



Resolution No. 2020-08

A Resolution Declaring an Emergency Pursuant to BCO Chapter 38 and ORS 401.309, and Authorizing the City Manager to Respond as Appropriate to the Public Health Hazard Conditions Associated with the Novel Coronavirus Pandemic

WHEREAS, on March 8, 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1); and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic; and

WHEREAS, on March 12, 2020 Governor Brown issued a second Executive Order (EO No. 20-05) prohibiting public gatherings of 250 or more people state-wide and announcing the closure of Oregon's K-12 schools from March 16, 2020 through March 31, 2020; and

WHEREAS, on March 13, 2020, the President of the United States Declared the COVID-19 outbreak to be a national emergency, and according to the Centers for Disease Control and Prevention, COVID-19 presents a "high" potential public health threat, both globally and in the United States; and

WHEREAS, on March 16, 2020, the U.S. Department of Human Services imposed its most recent set of protective measures to restrict visitors to long-term care facilities and other residential facilities. The Oregon Health Authority adopted similar measures at the Oregon State Hospital and other behavioral health settings, and limited admissions to the Oregon State Hospital; and

WHEREAS, on March 17, 2020, Governor Brown issued third Executive Order (EO No. 20-07) that places further restrictions on public gatherings by, among other things prohibiting social, spiritual and recreational gatherings of 25 people or more where at least a 3-foot social separation cannot be maintained and includes any community, public, leisure, faith-based and sporting events, concerts, conventions, fundraisers, fairs, festivals and similar events and activities; and

WHEREAS, Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life especially for individuals with underlying health conditions; and

WHEREAS, COVID-19 requires a significant level of public resources at the local level to keep the public and community informed and as safe as possible; and

WHEREAS aside from the clear public health threat that COVID-19 presents, the cumulative effect of local, state, federal and world-wide measures implemented to stem the spread of the disease will have a significant impact on people's lives, livelihoods and the economy for a long time into the future; and

WHEREAS, the unknown duration of the COVID-19 pandemic will have significant social and financial impact to the Banks community; and

WHEREAS, pursuant to ORS 401.309(1), the governing body of a city may declare, by ordinance or resolution, that a state of emergency exists within the city and

WHEREAS, ORS 401.309 and BCO 38.04 authorize the City Council to declare an emergency based on, among other things, a natural or manmade public health hazard such as COVID-19, and grants the City authority to assume specific temporary emergency measures to protect life, property or the environment and generally to address the emergency; and

WHEREAS, the City Council duly noticed and convened a special council meeting on March 18, 2020 to review the situation and determine if circumstances warranted an Emergency Declaration under ORS 401.309 and BCO Ch. 38.

NOW, THEREFORE, based upon the authority in ORS 401.309 and BCO Ch. 38 and the foregoing recitals, which are incorporated herein, the Banks City Council, resolves as follows:

Section 1. A Local Emergency is declared to exist throughout the City of Banks, coextensive with the City's corporate limits.

Section 2. The City Manager shall serve as the Emergency Program Manager under BCO Ch. 38 and execute the directives in this Emergency Declaration and Resolution and shall exercise the directives and authority granted herein in consultation with the Mayor or the Council President if the Mayor is unavailable, including the following as necessary:

- a. To establish a curfew for the City, or subdistrict, fixing the hours during which all persons other than officially authorized personnel may not be upon the public streets or other public places.
- b. To prohibit or limit the number of persons who may gather or congregate upon any public street, public place or any outdoor place within the City.

- c. To enter into cooperative assistance arrangements with the State of Oregon, Washington County or any other appropriate public agency or private entity to accomplish the objectives of this Resolution.
- d. To take any lawful action necessary or convenient to respond to the emergency and extraordinary circumstances caused by the effects of the COVID-19 pandemic to protect the public health, safety and welfare.

Section 3. All necessary city funds may be redirected for emergency use as needed, and standard city procurement procedures shall be suspended for any public contract, purchase, or expenditure necessary to address the effects of the COVID-19 pandemic or otherwise necessary for the public health, safety or welfare.

Section 4. All non-essential city commissions, committees, task forces and city events are cancelled until April 14, 2020.

Section 5. For the duration of this Declaration of Emergency utility disconnects for late payment of city bills shall be suspended.

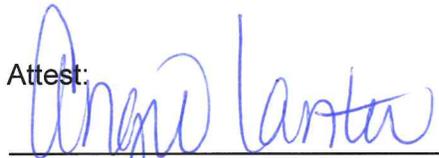
Section 6. City employees may be subject to measures necessary or convenient to lessen the impact of the COVID-19 pandemic and to prevent its spread, including liberal use of sick leave and work from home options.

Section 7. This Declaration is effective immediately upon issuance and shall remain in effect until April 14, 2020 and may be extended in shorter increments thereafter depending upon circumstances.

IT IS SO ORDERED AND EFFECTIVE this 18th day of March 2020



Peter C. Edison, Mayor

Attest:


Angie Lanter, City Recorder