



Staff Report

File #: 20-506

Version: 1

Date: 12/14/2020

Item #: 5.a.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Dan Atchison, City Attorney

SUBJECT:

Extension and amendment of the Emergency Declaration related to COVID-19 (Resolution No. 2020-57)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Safe Community; Welcoming and Livable Community.

ISSUE:

Shall City Council adopt Resolution No. 2020-57 to extend the declaration of emergency related to COVID-19 until June 1, 2021, and modify restrictions on public gatherings?

RECOMMENDATION:

Adopt Resolution No. 2020-57 to extend the declaration of emergency related to COVID-19 until June 1, 2021, and modify restrictions on public gatherings.

SUMMARY:

Resolution No. 2020-57 extends the declaration of emergency related to COVID-19 to June 1, 2021, and amends the restrictions on public gatherings to require individuals to wear face masks and maintain social distancing.

FACTS AND FINDINGS:

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. The state of emergency has been

extended until January 12, 2021. COVID-19 continues to be a substantial threat to public health and safety, and recently, the State of Oregon announced new guidance related to social gatherings, workplace restrictions, and retail operations; therefore it is necessary to extend the City's state of emergency and modify the emergency actions to align with state guidance.

Resolution no. 2020-57 extends the state of emergency until June 1, 2021, modifies the restrictions on public gatherings, and continues the suspension of camping restrictions in unimproved areas of Wallace Marine and Cascades Gateway parks.

Public Gatherings. The resolution defines a public gathering to be any assembly of two or more people remaining in the same area for ten minutes or more. It requires individuals at gatherings to wear a face mask covering their mouth and nose and to maintain a minimum of six feet separation from others. It also provides for a number of exceptions for individuals with disabilities, public safety personnel in the performance of their duties, and performing a City approved or permitted activity.

The existing resolution did not allow for public gatherings even if individuals were wearing masks and practicing social distancing. The proposed change is less restrictive and maintains consistency with public health authority guidance.

Limited Camping. The resolution continues the suspension of City regulations prohibiting camping in unimproved areas of Wallace Marine and Cascades Gateway parks. All other laws and park rules continue to apply. Individuals violating other laws and parks rules while camping in allowed areas are subject to enforcement, including exclusion from City parks.

All previously issued emergency orders issued by the City Manager relating to this state of emergency will continue in effect unless modified by the City Manager.

While the resolution extends the state of emergency until June 1, 2021, City Council may terminate or modify the declaration at any time.

BACKGROUND:

Salem Revised Code, chapter 2 provide authority for the City Council to declare a state of emergency if emergency conditions exist within the City, and to authorize the City Manager to take actions to address the conditions.

Dan Atchison
City Attorney

Attachments:

1. Resolution No. 2020-57