

# JACKSON PARISH POLICE JURY

Courthouse

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April 8, 2013

Jonesboro, Louisiana

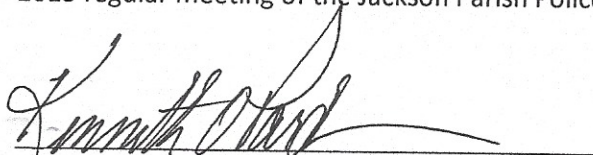
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The Jackson Parish Police Jury met in regular session Monday, April 8, 2013, at 5:30 P.M. in the Dr. Charles H. Garrett Community Center, 182 Industrial Drive, Jonesboro, Louisiana. Members present: Mr. Todd Culpepper, Mr. Eddie Langston, Mr. Josh Peterson, Mr. Billy Bryant, Ms. Maxie Monroe, Mr. Charles "Chuck" Garrett and Mr. Lynn Treadway. Also present: Mr. Douglas Stokes, Assistant District Attorney.

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Motion Ms. Monroe seconded Mr. Garrett to recommend the renewal of the Sole Provider Ordinance for the Jackson Parish Ambulance District. Motion carried.

I, Kenneth O. Pardue, Secretary-Treasurer of the Jackson Parish Police Jury, do hereby swear that the above is a true and correct excerpt of the official minutes of the April 8, 2013 regular meeting of the Jackson Parish Police Jury.



Kenneth O. Pardue  
Secretary-Treasurer

Parish Seal:

**SOLE PROVIDER ORDINANCE**

**AN ORDINANCE ESTABLISHING A POLICY OF PROVIDING FOR A SINGLE AMBULANCE SERVICE WITHIN THE CORPORATE LIMITS OF THE PARISH OF JACKSON AND GRANTING TO THE JACKSON PARISH AMBULANCE SERVICE DISTRICT THE FULL AND EXCLUSIVE OPERATION OF EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICES WITHIN THE PARISH, INCLUDING EXCLUSIVE RIGHTS FOR THE RECEIPT OF EMERGENCY MEDICAL REQUESTS THROUGH EMERGENCY DISPATCHING, AND PROVIDING FOR DEFINITIONS, PENALTIES FOR VIOLATIONS, A SAVING CLAUSE, REPEALER CLAUSE, AND EFFECTIVE DATE OF ORDINANCE.**

**WHEREAS**, Louisiana Revised Statutes 33:9053 authorizes the governing authority of any parish to create and form one or more ambulance districts with the Parish, and

**WHEREAS**, The Jackson Parish Police Jury has established such a district, known as the Jackson Parish Ambulance Service District, which is operated by itself, and

**WHEREAS**, LA R.S. 33:4791.1A(4) states the public policy of the State of Louisiana to promote medically acceptable and reliable, privately operated ambulance services the furnishing of emergency medical services, and any and all aspects attendant to ambulance operations in order to provide the benefits of the service to its citizens, and

**WHEREAS**, under R.S. 33:4791.1(A), a governing body is empowered to regulate the entry into the business of providing ambulance service within its jurisdiction and its authorized to displace competition and provide a monopoly public in those cases where the general public health, safety, and welfare is a matter of concern and

**WHEREAS**, The Jackson Parish Police Jury deems that th3 general public interest would best be serviced by promoting a continuance of the present, adequate ambulance service by endorsing same and providing for a monopoly ambulance service its direction and control, through the Jackson Parish Ambulance Service District, and

**WHEREAS**, as a matter of policy, the Jackson Parish Police Jury finds that the promotion of a single, public ambulance service will be most advantageous to the citizens of the parish from the standpoint of better service to all customers, including the indigent and from the standpoint of reduced rates and ease of administration, and

**WHEREAS**, the Parish wishes to grant exclusive authority to operate ambulance services within the Parish limits to a sole provider, and to establish minimum regulations in connection therewith;

**NOW THEREFORE, BE IT ORDAINED** by the Jackson Parish Police Jury in legal session convened as follows:

**SECTION A.** The Jackson Parish Police Jury does hereby grant to the Jackson Parish Ambulance Service District the full and exclusive right to operate ambulance services within the boundaries of the



Parish of Jackson, subject only to compliance by the Jackson Parish Ambulance Service District of good operating procedures and service.

**SECTION B.** The Parish of Jackson through its governing body, Jackson Parish Police Jury, does hereby grant exclusive access to the Jackson Parish Ambulance Service District for the receipt of non-emergency transports and the receipt of emergency medical requests through 911 or other communications dispatched.

**SECTION C.** The Parish of Jackson through its governing body, Jackson Parish Police Jury, does hereby declare and ordain that the Jackson Parish Ambulance Service District shall be the exclusive ambulance service within the boundaries of the parish and no occupational license shall be issued to any other entity offering the same services. It is understood that this exclusive written authority of the Jackson Parish Police Jury approved by Ordinance of the Jackson Parish Police Jury.

**SECTION D.** For the purpose of this Ordinance, the following definitions shall govern:

- (1) Ambulance: "Public or Private Ambulance" means any publicly or privately-owned vehicle quipped or used for transporting the wounded, injured, sick or dead, by stretcher including emergency vehicles used for that purpose, but not including funeral coaches used exclusively as such. Said vehicle shall provide space for a driver, two (2) attendants and a minimum of two (2) litter patients so positioned that at least one (1) patient can be given intensive life support during transit.
- (2) Person: "Person" includes any person, firm, partnership, association, company or any other organizational entity of any kind.
- (3) Owner-Operator: "Owner" or "Operator" means any person who owns or controls an ambulance for purposes of providing both emergency and non-emergency medical care and transportation.

**SECTION E.** The Parish of Jackson through its governing body, Jackson Parish Police Jury, does hereby ordain that it shall be a misdemeanor for any owner or operator of an ambulance or ambulance service, other than the Jackson Parish Ambulance Service District, to operate any ambulance services within the boundaries of the Parish of Jackson. It shall be illegal for any person(s) and/or entity to operate an ambulance service with transport origination in Jackson Parish, or to provide Public or Private standby services within Jackson Parish, other than the designated provider (or an employee thereof) under contract with Jackson Parish.

**SECTION F.** Notwithstanding anything to the contrary contained herein, it shall not be a violation of this part to enter the parish to respond to a specific request for ambulance service when called by the Jackson Parish Ambulance Service District for mutual aid assistance.

**SECTION G.** The Jackson Parish Police Jury for the Parish of Jackson takes cognizance of the fact that the authority for this exclusive operating license is stated in Louisiana R.S. 33:4791.1 and Louisiana R.S. 33.9053.

**SECTION H.** Any person, firm, or corporation violating the provisions of this Ordinance, and particularly Section E, may, upon conviction, be punished by a fine of not exceeding \$5,000.00 and six months imprisonment per violation, or both, and impoundment of vehicles for each violation.

Furthermore, the Police Jury hereby recognizes that any such unauthorized operation of ambulance service would constitute an impairment of the contract between the designated sole provider and the parish.

**SECTION I.** All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION J.** If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the Jackson Parish Police Jury that each separate provision shall be deemed independent of all other provisions herein.

**SECTION K.** This ordinance shall go into effect upon publication and in accordance with the law and shall expire after six (6) years from date of adoption.