

**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

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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):

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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;

X_____ 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;

X_____ F. Commit to mutual aid agreements;

X_____ G. Redirect funds for emergency use;

X_____ 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