

**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;

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



ADDENDUM No. 2 to
RESOLUTION No. 2020-14
Page 2 of 2

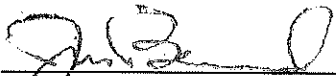
7. Pursuant to ORS 459.085, Chapter 10.03 of the Clackamas County Code, the County's Solid Waste Administrative Rules (II.1 & II.1.e), and the Board of County Commissioners' emergency authority, the Board directs Clackamas County's franchised garbage and recycling collectors serving both residential 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;
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; and
12. After the Board of County Commissioners declared this emergency, the Governor issued Executive Orders Numbered 20-11 and 20-13, which placed temporary moratoriums on residential and non-residential evictions due to nonpayment of rent. Recognizing that the Governor's Orders supersede this Board's emergency measure 1 set forth above, this Board repeals in its entirety emergency measure 1, which states "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."

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

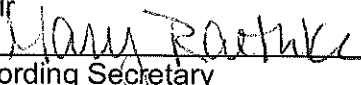
These additional measures shall remain in effect for the duration of the declaration of emergency

DATED this 9th day of April 2020.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS



Chair



Recording Secretary

**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.1 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. 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 IS FURTHER ORDERED that:

The following other measures are found to be immediately necessary for the protection of life and/or property:

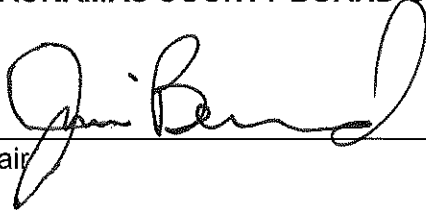
1. A temporary moratorium on residential and commercial evictions for nonpayment of rent based on tenant's inability to pay rent due to loss of income attributed to COVID-19;
2. To commandeer or utilize private property as deemed necessary to respond to the emergency;
3. No place of lodging can discriminate 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.

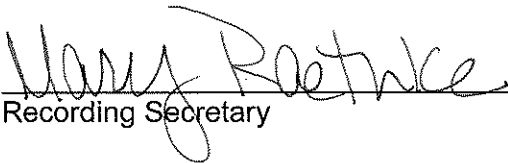
Any individual or entity that violates any provision of any emergency measures is subject to a \$500 fine for each offense.

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

DATED this 24th day of March 2020.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS


Chair


Recording Secretary

**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

Resolution No. 2020-14
Page 1 of 3

WHEREAS, ORS 401.305 provides authority for Clackamas County to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during time of emergency; and

WHEREAS, Clackamas County has enacted a local ordinance (County Code Chapter 6.03) pursuant to the authority granted by ORS Chapter 401, which provides for executive responsibility in times of emergency is placed with the Board of County Commissioners. 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); and

WHEREAS, the following conditions have resulted in the need for a state of emergency:

Oregon announced its first presumptive case of Coronavirus (COVID-19) on February 28, 2020. The individual resides in Washington County and is employed at a school district in Clackamas County. As reported on March 10, 2020, there are now fourteen cases in Oregon and Clackamas County has impacts regarding some of those cases. The Oregon numbers are expected to continue to rise moving forward through the event.

WHEREAS, the following damage to life and property can be expected from the above conditions:

COVID-19 is an emerging disease and requires a great deal of resources at the local level for response in order to keep the public informed and safe as possible. Resources related to contact tracing, disease investigation, community information and funding are expected to be exhausted.

WHEREAS, the entire County is in a state of emergency.

WHEREAS, this declaration is in support of the COVID-19 public health response, this is not a public health emergency and the residents of Clackamas County are encouraged to follow standard hygiene protocols and stay at home when ill, otherwise go on with daily life; and

WHEREAS, County Code Chapter 6.03 and ORS 401.309 authorizes certain actions to be taken during a state of emergency when necessary for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency; and

WHEREAS, ORS 401.055 provides that upon request of Clackamas County, the Governor may declare a state of emergency by proclamation; and

WHEREAS, a preliminary assessment of property damage or loss, injuries or death is set forth hereinabove; and

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
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In the Matter of Declaring a Local
State of Emergency and Declaring
Emergency Measures



Resolution No. 2020-14
Page 2 of 3

WHEREAS, all local resources have, or will likely be, expended, and there is need of the following additional resources from the State:

Assistance regarding consistent messages to the public, disease investigation, and scarce resources, such as N95 masks, gowns, and other personal protective equipment (PPE).

NOW, THEREFORE, IT IS HEREBY ORDERED that

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 area described above. That declaration of emergency was scheduled to expire on March 16, 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 assume centralized control of and have authority over all departments and offices of the County, and further the County Department of Emergency Management is empowered to carry out the appropriate functions and duties identified in County Code Chapter 6.03 during times of emergency and shall implement the Clackamas County Emergency Operations Plan.
3. 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. If this declaration is not ordered by a majority of the Clackamas County Board of Commissioners, it shall be taken before the Board at its next available meeting for ratification.
4. Emergency procurements of goods or services are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279C.380(4), and Local Contract Review Board Rules C-047-0280 and C-049-0150.

IT IS FURTHER ORDERED that:

5. Whenever a state of emergency has been declared to exist within unincorporated Clackamas County, or on the request of a municipality's governing body, the Board of County Commissioners is empowered to order and enforce the measures listed herein below. However, if circumstances prohibit the timely action of the Board of County Commissioners, the Chair of the Board may order emergency measures, provided that approval from a majority of the Board of County Commissioners is sought and obtained at the first available opportunity, or else the Chair's order will become invalid if such approval is not granted.

The following measures are necessary, or may become necessary as determined by Incident Command, for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency (indicate selected measures):

**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

Resolution No. 2020-14
Page 3 of 3

_____ A. Establish a curfew for the area designated as an emergency area which fixes the hours during which all persons other than officially authorized personnel may be upon the public streets or other public places;

B. Prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area;

_____ C. Barricade streets and roads, as well as access points onto streets and roads. In addition, prohibit vehicular or pedestrian traffic, or restrict or regulate the same in any reasonable manner in the area designated as an emergency area for such distance or degree of regulation as may be deemed necessary under the circumstances.

_____ D. Evacuate persons from the area designated as an emergency area;

_____ E. Close taverns or bars and prohibit the sale of alcoholic beverage throughout Clackamas County or a portion thereof;

F. Commit to mutual aid agreements;

G. Redirect funds for emergency use;

H. Order such other measures as are found to be immediately necessary for the protection of life and/or property.

6. Emergency measures invoked under 5(H), or that are not selected in section 5 above, may be recommended and implemented by Incident Command, provided however, that such measures shall first be taken before the Clackamas County Board of Commissioners for at its next available meeting.

7. The declaration of emergency issued on March 2, 2020, by Board Order 2020-09 is extended by this Board Order and shall now expire on June 30, 2020.

DATED this 12TH day of March, 2020.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS



Chair



Recording Secretary

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
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In the Matter of Declaring a Local
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Emergency Measures



ORDER No. 2020-09

Page 1 of 3

WHEREAS, ORS 401.305 provides authority for Clackamas County to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during time of emergency; and

WHEREAS, Clackamas County has enacted a local ordinance (County Code Chapter 6.03) pursuant to the authority granted by ORS Chapter 401, that provides for executive responsibility in times of emergency and 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); and

WHEREAS, the following conditions have resulted in the need for a state of emergency:

Oregon announced its first presumptive case of Coronavirus (COVID-19) on February 28, 2020. The individual resides in Washington County and is employed at a school district in Clackamas County.

WHEREAS, the following damage to life and property can be expected from the above conditions:

COVID-19 is an emerging disease and requires a great deal of resources at the local level for response in order to keep the public informed and safe as a possible. Resources related to contact tracing, disease investigation, community information and funding are expected to be exhausted.

WHEREAS, the entire County is in a state of emergency.

WHEREAS, this declaration is in support of the COVID-19 public health response, this is not a public health emergency and the residents of Clackamas County are encouraged to follow standard hygiene protocols and stay at home when ill, otherwise go on with daily life; and

WHEREAS, County Code Chapter 6.03 and ORS 401.309 authorizes certain actions to be taken during a state of emergency when necessary for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency; and

WHEREAS, ORS 401.055 provides that upon request of Clackamas County, the Governor may declare a state of emergency by proclamation; and

WHEREAS, a preliminary assessment of property damage or loss, injuries or death is set forth hereinabove; and

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In the Matter of Declaring a Local
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Emergency Measures



ORDER No. 2020-09
Page 2 of 3

WHEREAS, all local resources have, or will likely be, expended, and there is need of the following additional resources from the State:

Assistance regarding consistent messages to the public and disease investigation.

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Clackamas County formally declares a state of emergency for Clackamas County, effective on this 2nd day of March, 2020, at 10:05 ^{AM} for the area described above.
2. Upon this declaration of a state of emergency the undersigned official is empowered to assume centralized control of and have authority over all departments and offices of the County, and further the County Department of Emergency Management is empowered to carry out the appropriate functions and duties identified in County Code Chapter 6.03 during times of emergency and shall implement the Clackamas County Emergency Operations Plan.
3. 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. If this declaration is not ordered by a majority of the Clackamas County Board of Commissioners, it shall be taken before the Board at its next available meeting for ratification.
4. Emergency procurements of goods or services are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279C.380(4), and Local Contract Review Board Rules C-047-0280 and C-049-0150.

IT IS FURTHER ORDERED that:

5. The following measures are necessary, or may become necessary as determined by Incident Command, for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency (indicate selected measures):

_____ A. Establish a curfew for the area designated as an emergency area which fixes the hours during which all persons other than officially authorized personnel may be upon the public streets or other public places;

_____ B. Prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area;

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

} ORDER No. 2020-09
Page 3 of 3

_____ C. Barricade streets and roads, as well as access points onto streets and roads. In addition, prohibit vehicular or pedestrian traffic, or restrict or regulate the same in any reasonable manner in the area designated as an emergency area for such distance or degree of regulation as may be deemed necessary under the circumstances.

_____ D. Evacuate persons from the area designated as an emergency area;

_____ E. Close taverns or bars and prohibit the sale of alcoholic beverage throughout Clackamas County or a portion thereof;

F. Commit to mutual aid agreements;

G. Redirect funds for emergency use;


H. Order such other measures as are found to be immediately necessary for the protection of life and/or property. [Codified by Ord. 05-2000, 7/13/00]

6. Emergency measures invoked under 5(H), or that are not selected in section 5 above, may be implemented by Incident Command, provided however that such measures shall be taken before the Clackamas County Board of Commissioners at its next available meeting for ratification.


7. This declaration of emergency shall expire on March 16, 2020.

DATED this 2nd day of March, 2020

CLACKAMAS COUNTY BOARD OF COMMISSIONERS



Chair



Recording Secretary