

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
CITY OF WINTER GARDEN FIRE RESCUE DEPARTMENT

WHEREAS, Section 401.25, Florida Statutes, governs the licensure of entities providing prehospital or interfacility advanced life support (“ALS”) services or basic life support (“BLS”) transportation services and requires applicants for licensure to obtain a certificate of public convenience and necessity from each county in which the applicant will operate; and

WHEREAS, Section 401.25, Florida Statutes, authorizes the governing body of each county to adopt ordinances that provide reasonable standards for certificates of public convenience and necessity; and

WHEREAS, Chapter 20, Article III, Orange County Code (the “Code”), governs the application for a certificate of public convenience and necessity in Orange County, Florida (“COPCN” or “certificate”) and provides reasonable standards; and

WHEREAS, on July 12, 2024, the City of Winter Garden Fire Rescue Department (“Winter Garden Fire Rescue” or “Applicant”) submitted its renewal application for a COPCN to Orange County’s Office of the Medical Director/EMS Division (“EMS”) to provide ALS transport services in Orange County, Florida (“Application”); and

WHEREAS, pursuant to Section 20-99 of the Code, EMS reviewed the Application and has not received any substantial and material complaints against the Applicant, and the status of the Applicant has not substantially and materially changed. Accordingly, EMS recommends that the Orange County Board of County Commissioners (“Board” or “BCC”) renew the Applicant’s certificate; and

WHEREAS, the Board has considered the Application, EMS’s recommendation, and all applicable recommendations from municipalities within Orange County, Florida (the “County”). The Board has determined that the Applicant’s proposed service, to the extent authorized by this certificate, is or will be required by the present or future public convenience or necessity. The Board has determined that the Applicant is financially and otherwise able to provide adequate and uninterrupted service as required.

NOW THEREFORE, THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS CERTIFIES:

Section 1. Recitals. The above recitals are hereby incorporated into this certificate.

Section 2. Application, Levels of Service, and Certificate. The Board hereby grants Winter Garden Fire Rescue’s Application to renew its COPCN and authorizes Winter Garden Fire Rescue to provide **Level 5 ALS transport services in Orange County, Florida** in accordance with the terms, conditions, and limitations of this Certificate. The Board hereby issues this certificate to the **City Winter Garden Fire Rescue Department**. The Board certifies that the Applicant’s services are for the benefit of the population of the County or the benefit of the population of some geographic area of the County.

Section 3. Term. The “Term” of this certificate is the period of time during which this certificate is valid and effective. This certificate’s Term shall be for a two-year period beginning on **November 1, 2024**, and expiring on **October 31, 2026**. Notwithstanding the foregoing, the Term may expire earlier if this certificate is suspended or revoked pursuant to Orange County Code.

Section 4. Indemnification. In consideration of this Certificate, which permits Winter Garden Fire Rescue to provide ALS transport services in Orange County, pursuant to Section 20-96, Orange County Code, and to the fullest extent permitted by law, Winter Garden Fire Rescue agrees to defend, indemnify, and hold harmless the County, its officials, agents, and employees from and against any and all claims, suits, judgments, demands, liabilities, damages, cost and expenses (including attorney’s fees) of any kind or nature whatsoever arising directly or indirectly out of or caused in whole or in part by any act or omission of Winter Garden Fire Rescue or its subcontractors (if any), anyone directly or indirectly employed by them, or anyone for whose acts any of them may be liable; excepting those acts or omissions arising out of the sole negligence of the County.

Section 5. Compliance with Laws. By accepting this Certificate or providing BLS or ALS services in Orange County pursuant to this Certificate, Winter Garden Fire Rescue agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS _____ DAY OF _____, 2024.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk