

**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



First Addendum to Board Order
No. 2020-66
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1. By way of Board Order 2020-66, Clackamas County formally declared a state of emergency due to Wildfires for Clackamas County, effective on the 8thth day of September for the entire County. On September 10, the Board of County Commissioners authorized the imposition of curfews as an emergency measure. That declaration of emergency is scheduled to expire on September 22, 2020.
2. By way of this First Addendum, the Board of County Commissioners finds that the conditions giving rise to the declaration of emergency remain in existence and it is therefore necessary to extend the duration of the declaration of emergency until November 10, 2020.

In addition to the conditions giving rise to the initial declaration of emergency, the consequence and the aftermath of the wildfires will require additional resources including but not limited to the sheltering of those individuals displaced by the wildfires, in addition to those combating the wildfires; the collecting, transporting, and disposing of the debris created by the wildfires; and assistance related to re-entry and resource centers needed for the impacted population.

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

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

All previously declared emergency measures (see attached) shall remain in effect for the duration of the declaration of emergency.

DATED this 17th day of September, 2020.

BOARD OF COUNTY COMMISSIONERS

Jim Bernard, Chair

Recording Secretary

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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:

High winds and dry air mass have caused several fires in Clackamas County as well as a public safety shut-off by PGE along the Hwy 26 Mount Hood corridor.

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

There are six active fires in Clackamas County (Oregon City/Redland Road OERS 2020-2252; Colton Area/Unger Road OERS 2020-2254; Molalla Area/Wilhoit and Bird Road OERS 2020-2257; Beachie Creek Fire 2020-2259; OERS 2020-2262 Dowty Fire Estacada Area; and OERS 2020-2264 Macksburg Fire Molalla Area) have resulted in evacuation of approximately 77 homes and the Job Corps at Ripplebrook in the Mount Hood National Forest. Extensive damage to life and property is likely.

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

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

Clackamas County is running out of resources for firefighting and sheltering assistance is needed for residents and the Job Corps youth as well as other necessities to provide for the those evacuated. In addition, Clackamas County Government supports the need for a conflagration if the Clackamas County Fire Defense Board deems necessary.

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Clackamas County Board of Commissioners formally declares a state of emergency for Clackamas County, effective on this 8th day of September, at 11:00 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;

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 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;

 X 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.

 X 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. [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 September 22, 2020.

DATED this 8th day of September, 2020.

BOARD OF COUNTY COMMISSIONERS

Jim Bernard, Chair

Recording Secretary