

## **RESOLUTION NO. 2021-21**

A RESOLUTION EXTENDING THE STATE OF EMERGENCY RELATING TO COVID-19 PANDEMIC, TERMINATING THE ALLOWANCE FOR CAMPING AND OVERNIGHT USE OF PARKS, AND RESCINDING AND REPLACING RESOLUTION NO. 2020-57

**Whereas**, on March 8, 2020, Governor Kate Brown declared an emergency due to the public health threat posed by the novel infectious coronavirus (COVID-19);

**Whereas**, on March 11, 2020, the World Health Organization announced that COVID-19 is a global pandemic;

**Whereas**, on March 12, 2020, the President of the United States declared a national state of emergency related to COVID-19;

**Whereas**, Governor Kate Brown has issued a number of emergency orders requiring face coverings, limiting public and private gatherings, temporarily closing state offices and buildings to the public, temporarily closing or restricting certain businesses and requiring businesses to implement social distancing measures;

**Whereas**, COVID-19 spreads person-to-person through coughing and sneezing, close personal contact, such as touching or shaking hands, or touching an object or surface with the virus on it, and then touching your mouth, nose, or eyes. The symptoms include fever, cough and difficulty breathing, and can be fatal;

**Whereas**, this emergency and guidance from public health officials is rapidly evolving;

**Whereas**, the gathering of groups of people for extended periods of time is contrary to the guidance and best practices provided by public health authorities;

**Whereas**, consistent with mitigation strategies for communities recommended by the Centers for Disease Control and Prevention, the U.S. Housing and Urban Development, and the Oregon Health Authority with regard to COVID-19, in order to slow the spread of the disease, and to protect residents who are at the highest risk for contracting the disease, it is necessary to implement and maintain social distancing and community mitigation measures;

**Whereas**, on March 16, 2020, the City Council adopted Resolution No. 2020-18 declaring a state of emergency related to COVID-19, restricting public gatherings and suspending laws prohibiting camping in unimproved areas of Wallace Marine and Cascades Gateway parks; and

**Whereas**, the state of emergency has been extended through June 1, 2021 by Resolution No. 2020-57.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON,  
RESOLVES AS FOLLOWS:

**Section 1.** A state of emergency was declared by the Salem City Council through Resolution 2020-18, and the emergency was extended June 1, 2021 by the Council through Resolution No. 2020-57.

**Section 2.** The emergency or threatened conditions set forth in Resolution No. 2020-57 continue to exist, and therefore it is necessary to extend the state of emergency.

**Section 3.** Resolution No. 2020-57 is hereby rescinded and replaced as set forth herein.

**Section 4. Public Gatherings.**

a) Definitions.

- i. “Public space” means the Salem Civic Center, publicly owned right-of-way and City-owned property, including sidewalks, landscape strips, and City parks.
- ii. “Public gathering” means any assembly of two or more people in a public space remaining in the same area for ten minutes or more.
- iii. “Active pedestrian use” means walking or other human-powered transportation, such as bicycling.

b) To mitigate the spread of COVID-19, and consistent with the guidance provided by public health authorities, individuals participating in a public gathering shall wear a mask covering their mouth and nose and maintain a minimum of six (6) feet separation from others at all times.

c) To mitigate the spread of COVID-19 and facilitate social distancing, publicly owned sidewalks, including landscape strips, shall be maintained for active pedestrian use, public gatherings and other obstructions on publicly owned sidewalks that hinder social distancing should be avoided.

d) Exceptions.

- i. Individuals experiencing a medical emergency;
- ii. Individuals, as the result of a physical disability, who use a wheelchair, walker, or similar movement-supporting device for mobility purposes, and their companions or caregivers;
- iii. A child in a stroller or similar movement-supporting device;
- iv. Sitting on a fixed chair or bench located on the public space;
- v. Sitting on a public sidewalk at a marked bus stop while waiting for public or private transportation;
- vi. Public safety personnel performing work in the course of their duties, or;
- vii. Performing a City approved or permitted activity.

e) Violation of this Section constitutes a Trespass as defined by SRC 95.550.

**Section 5. Limited Camping.** The conditions in the unmanaged camping areas in the unimproved areas of Cascades Gateway and Wallace Marine parks have become unsanitary and a potentially a threat to public health and safety. The conditions, including the accumulation of waste and campsites not adequately distanced as required by this resolution, create the potential

for illness and harm to the public and increased likelihood that individual campers may contract COVID-19. Therefore, the allowance for camping and overnight use of these two parks shall terminate on **June 1, 2021**.

It is the policy of the City Council that camping be concluded in a legal and humane manner as soon as practical. The City Council recognizes the lack of shelter locations in the region is a significant impediment to relocating individual campers. The complete elimination of camping in City parks and public areas, whether legal or illegal, is unlikely to occur in the near future, and that even the reduction of camping in Cascades Gateway and Wallace Marine parks will be a gradual process that occurs over an extended period.

**Section 6.** The state of emergency is extended through **December 13, 2021**. Nothing in this resolution prevents the Salem City Council from rescinding or modifying the state of emergency prior to October 21, 2021 if circumstances warrant. Any emergency order issued by the City Manager implementing Resolution Nos. 2020-18, 2020-20, 2020-32, 2020-36, or 2020-57 shall continue in full force and effect, except as modified by the City Manager.

**Section 7.** The City Manager, acting as the City's Emergency Program Manager, is authorized to issue orders and take other necessary steps to implement this Declaration and address the emergency conditions, including emergency procurement of goods and services, execution of agreements and other measures necessary for the protection of life, property, and the economy.

**Section 8.** This resolution is effective upon adoption.

ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

City Recorder

Approved by City Attorney: \_\_\_\_\_