

# CITY OF VON ORMY, TEXAS

ORDINANCE NO. 33

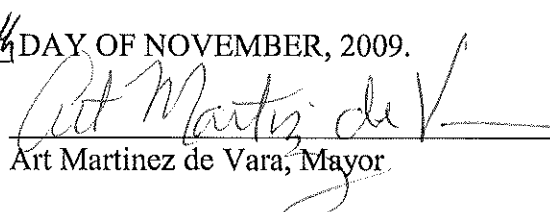
## AN ORDINANCE APPROVING AN EXCLUSIVE LETTER OF AGREEMENT WITH ACADIAN AMBULANCE SERVICE, AS THE SOLE PROVIDER FOR EMERGENCY AND NON-EMERGENCY MEDICAL SERVICES

WHEREAS, the City of Von Ormy finds there is a need for an Ordinance to provide emergency and non-emergency ambulance service for any citizen, meeting medical necessity guidelines, residing within the legal description and boundaries of the city limits of the City of Von Ormy as defined by the State of Texas.

NOW, THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF VON ORMY TEXAS, THAT:

- Section 1: The City Council of Von Ormy has entered into a Letter of Agreement ("Contract") with Acadian Ambulance Service (hereinafter "Acadian"), as the sole provider of emergency and non-emergency medical service; and,
- Section 2: Said Contract may be terminated by either party, with or without cause, with notification to the other party with at least ninety (90) days advanced notice of the requested termination date, as specified in Paragraph 8 of the Letter of Agreement Between Acadian Ambulance Service, Inc. and City of Von Ormy, Texas.
- Section 3: Acadian shall perform its own billing and collection for its services from citizen's third-party payor or from the citizens directly, and City of Von Ormy shall have no obligation to pay for Acadian's services, except as specifically stated within the Letter of Agreement Between Acadian Ambulance Service, Inc. and City of Von Ormy, Texas.
- Section 4: The Letter of Agreement referred to is embodied within said Ordinance and attached hereto and marked as Exhibit "A", and made a part hereof for every purpose.
- Section 5: SEVERABILITY. If any section, subsection, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distance than independent provision and such holdings shall not affect the validity of the remaining portions thereof.
- Section 6. EFFECTIVE DATE: This Ordinance is to become effective the date of its passage.

PASSED, APPROVED AND ADOPTED THIS 4th DAY OF NOVEMBER, 2009.

  
Art Martinez de Vara, Mayor

ATTEST:

  
Julia Hernandez, City Clerk

two or more persons in any one accident or occurrence; \$500,000.00 for damage to property in any one accident or occurrence; \$1,000,000.00 combined single limit for any one accident or occurrence.

Section 8. STANDARDS FOR FIREWORK STANDS. The temporary stands for all seller's permit holders shall conform to the following minimum standards and conditions:

- a. Temporary fireworks stands need not comply with all provisions of the building code; provided, however, that all such stands be erected under the supervision of the City Building Inspector, who shall require all stands to be constructed in a safe manner ensuring the safety of attendants and patrons. In the event any temporary stand is wired for electricity, the wiring shall conform to electrical code.
- b. Each temporary fireworks stand must have at least two exits which shall be unobstructed at all times.
- c. Each temporary fireworks stand shall have, in a readily accessible place, at least two, two and one half gallon pressurized water fire extinguishers which are in good working order.
- d. Each temporary fireworks stand shall have, in a readily accessible place, at least two, five pound ABC fire extinguishers which are in good working order.
- e. all weeds, grass, and combustible material shall be cleared from the location of the temporary fireworks stand and the surrounding area to a distance of not less than 25 feet, measured from the exterior walls of the temporary fireworks stand.
- f. No smoking shall be in or permitted or near a temporary fireworks stand for a distance of not less than 50 feet measured from the exterior walls of the temporary fireworks stand. Signs in 3 inch letters stating:

No smoking within 50 feet

shall be posted on the exterior of each wall of the temporary fireworks stand.

- g. Each temporary fireworks stand shall have person who is 18 years old or older in attendance at all times the stand is stocked. Stock from the stand shall not be removed and stored in any other building during the sales period without the express approval of the City Fire Marshal.
- h. All unsold stock and accompanying litter shall be removed from the temporary fireworks stand by 12:00 non on the seventh day of July of each year and by January 4<sup>th</sup> of each year.