

Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS (“CITY”) AMENDING CHAPTER 14.28 OF THE GEORGETOWN CODE OF ORDINANCES; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; WAIVING A CERTAIN NOTICE REQUIREMENT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, since October 1, 2017 Acadian Ambulance Service of Texas, LLC (“Franchisee”) has held a non-exclusive right, privilege, and franchise to operate a medical transfer service on the public rights-of-way of the City; and

WHEREAS, Franchisee’s franchise shall expire on September 30, 2019, but Franchisee may request a three-year extension of the franchise by submitting an application to the City’s Fire Chief no later than six months prior to the expiration of the franchise; and

WHEREAS, Franchisee has applied to extend the franchise through September 30, 2022; and

WHEREAS, in order to protect and promote the public health, safety, and welfare of its residents by ensuring continued medical transfer services, the City desires to waive the six-month notice requirement and extend Franchisee’s franchise through September 30, 2022; and

WHEREAS, the City Council finds it necessary to amend Article I of Chapter 14.28 of the Code of Ordinances as set out herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS THAT:

Section 1. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

Section 2. The six-month notice requirement set forth in Section 14.28.020 of the City’s Code of Ordinances is hereby waived for this extension.

Section 3. Chapter 14.28 of the City’s Code of Ordinances is hereby amended as shown in Exhibit A attached hereto.

Section 4. All ordinances or resolutions that are in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances or resolutions of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. If any provision of this ordinance, or application thereof, to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 6. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This Ordinance shall become effective and be in full force and effect on October 1, 2019. In order to accept this franchise, Franchisee must file with the City Secretary its written acceptance of this franchise ordinance within sixty (60) days of its passage and approval by the City.

PASSED AND APPROVED on First Reading on the _____ of _____, 2019.

PASSED AND APPROVED on Second Reading on the _____ of _____, 2019.

ATTEST:

THE CITY OF GEORGETOWN

Robyn Densmore, City Secretary

Dale Ross, Mayor

APPROVED AS TO FORM:

Charlie McNabb, City Attorney