval or denial:
- (1) If it is determined that the applicant does not meet all requirements within this division, then the COUNTY shall deny the application and notify the applicant in writing by certified mail of the receipt of the application.
 - (2) If it is determined that the applicant meets all requirements within this division, the COUNTY shall approve the application and issue a Certificate of Operation and, upon a positive inspection, appropriate Ambulance Permits.
- (F) Appeal from denial of issuance: Whenever the COUNTY denies an application for a permit, the applicant may request a hearing on the denial at which the applicant will have the burden of proof. The appeal will be made to the Board of Supervisors according to the provisions of section 6.114.110.
- (G) Decisions—finality: The decision of the COUNTY rendered pursuant to this chapter shall be final, unless appealed to the Board of Supervisors within thirty (30) days after such decision is rendered in writing, and notice of the same is given to the applicant by certified mail.
- (H) Term:
- (1) Certificates of Operation shall be valid for two years from the date of issuance.
 - (2) Certificates of Operation shall be continued upon conditions of section 6.114.370 unless earlier suspended, revoked or terminated for cause.

- (3) Notice of intent to discontinue service: A PERMITTEE providing ambulance service may discontinue such services only after providing sixty (60) days notice in writing of intent to discontinue services to the COUNTY or upon mutual written agreement.

(I) Existing ambulance companies:

- (1) Within sixty (60) days of the effective date of the ordinance codified in this ordinance, non 9-1-1 ambulance companies that have been continuously providing ambulance services shall apply for a Certificate of Operation and Ambulance Permits. The COUNTY shall issue or deny a Certificate of Operation to each existing company, based on their ability to meet the requirements as set forth in this ordinance. The fees for the initial Certificate of Operation and Ambulance Permits for existing companies shall be the fee set for new applicants.
- (2) The COUNTY may issue a provisional sixty (60) day Certificate of Operation to an existing non 9-1-1 ambulance company to allow for required ambulance inspections. Upon a satisfactory completion of the inspections, the provisional status will be made permanent.

(J) Transfer of Certificate of Operation or Ambulance Permit: Application for transfer of any PERMITTEE's Certificate of Operation shall be subject to the same terms, conditions, and requirements as if the application were for an original certificate. No ambulance permit shall be transferred to another person(s), or company or corporation, except upon prior approval of the COUNTY.

6.114.090 CHANGES TO OPERATIONS

The PERMITTEE shall notify the COUNTY about changes to business location and phone numbers; ambulance stations and phone numbers; hours of operations; service charges and rates; insurance coverage; and changes to applicant(s), registered owner(s), partner(s), officer(s), director(s) and controlling shareholder(s) on file; within fifteen (15) days of such changes.

6.114.100 ADDING AMBULANCES

If a PERMITTEE desires to include additional ambulance units under its Certificate of Operation, the PERMITTEE shall submit a vehicle description form for each additional unit and provide the designated fee per unit to the COUNTY, and schedule an ambulance inspection. The term of the Ambulance Permit for additional authorized units shall run concurrently with the last authorized permit period. The fee paid for each additional unit will be prorated according to the amount of time remaining during the last authorized permit period. Prorating will be based on the number of quarters left in the permit period.

6.114.110 RENEWAL OF CERTIFICATE OF OPERATION

- (A) Applicants for renewal of an ambulance service Certificate of Operation under this ordinance shall file with the COUNTY an application in writing, which shall include information required in section 6.114.080 (C). A renewal fee shall accompany the application for renewal. Renewal applications may be submitted ninety (90) days prior to the expiration date but no later than forty-five (45) days prior to the expiration date.
- (B) Late renewal applications received less than forty-five (45) days prior to the

expiration of the Certificate of Operation shall pay an additional twenty percent (20%) of all fees due.

- (C) All ambulances specified by the PERMITTEE shall be inspected and have their permits renewed in accordance with the provisions of section 6.114.170, Ambulance Inspection and Permit Process. The issuance of a renewed Certificate of Operation shall be based on all ambulances having been inspected.
- (D) Renewal of a Certificate of Operation shall require conformance with all requirements of this division as upon issuance of an initial certificate. Nothing in this division shall be construed as requiring the granting of a certificate upon expiration of a previous certificate, and the burden of proof respecting compliance with all the requirements for a period and of entitlement of a certificate shall remain at all times with the applicant for renewal.
- (E) An ambulance provider shall submit, with their renewal application, a financial statement of its business activities or a letter showing proof of financial solvency, prepared by a certified public accountant. Renewal of a certificate is contingent upon proof of financial solvency within the proper time frames.

ARTICLE IV

FEES

6.114.120 FEES

- (A) An application for an initial ambulance Certificate of Operation shall be accompanied by payment of an application fee and Ambulance Inspection fees as defined in COUNTY policies. The Ambulance Inspection fee may be returned if the PERMITTEE does not meet the basic requirements of section 6.114.080(C) and ambulances are not inspected.
- (B) An application for renewal of an ambulance Certificate of Operation shall be accompanied by payment of fees as defined in COUNTY policies.
- (C) The Board of Supervisors shall set the fees by resolution. The fees shall not exceed the reasonable cost of administering and enforcing this ordinance as determined by the Board of Supervisors.

ARTICLE V

OPERATIONAL REQUIREMENTS

6.114.130 HOLD HARMLESS AND LIABILITY INSURANCE AGREEMENT

- (A) Each ambulance PERMITTEE, at its sole cost and expense, shall obtain, maintain, and comply with all County insurance coverage(s) and requirements. Types of insurance coverage include Commercial General Liability, Commercial or Business Automobile Liability, Worker's Compensation and Employers Liability, Professional Liability/Errors & Omissions, and Endorsements and Conditions.

- (B) Lack of coverage as required at any time shall automatically suspend the Certificate of Operation. Failure of the PERMITTEE to notify the COUNTY of lack of coverage for any reason shall be deemed a violation of regulation subject to fine.
- (C) As a condition of being issued a permit, PERMITTEE shall be required to indemnify and hold harmless the County of Alameda from any and all claims or actions for property damage, personal injury, sickness, disease, caused by the PERMITTEE's acts or omissions and will pay any and all judgment decrees, costs, attorney's fees which may be rendered against the County of Alameda, its directors, officers, agents, employees and volunteers in any and all such actions or proceedings.

6.114.140 FINANCIAL RESPONSIBILITY

Each PERMITTEE shall provide the COUNTY with information in reference to any pending action or unpaid judgments or liens against the PERMITTEE, and the notice of the transactions or acts giving rise to the judgments or liens. The PERMITTEE shall notify the COUNTY in writing of the actions within one (1) week of the notification from the levying agency. The reported information will be reviewed by the COUNTY who will make a determination regarding the effect this information will have on the agency's ability to provide continuous service in accordance with this division.

6.114.150 GENERAL PERFORMANCE STANDARDS

- (A) PERMITTEE shall maintain sufficient ambulances, operational procedures and personnel, with valid certifications and licenses to meet performance standards and permit specifications.
- (B) PERMITTEE shall follow the COUNTY's policies.
- (C) PERMITTEE and their personnel shall follow the regulations of the California Vehicle Code and the California Code of Regulations, Title 13, Motor Vehicles.
- (D) PERMITTEE shall maintain supervisory or management personnel, available on a twenty-four (24) hour basis on site or on-call, authorized to make operational decisions, direct personnel and commit resources for use.
- (E) PERMITTEE shall maintain a Quality Management program and perform quality assurance activities in accordance with article VII of this ordinance.
- (F) PERMITTEE shall maintain a Disaster Response Plan that includes a personnel call-back plan for disasters and mass casualty incidents in accordance with section 6.114.460 of this ordinance.
- (G) PERMITTEE shall ensure that all management, supervisory, dispatch and field personnel maintain knowledge and familiarity with multi-casualty and mass casualty incident medical operations, staging, and incident command structure.

6.114.160 AMBULANCE COMPLIANCE

- (A) Each ambulance shall be equipped according to the standard vehicle safety and equipment requirements of the California Vehicle Code and the California Code of Regulations, Title 13, Motor Vehicles.
- (B) Each ambulance shall carry a photocopy or original current vehicle registration,

current insurance identification, current CHP ambulance identification card (or CHP Inspection report valid for 30 days after an initial inspection), and current COUNTY issued ambulance permit.

- (C) Each ambulance shall carry standard patient carrying fixtures and restraints necessary for the comfort and safety of patients.
- (D) Each ambulance shall be equipped with no less than the standardized equipment and supplies as established according to the COUNTY's Equipment and Supply Specifications policy for the level of service provided. CCT ambulances shall be equipped according to the COUNTY's Critical Care Transport policy.
- (E) PERMITTEE shall maintain its vehicles, equipment, and supplies in a clean, sanitary, and safe mechanical condition at all times.

6.114.170 AMBULANCE INSPECTION AND PERMIT PROCESS

- (A) No person, firm, partnership, corporation or other organization, except as identified in section 6.114.070, shall operate or cause an ambulance to be operated in Alameda County unless an ambulance permit has been issued for that ambulance in accordance with these regulations.
- (B) The COUNTY shall inspect each ambulance for which it receives an application to ensure compliance with this ordinance and the COUNTY's policies, protocols, and regulations as they pertain to the ambulance service applied for, according to the provisions of section 6.114.160 - 170.
- (C) The bi-annual inspection for permit renewal shall be based on the list of ambulances submitted by the PERMITTEE.
- (D) The PERMITTEE shall be notified in a timely manner of the results of the inspection and any corrective action required if an ambulance fails the inspection.
- (E) Upon passage of the ambulance inspection, the COUNTY shall issue an ambulance permit or renewal of the permit, to the PERMITTEE.
- (F) The ambulance inspection will be for all equipment identified in the COUNTY's policies, which has not been inspected by the CHP under the California Code of Regulations, Title 13, Vehicle Code, Division 2, Chapter 2, Article 1, sections 1103 and 1103.2.

6.114.180 AMBULANCE COMMUNICATION CAPABILITY

Each ambulance shall have a radio for establishing and maintaining radio contact with County Dispatch and county hospitals as prescribed by the COUNTY and in compliance with F.C.C. regulations.

6.114.190 AMBULANCE COLOR SCHEME AND DESIGN

- (A) At the time of initial application, PERMITTEE shall request a specific color scheme and design and, upon approval by the COUNTY, shall apply such color scheme and design to each ambulance receiving an ambulance permit.
- (B) The color scheme and design shall not imitate or conflict with any other color scheme authorized by this ordinance in a manner that is misleading or would tend to deceive the public.
- (C) No sign, letter, color, appliance or thing of decorative or distinguishing nature

shall be attached or applied to any ambulance unless it has first been approved in the color scheme authorized for each ambulance company.

6.114.200 AMBULANCE STAFFING

Each BLS ambulance shall be staffed with a minimum of two (2) California certified EMT-1s. Paramedics licensed in California may also staff BLS ambulances but may not utilize the paramedic scope of practice. CCT ambulances shall be staffed according to the COUNTY's CCT policy.

6.114.210 AMBULANCE PERSONNEL QUALIFICATIONS

- (A) All personnel while on duty must carry all applicable certificates and PERMITTEE identification, and comply with the COUNTY's policies and procedures.
- (B) All EMT and paramedic personnel must have a current driver's license, ambulance driver's certificate, and a medical examiner's certificate. EMTs hired to solely provide patient care duties are exempt from this requirement. In these cases, the PERMITTEE is required to inform the COUNTY of these personnel and of any changes to their work status.
- (C) PERMITTEE's EMT personnel assigned to provide BLS service under this ordinance must meet the minimum qualifications:
 - (1) EMTs must hold current, valid EMT certification in the State of California.
 - (2) EMTs shall be certified in cardiopulmonary resuscitation (CPR/AED) according to the policies of the COUNTY and State.
 - (3) EMTs assigned to provide CCT driver/assistant service must meet the additional qualifications specified in the COUNTY's CCT policy.
- (D) PERMITTEE's paramedic personnel assigned to provide CCT service under this ordinance must meet the minimum qualifications:
 - (1) Paramedics must hold current, valid paramedic licensure in the State of California.
 - (2) Paramedics shall be accredited by the COUNTY and hold current and valid ALS certifications.
 - (3) Paramedics assigned to provide CCT patient care must meet the additional qualifications specified in the COUNTY's CCT policy.
- (E) PERMITTEE's registered nurse (RN) personnel assigned to provide CCT service under this ordinance must meet the minimum qualifications specified in the COUNTY's CCT policy.
- (F) All drivers must completed an Emergency Vehicle Operation Course (EVOC) driver training course, or its equivalent, related to responding to calls for emergency medical service that includes, but is not limited to, the following didactic and practical components: legal aspects of the emergency ambulance operation, the practice of defensive driving, accident avoidance, principles of vehicle control, routine vehicle safety checks, breaking and stopping, acceleration, and steering.
- (G) The PERMITTEE shall retain on file at all times, copies of all current and valid licenses, certifications, and/or accreditations of all emergency medical personnel

performing services under this ordinance.

6.114.220 PERSONNEL STANDARDS

Ambulance companies shall maintain personnel standards that include orientation to the COUNTY policies and procedures, special training (as deemed necessary by the EMS Medical Director), uniforms and appearances, safety apparel, identification, driver training, work-hour scheduling limitations, with due consideration for collective bargaining agreements and/or State and Federal regulations where they apply.

6.114.230 MEDICAL CONTROL

All ambulance personnel are to provide patient care in accordance with the COUNTY's policies and as directed by standing or specific orders issued by the EMS Medical Director, or his or her designee.

6.114.240 PERSONAL PROTECTIVE EQUIPMENT

- (1) PERMITTEE shall supply and maintain standardized personal protective equipment and supplies to ensure safety and readiness, according to Cal/OSHA guidelines.
- (2) PERMITTEE shall ensure that all personnel receive training in all available equipment, including fit testing, according to Cal/OSHA guidelines.

6.114.250 AMBULANCE STATION STANDARDS

Ambulance company stations shall meet the minimum standards in Section 8 of the Federal Housing Authority, and include an EMS bulletin board, provisions for storage, and protection of ambulance(s). Stations shall comply with all applicable zoning, building, and occupational health and safety regulations.

6.114.260 SERVICE LEVEL

The PERMITTEE, unless holding a contract to provide 9-1-1 emergency service only, shall be approved by the COUNTY prior to beginning service.

6.114.270 RESPONSE STANDARDS

- (A) Any private call of a life threatening nature or a call requiring ALS level care where ALS care is timely, appropriate and available shall be immediately referred to the 9-1-1 emergency operators.
- (B) If an ambulance responds to a patient who appears to have a medical emergency, the crew shall call 9-1-1 and request a 9-1-1 response, and render appropriate care within their scope of practice until the ALS ambulance is on-scene.
- (C) PERMITTEE shall dispatch an ambulance to a non-emergency BLS call within fifteen (15) minutes unless the caller is immediately advised of a delay in responding to the call or the unavailability of an ambulance. The exception to this is for calls that have been prescheduled.
- (D) PERMITTEE shall provide prompt transportation of the patient to the most appropriate medical facility, licensed, equipped, and staffed to meet the needs of the patient in accordance with applicable laws, rules, regulations, and policies.

- (E) The PERMITTEE or their employees shall report any response to a non-emergency request for ambulance service that is responded to by a unit not staffed and equipped at the appropriate service level to the COUNTY on an Unusual Occurrence form within ten (10) days of the incident.

6.114.280 DISPATCH

- (A) Each ambulance company providing service under this ordinance shall assign at least one person or an agency to be responsible for receiving calls and dispatching ambulances. The PERMITTEE shall have a Dispatcher Training Program that includes prioritizing tasks including, but not limited to, call intake, unit assignment, crew utilization and computer input; documentation and reporting; communication equipment; and compliance with the COUNTY's policies, procedures, and/or protocols covering ambulance service operation, ambulance transport, equipment, ambulance personnel, and standards of dispatch. Dispatchers shall be certified in CPR/AED.
- (B) Each PERMITTEE ambulance dispatch center shall have access to ReddiNet for the purpose of county system status updates.

6.114.290 PROHIBITIONS

Ambulance companies are hereby prohibited from engaging in the following activities:

- (A) Permitting the operation of an ambulance in any manner contrary to the provisions of this ordinance or contrary to any applicable statute, rule, or regulation.
- (B) Responding to a call when not requested to respond to that call by an individual requesting that service or the appropriate dispatch center.
- (C) Causing or allowing its ambulances to respond to a 9-1-1 emergency call location without first receiving a specific request from an Alameda County approved dispatch center.
- (D) Providing ALS service without being authorized by the COUNTY to provide such service.
- (E) Providing Critical Care Transport services without possessing a current and valid Critical Care Transport Certificate of Operation and associated ambulance permit(s).

6.114.300 ADVERTISING

- (A) No person or organization shall announce, advertise, offer, or in any way claim that it provides non-9-1-1 ambulance service unless it possesses a current, valid, BLS or CCT ambulance Certificate of Operation.
- (B) No person or organization shall announce, advertise, offer, or in any way claim that it provides emergency 9-1-1 service unless it has been approved as an emergency 9-1-1 provider by the COUNTY.
- (C) Any use of a telephone number on an ambulance for non-emergency ambulance service shall include the phrase "FOR EMERGENCIES, CALL 9-1-1" in capital letters that are at least as big as the letters used for the telephone number.

6.114.310 SERVICE CHARGES & RATES

The PERMITTEE shall submit their service charges and rates to the COUNTY with their application for a Certificate of Operation and with each renewal. All service charges and rates must be defined in sufficient detail so as to be understandable to the public. The COUNTY reserves the option, with Board of Supervisor approval, to set base rates for ambulance calls.

6.114.320 SYSTEM STATUS UPDATES

- (A) The PERMITTEE shall annually submit a system update to the COUNTY. The update shall identify:
 - (1) Ambulance station locations.
 - (2) Posting locations.
 - (3) The number of ambulances normally available for response by time of day and day of week, with any seasonal variations.
- (B) The PERMITTEE shall, at the start of each calendar year, submit to the COUNTY, in an electronic form, a list of all EMTs and paramedics employed along with their certificate or license numbers. In addition, the PERMITTEE shall notify the COUNTY within thirty (30) days of any EMTs and/or paramedics who have been newly hired, terminated, retired, or have quit their employment.

**ARTICLE VI
ENFORCEMENT**

6.114.330 INVESTIGATIONS AND INSPECTIONS

- (A) The COUNTY shall have the right to inspect the records, facilities, equipment, supplies, personnel, and methods of operation of the PERMITTEE whenever the COUNTY deems such inspection necessary.
- (B) The PERMITTEE shall cooperate with the COUNTY, in any investigations of possible violations of this section and shall make all dispatch logs and similar dispatch records, including tape recordings, available for inspection and copying at reasonable times at the PERMITTEE's regular place of business. All tape recordings shall remain available for a minimum of sixty (60) days from the date the recording was made.
- (C) The PERMITTEE shall allow the COUNTY to inspect, on a pre-announced or unannounced basis, all ambulances used to provide ambulance service. The inspections should be held, whenever possible, during normal business hours at the ambulance operations center. The purpose of such inspections is to determine if the ambulance and its equipment and supplies are in good working order, properly maintained and equipped for the provision of ambulance service for which it is permitted. The ambulance inspection will be for all equipment identified in the COUNTY's policies, which has not been inspected by the CHP under the California Code of Regulations, Title 13, Vehicle Code, Division 2, Chapter 2, Article 1, sections 1103 and 1103.2.

- (D) At the request of the COUNTY, the ambulance provider shall submit self-inspections of all ambulances on the COUNTY's Ambulance Self-Inspection form.
- (E) The PERMITTEE shall inform the COUNTY of any suspension and/or revocation of their California Highway Patrol Ambulance Service License, or Vehicle Certificate, or Authorized Emergency Vehicle Permit for any of their support vehicle(s).

6.114.340 CONSUMER COMPLAINTS

- (A) Any user of a permitted ambulance service contending that he/she received unsatisfactory service(s) may file a written complaint with the COUNTY. Such written complaint(s) shall set forth the allegations. The COUNTY shall notify the PERMITTEE of the complaint and provide the PERMITTEE with information about the complaint.
- (B) The COUNTY shall conduct an investigation of the allegation(s) in the written complaint to determine the validity of said allegation(s). If the allegation(s) are found to be valid, the COUNTY shall take actions to secure compliance with the provisions of this chapter and any established ambulance regulations.
- (C) If the COUNTY is unable to secure compliance, it will initiate action to penalize, suspend or revoke the Certificate of Operation.

6.114.350 PENALTIES

- (A) The COUNTY may suspend or revoke an ambulance company's Certificate of Operation for:
 - (1) Violating any provision, regulation, law, state or federal standards or ordinances; or
 - (2) Failure to make and retain records showing its operations in any area covered by this ordinance, including but not limited to dispatching, response, personnel, vehicles, medical treatment or billing, or failure to make such records available for inspection by the COUNTY; or
 - (3) Accepting an emergency or non-emergency call when it is either unable or unwilling to provide the requested service, or fails to inform the person requesting such service of any delay, and fails to obtain consent of such person before causing an ambulance to respond from a location more distant than the one to which the request was directed; or
 - (4) Failure to pay any fine issued pursuant to this section within thirty (30) business days.
- (B) Suspension is not a condition precedent to revocation.
- (C) Fines:
 - (1) Fines may be issued by the COUNTY for:
 - (a) Failure to provide required clinical or operational reports, including dispatch records;
 - (b) Failure to comply with requirements for personnel, equipment, and vehicles;

- (c) Failure to comply with any other section of this ordinance or any regulation adopted pursuant to this ordinance
- (2) Exceptions shall be granted for records destroyed by fire, explosion, or theft beyond the reasonable control of the PERMITTEE; a declaration of local, state, or federal emergency impacting the PERMITTEE'S resources; and/or acts of God.
- (3) Failure to remit amount of fine levied within thirty (30) days of resolution of appeal to the Board of Supervisors may result in revocation of the Certification of Operation.

(D) Violations:

- (1) Except as otherwise provided, any PERMITTEE who violates any provision of this ordinance shall be guilty of a misdemeanor as provided under section 1.12.010 of the Alameda County Code.
- (2) A PERMITTEE who violates provisions of this ordinance shall be subject to a fine:
 - (a) Not exceeding two hundred dollars (\$200.00) for a first violation.
 - (b) Not exceeding four hundred dollars (\$400.00) for a second violation of the same section.
 - (c) Not exceeding six hundred dollars (\$600.00) for each additional violation within one (1) year of the same section.
- (4) A violation period is defined as each day or portion thereof that a PERMITTEE is in violation of this ordinance.
- (5) The COUNTY or designee is hereby authorized to institute and pursue, in the name of the county, pursuant to the provisions of section 25132 of the Government code, civil actions for the recovery of fines for violations of this ordinance.
- (6) Payment of any fine herein shall not relieve the PERMITTEE from the responsibility of correcting the violation.
- (7) The fines paid under the administration of this ordinance shall be disbursed by the COUNTY to the city in which the ambulance company is based.

6.114.360 NOTICE ISSUANCES

Before any suspension or revocation, the COUNTY shall give written notice to the PERMITTEE specifying why such action is contemplated and giving the PERMITTEE a reasonable period of time (not less than five (5) nor more than fifteen (15) business days) to comply with the provisions in question or to show cause against suspension or revocation and setting a date for hearing thereon.

6.114.370 HEARINGS

- (A) If an applicant for a Certificate of Operation or an Ambulance Permit or a PERMITTEE is dissatisfied with any of the actions taken by the COUNTY, he/she may request an administrative hearing.
- (B) The request for an administrative hearing must be filed within ninety (90) days of the date of the notice.

- (C) The hearing shall be held at an agency office. The agency shall mail to the claimant a written notice of the time and place of the hearing no less than five days prior to the hearing.
- (D) Hearings conducted pursuant to this chapter shall be conducted before a Hearing Officer designated by the COUNTY. All hearings shall be electronic tape-recorded. Hearings need not be conducted according to the California Code of Evidence. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state. Any relevant evidence shall be admitted if it is the type of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Irrelevant and unduly repetitious evidence shall be excluded. The parties shall equally bear the expense of the Hearing Officer and the cost of the hearing. Each party shall bear its own expense.
- (E) At the hearing, the COUNTY has the burden of proof and may present evidence as to why such action should be taken and to answer the evidence presented by the PERMITTEE.

6.114.380 APPEALS

The PERMITTEE may file a written appeal with the Board of Supervisors within ten (10) days of receipt of the issuance of the COUNTY's written decision by certified mail. A copy of the written appeal must also be served to the COUNTY either in person or by certified return receipt mail within ten (10) days of receipt of the issuance of the COUNTY's written decision by certified mail. Appeals will be heard at a regularly scheduled Board of Supervisors meeting. The Board of Supervisor's decision shall be final.

6.114.390 EMERGENCY ACTION

The COUNTY may reduce the period of time for compliance under a suspension or revocation notice to no less than twenty-four (24) hours and set the matter for hearing immediately upon expiration of the period when the COUNTY makes written preliminary findings that such action is necessary to protect the public health, safety and welfare. When, as a result of such an emergency proceeding, a permit is suspended or revoked, the PERMITTEE may request an additional hearing at which the PERMITTEE will have the burden of establishing renewed compliance justifying reinstatement of the permit. Such additional hearings will be commenced within five (5) days of the PERMITTEE's request. The request for, or the scheduling of, an additional hearing shall not stay operation of the suspension or revocation order.

6.114.400 DECISION

At the conclusion of the hearings, the Hearing Officer or the Board shall promptly prepare a written determination of the issues presented and the proposed findings. A copy of the decision shall be served on the parties by certified return receipt mail. Service of the decision shall be deemed complete at the time deposited in the mail.

ARTICLE VII

QUALITY MANAGEMENT

6.114.410 QUALITY MANAGEMENT PROGRAM

To ensure that ambulances are operating in the best interest of the public health and safety, and that ambulance companies are utilizing properly trained staff, each PERMITTEE will be required to have a quality management program that:

- (A) Utilizes a physician, RN, or paramedic with experience in quality management to direct and coordinate quality improvement activities (exceptions to this may be made on an individual basis by the COUNTY).
- (B) Reviews patient care provided by their employees.
- (C) Meets the requirements of the State Emergency Medical Services Authority's Quality Improvement Program contained in the California Code of Regulations, Title 22, Division 9.
- (D) Identifies problems or issues regarding patient care and proposes solutions for corrective action.
- (E) Participates in the COUNTY's collection of data regarding quality of patient care.
- (F) Includes disciplinary procedures to be used when appropriate.
- (G) Maintains a radio recording of all calls for ambulance services requested, all dispatch instructions given, and all communications between the dispatch center and the ambulance unit until the ambulance run is completed. Recordings must be stored for a period of at least sixty (60) days.
- (H) Ensures that all drivers have completed an Emergency Vehicle Operation Course (EVOC) driver training course, or its equivalent, related to responding to calls for emergency medical service that includes, but is not limited to, the following didactic and practical components: legal aspects of the emergency ambulance operation, the practice of defensive driving, accident avoidance, principles of vehicle control, routine vehicle safety checks, breaking and stopping, acceleration, and steering.
- (I) Requires the use of the COUNTY's designated Prehospital Care Report, the Unusual Occurrence form, and/or other approved reports that include all required data elements for all emergency medical and those runs and refusal of service against medical advice.
- (J) Requires staff to attend, at no expense to the COUNTY, EMS Orientation, and other education and training programs as may be reasonably requested by the COUNTY.
- (K) Is consistent with the COUNTY's Quality Assurance/Quality Improvement Plan.
- (L) PERMITTEES, or a designated employee(s), shall actively participate on any committees, at the request of the COUNTY, to provide for continued system performance.
- (M) Documentation outlining the quality management program is to be submitted to the COUNTY as part of the ambulance service permit application process.

6.114.420 CCT CONTINUOUS QUALITY IMPROVEMENT PLAN

Critical Care Transport ambulance companies are additionally responsible for submitting a Continuous Quality Improvement plan according to the specifications in the COUNTY's CCT policy.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

6.114.430 EXEMPTIONS

- (A) When county officials have determined that adequate emergency ambulance service will not be available from existing ambulance providers, this ordinance may be waived at the request of any County Communications Center or at the request of any law enforcement or fire protection agency during any "state of war emergency," "state of emergency," or "local emergency" as defined in Government Code Section 8558 or during any period (not over thirty (30) days, but renewable every thirty (30) days).
- (B) This ordinance shall not prevent any peace officer as described in the California Code of Regulations, Title 13, Motor Vehicles 1107(a)(2) or public safety personnel as defined in COUNTY policies, from arranging for the transportation of an individual in need of emergency medical care when no ambulance with an appropriate ambulance service permit is available and such transportation is required immediately for the preservation of life or to avoid substantial impairment of the person to be transported.

6.114.440 MEDICAL DIRECTION

All EMT and paramedic personnel working in Alameda County are required to provide patient care in accordance with medical care policies, procedures and protocols promulgated by the EMS medical director.

6.114.450 EMS SPECIAL EVENT NOTIFICATION

PERMITTEEs providing special event standby coverage shall comply with the COUNTY's Special Event policy and complete an EMS Special Event Notification form. This form shall be submitted to the COUNTY for approval at least seven (7) days prior to the beginning of the coverage. Non COUNTY approved transport providers shall pay a Special Event Non-Emergency Ambulance Permit fee. The COUNTY may impose conditions on the approval of the request, which are necessary to ensure the safety of the public, including, but not limited to, notification of the local public safety jurisdiction, county communications, and appropriate 9-1-1 first responder providers. This provision shall help to ensure that adequate and integrated emergency medical services are available to the public and event participants. Any unauthorized standby service provided by a private EMS service may result in a fine, permit suspension or revocation.

6.114.460 EMERGENCY AND DISASTER OPERATIONS

- (A) In the events of a disaster or mass casualty incident, the ability of the emergency ALS ambulance providers to provide necessary prehospital emergency ambulance care and transportation may be disrupted or be inadequate for the number of casualties. It is necessary; therefore, that all ambulances permitted in Alameda County be available to assist disaster or mass casualty medical needs when there is a disaster or mass casualty incident. In the events of a disaster or mass casualty incident, the COUNTY will determine the amount of assistance needed, determine accessible acceptable ambulance staffing and configuration, and may authorize the dispatch of any ambulance as permitted by law. Each service shall make available, and place into service, all permitted units at the request of the COUNTY. The COUNTY shall coordinate all medical mutual aid requests through the County Centralized Emergency Medical Dispatch, the medical mutual aid system, and the County Health Officer when applicable.
- (B) The PERMITTEE shall have on file with the COUNTY, its Disaster Response Plan which includes a personnel call-back plan.
- (C) All management and field personnel of the PERMITTEE shall follow the COUNTY's Multi Casualty Incident (MCI) Plan Policy during an MCI.
- (D) The COUNTY may assist the PERMITTEE in seeking reimbursement for its costs from any disaster relief monies. The COUNTY shall have no financial responsibility for these costs or charges.
- (E) When requested by the COUNTY, the PERMITTEE shall participate in a COUNTY organized disaster exercise by sending one fully staffed ambulance with a minimum ninety (90) day notice from the COUNTY. All costs associated with their participation in the disaster exercise shall be the sole responsibility of the PERMITTEE.

6.114.470 CLINICAL EXPERIENCE PROGRAM

All BLS ambulance companies, in business more than one year, shall work with the COUNTY to develop and maintain a program that provides clinical experience to students enrolled in EMT training programs approved by the COUNTY.

6.114.480 COUNTY LIABILITY

Unless expressly agreed in writing, the COUNTY and the County of Alameda and its officers and employees shall not be liable for any PERMITTEE costs or charges associated with compliance under this ordinance or the rules or regulations promulgated hereunder.

6.114.490 SEPARABILITY

If any chapter, section, or subsection, sentence, clause, phrase, or portion of this ordinance are for any reason held invalid or unconstitutional by any court of competent judgment, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions hereof.

**SECTION III
EFFECTIVE DATE**

1. This ordinance shall take effect and be in force thirty (30) days from and after the date of passage.

2. Before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on _____, 2007 by the following called vote:

AYES:
NOES;
EXCUSED:

SCOTT HAGGERTY
President of the Board of Supervisors
County of Alameda, State of California

ATTEST: CRYSTAL K. HISHIDA, Clerk
of the Board of Supervisors, County of Alameda

By _____