

DECLARATION OF STATE OF EMERGENCY

Lake Oswego Code Article 12.20 Oregon Revised Statutes Chapter 401

The City Manager of the City of Lake Oswego finds that:

- A. High winds, drought conditions and dry air mass have caused large, unprecedented and dangerous wildfires in Clackamas County and elsewhere in the state, resulting in large-scale evacuations and orders for evacuation readiness.
- B. The Clackamas County Board of Commissioners has declared a countywide state of emergency due to the wildfires.
- C. The City of Lake Oswego is currently under Evacuation Level 1, meaning that all residents must be prepared for potential evacuation.
- D. Although high winds have abated, drought conditions and dry air mass continue to create extreme fire risk throughout the City;
- E. City firefighters and other public safety personnel and resources are limited within the City, as some resources have been deployed to assist other communities during this emergency.
- F. All local resources have, or will likely be, expended, and there is need of assistance in responding to the emergency.
- G. Because of the current extreme conditions and the demands placed on firefighting and other public safety resources, it is necessary that extraordinary measures be taken to prevent and reduce the risk of wildfires within the City, and to suppress any fires that may occur.
- H. Under ORS 401.309(1), the governing body of a city may declare that a state of emergency exists within the city.
- I. Under Lake Oswego Code (LOC) section 12.20.805 a state of emergency exists whenever the city or any area therein is suffering or is in imminent danger of suffering an event that may cause injury or death to persons, or damage to or the destruction of property to the extent that extraordinary measures must be taken to protect the public health safety and welfare. The conditions described in these findings meet these criteria.
- J. The extensive nearby wildfires and the drought conditions within the City described in these findings also meet the definition of an "emergency" under ORS 401.025(1).
- K. Under LOC 12.20.820, a declaration of a state of emergency by the City Manager shall exist for a period not to exceed 36 hours, and may be extended by the ratification by the City Council for a period not to exceed two weeks, and which may be extended by an additional two weeks upon further action by the City Council.

Based upon the above findings, I HEREBY DECLARE that a State of Emergency now exists in the City of Lake Oswego. The area subject to this declaration and emergency controls is the entire city. This Declaration of a

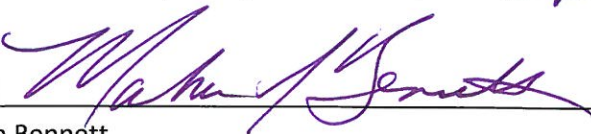
State of Emergency is effective immediately and will be presented to the Lake Oswego City Council for ratification at a special meeting to be held on September 12, 2020 at 1:00 p.m.

The following is ordered by this declaration:

1. Except for use by City, County, State, and Federal personnel to ensure the public health, safety and welfare, and entities working under contract with those agencies, the following activities are prohibited during this state of emergency:
 - a. Any open burning, including, but not limited to, bonfires, recreational fires, and outdoor fireplaces.
 - b. Any outdoor open flames, including without limitation:
 - i. Open flame cooking devices such as charcoal, gas, and propane grills and camp stoves;
 - ii. Candles and lanterns;
 - iii. Outdoor heaters;
 - iv. Torches of any kind, including without limitation decorative torches and torches used for construction (e.g. welding equipment);
 - v. Lighters or matches.
 - c. Outdoor smoking.
 - d. Use of powered yard maintenance and construction equipment that creates sparks, including, but not limited to, lawnmowers, chainsaws, chippers, blowers and weed whackers.
 - e. Use of any other device that causes an outdoor spark or flame, as outlined in the 2019 Oregon Fire Code.
2. The City may close or restrict access to City parks and other facilities as necessary where the extreme risk of fire exists. Those restrictions may include the cancellation of programs. Public information about closures, cancellations and restrictions will be posted on the City website.
3. To respond to fires and extreme fire risks, the City may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any necessary City funds for emergency purposes, and take any other actions set forth or authorized in LOC 12.20.830.
4. The City will take all necessary steps authorized by law to coordinate the response and recovery of this emergency, including but not limited to, requesting assistance from the United States Government, the State of Oregon and Clackamas County.
5. This declaration of emergency shall terminate 36 hours after its issuance, or upon the issuance of a declaration determining that an emergency no longer exists. The Lake Oswego City Council may extend the declaration of emergency for additional periods of time as necessary and authorized under LOC Article 12.20

Dated this 11th day of September 2020; Time: 11:59 am

Signed



Martha Bennett

Lake Oswego City Manager