

Repealed by Ord. 2297

ORDINANCE NO. 2256

AN ORDINANCE SPECIFICALLY REPEALING ORDINANCE NO. 2222 AND PROVIDING FOR THE ARROW AMBULANCE SERVICE THE RIGHT, PRIVILEGE AND FRANCHISE TO OPERATE AMBULANCE AND INVALID COACH SERVICE WITHIN THE CITY OF ALBANY, OREGON, AND PRESCRIBING THE FEES FOR RENDERING SUCH AMBULANCE AND INVALID COACH SERVICE, AND PROVISIONS AND RESTRICTIONS SUBJECT TO WHICH SAID OPERATIONS OF SAID GRANTEE UNDER SAID FRANCHISE SHALL BE EXERCISED.

WHEREAS, it appears that Ordinance 2222 is objectionable to the bonding companies in that it provides for a penalty bond rather than an indemnity bond, and

WHEREAS, certain portions of Ordinance 2222 should be altered to provide for the better regulation of the said ambulance company, and

The people of the City of Albany, Oregon, do ordain as follows:

Section 1. Ordinance No. 2222 is hereby specifically repealed.

Section 2. The Contractor agrees with the City of Albany, Oregon, that it will furnish an ambulance for _____ emergency calls in the City of Albany, Oregon, and for such other invalid coach services as they may be called upon to perform. These services shall be carried on under the conditions set forth herein.

(a) Under the subject and provisions, terms and restrictions hereinafter contained, there is hereby granted by the City of Albany, Oregon to the Arrow Ambulance Service from this date and for a period of five (5) years from December 31, 1950, the franchise rights and privilege to operate ambulance and invalid coach service upon and along the streets, avenues, thoroughfares and public ways of the City of Albany within its limits, provided that all times the council prescribe and regulate the fees to be charged and shall as it may be deemed reasonable from time to time prescribe such additional rules and regulations for the operation of said ambulance and invalid coach service.

(b) The vehicles used in performance of ambulance and invalid coach services will at all times be manned by two men, both of whom shall be qualified to render adequate first-aid when called upon to do so. At any time that it should appear the contractor might not be able to accept and handle a call for ambulance service due to wear and tear or caused by accident or for reason of being unavailable due to acceptance of a previous call. The Fire Department of the City of Albany, Oregon, will be so advised as far in advance as is practical so that the Fire Department might prepare to handle such calls as may arise.

(c) The contractor shall maintain both property damage and personal liability for the benefit of third persons and that the property damage shall be in the amount of \$10,000 and the personal liability shall be in the minimum of \$10,000 for one person and \$20,000 as a total liability for the particular accident that might be involved.

A bond shall be given in the amount of \$2,000 to the City of Albany, Oregon to assure the faithful performance. The Contractor and the City of Albany, Oregon may after written notice of sixty (60) days prior to the anniversary date, notify either party of their intention to withdraw. If and when there is a breach of the contract, the City of Albany may call for forfeiture of the bond up to the actual amount of loss incurred.

With the consent of the City Council of the City of Albany, Oregon, the Contractor reserves the right to substitute another party but only after showing adequate proof of this person's responsibility and the original bond would not be released excepting upon consent of the City of Albany and the substitution of another bond that is satisfactory to the City. The City of Albany reserves the right to cancel the contract upon proof that the services performed are unsatisfactory. The Contractor agrees to transport persons for the public health department and other such agencies at such fees as now exist for rendering these services.

Any transfer by the contractor of a ward of the city, such as the transfer of a patient from the hospital to the jail or from the jail to the hospital, shall in no wise obligate the City to pay for such service nor shall the City of Albany be obligated to pay for such services as they may request the contractor to make.

It is understood that this franchise cannot be assigned or transferred by said grantee, except with the consent of the council.

Passed by Council 2-28-51

Passed by Mayor _____

Mayor

Attest:
E. J. Fortmiller
City Recorder

3/3/51
M. Bain

State of Oregon—County of Linn
I hereby certify that the above ordinance was vetoed by Mayor L. M. Bain, March 3, 1951 and returned to the Council with a written statement as to his reasons for the veto, and after due consideration, the Council passed the above ordinance over the Mayor's veto by roll call vote of four to two at a regular meeting of the City Council on the 14th day of March 1951.

E. J. Fortmiller
City Recorder