

## RESOLUTION NO. 17-29

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### **A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER'S HEART STREET MINISTRY AND THE OREGON CITY RETIREMENT CENTER FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS**

**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...., and includes, but is not limited to, severe weather"; 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**, the City has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

**WHEREAS**, The Father's Heart Street Ministry (TFHSM) located at 603 12<sup>th</sup> Street and the Oregon City Retirement Center (OCRC) located at 515 10th Street, have available resources and space to provide needed shelter during the extremely cold weather (Exhibit A); and

**WHEREAS**, in conjunction with Clackamas County Housing and Social Services, TFHSM and OCRC are willing to provide shelter in the existing facilities, and is not requesting any monetary commitment or reimbursement from the City; and

**WHEREAS**, TFHSM facility would house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from December 6, 2017 to March 15, 2017; and

**WHEREAS**, OCRC facility would house up to 16 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency, from December 6, 2017 to March 15, 2017; and

**WHEREAS**, the forecast identifies freezing weather; and

**WHEREAS**, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

**WHEREAS**, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

**NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:**

Section 1. The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street and the Oregon City Retirement Center (OCRC) located at 515 10th Street, due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency until 7 a.m. Thursday, March 15, 2018.

Section 2. Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of up to 49 individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency.

Based on the emergency identified above, the City Commission grants to OCRC an exemption from the Oregon City Zoning Code for the sheltering of up to 16 individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency.

Section 3. TFHSM and OCRC are authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

Section 4. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

Section 5. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X          L.        Order such other measures as are necessary for  
the protection of life or property, or for the recovery  
from the emergency.

Section 6. This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at the City Commission held on the 6th day of December 2017.

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DAN HOLLADAY, Mayor

Attested to this 6th day of December 2017:

Approved as to legal sufficiency:

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Kattie Riggs, City Recorder

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City Attorney