

## ORDINANCE NO. 1440

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUKON, OKLAHOMA AMENDING MUNICIPAL CODE CHAPTER 30 EMERGENCY MANAGEMENT AND EMERGENCY SERVICES, ARTICLE III, EMERGENCY MANAGEMENT, SECTIONS 30-64 THROUGH 30-71, SUBSTITUTING PAFFORD EMS OF OKLAHOMA, INC. FOR SAMARITAN AMBULANCE SERVICES AND INCREASING CARENET PROGRAM PARTICIPATION TO \$5.65 PER MONTH; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Chapter 30 Emergency Management and Emergency Services, Article III, Emergency Management, Sections 30-64 through 30-71 of the Yukon Code of Ordinances addresses the Ambulance Services CareNet Program; and

**WHEREAS**, the City of Yukon has entered into a new Ambulance Services Agreement with PAFFORD EMS OF OKLAHOMA, INC. and now desires to amend the code of ordinances to reflect this new agreement and to clarify procedures and charges for participation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YUKON, OKLAHOMA THAT** Chapter 30, Article III, EMERGENCY MEDICAL SERVICES, SECTIONS 30-64 THROUGH 30-71 OF THE YUKON MUNICIPAL CODE SHALL BE AMENDED TO READ AS FOLLOWS:

### I. ARTICLE III. - EMERGENCY MEDICAL SERVICES

Sec. 30-64. - Definitions. For the purpose of this article the following words and phrases shall have the meaning respectively as ascribed to them by this section.]

*Landlord* shall mean any person, company, corporation or other entity that owns or manages single family and/or multi-family residential living units and leases them to tenants and is responsible for the payment of utility bills for the living units.

*Living units* shall mean a residential unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, eating, cooking and sanitation. This shall include all levels of nursing home care, including senior services, assisted living and nursing home services.

*Medical services* program shall mean the services, products, expertise, equipment and costs associated with Pafford EMS of Oklahoma, Inc. , billed monthly on the utility customer's bill, and shall be known as the Pafford CareNet *Ambulance* Membership Program or CareNet Program.

*Multi-family residential utility customer* shall mean the Yukon utility customer with two or more living units served by one city utility drainage bill and water bill; provided multifamily residential living units will not include hotels or motels.

*Program year* shall be from December 1<sup>st</sup> of one year through November 30th of the following year. Each program year shall be designated by the calendar year in which the program year begins and the year in which the program year expires (e.g., December 1, 2023 through November 30, 2024, shall be designated as program year 2023/2024).

*Single-family residential utility customer* shall mean a Yukon utility customer with one living unit receiving one city utility water bill.

*Tenant* shall mean a person or persons who signed the lease for a living unit at a specific location within the City of Yukon, which living unit receives Yukon utility services.

Tenant's household shall include all individuals permanently residing together in the leased living unit with the tenant.

*Pafford CareNet Ambulance Membership Program* shall mean the program, as it currently exists or may hereinafter be amended, which is sponsored by Pafford Ambulance Service.

*Utility customer* shall mean the person or persons that established a utility account with the City of Yukon for utility services for a single-family residential or a multi-family residential living unit.

*Utility customer's household* shall include all individuals permanently living together in a living unit at a specific location within the City of Yukon, which living unit receives Yukon utility services.

Sec. 30-65. - Medical service program and fees.

(a) Each single-family residential utility customer and multi-family utility customer within the corporate limits of the City of Yukon shall be included in the Pafford CareNet Program, unless the utility customer affirmatively declines participation in said program in the manner set forth in section 30-66 of this chapter.

(b) Single-family residential utility customers participating in the program shall have included within their utility bills a charge of \$5.65 per month starting December 1, 2023.

(c) Multi-family residential utility customers participating in the program shall be billed at \$5.65 per month per occupied living unit starting December 1, 2023. There is a rebuttable presumption that 75 percent of the total number of living units served by a single Yukon utility bill are occupied. The number of presumed living units shall be rounded down, but to no less than one.

(d) The total number of living units attributable to multi-family residential utility customers and landlords shall be based upon the living units of records with the Yukon utilities department. It is the responsibility of all multi-family residential utility customers and landlords to annually confirm with the utility department whether the number of living units is in fact accurate. The number of living units on record with the utility department

will be based upon information provided by the sworn affidavit of the multi-family residential utility customer or landlord and confirmed by the city. Said affidavit must be received by the city no later than November 15th of each year. Multi-family residential utility customers and landlords shall make staff available to meet at the subject residences with the city utility department personnel to confirm the number of living units as provided for by the utility customer in the sworn affidavit mentioned herein.

Sec. 30-66. - Nonparticipation election.

- (a) Any utility customer who desires not to participate in the CareNet Program for the next program year shall either provide a signed and filed declaration of nonparticipation, on forms prescribed and provided by the city, prior to November 15, 2023, or upon opening a utility service account with a Yukon residential address. The utility customer's election to either participate or not participate in the program shall remain unchanged for the following program year unless affirmatively changed by the utility customer prior to December 1<sup>st</sup> of the program year at issue.
- (b) If a multi-family residential utility customer or landlord or his or her authorized representative elects for a property not to participate in the Pafford CareNet *Ambulance* Membership Program, the multi-family residential utility customer or landlord or his/her authorized representative shall obtain from each tenant a written and signed acknowledgement stating that the tenant: (1) understands that the tenant and the tenant's household are not included in the Pafford CareNet Program; (2) understands that the tenant may affirmatively elect to personally participate in the Pafford CareNet *Ambulance* Membership Program by contacting Pafford CareNet *Ambulance* Membership Program and enrolling in the program at the same price as offered to participating single family residential utility customers; (3) understands failure to participate in the program will subject the tenant and tenant's household to full costs associated with the Pafford *Ambulance* Service; (4) has been informed of the estimated per trip cost of an emergency *Ambulance* transport run. The written and signed acknowledgement described herein shall be maintained in the multi-family residential utility customer's or landlord or his/her authorized representative's records and shall be provided to the city no later than November 15<sup>th</sup> each year. The acknowledgement must be obtained for all tenants existing at the beginning of the program year and all new tenants moving into the landlord's or multi-family residential utility customer's property at any time during the program year.
- (c) Failure to obtain and maintain on file the written acknowledgement from each tenant shall be a separate violation of this section. In addition, every 30-day period from the beginning of a lease until written acknowledgment is received or the multi-family residential utility customer or landlord or his/her authorized representative elects for a property to participate in the Pafford CareNet *Ambulance* Membership Program shall constitute a separate offense for each tenant affected.

Sec. 30-67. - Collection of service charges.

- (a) The service charges herein established for the Pafford CareNet Program shall be billed to each utility customer monthly, along with the bill for other city utility services and shall carry the same due date as now or may hereafter be established for utility service bills.
- (b) Disbursement of funds by the city to Pafford CareNet *Ambulance* Membership Program shall be upon the basis agreed to and approved through the annual budget or by subsequent budget amendments approved by the city council.

Sec. 30-68. - Accountability for funds received.

The city is not responsible for either the provisions of services by Pafford CareNet *Ambulance* Service or the Pafford CareNet *Ambulance* Membership Program.

Sec. 30-69. - Adjustment of charges.

- (a) Appeal. Any utility customer who considers the Pafford CareNet Membership Program charges applicable to his living unit to be erroneous because said utility customer timely opted out of the program, may request review of the charges by the city's utilities department. Additionally, any landlord or multi-family residential utility customer who encounters special circumstances that would justify modifying the number of occupied living units determined in accordance with the provisions of section 30-65 (such as fire, Acts of God, or renovations), may request review thereof by the city's utilities department. Any other problems experienced by the utility customer with regard to his/her Pafford CareNet Membership Program shall be referred to the executive director of Pafford EMS of Oklahoma, Inc.

Sec. 30-70. - Disconnection of service for non-payment.

Any customer whose account has been disconnected for service of non-payment status per section 114-67, following the utilities department current and administrative policies and procedures, shall be automatically removed from the Pafford CareNet *Ambulance* Membership Program and said customer and the customer's household shall not receive the benefits of the Pafford CareNet *Ambulance* Membership Program. The utility bill will be deemed to be notice to the customer and the customer's household of any delinquency or failure to pay the Pafford CareNet *Ambulance* Membership Program. Should any customer be removed from the Pafford CareNet *Ambulance* Membership Program for failure to pay or late payment then neither said customer, nor any member of customer's household shall be permitted to re-enroll in the customer's address until the utility bill of such address is no longer considered delinquent. Service may be restored as set out in section 114-68.

Sec. 30-71. - Penalty.

Unless otherwise provided in this article, any person violating any of the provisions of this article shall be guilty of said violation, and upon conviction shall be punished by a fine of not more than \$500.00, excluding the cost and fees.

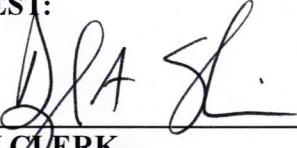
IT BEING IMMEDIATELY NECESSARY FOR THE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY OF THE CITY YUKON, OKLAHOMA, AND THE INHABITANTS THEREOF, AN EMERGENCY IS HEREBY DECLARED TO EXIST. BY REASON WHEREOF IT IS NECESSARY THAT THIS ORDINANCE SHALL GO INTO FULL EFFECT AND BE OF FORCE IMMEDIATELY UPON ITS PASSAGE AND PUBLICATION.

**PASSED AND APPROVED** at the regular meeting of the City Council of the City of Yukon, Oklahoma and duly signed by the Mayor this 5<sup>th</sup> day of SEPTEMBER, 2023.

  
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**Shellie Selby**

**MAYOR**

**ATTEST:**

  
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**CITY CLERK**

**APPROVED AS TO LEGAL FORM THIS 5<sup>th</sup> DAY OF SEPT., 2023.**

