

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Declaring a Local
State of Emergency and Declaring
Emergency Measures

} ADDENDUM No. 2 to
} RESOLUTION No. 2020 - 14
} *Page 1 of 2*

1. By way of Board Order 2020-09, Clackamas County formally declared a state of emergency for Clackamas County, effective on the 2nd day of March 2020, at 10:25 a.m., for the entire County. That declaration of emergency was continued by way of Resolution No 2020-14. A First Addendum to Resolution No. 2020-14, was approved by the Board of County Commissioners on March 24, 2020.

The conditions giving rise to the declaration of emergency remain in existence and it is necessary to extend the duration of the declaration of emergency until June 30, 2020.

2. Upon this declaration of a state of emergency the Chair is empowered to order and enforce the additional emergency measures, to assume centralized control of and have authority over all departments and offices of the County. Approval from a majority of the Board of County Commissioners must be sought and obtained at the first available opportunity, or else the Chair's order will become invalid if such approval is not granted.

3. If circumstances prohibit the timely action of the Board of County Commissioners, the Code specifically delegates authority to declare a state of emergency to the County Chair, Vice-Chair (if Chair is unavailable), Remaining Board Member(s) (if Vice-Chair is unavailable) and County Administrator or designee (if Remaining Board Member(s) is unavailable).

4. Incident Command shall take all necessary steps authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting assistance from the State of Oregon.

IT HAS BEEN ORDERED that:

The following measures are found to be immediately necessary for the protection of life and/or property and were implemented by the Board of County Commissioners in Addendum No. 1:

1. A temporary moratorium on residential and commercial evictions for nonpayment of rent based on tenant's inability to pay rent due to loss of income attributed to COVID-19;
2. To commandeer or utilize private property as deemed necessary to respond to the emergency;
3. No place of lodging can discriminate against any customer seeking shelter who is in possession of a valid voucher whose payment is subsidized either by the County or a County contractor; and

4. Price gouging prohibited; the value of goods and services sold within Clackamas County may not exceed the prices ordinarily charged for comparable goods and services in the same market area at, or immediately before, the time of the declared emergency.

IT IS FURTHER ORDERED BY WAY OF THIS SECOND ADDENDUM that:

5. Notwithstanding any other provision of law, the Sheriff may release any adult in custody who is being held on a Misdemeanor or Class C Felony, as the Sheriff deems necessary to ensure the safety of staff or adults in custody;

6. Allow the Sheriff to revise the Clackamas County Jail's capacity management plan number under ORS 169.044 to allow for more "forced releases" to accommodate the new capacity as the jail's inmate population continues to dwindle and is revised;

7. Pursuant to ORS 459.085, Chapter 10.03 of the Clackamas County Code, the County's Solid Waste Administrative Rules (II.1 & II.1.e), and the Board of County Commissioners' emergency authority, the Board directs Clackamas County's franchised garbage and recycling collectors serving both residential and commercial customers in unincorporated Clackamas County to (1) maintain collection service for any customer who fails to pay collection fees during the period covered by the emergency, and (2) suspend new or additional late fees for non-payment;

8. The Clackamas County Compliance Hearings Officer is hereby granted the jurisdiction and authority to enforce potential violations of any emergency measure declared by the Board of County Commissioners. For potential violations processed pursuant to this authority, the County may issue a citation directly in response to the alleged violation without the requirement to prepare a statement of facts. Compliance hearings may be scheduled as expeditiously as possible, but in no event shall a respondent be provided less than 48 hours' notice in advance of such hearing;

9. Locations used to house individuals placed for the provision of medical services including observation, isolation, quarantine, or recovery shall not be subject to the provision of ORS Chapter 90 and those individuals placed shall be considered guests or temporary occupants;

10. Any place of lodging located within Clackamas County that accepts customers seeking shelter who are in possession of a valid voucher whose payment is subsidized either by the County or a County contractor shall be deemed to be providing shelter under a temporary occupancy agreements under ORS 90.275 that would expire upon the lifting of the Declaration of Emergency; and

11. The County Administrator and his designees are delegated specific authority to implement and enforce any emergency measures declared by the Board of County Commissioners.

Any individual or entity that violates any provision of any emergency measures is subject to a \$500 fine for each offense.

These additional measures shall remain in effect for the duration of the declaration of emergency

DATED this 7th day of April 2020.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

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