

RESOLUTION NO. 2021-41

A RESOLUTION EXTENDING THE DECLARATION OF A STATE OF EMERGENCY RELATING TO UNSHELTERED RESIDENTS IN THE CITY OF SALEM, AND AMENDING RESOLUTION NO 2021-11

Whereas, on January 21, 2020 City Council adopted Resolution No. 2020-4, declaring a state of emergency relating to unsheltered residents in the city of Salem (the “Declaration”), which Declaration was amended and extended by resolution nos. 2020-14, 2020-37, 2020-49, and 2021-11;

Whereas, the Declaration authorizes the City Manager to continue a vehicle camping pilot program for unsheltered individuals, authorizes the suspension of certain City laws to allow Warming Centers and Emergency Shelters, and authorizes certain outdoor managed camps to address the needs of unsheltered individuals in our community;

Whereas, there continues to be many unsheltered residents in the community and an inadequate available shelter; and

Whereas, the City’s zoning regulations do not permit outdoor camping in most instances.

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

Section 1. There is declared a state of emergency within the city of Salem related to unsheltered residents, pursuant to Salem Revised Code (SRC) 2.660-2.680.

Section 2. The emergency or threatened conditions are:

- a) Adverse seasonal weather conditions, including cold temperatures, precipitation, and wind, create the potential for a threat to the health and safety of unsheltered people,
- b) A substantial increase in the number of unsheltered residents in the community, and
- c) A lack of shelter capacity and barriers to access to shelter.

Section 3. The damage or potential damage is:

- a) Threats to the health and safety of unsheltered residents of the city.
- b) Threats to public health and safety and the existence of a public nuisance created through illegal camping.

Section 4. The location or geographic area affected is: the city of Salem.

Section 5. The resources committed and actions initiated by the City are:

- a) The vehicle camping pilot program authorized under Resolution Nos. 2020-4 and 2020-49 shall continue and the City Manager may adopt rules via emergency order to regulate the program, including the number of locations and vehicles per location.

- b) The allowance of warming centers and emergency shelters, subject to standards and criteria established by the City Manager through an emergency order implementing this declaration authorized under Resolution No. 2020-49 shall continue. The City Manager shall not suspend land use regulations for any warming center or emergency shelter in a single-family residential zone.
- c) The City Manager, or designee, shall issue an order or order suspending land use regulations to allow managed outdoor camping for the unsheltered, subject to the following conditions and additions program standards and requirements to be promulgated by the City Manager as the City Manager determines are appropriate:
 - i. Camp managers shall enter into an agreement with the City obligating the camp manager to certain requirements and restrictions, in a form approved by the City Attorney;
 - ii. No approved camp shall be located in a single-family residential zone;
- d) The City Manager, or designee, under the Manager's authority as Emergency Program Manager, may issue orders to undertake any of the actions authorized in SRC 2.680 or as otherwise authorized by law consistent with this declaration, including the waiver or suspension of City procurement procedures, and provisions of the Salem Revised Code.

Section 6. Definitions.

- a) "Warming center" means a short-term emergency shelter, closed during daytime hours, that operates when temperatures or a combination of inclement weather becomes a threat to human health and safety.
- b) "Emergency shelter" means a building that provides shelter on a temporary basis for individuals and families who lack permanent housing. Emergency shelters may be open during daytime hours and provide or allow accessory services, such as meals and social services.
- c) "Managed Camp" means facility providing for shelter for temporary, emergency habitation, including sleeping, eating, and hygiene and sanitation that may be provided through tents, temporary structures, and may be maintained in combination with building or other structure, which is actively managed and supervised by an operator.

Section 7. This resolution amends Resolution No. 2021-11 as set forth herein.

Section 8. This declaration shall terminate, unless expressly extended by the Salem City Council, on **June 28, 2022**.

Section 9. This resolution is effective upon adoption.

ADOPTED by the City Council this ____day of _____ , 2021.

ATTEST:

City Recorder

Approved by City Attorney: _____