

(Published in the Topeka Metro News April 14, 2025)

**ORDINANCE NO. 20557**

AN ORDINANCE introduced by City Manager Robert M. Perez, amending § 5.25.010, § 5.25.020, § 5.25.030, § 5.25.050, and § 5.25.140 of the Topeka Municipal Code concerning Ambulance Services and repealing original sections.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 5.25.010, Definitions, of the Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Ambulance” means a vehicle for hire, including helicopters and airplanes, equipped or used for the transportation of wounded, injured, sick, invalid or deceased persons. There term “ambulance” shall not include vehicles used for the purpose of transporting deceased persons for funeral or burial purposes.

“Applicant” means any person who shall have filed a written application for a franchise under this chapter as provided in Article II of this chapter.

~~“City County Ambulance Advisory Council” means the advisory council composed of all members of the City Council and all members of the Board of County Commissioners established by the City and County for purposes of promoting City-County cooperation in providing ambulance services to the residents of the City and County.~~

“Franchise” means the nonexclusive authorization granted under this chapter to

29 use the streets and alleys of the City to operate an ambulance service within the corporate  
30 limits of the City, as now existing or hereafter altered.

31 “Grantee” means any person to whom a franchise is granted by the Council under  
32 this chapter.

33 “Person” means an individual, firm, partnership, corporation, joint venture, or any  
34 other association of persons.

35 ~~“Rules and regulations promulgated by the Secretary” means duly adopted~~  
36 ~~regulations of the State Department of Health and Environment, as amended.~~

37 ~~“Secretary” means the Secretary of the State Department of Health and~~  
38 ~~Environment.~~

39 “Surrender” means the voluntary relinquishment of the rights and duties conferred  
40 by an awarded and accepted franchise for the unexpired term of such franchise by action  
41 of the grantee pursuant to the conditions stated in the franchise agreement.

42 “Termination” means the involuntary withdrawal of the rights and duties conferred  
43 by an awarded and accepted franchise for the unexpired terms of such franchise by action  
44 of the Council pursuant to the authority reserved in the franchise agreement.

45 ~~“Type I, II, and III” means that class of ambulance services and ambulances as~~  
46 ~~required by K.A.R. 28-40-65 and 28-40-66.~~

47 Section 2. That section 5.25.020, Statement of Intent, of The Code of the City of  
48 Topeka, Kansas is hereby amended to read as follows:

49 **Statement of intent.**

50 The Council recognizes that the citizens of Topeka are entitled to responsible  
51 emergency medical care. Therefore, it is hereby declared that the Council intends to grant

52 franchise contracts for the operation of ambulance services in the City and to cooperate  
53 with the Board of County Commissioners to provide a unified system of ambulance  
54 services, subject to State statutes and rules and regulations promulgated pursuant to the  
55 Kansas Secretary of State and the Emergency Medical Services Board ~~therete~~, which  
56 license ambulance services within the state.

57 Section 3. That section 5.25.030, Cooperation with County, of The Code of the  
58 City of Topeka, Kansas is hereby amended to read as follows:

59 **Cooperation with County.**

60 The Council shall with respect to all actions pursuant to this chapter give due  
61 consideration to the ambulance service resolutions of the Board of County Commissions  
62 and to any contract awarded and accepted thereunder. A recommendation may be  
63 requested from ~~the City-County Ambulance Advisory Council~~ any County-City advisory  
64 council, committee, task force, or group created to provide subject matter expertise  
65 regarding the emergency medical services system when any question regarding  
66 cooperation between the City and the County exists or is foreseen.

67 Section 4. That section 5.25.050, Type of service provided, of The Code of the  
68 City of Topeka, Kansas is hereby repealed.

69 **~~Type of service provided.~~**

70 ~~Any ambulance service franchised by the City shall provide type I service, as~~  
71 ~~defined by rules and regulations promulgated by the Secretary. All equipment, personnel~~  
72 ~~and services offered and provided by the grantee shall conform to such regulations.~~

73 Section 5. That section 5.25.140, Liability insurance requirements, of The Code of  
74 the City of Topeka, Kansas is hereby amended to read as follows:

75                   **Liability insurance requirements.**

76                   (a)     During the term of the franchise grant and during such time as the grantee  
77                   is providing service pursuant to such grant, there shall be on file with the City Clerk an  
78                   insurance policy, approved as to form and endorsed by the City Attorney, providing  
79                   liability coverage for each and every ambulance owned, operated or leased by the  
80                   grantee.

81                   (b)     Minimum coverage of the insurance policy required by this section shall be  
82                   in the amounts of ~~\$300,000~~\$1,000,000 for any one person killed or injured in any one  
83                   accident or occurrence and ~~\$500,000~~\$2,000,000 for more than one person injured or  
84                   killed in any one accident or occurrence, with passenger or patient hazard included in  
85                   the policy. Such policy shall also provide a minimum coverage of \$100,000 for all  
86                   damages arising out of injury to or destruction of property. Each insurance policy shall  
87                   include medical professional liability insurance in a minimum amount of \$1,000,000.

88                   Section 6. That original § 5.25.010, § 5.25.020, § 5.25.030 and § 5.25.140 of The  
89                   Code of the City of Topeka, Kansas, are hereby specifically repealed.

90                   Section 7. This ordinance shall take effect and be in force from and after its  
91                   passage, approval and publication in the official City newspaper.

92                   Section 8. This ordinance shall supersede all ordinances, resolutions or rules,  
93                   or portions thereof, which are in conflict with the provisions of this ordinance.

94                   Section 9. Should any section, clause or phrase of this ordinance be declared  
95                   invalid by a court of competent jurisdiction, the same shall not affect the validity of this  
96                   ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

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PASSED AND APPROVED by the City Council on April 8, 2025.

CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

ATTEST:

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Brenda Younger, City Clerk