

## **CHAPTER 6**

### **Emergency Services**

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## ARTICLE 1

### Emergency Medical Services

*Resolution No. 1983*

*September 26, 1983*

WHEREAS, Senate Bill No. 454 of 1977, has enacted Title 25, Section 2, C.R.S. 1973, adding thereto Article 3.5 regarding emergency medical services, and

WHEREAS, said enactment places said law in effect as of January 1, 1978, and

WHEREAS, certain amendments have been enacted thereto repealing some portions of the existing statute and adding additional requirements, and

WHEREAS, it is required that the counties comply with enactments set forth in said statute as amended.

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF OTERO, STATE OF COLORADO, that in order to preserve the public peace, health and safety, and in accordance with law, the following rules and regulations shall be in full force and effect as of January 1, 1978, and shall govern ambulance service within Otero County, Colorado, from that date forward:

#### I. DEFINITIONS

As used in this resolution, unless the context otherwise requires:

(a) "Ambulance" means any privately or publicly owned land vehicle especially constructed or modified and equipped, intended to be used and maintained or operated for the transportation, upon the streets and highways in this County, of individuals who are sick, injured or otherwise incapacitated or helpless.

(b) "Ambulance driver" means any person authorized to drive an ambulance which is a land vehicle in this State as provided in this Article.

(c) "Ambulance service" means the furnishing, operating, conducting, maintaining, advertising or otherwise engaging in or professing to be engaged in the transportation of patients by ambulance. Taken in context, it also means the person so engaged or professing to be so engaged.

(d) "Department" means the Otero County Health Department, unless otherwise specified.

(e) "Director" means the Director of the Otero County Health Department.

(f) "Emergency" means any actual or self-perceived event which threatens life, limb or well-being of an individual in such a manner that a need for immediate medical care is created.

(g) "Emergency medical technician" means an individual who holds a current emergency medical technician's certificate.

(h) "Patient" means any individual who is acutely ill or injured.

(i) "Permit" means the authorization issued by the Board of County Commissioners with respect to an ambulance used or to be used to provide ambulance service in the County.

(j) "Physician advisor" means a physician who established protocol for medical acts performed by EMTs or paramedics of a pre-hospital emergency medical care service agency and who is responsible for those acts by EMTs and paramedics in accordance with the acts allowed by the State Board of Medical Examiners.

(k) "Refresher course program" means a program establishing a course of instruction designed to keep emergency medical technicians abreast of developments or new techniques in their profession, which course includes an examination or examination administered at any time during or following such course to facilitate continuing evaluation of emergency medical technician examinees.

(l) "Rescue unit" means any organized group chartered by the State as a corporation not for profit or otherwise existing as a nonprofit organization whose purpose is the search for and rescue of lost or injured persons and includes, but is not limited to, such groups as search and rescue, mountain enforcement posse, civil defense units or other organizations of governmental designation responsible for search and rescue.

## **II. REGULATION**

### **1. Ambulance Service License Required.**

No person shall provide ambulance service, publicly or privately, in Otero County, Colorado, unless that person holds a valid license to do so issued by the Board of County Commissioners of the County of Otero and State of Colorado as hereinafter provided.

### **2. Ambulance Crew Members – Personnel – Requirements.**

No person shall be transported in an ambulance in this County after January 1, 1978, unless there are two (2) or more individuals, including the driver, present and authorized to operate said ambulance, except under unusual conditions when only one (1) authorized person is available. Emergency medical personnel employed or utilized in connection with an ambulance service shall meet the qualifications established by the Board of County Commissioners in this resolution. For ambulance drivers, the minimum requirements shall include the possession of a valid Colorado driver's license and at least an advanced Red Cross First Aid, First Responder or equivalent, EMT or LPN/RN Colorado license; and for any emergency medical technician, the minimum requirements shall be an emergency medical technician's certificate issued by the Department. Where two (2) or more individuals are required, including the driver, at least one (1) must be a certified medical technician.

### **3. Ambulance Permit.**

No ambulance shall be operated within Otero County, Colorado, unless a permit has been issued as hereinafter provided.

### **4. Exceptions to Licensing and Permit Requirements.**

The provisions of the licensing and permit paragraphs as are set forth above shall not apply to the following:

(a) The exceptional emergency use of a privately or publicly owned vehicle, including search and rescue unit vehicles.

(b) A vehicle rendering service as an ambulance in case of a major catastrophe or emergency when ambulances with permits based in the localities of the catastrophe or emergency are insufficient to render the services required.

(c) Ambulances based outside this County which are transporting a patient to a facility within the County or to some other destination within the County may respond to calls for service originating from within the County under any one (1) of the following conditions:

c-1 When licensed to operate within this County.

c-2 When specifically authorized by the Department.

c-3 Under conditions of a major catastrophe or emergency when licensed ambulances are insufficient or not available.

(d) Vehicles used or designed for the scheduled transportation of convalescent patients, handicapped individuals or persons who would not be expected to require skilled treatment or care while in this vehicle.

(e) Vehicles used solely for the transportation of intoxicated persons or persons incapacitated by alcohol as defined in Section 25-1-302, C.R.S. 1973, but who are not otherwise disabled or seriously injured and who would not be expected to require skilled treatment or care while in this vehicle.

## **5. Insurance.**

No ambulance shall operate in Otero County, Colorado, unless it is covered by insurance as set forth in this Paragraph. Each ambulance service shall maintain insurance coverage for each and every ambulance owned, operated or leased by the ambulance service, providing coverage for injury to or death of persons in accidents resulting from any cause for which the owner of said vehicle would be liable on account of any liability imposed on him by law, regardless of whether the ambulance was being driven by the owner, his agent or lessee, and coverage as against damage to the property of another, including personal property, under like circumstances, in the following amounts:

(a) Statutory Workmen's Compensation Insurance.

(b) Public liability and property damage.

Bodily injury:

Each person: One hundred fifty thousand dollars (\$150,000.00)

Each accident: Four hundred thousand dollars (\$400,000.00)

Property damage:

Each accident: Fifty thousand dollars (\$50,000.00)

Aggregate: One hundred thousand dollars (\$100,000.00)

Copies of such policies of insurance shall be filed with the Board of County Commissioners of the County of Otero, State of Colorado, along with the application for an ambulance service license as provided for herein. Every insurance policy required shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, but the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured, and that, until a policy is revoked, the insurance company will not be relieved from the liability on account of nonpayment of premiums, failure to renew the license at the end of the year or any act or omission of the named insured. Such insurance policies shall extend for the period covered by the ambulance service license. The insurance policies shall contain a provision that thirty (30) days' prior

written notice of any cancellation or termination of said insurance policy shall be given to the Board of County Commissioners of the County of Otero, State of Colorado.

The motor vehicle insurance shall be a complying policy as defined in Section 10-4-703, C.R.S. 1973.

## **6. Ambulance Specifications.**

All ambulance operated by an ambulance service shall be issued a permit and in order to be approved, shall bear evidence that it has passed the state motor vehicle inspection within the past year and that its equipment meets or is equivalent to the minimum requirements set forth in the latest edition of the American College of Surgeons' Committee on Trauma publication, "Essential Equipment for Ambulances." All ambulances shall have the name of the ambulance service clearly visible on said vehicles.

## **7. Ambulance Equipment.**

In addition to any other requirement set forth in Paragraph 6 above, at a minimum, the Board of County Commissioners of Otero County, State of Colorado, shall require each ambulance to have the following equipment:

- (a) A beacon ray mounted on the roof and a siren.
- (b) Safe tires and, in addition, studded snow tires or chains when weather conditions demand.
- (c) A two-way means of communications with their dispatcher.
- (d) Safety belts for the ambulance driver, ambulance emergency medical technician and other attending personnel.
- (e) Safety belts or other restraining safety devices for patients being transported.
- (f) Hand tools necessary for emergency use, including but not limited to hacksaws and crowbars.
- (g) A functioning fire extinguisher with underwriters' label attached.

## **8. Inspections.**

The Director shall appoint and direct inspectors to inspect every twelve (12) months, or more often if required by the Director, each ambulance owned or operated by each ambulance service to determine that each such ambulance is being properly maintained and contains the equipment specified in this resolution, and the Director may require that all the ambulances owned by an ambulance service be inspected simultaneously. Such inspections shall be in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any requirement of approval, nor excuse compliance with the requirements of any other applicable Colorado laws.

The Director shall appoint and direct inspectors to inspect at least annually the location from which the ambulance service operates to ensure compliance with applicable health and sanitation laws and regulations.

The permit for each ambulance shall be displayed in a prominent interior and accessible location. Upon the vehicle's noncompliance with any provision of this resolution, the inspector may remove such permit until proper compliance is accomplished. If there exists disagreement concerning compliance with any provision, the ambulance service licensee may petition the Board of County Commissioners of the County of Otero, State of Colorado, pursuant to the permit revocation provisions for hearing on the matter.

## **9. General Regulations.**

(a) All ambulances shall deliver patients to the hospital of the patient's choosing or as directed by the patient's family; provided, however, that in situations where the patient's life is in danger, the ambulance service shall deliver the patient to the nearest hospital having adequate emergency medical facilities. Where possible, the emergency medical technician shall contact an emergency medical care facility through direct voice communication. In all cases where a preference is not expressed, the ambulance service shall deliver patients to the nearest hospital having emergency medical facilities.

(b) All ambulance services provided within Otero County, Colorado, for special events shall be conducted in accordance with the regulations hereinafter set forth for special events.

(c) No licensed ambulance service shall operate from locations other than those approved by the Board of County Commissioners, nor shall such licensed ambulance service abandon approved locations without prior approval of the Board of County Commissioners.

(d) Each ambulance service shall prepare and transmit copies of uniform and standardized records concerning the transportation and treatment of patients as required by the Director.

(e) Any ambulance responding to an emergency call of a life critical nature shall inform the dispatcher of its estimated time of arrival in minutes. If another ambulance can respond in a lesser time, it shall do so and notify the dispatcher and the original responding ambulance, and shall thereafter have the responsibility of transporting the patient.

## **10. Regulation for Special Events.**

The Board of County Commissioners of the County of Otero, State of Colorado, hereby authorizes the licensing of a qualified ambulance agency for providing ambulance service within Otero County, Colorado, for special events; provided, however, that the ambulance service or ambulance agency providing said services shall have the required insurance as provided in II.5, stated above, and the required specifications as required in II.6 above and the required ambulance equipment as set forth in II.7 above.

The Board of County Commissioners of the County of Otero, State of Colorado, authorizes, upon the application for such ambulance service licenses and permits for a special event, that the same be issued for a period not to exceed five (5) days, and the application shall conform to the requirements of III.1(a) through (n), inclusive, as hereinafter provided.

A cashier's check in the amount of ten dollars (\$10.00) shall accompany the application, and said ten dollars (\$10.00) shall represent the fee for the special event license and/or permit.

(d) Said permit shall be issued for such service on the day such special event may commence and shall expire no later than midnight on the fifth day thereafter.

## **III. LICENSES**

### **1. Application for Ambulance Service License and Ambulance Permits.**

An application for an ambulance service license and ambulance permit shall be submitted in writing to the Board of County Commissioners and shall contain the following information and necessary supporting documents:

(a) The name and address of the owner of each ambulance.

- (b) The name and address of the person applying for the license, hereinafter referred to as "the applicant."
- (c) The name and address of the person who will be in charge of the operation of the ambulance service.
- (d) The training and experience of the applicant and of the person who will be in charge of the ambulance service.
- (e) The trade or other name, if any, under which the applicant does business or proposes to do business.
- (f) If the owner of an ambulance or the applicant is a corporation, the name and address of each stockholder owning ten percent (10%) or more of the outstanding stock of each such corporation and the names and addresses of each of the directors of the corporation.
- (g) A description of each ambulance, including the make, model, year of manufacture, motor and chassis number, Colorado state license number for the current year, Colorado state emergency vehicle permit, the length of time the ambulance has been in use and the color scheme, insignia, name, monogram or other distinguishing characteristics used to designate the ambulance.
- (h) The location and description of the place or places from which it is intended to operate an ambulance service.
- (i) The area to be served by the proposed ambulance service.
- (j) A statement from the Director that the physical inspection of the ambulances, equipment and location of the applicant has been completed and the ambulance, equipment and location were found to be in compliance with the provisions of this resolution.
- (k) Copies of the insurance policies as set forth in this resolution.
- (l) A cashier's check in the amount of one hundred dollars (\$100.00), with the exception that no fee shall be required for the licensing of any ambulance services, or granting of any ambulance services or granting of any ambulance permit to municipalities or special districts which operate ambulance services within Otero County, Colorado.
- (m) Copies of any mutual aid agreements.
- (n) A current list of emergency medical technicians, drivers and emergency medical technicians' certification numbers, expiration dates and dates of birth.
- (o) Submit the name, address and curriculum vitae (resume) of the physician advisor to the ambulance service.

## **2. Issuance of Ambulance Service License and Permit.**

After receipt of the original application for a license to provide ambulance service and an ambulance permit, the Board of County Commissioners shall review the application and the applicant's record. The Board of County Commissioners shall issue a license to the applicant to provide ambulance service and a permit for each ambulance used, both of which shall be valid for twelve (12) months following the date of issue, upon a finding that:

(a) The ambulance service staff, vehicles, equipment and location comply with the requirements of this resolution.

(b) The ambulance drivers and emergency medical technicians to be employed are duly licensed in accordance with the provisions of this resolution.

(c) The applicant has in all respects complied with the requirements of this resolution.

### **3. Ambulance Service License and Permit Renewal.**

Any such license or permit, unless revoked by the Board of County Commissioners, may be renewed by filing an application as in the case of an original application for such license or permit. Applications for renewal shall be filed annually, but not less than thirty (30) days before the date the license or permit expires.

### **4. Transfer of License or Permit.**

No license or permit issued by the Board of County Commissioners shall be sold, assigned or otherwise transferred.

### **5. Change of Ownership.**

Any change of ownership shall require a new application and license, with payment of the same license fee as is required for an original application. Any sale or exchange of stock in excess of fifty percent (50%) of the total outstanding stock of a corporation shall be deemed a change of ownership for the purpose of this resolution. Any change of ownership and any change of stock ownership of ten percent (10%) or more shall be reported in writing to the Board of County Commissioners.

### **6. Requirements for Ambulance Driver's License.**

(a) Be at least eighteen (18) years of age or older.

(b) Be able to speak, read and write the English language.

(c) Must pass a physical examination if required by the Department.

(d) Not be addicted to the use of intoxicating liquors or drugs.

(e) Not have been convicted of reckless driving, driving while intoxicated or had his driver's license suspended or revoked within three (3) years immediately preceding the date of the application.

(f) Successfully pass an examination administered by the Director designed to test the proficiency and knowledge of the applicant.

(g) Be a high school graduate or have a high school equivalency diploma.

(h) Possess a valid Colorado driver's license.

(i) Posses one (1) of the following: Advanced Red Cross First Aid, EMT or LPN/RN Colorado license.

### **7. Application for Ambulance Driver's License.**

An application for an ambulance driver's license shall be submitted in writing to the Director. The application shall set forth the following information:



(a) Applicant's name, address and date of birth.

(b) A list of petty offenses, misdemeanors and felonies the applicant has been convicted of within the preceding three (3) years and a statement of all pertinent facts relating thereto.

(c) The applicant's training and experience as an ambulance driver.

(d) Proof of compliance with the provisions of 6(c), (f), (g), (h) and (i) above.

#### **8. Requirements for Emergency Medical Technician License.**

Hold a current emergency medical technician certificate issued by the Colorado State Department of Health. Upon a finding by the Director that the applicant has equivalent training from another jurisdiction and is making a good-faith effort to acquire certification in the State of Colorado, this requirement may be waived for up to six (6) months at the discretion of the Director.

#### **9. Application for Emergency Medical Technician's License.**

An application for an emergency medical technician's license shall be submitted in writing to the Director. The application shall set forth the following information:

(a) Applicant's name, address and date of birth.

(b) A list of petty offenses, misdemeanors and felonies of which the applicant has been convicted within the preceding three (3) years and a statement of all pertinent facts relating thereto.

(c) The applicant's training and experience as an emergency medical technician.

(d) Proof of compliance with Paragraph 8 above.

#### **10. Issuance of License.**

Applicants for an ambulance driver's license and an emergency medical technician's license shall be submitted to the Director for review. An emergency medical technician who also qualifies as an ambulance driver shall be issued one (1) license entitled "Emergency Medical Technician – Ambulance Driver License." If the Director finds that the application and information therein meet the requirements of this resolution, he shall recommend the issuance of the license to such applicant by the Board of County Commissioners. The Board of County Commissioners shall issue such license, which shall be valid for twelve (12) months from the date of issue, provided there is continued compliance with all provisions of this resolution.

#### **11. Renewal of License.**

Any such license, unless revoked by the Board of County Commissioners, may be renewed by filing an application as in the case of an original application for such license. Applications for renewal shall be filed annually but not less than thirty (30) days before the date the license expires.

#### **12. Change of Employment.**

All licensed ambulance drivers and licensed emergency medical technicians shall keep the Board of County Commissioners informed as to their employment and report any changes thereof within seventy-two (72) hours.

### **13. Conditional License for Ambulance Service.**

The Board of County Commissioners may grant a conditional license to an ambulance service if such service is not in full compliance with this Part III at the time of the initial application. The conditional license shall be valid for not less than thirty (30) days or more than ninety (90) days. No conditional license shall be issued to an ambulance service beginning operation after January 1, 1978. The issuance of such license shall be conditioned upon the ambulance service providing the Board of County Commissioners of the County of Otero, State of Colorado, within thirty (30) days of issuance, with either a written plan of action to comply with the licensing provisions of this resolution or evidence of compliance with the licensing provisions of this resolution.

### **IV. REVOCATION/SUSPENSION PROCEDURES AND HEARINGS.**

1. Upon a determination by the Board of County Commissioners of the County of Otero, State of Colorado, that any person has violated or failed to comply with any provisions of this resolution, the Board of County Commissioners may temporarily suspend, for a period not to exceed thirty (30) days, any license or permit issued pursuant to this resolution. The licensee shall receive written notice of such temporary suspension, and the hearing shall be held no later than ten (10) days after such temporary suspension. After such hearing, the Board of County Commissioners may suspend any license or permit issued pursuant to this resolution for any portion or for the remainder of its life. At the end of such period, the person whose license or permit was suspended may apply for a new license or permit as in the case of an original application. Suspension or revocation may result from violation of:

(a) Any provision of this resolution; or

(b) Any law of the State of Colorado, or ordinance or regulation of any municipality in Otero County, Colorado, and evidence of any such violation may be considered, regardless of any conviction thereof.

2. All hearings before the Board of County Commissioners of the County of Otero, State of Colorado, shall be public and every vote and official act of the Board of County Commissioners of the County of Otero, State of Colorado, shall be public. The Board of County Commissioners of the County of Otero, State of Colorado, may require an ambulance service company, which is the subject of a hearing, to make available such books and records as are desired and requested by the Board of County Commissioners of the County of Otero, State of Colorado, shall make such other rules and regulations for the conduct of the hearing as are deemed necessary.

3. Revocation of a permit for the operation of any individual ambulance may be made verbally or in writing at any time upon inspection by the individual appointed by the Director to perform such inspection without prior notice of hearing. The ambulance service may petition the Board of County Commissioners of the County of Otero, State of Colorado, for a hearing on the revocation of such permit, and such hearing shall be conducted within ten (10) days of the receipt of such request. The reinstatement of such permit may be made by the Director prior to such hearing, upon a reinspection and a finding by the Director that the ambulance fully complies with the provisions of this Resolution.

4. The following practices shall be unlawful and shall be grounds for a suspension or revocation of license:

(a) Willful and deliberate failure to respond to any call.

(b) Willful and deliberate failure to transport a patient when required.

(c) Administering unnecessary treatment or supplies to a patient for the purpose of increasing the patient's bill.

(d) Administration of any substance considered a drug or intravenous fluid unless under the direct order of a physician either present or by radio or telephone, except as authorized under Sections 4.2 and 4.4, Acts Allowed, as amended.

(e) Charging for treatment or supplies not actually provided to a patient.

(f) Requiring any employee of any ambulance service company to be on duty for any one (1) period in excess of forty-eight (48) hours.

(g) Conduct which constitutes a significant threat to the health or safety of the individuals receiving emergency care from a licensed ambulance service or services. In any revocation proceeding, evidence of the conviction of any traffic violation is admissible in the overall consideration, evaluation, and determination and disposition of such revocation hearing.

(h) Noncompliance with any rule or regulation promulgated by the State Board of Medical Examiners for the duties and responsibilities of any emergency medical technicians.

(i) Willful and deliberate failure to prepare, submit and maintain copies of uniform and standardized records concerning the treatment and transportation of all patients cared for as defined under Section 25-3.5-103(3), C.R.S.

## V. MISCELLANEOUS

### 1. Use of Sirens and Emergency Equipment.

The siren and other emergency equipment on the ambulance vehicle shall be used only if an emergency exists wherein a patient has suffered injuries which result in severe pain, or represent imminent danger of permanent impairment or constitute an immediate threat to the patient's life or if the vehicle is en route to the location of the patient to be transported. When such emergency warning devices are not in operation, the ambulance shall be operated in compliance with all applicable normal traffic regulations.

### 2. Alleged Negligence.

(a) In any legal action against a licensee in which it is alleged that the plaintiff's injury, illness, incapacity was aggravated by, or that he was otherwise injured, by the negligence of the licensee, no negligence shall be presumed because of such allegation.

(b) If a judgment is entered against such licensee, he shall, within thirty (30) days, file a copy of such findings and order of the court with the Board of County Commissioners of the County of Otero, State of Colorado. The Board of County Commissioners of the County of Otero, State of Colorado, shall take note of such judgment for purposes of investigation and appropriate action if there appears any violation of this resolution, or any Colorado law or ordinance or regulation of any municipality in the County of Otero, State of Colorado.

### 3. Severability.

If any of the provisions of this resolution are determined to be invalid, such determination shall not affect the remaining provisions of this resolution.

ADOPTED this 26th day of September, 1983.

AMENDED 9/15/86.

## ARTICLE 2

### Emergency Telephone Service

*Resolution No. 91-3*

*February 19, 1991*

A RESOLUTION ORGANIZING THE OTERO COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD, APPOINTING MEMBERS OF THE AUTHORITY BOARD AND AUTHORIZING OTERO COUNTY TO IMPOSE A CHARGE OR ASSESSMENT IN ORDER TO PROVIDE CONTINUED AND ADEQUATE EMERGENCY TELEPHONE SERVICE AND TO AUTHORIZE OTERO COUNTY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE ESTABLISHMENT OF E911 EMERGENCY TELEPHONE SERVICE THROUGHOUT OTERO COUNTY

WHEREAS, it is the opinion of the Board of County Commissioner of Otero County that adequate and continued emergency telephone service is necessary to protect and preserve the health, safety and welfare of the citizens of Otero County, Colorado.

WHEREAS, the Emergency Telephone Service Act, Colorado Revised Statutes 29-11-102, et seq., hereinafter referred to as "the Act," authorizes the organization and establishment of a separate legal entity to operate and maintain the emergency telephone service, and

WHEREAS, the Act further authorizes governing bodies to impose a charge upon each exchange access facility (telephone service subscriber line) to pay for the installation costs and the costs directly related to the continued operation of the E911 emergency telephone service.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Otero County, Colorado, as follows:

#### **Section 1. Intent and applicability.**

The Board of County Commissioners of Otero County finds, determines and declares that it is necessary to protect and preserve the health, safety and welfare of the citizens of Otero County and that a continued and adequate emergency telephone service be made available to the citizens of Otero County through the construction, installation and use of a 911 enhanced telephone service.

#### **Section 2. Authority Board.**

There is hereby established and organized the Otero County Emergency Telephone Service Authority Board, hereinafter referred to as "the Authority Board," as a separate legal entity organized and existing for the purpose of establishing and operating the emergency telephone service system in Otero County, Colorado. The Authority Board shall consist of five (5) members appointed by the Board of Commissioners of Otero County, Colorado, one (1) member from each district in Otero County and two (2) at-large members.

The initial term of the members shall be for two (2) years, and the Authority Board shall provide for subsequent appointments to the Authority Board and for staggered and alternating terms of its members, to provide and ensure continuity of its members.

All members of the Authority Board shall serve at the pleasure of the Board of County Commissioners of Otero County.

**Section 3. Intergovernmental agreement.**

The Authority Board is hereby authorized and directed to prepare and enter into an intergovernmental agreement by and between all governing bodies or public agencies which are primary providers of emergency firefighting, law enforcement, ambulance, emergency medical or other emergency services which authorizes and directs the Authority Board to enter into an agreement as the customer of the service supplier or any equipment supplier.

Specifically, the Authority Board is authorized and directed to make written request to U.S. West Direct, Inc., for E911 emergency telephone services to Otero County on behalf of each party to the intergovernmental agreement.

**Section 4. Assessments.**

The Board of County Commissioners of Otero County hereby establishes and authorizes the imposition of an assessment or charge as set forth and designated in Section 29-11-102, C.R.S., upon each exchange facility within the unincorporated area of Otero County. Said charge shall be set and determined from time to time by the Authority Board; however, said charge shall not be set or modified more frequently than annually.

No charge or assessment shall be imposed or collected until such time as the Authority Board has received authorization to collect a charge or assessment from all other towns and cities located in Otero County, and the monthly charge or assessment authorized herein shall not be construed to permit any duplication or multiple imposition of the monthly charge upon any exchange access facility situated concurrently within the unincorporated area of Otero County and the jurisdiction of any governing body or public agency which is a party to the intergovernmental agreement.

**ARTICLE 3**

**EMS Crew Requirements**

*EMS Resolution Amendment 2-25-91  
February 25, 1991*

**II. REGULATION, pg. 2**

2. Ambulance crew members – personnel – basic requirements.

For ambulance drivers, the minimum requirements shall include the possession of a valid Colorado driver's license and at least an advanced Red Cross First Aid, First Responder or equivalent, EMT or LPN/RN Colorado license.

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6. (i) Possess one (1) of the following: Advanced Red Cross First Aid, First Responder or equivalent, EMT or LPN/RN Colorado license.
10. Issuance of license.

An emergency medical technician who also qualifies as an ambulance driver shall be authorized as an "Emergency Medical Technician – Ambulance Driver." If the Director finds that the application and information therein meets the requirements of this resolution, he shall recommend approval of the applicant as an authorized ambulance driver and/or emergency medical technician to the Board of County Commissioners. Said authorizations shall be reviewed annually, and a certified copy of those individuals licensed under the provisions of this resolution shall be carried in each ambulance unit.

## ARTICLE 4

### EMS Regulations, Insurance

*Resolution No. 95-14*

*December 4, 1995*

## II. REGULATION, Page 2

### 5. Insurance.

No ambulance shall operate in Otero County unless it is covered by insurance as set forth in this Paragraph. Each ambulance service shall maintain insurance coverage for each and every ambulance owned, operated or leased by the ambulance service, providing coverage for injury to or death of persons in accidents resulting from any cause for which the owners of said vehicle would be liable on account of any liability imposed on him by law, regardless of whether the ambulance was being driven by the owner, his agent or lessee, and coverage as against damage to the property of another, including personal property, under like circumstances, in the following amounts:

- (a) Statutory Workmen's Compensation Insurance.
- (b) Public liability and property damage.

Bodily injury:

Each person: One hundred fifty thousand dollars (\$150,000.00)

Each accident: Six hundred thousand dollars (\$600,000.00)

Property damage:

Each accident: One hundred fifty thousand dollars (\$150,000.00)

Aggregate: Six hundred thousand dollars (\$600,000.00)

Copies of such policies of insurance shall be filed with the Board of County Commissioners of the County of Otero, State of Colorado, along with the application for an ambulance service license as provided for herein. Every insurance policy required shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, but the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured, and that until a policy is revoked, the insurance company will not be relieved from the liability on account of nonpayment of premiums, failure to renew license at the end of the year or any act or omission of the named insured. Such insurance policies shall extend for the period covered by the ambulance service license. The insurance policies shall contain a provision that thirty (30) days prior

written notice of any cancellation or termination of said insurance policy shall be given to the Board of County Commissioners of the County of Otero, State of Colorado.

The motor vehicle insurance shall be a complying policy as defined in Section 10-4-703, C.R.S. 1973.

## **ARTICLE 5**

### **EMS Regulations**

*Resolution No. 97-12*

*November 24, 1997*

A RESOLUTION AMENDING THE OTERO COUNTY EMERGENCY MEDICAL SERVICES RESOLUTION.

WHEREAS, Otero County is required to inspect and license any ambulance services operating within Otero County.

AND WHEREAS, new guidelines have been adopted by the State which govern the inspection and licensing of such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Otero, Colorado;

Section 1. That the Section II. – Regulation, Subsection 6 – Ambulance Specifications, shall be revised to read as follows:

"Ground vehicles obtained, licensed and placed in use as ambulances shall, at the minimum, meet the guidelines as established by the State Advisory Council. Variances of the above-mentioned specifications may be granted at the discretion of the Otero County Health Department Director. All ambulances shall have the name of the ambulance service clearly visible on said vehicles."

Section 2. That the Section II. – Regulation, Subsection 7 – Ambulance Equipment, shall be revised to read as follows:

"Each ambulance shall contain the following equipment, which shall be maintained in good working condition:

- a. Emergency lighting and audible warning equipment which complies with Colorado State law for emergency vehicles.
- b. Safe tires and, in addition, adequate snow tires or chains when weather conditions demand.
- c. In the case of ambulances serving Otero County, a capability of two-way radio communication with their dispatcher and with one (1) or more emergency facilities.
- d. Safety belts or other restraining devices for each patient and all personnel.
- e. A functioning fire extinguisher with current annual inspection of the all-purpose dry chemical and ABC type, minimum ten (10) pounds.

f. The minimal required equipment shall be that listed in the list established by the State Advisory Council on Emergency Medical Services and approved by the State Board of Health. The Board may add to this list at their discretion as other needs or new methodology become known.

g. Hand tools necessary for emergency use, including but not limited to hacksaws, crowbars, etc."

## **ARTICLE 6**

### **Flood Hazard Mitigation Plan**

*Resolution No. 98-14*

*October 26, 1998*

#### **RESOLUTION APPROVING THE LOCAL PRE-DISASTER FLOOD HAZARD MITIGATION PLAN**

WHEREAS, Federal Emergency Management Agency (hereinafter referred to as FEMA), the Colorado Water Conservation Board, the Colorado Office of Emergency Management and the County of Otero are desirous of creating a plan regard to the mitigation of flood disasters and hazards within the County of Otero, Colorado; and

WHEREAS, the Board of County Commissioners of the County of Otero, Colorado, has prepared a "Local Pre-Disaster Flood Hazard Mitigation Plan"; and

WHEREAS, the same has been reviewed by and accepted by the Board of County Commissioners of Otero County, Colorado;

BE IT THEREFORE RESOLVED as follows:

1. That the Local Pre-Disaster Flood Hazard Mitigation Plan, presented by the Colorado Water Conservation Board, and in consideration of the requirements of FEMA and other agencies, is hereby approved by the County and adopted as its Pre-Disaster Flood Hazard Mitigation Plan.

2. That this Plan will remain in effect until otherwise amended by further action of this body.

## **ARTICLE 7**

### **Emergency Operations Plan**

*Resolution No. 2003-20*

*November 3, 2003*

#### **A RESOLUTION ADOPTING AN EMERGENCY OPERATIONS PLAN FOR OTERO COUNTY**

WHEREAS, it has been determined to be in the best interest of the residents of Otero County to implement planning strategies that would enable appropriate response agencies to respond in a coordinated and effective manner in disaster situations; and

WHEREAS, the threat of disaster, either from natural causes, accidents or other manmade sources are a definite possibility; and

WHEREAS, a coordinated response may effectively protect and preserve human lives and property; and



WHEREAS, a systematic approach of mitigation, preparedness, response and recovery will provide the framework necessary for planning, hazard analysis, resource development, training, etc.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Otero County Commissioners wishes to approve and implement an emergency response plan that is up to date, relevant and comprehensive in nature.

## **ARTICLE 8**

### **National Incident Management System**

*Resolution No. 2005-003*

*January 17, 2005*

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE COUNTY OF OTERO.

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size of complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all federal, state, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management, it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of Otero County, by the virtue of the authority vested in the BOCC by the Constitution and laws of the State does hereby establish the National Incident Management System (NIMS) as the County standard for incident management.