

RESOLUTION NO. 1-26-03
THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOLORES
STATE OF COLORADO

**A RESOLUTION AMENDING AMBULANCE LICENSING REGULATION FOUND
IN RESOLUTION NUMBER 03-24-01**

At a regular meeting of the Board of County Commissioners of Dolores County, Colorado (BOCC), held and convened on January 20, 2026, with the following persons present:

Commissioners present: Eric Stiasny (Chair), Linda Yellowman (Vice Chair), Phyllis Davis

Commissioners absent:

Dennis R. Golbricht

County Attorney
Deputy Clerk to the BOCC.

Shayla Oliver

IT WAS RESOLVED:

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WHEREAS, CRS § 25-3.5-314(1) provides that on and after July 1, 2024, and except as provided in subsection CRS § 25-3.5-314(2), a person shall not operate or maintain an ambulance service without a license issued by the Colorado Department of Public Health and Environment (CDPHE) and without authorization to operate from the local licensing authority for the county or city and county in which the ambulance service operates or seeks to operate; and

WHEREAS, CRS § 25-3.5-314(2) provides the following exceptions for the licensing requirement: (a) The exceptional emergency use of a privately or publicly owned vehicle, including search and rescue unit vehicles or aircraft not ordinarily used in the act of transporting patients; (b) A vehicle rendering services as an ambulance during a major catastrophe or emergency when ambulances with authorizations to operate in the county in which the major catastrophe or emergency occurred or is occurring are insufficient to render the ambulance services required; (c) An ambulance based outside of the state that is transporting a patient into the state; (d) A vehicle used or designed for the scheduled transportation of convalescent patients, individuals with disabilities, or individuals who would not be expected to require skilled treatment or care while in the vehicle; and (e) A vehicle used solely for the transportation of an intoxicated person, as defined in CRS § 27-81-102 (11), who is not otherwise disabled or seriously injured and who would not be expected to require skilled treatment or care while in the vehicle; and

WHEREAS, CRS §§ 25-3.5-314(5)(I-II) requires an ambulance service seeking to operate on a regular basis (as defined by the CDPHE) shall file an Intent to Operate with the local licensing authority for the county on forms provided by the CDPHE and shall not operate in a county unless the ambulance service has obtained authorization to operate from the county; and

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WHEREAS, CRS § 25-3.5-314(5)(III) provides that a county may enact an ordinance or resolution governing the authorization to operate ambulance services within the county, including regulations to: (A) Limit the number of ambulance services that will be authorized to operate within the county's or city and county's jurisdiction; (B) Determine and prescribe ambulance service areas within the county's or city and county's jurisdiction; (C) Authorize the local licensing authority to contract with ambulance services; (D) Authorize the county to enter into memoranda of understanding, contracts, or other such agreements to impose obligations on ambulance services that are more stringent than the obligations imposed by the CDPHE; and (E) Establish other necessary requirements that are consistent with CRS §§ 25-3.5-301-318 or rules adopted pursuant thereto; and

WHEREAS, the BOCC finds that certain additional regulation of ambulance services within Dolores County beyond and consistent with those requirements imposed by the CDPHE, is warranted in order to provide for consistent quality ambulance operations within portions of the County.

NOW THEREFORE, BE IT RESOLVED:

I. Application Process:

1. Any ambulance service seeking a license to operate within the County shall submit an Intent to Operate on forms provided by the CDPHE directly to the County Administrator, together with its complete State Application, at least sixty days and not more than ninety days prior to the date sought for issuance of local authorization to operate. The service shall not operate in Dolores County unless the service has obtained authorization to operate and complied with State requirements for licensing. Pursuant to CRS §25-3.5-317(1), an ambulance service license expires after two years.
2. Within twenty days of receipt of an Intent to Operate, the County Administrator shall place the matter on the agenda of a regular or special meeting of the BOCC for consideration. The BOCC shall grant the authorization to operate unless the BOCC determines that the applicant service has in the current or past licensing periods violated any provisions of CRS §§ 25-3.5-301-318, rules adopted pursuant thereto, or this Regulation, or is incapable of compliance, warranting further review. In the event of such determination, the matter shall be set for a public hearing within fifteen days for consideration of the Intent to Operate. The applicant service shall be provided written notice of the hearing and an opportunity to participate. At such hearing, the BOCC shall receive any relevant evidence and based thereon shall determine if more probably than not prior violations have occurred and/or compliance is unlikely, the severity of the non-compliance, the possible impact on future health and safety of the public, and an appropriate action to take on the Intent to Operate. The BOCC may take any appropriate action, including, without limitation, issuing the authorization to operate, issuing with conditions, delaying the issuance for a period of time sufficient to demonstrate remedial action, or denying the issuance. Unless otherwise provided by the BOCC in its decision, denials shall be effective for twelve months. The BOCC shall notify the CDPHE of any action taken impacting the licensing.

II. Exclusivity for Dove Creek Ambulance District:

1. Commencing July 1, 2024, except as to exceptions for operations as set forth in CRS § 25-3.5-314(2), the Dove Creek Ambulance District (District) shall have the sole ambulance service license within its Dolores County service area. Said exclusivity shall continue for the duration of a State license period, so long as the District continues to provide acceptable and sufficient ambulance service to the entire service area. Any revocation of exclusivity during a license period shall take place only after written notice and following public hearing. Nothing herein shall be construed as limiting or restricting the BOCC from amending this Regulation, including as to exclusivity, for future license periods, with or without cause.

III. Communication/Dispatch:

1. Any licensed and authorized ambulance service operating within Dolores County, as a condition of licensing, shall utilize Dove Creek Dispatch when accessible. The procedures related to communications and dispatch shall be negotiated through the County Emergency Services Council and approved by the County.

IV. Enforcement:

1. The County shall be entitled to enforce CRS §§ 25-3.5-301-318, rules adopted pursuant thereto, or this Regulation, through any lawful means, including, without limitation, enforcement provisions of CRS § 25-3.5-314(5)(e), penalties as provided for within CRS §§ 25-3.5-301-318, reporting to the CDPHE or other state agency and prompting enforcement thereby, or injunctive relief. The County shall be awarded its reasonable attorney fees and costs in any such enforcement action.

2. In the event that a court of competent jurisdiction determines any provision herein is unenforceable, the remaining provisions shall remain effective.

This Resolution amends Dolores County Resolution Number 3-24-01.

DONE AND SIGNED this 20th day of

Eric Stiasny, Chair

Phyllis Davis

Linda Yellowman
Vice Chair

DEPUTY CLERK TO THE BOARD

Shayla Oliver

