

Bond Case Briefs

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POLITICAL SUBDIVISIONS - VIRGINIA

Dumfries-Triangle Rescue Squad, Incorporated v. Board of County Supervisors of Prince William County

Supreme Court of Virginia - October 22, 2020 - S.E.2d - 2020 WL 6192378

County board brought declaratory judgment action against provider of emergency medical services, seeking determination that board had authority to dissolve provider's corporate status.

The Circuit Court entered judgment in favor of board. Provider appealed.

The Supreme Court held that:

- Provider was not "established pursuant to" statute governing emergency medical services agency, and thus county board lacked authority under such statute to dissolve provider, and
- Such statute did not grant board power by implication to dissolve provider.

Entity which provided emergency medical services to county pursuant to contract was not "established pursuant to" statute governing emergency medical services agency, and thus county board lacked authority under such statute to dissolve entity, where entity existed well prior to enactment of statute, and after board severed its contractual relationship with entity, entity continued as private, nonstock corporation.

Statute allowing a county board to dissolve an emergency medical services agency "established pursuant to" such statute did not grant board, by implication, the power to dissolve an entity which was not established pursuant to statute but which provided emergency medical services pursuant to contract with county; plain language of statute was so strong as to preclude authority by necessary implication.