

RESOLUTION NO. 16-12

A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING CLACKAMAS FIRE DISTRICT 1 - STATION 16 FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS

OREGON CITY MAKES THE FOLLOWING FINDINGS:

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines “emergencies” to include “any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering or financial loss, and includes, . . . contamination, . . . , blight, [and] infestation; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency to “order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency;” and

WHEREAS, Clackamas County Fire District Number one (“CCFD#1”) provides fire and emergency services throughout the City to all of its residents and businesses and not having such essential services at this location would increase response times and put life and property at risk; and

WHEREAS, CCFD#1 Station 16, located at 19340 Molalla Avenue provides fire and emergency services to a significant portion of the City and if such services were not available from that location, the residents and businesses located close to that station would be at risk; and

WHEREAS, CCFD#1 Station 16 has developed a mold infestation that contaminates portions of the station and makes it uninhabitable and not capable of housing the Firefighters or to be used for its intended purposes; and

WHEREAS, CCFD#1 is diligently working to determine the cause of the mold at Station 16, but for some period of time while the cause of the mold and a mitigation plan is created and implemented, fire and emergency services will have to be available from the location of Station 16 and the only feasible manner of doing so is through temporary structures that do not meet the requirements of the Oregon City Zoning Code, OCMC Chapter 17.

NOW, THEREFORE, OREGON CITY RESOLVES:

Section 1. The City Commission hereby declares an emergency limited to 19340 Molalla Avenue, also known as CCFD#1 Station 16, due to the infestation and contamination of that building with mold. The emergency is declared for 48 hours, consistent with OCMC 2.52.070 and, by this resolution, the Commission extends the time of this emergency for twenty-four months, or until June 1, 2018.

Section 2. Based on the emergency identified above, the City Commission grants to CCFD#1 an exemption from the Oregon City Zoning Code for the placement of temporary modular structures on the site for the duration of the emergency.

Section 3. CCFD#1 is authorized to temporarily place modular structures on the property for the continued operations of Station 16, provided the setbacks of the underlying zone are met and the appropriate building permits are obtained.

Section 4. Due to the anticipated temporary nature of the modulars to be placed on the site, System Development Charges will not be assessed during the emergency.

Section 5. This resolution shall take effect immediately.

Approved and adopted at a regular meeting of the City Commission held on the 1st day of June 2016.

DAN HOLLADAY, Mayor

Attested to this 1st day of June 2016:

Approved as to legal sufficiency:

Kattie Riggs, City Recorder

City Attorney

GSB:7796674.1