

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2022-24

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA UPDATING TITLE 9 "HEALTH AND SANITATION" OF THE SITKA GENERAL CODE BY MODIFYING CHAPTER 9.16 "AMBULANCE SERVICE"

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (SGC).

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to update SGC chapter 9.16 "Ambulance Service" to recognize the governance of Alaska law by the Emergency Medical Services (EMS) certification process and to remove the restriction that the authority for a municipal ambulance service would cease upon availability of a private ambulance service. The intent is to retain authority for a municipal ambulance service so long as it is certified under Alaska law. In addition, the purpose of this ordinance is to establish that charges for ambulance service would default to maximum rates allowable by the federal Medicare and Medicaid programs, unless higher rates are established by the assembly. The intent is to eliminate the need for seeking Assembly approval for variable Medicare and Medicaid rates.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 9, entitled "Health and Sanitation", be amended by updating Chapter 9.16, entitled "Ambulance Service," to read as follows (deleted language stricken, new language underlined):

Title 9
HEALTH AND SANITATION

Chapters:

- 9.08 Refuse Collection and Disposal
9.12 Litter
9.16 Ambulance Service

Chapter 9.16
AMBULANCE SERVICE

Sections:

- 9.16.010 Authority.
9.16.020 Charges.
9.16.030 Emergency service.

19.16.010 Authority.

52 The fire department of the city and borough of Sitka, emergency medical services (EMS)
53 division, is authorized to provide emergency medical services, including ambulance service
54 outside a hospital, if certified by the state of Alaska under applicable law (7 AAC 26.210-290).
55 ~~Until such time as a competent private commercial ambulance service is available to the~~
56 ~~general public, the police department and fire department of the municipality have the authority~~
57 ~~to use any of their vehicles for an ambulance for emergency purposes.~~
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61 **9.16.020 Charges.**

62 Emergency medical services, including ambulance service, shall be charged at the maximum
63 rates allowable by the federal Medicare and Medicaid programs as reported by the Centers for
64 Medicare & Medicaid Services or at rates as tThe assembly shall may provide from time to time,
65 whichever is higher for charges for such services.
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67 **9.16.030 Emergency Services.**

68 ~~The operation of the ambulance service by the municipality EMS division of the fire department~~
69 ~~is declared an emergency service to be performed by the municipality only because no private~~
70 ~~service is available. It is declared which is necessary for the public health and welfare of the city~~
71 ~~and borough of Sitka and is governed by the state of Alaska certification laws referenced in this~~
72 ~~chapter. that such ambulance service be available. The ambulance need not be staffed by a~~
73 ~~doctor, nurse or other medical personnel. No minimum facilities are required to be available in~~
74 ~~the ambulance. Except for gross negligence, all persons being transported ride at their own~~
75 ~~risk.~~
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79 **5. EFFECTIVE DATE.** This ordinance shall become effective the date after the day
80 of its passage.
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82 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
83 Sitka, Alaska, this 27th day of September, 2022.
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86 _____
Steven Eisenbeisz, Mayor

87 ATTEST:

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90 _____
91 Sara Peterson, MMC
92 Municipal Clerk

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94 1st reading: 9/13/2022

95 2nd and final reading: 9/27/2022

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97 Sponsor: Administrator