

**The City Council for the
City of Hood River, Oregon**

Resolution No. 2021-11

A Resolution Ratifying the City Manager's Declaration of Emergency Pursuant to HRMC 2.48.050 and ORS 401.309, Authorizing the City Manager to Respond to Extreme Weather Conditions

WHEREAS, pursuant to ORS 401.309, the City of Hood River adopted emergency declaration authority as codified in Chapter 2.48 (Emergency Operations) of the Hood River Municipal Code ("HRMC") by which the City Manager may declare an emergency under any of the following circumstances:

1. A civil disturbance or riot;
2. A disaster such as flood, windstorm, snow event, earthquake, volcanic eruption or related activity, fire, explosion or epidemic;
3. The declaration of a war-caused national emergency;
4. Any major disruption of community services such as transportation, power supply, water service, sanitation, or communications;
5. A health hazard, whether natural or manmade.

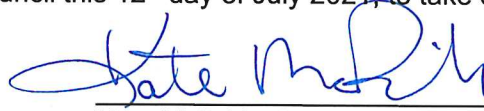
WHEREAS, after a declaration of emergency by the City Manager, HRMC 2.48.050 then requires the City Council to ratify, reject or modify the City Manager's declaration and any additional measures that are warranted under the circumstances that gave rise to the declaration; and

WHEREAS, the City Manager issued an Order on June 29, 2021 Declaring an Emergency pursuant to authority in HRMC 2.48.50 and based on the public health hazard created by extreme weather conditions and the related public health, social, economic effects, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the City Council duly noticed and convened a council meeting on July 12, 2021 to review and respond to the City Manager's Emergency Declaration.

NOW, THEREFORE, BE IT RESOLVED by the Hood River City Council, based upon ORS 401.309 and the authority in HRMC Ch. 2.48, that the City Manager's Declaration of Emergency, dated and effective June 29, 2021, attached as Exhibit A, is hereby ratified and adopted as the Council's own declaration.

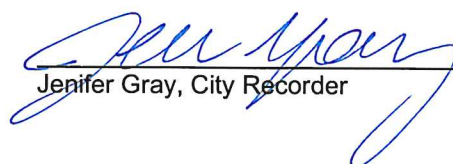
Approved by the Hood River City Council this 12th day of July 2021, to take effect immediately.



Kate McBride, Mayor

Attest:

Approved as to form:



Jennifer Gray, City Recorder



Daniel Kearns, City Attorney

**DECLARATION OF A LOCAL STATE OF EMERGENCY IN
THE CITY OF HOOD RIVER AS A RESULT OF EXTREME WEATHER CONDITIONS**

The City Manager of the City of Hood River finds that:

- A. There are existing conditions resulting in the need for a local emergency declaration.
- B. Temperatures in the City of Hood River have registered over 100 degrees Fahrenheit for the past 4 days, including two days with temperatures over 110 degrees.
- C. At the time of the drafting of this declaration on June 29, 2021, the high temperature in the Hood River will be 103 degrees Fahrenheit, according to the National Weather Service.
- D. The National Weather Service has issued an Excessive Heat Warning for the region, including the City of Hood River, presently through 9 PM on Tuesday, June 29, 2021.
- E. The current National Weather Service forecast for Hood River shows daily high temperatures as high as 102 degrees Fahrenheit and no lower than 94 degrees Fahrenheit through at least July 4, 2021 with winds as high as 20 mph.
- F. The unprecedented heat is an immediate public health emergency, most of all for people in Hood River who do not have access to cool places indoors. The City has been in contact with other local public entities as well as service providers who serve the unhoused members of the Hood River community. That coordination has resulted in opening cooling shelters at the Hood River Fire Station and providing other assistance.
- G. As of June 1, 2021, all outdoor burning has been prohibited with a total burn ban for Hood River County in effect.
- H. Hood River Municipal Code 9.36.025 limits the sale and discharge of consumer fireworks to certain time periods and prohibits consumer fireworks during any period in which there is a fire emergency or burn ban declared to be in effect.
- I. Late June and early July is typically an extremely busy period for Hood River Fire & EMS. The public health emergency caused by the extreme heat will further impact the Department's already stretched resources, jeopardizing public health and safety. Mitigating the risk of fires caused by use of fireworks will allow the Department to prioritize other public safety needs.
- J. According to the National Fire Protection Association, fireworks cause over 19,000 fires and require emergency room treatment for over 9,000 people in the United States each year.
- K. Pursuant to ORS 401.309(1), the governing body of a city may declare, by ordinance or resolution that a state of emergency exists within the city.

L. Hood River Municipal Code 2.48.050 authorizes the City Manager to declare an emergency based on, among other things, a natural or manmade public health hazard, and the authority to "Authorize extraordinary measures."

Now, therefore, based on the foregoing findings, which are incorporated herein by this reference, I hereby Order that:

1. A Local State of Emergency is declared to exist throughout the City of Hood River.
2. To respond to the crisis, the City may relax, adjust, or waive any requirements, standards, criteria, or application of the Hood River Municipal Code, Hood River Development Code, or other regulations for the purpose of addressing the public health emergency caused by this extreme heat. Any such changes or decisions will be temporary in nature for so long as necessary to respond to this emergency.
3. To preserve limited public safety resources and to protect life and property, and to prioritize Hood River Fire & EMS's ability to meet public safety needs, including those related to the extreme weather conditions, use of any and all fireworks as defined by ORS 480.111 within the City of Hood River during this emergency is strictly prohibited. Violation of this order constitutes a civil infraction and a nuisance and shall be subject any other civil and/or criminal penalties, sanctions, and liability allowed by law, enforceable by any officer of the Hood River Police Department or Hood River Fire Department. For purposes of this section, "use" includes lighting, exploding, or igniting in any way. Fireworks displays approved by Hood River Fire & EMS and the Oregon State Fire Marshall are exempt from this restriction. Use of fireworks that are illegal under state law continues to be prohibited at all times.
4. The City may take any other actions within its authority for the protection of safety, health, life, or property during this emergency.
5. 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 State of Oregon, Hood River County, and any other near-by emergency response agency.
6. This Declaration of a Local State of Emergency is effective immediately and will remain in effect until 11:59 p.m. July 14, 2021. It may be amended, modified, supplemented, and/or extended in additional increments so long as conditions continue to pose an ongoing, immediate, and substantial threat to life, safety, health, or property in the City of Hood River.
7. The Mayor is hereby requested to convene a City Council meeting to review and ratify this Declaration of Emergency and the measures it imposes no later than July 12, 2021.

Dated this 29th day of June 2021



Rachael Fuller, City Manager

Subject to ratification by the City Council on July 12, 2021