

1 **B. The geographic boundaries of the area where the emergency exists as well as**
2 **the portions lying within the city's boundaries and areas to be subject to**
3 **emergency powers/controls:**

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5 The geographic boundaries of the emergency are:
6 The boundaries of the emergency are the city limits of the City of Lincoln City.

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8 **C. An estimate of the number of individuals at risk, injured or killed; and**

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10 The emergency impacts the entire population of the City of Lincoln City, including
11 residents, visitors and the homeless.

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13 **D. A description of the actual or likely damage caused by the emergency; and**

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15 Public health and safety risks caused by persons with inadequate shelter and
16 access to sanitary facilities.

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18 **E. A statement of the type of action required to respond to the emergency; and**

- 19
- 20 • Redirect funds for emergency use.
 - 21 • Suspend standard procurement procedures to obtain necessary goods,
22 services and/or equipment.
 - 23 • Prohibit "price gouging." Specifically, no person or business may sell or
24 attempt to sell any goods or services for a price in excess of the "normal
25 market price," which shall mean that person's or business's average of the
26 regular price of the goods or services for the 30 days preceding the
27 declaration of the state of emergency.
 - 28 • Implement mutual aid agreements, and to enter into any new such
29 agreements or amend existing agreements, under the signature of the
30 emergency manager.
 - 31 • Turn off water, gas or electricity.
 - 32 • Restrict, regulate or prohibit vehicular or pedestrian traffic for such distance or
33 degree as may be deemed necessary under the circumstances, including the
34 closing to the public of any or all public places, including streets, alleys, public
35 ways, schools, parks, beaches, amusement areas and public buildings.
 - 36 • Enter or pass through private property for the purpose of responding to the
37 emergency and/or for the conduct of damage assessment.

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- Establish a curfew during specified hours in specified geographic areas and locations.
- Prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area.
- Assist in the implementation of any order of the federal government, the Governor, State Public Health Director, or local public health representative related to public health or public health emergency, as directed, pursuant to ORS 431, 433 or 401, or order.
- Prohibit possession of loaded firearms, weapons or explosives or any instrument which is capable of producing harm to person or property on public streets, public places or any outdoor place; provided, that any such order shall not apply to firearms possessed by individuals specified in ORS 166.173
- Prohibit or restrict the sale, distribution or giving away of gasoline or other flammable liquids, except that such prohibition normally shall not extend to the filling of a gasoline tank properly affixed to a motor vehicle or equipment responding to emergency circumstances, nor to any police or military or other official acting under color of government authority.
- Curtail or suspend commercial activity.
- Prohibit or restrict the sale of alcoholic beverages or other intoxicants.
- Designate any developed or undeveloped city property for temporary emergency operations uses, including but not limited to use as an emergency facility, shelter, overnight shelter, bivouac, mess hall, temporary campground, staging area, inoculation center, distribution center, or similar emergency operation uses. Private or other public property may similarly be designated by the city, with the permission of the property owner, for such emergency uses. The duration of such authorized uses is only during the period of the emergency and for a reasonable period of time after the end of the declared emergency.
- Make application to Lincoln County or any other municipal entity for further assistance by way of any existing or newly negotiated mutual aid or intergovernmental agreement, and to make application for a Governor's declaration of emergency or other such emergency assistance as becomes available under local, state or federal law.
- Order such other measures as are found to be necessary for the protection of life, property, infrastructure, the environment, or for the recovery from the emergency. Such other measures shall be set forth *in writing* on the emergency declaration, or added to the declaration when such measures become necessary.
- On a case-by-case basis, the emergency manager may authorize a written exemption from any emergency measure or order for an individual or group of volunteer emergency responders.

- Evacuate persons from the area designated as an emergency area. A mandatory evacuation order may be authorized by the emergency manager only when necessary for public safety or for the efficient conduct of activities that minimize or mitigate the effects of the emergency.

F. An estimate of the length of time during which the designated area will remain under the emergency declaration;

The City of Lincoln City will remain under the emergency declaration for the duration of the forecasted weather event, until Monday January 15th, 2024.

G. Any special regulations or emergency measures, powers or orders imposed as a result of the declared emergency; and

The City Manager, the City Emergency Preparedness Coordinator, and all City Department Heads, and their designees, (hereinafter Designated City Staff) are authorized, without further Order of the City Council to use any and all emergency powers, including those specifically listed in Lincoln City Municipal Code LCMC 2.72.070 to appropriately respond to the emergency and to minimize loss of life.

Designated City Staff are to assist in the implementation of any order of the federal government, the Governor, State Officer, County or special District related to emergency, as directed, pursuant to ORS 431, 433 or 401, or other applicable statute or order.

The Emergency Preparedness Coordinator is expressly authorized to take all actions authorized by law to coordinate the City's response to this emergency, including but not limited to requesting assistance from State, County and Federal authorities.

The following emergency powers are operative, without limitation or prejudice to other authorized powers:

- All necessary city funds shall be redirected for emergency use, and standard city procurement procedures shall be suspended for any contract or purchase necessary to combat the emergency.
- Price gouging is prohibited – specifically no person or business may sell or attempt to sell any goods or services (including specifically housing) for a price in excess of the “normal market price,” which shall mean that person’s or business’s average of the regular price of the goods or services for the 30 days preceding the declaration of the State of Emergency.
- All mutual aid agreements are operative and Designated Staff may make application for such emergency assistance as is needed from local, state or federal sources.

- The City Manager or their designee may designate any developed or undeveloped city property for temporary emergency operations uses, including but not limited to use as an emergency facility, shelter, overnight shelter, bivouac, mess hall, temporary campground, staging area, inoculation center, distribution center, or similar emergency operation uses. Private or other public property may similarly be designated by the city, with the permission of the property owner, for such emergency uses. The duration of such authorized uses is only during the period of the emergency and for a reasonable period of time after the end of the declared emergency, not to exceed 60 days after the emergency ends.
- Without further order of the Council, Designated City Staff may restrict, regulate or prohibit vehicular or pedestrian traffic for such distance or degree as may be deemed necessary under the circumstances, including the closing to the public of any or all public places, including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings.
- The City Manager or their designee may establish a curfew during specified hours in specified geographic areas and locations.
- The City Manager or their designee may prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area.
- The City Manager or their designee may curtail or suspend commercial activity.
- The City Manager or their designee may take such other measures by written order as are found to be necessary for the protection of life, property, infrastructure, the environment, or for the recovery from the emergency.

SECTION 3. AMENDMENT. This emergency declaration may be amended and updated as necessary, and shall be amended when necessary to reflect needed assistance of state, county and federal authorities consistent with LCMC Chapter 17.52.

SECTION 4. RATIFICATION. This Resolution ratifies any Order of the City Manager concerning this emergency taken within the previous seven days.

SECTION 5. EFFECTIVE DATE. This resolution is effective as of the date of its adoption and signature by the Mayor.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 17th day of January 2024.

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Susan Kay Wahlke

Susan Wahlke, MAYOR

ATTEST:

Jamie Young

Jamie Young, CITY RECORDER

Approved as to form:

David James Robinson

David James Robinson

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3 **Terms and Conditions of Emergency Order for Recreational Vehicle Camping and**
4 **Camping use on private properties designated by Council Resolution or Order of the**
5 **City Manager**

6
7 **General Requirements for Emergency Recreational Vehicle Camps**

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9 **Procedure**

- 10 1. Emergency recreational vehicle camps are allowed only on properties designated in
11 the Emergency Resolution or Emergency Order. Such uses will *generally* be located in
12 the following zones: General Commercial (GC), Recreation-Commercial (RC), Planned
13 Industrial (PI) and Taft Village Core (TVC) zones, subject to these standards.
- 14 2. Persons wishing to establish emergency recreational vehicle camps must agree in
15 writing to such emergency operation use designation to be included in the
16 emergency order or resolution. To implement the designation, owners shall apply to
17 the Planning and Community Development Department using a standard land use
18 application form. No application fee is required.
- 19 3. The application must include a drawing, to a common scale (e.g. one inch = 20 feet)
20 showing how recreational vehicles will be placed on the site, how driveway access and
21 internal circulation will be arranged, where any sanitation facilities such as portable
22 restrooms will be located, and where trash receptacles will be located.
- 23 4. The Planning & Community Development Department will make a completeness
24 determination within two business days of the receipt of an application, and the City
25 Manager or designee will issue a decision on a complete application within five
26 business days of the completeness determination.
- 27 5. A decision on an emergency recreational vehicle camp application is a Type II decision
28 and is appealable in accordance with LCMC 17.76.040.
- 29 6. Emergency recreational vehicle camp permits are intended to be temporary and they
30 terminate at the end of the declared emergency under LCMC Chapter 2.72.

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32 **Standards**

- 33 1. Operators of an emergency recreational vehicle camp must screen potential tenants
34 to ensure that only persons affected by the weather event that is the subject of this
35 emergency declaration and resolution are permitted to reside at the emergency
36 recreational vehicle camp. Reasonable screening documentation includes, among
37 other things, driver's license or vehicle registration.

- 1 2. Operators of an emergency recreational vehicle camp must maintain a register of
2 camp tenants. The register must include the name, address, and telephone number of
3 the tenants, the dates of occupancy, and the nature of the documentation or
4 information relied upon in screening the tenant. The register shall be available for city
5 inspection upon request.
- 6 3. The maximum number of recreational vehicles allowed at an emergency recreational
7 vehicle camp is one per each 1,200 square feet of usable property. Usable property is
8 property not occupied by a building, structure, or other use and is not a wetland,
9 steep terrain, drainage swale, or other otherwise not usable.
- 10 4. Recreational vehicles must be separated from each other and from other structures by
11 at least 10 feet. Any accessory structure attached to the recreational vehicle shall, for
12 purposes of this separation requirement, be considered to be part of the recreational
13 vehicle.
- 14 5. One additional vehicle (passenger automobile or pick-up truck) is allowed for each
15 recreational vehicle.
- 16 6. Up to three small animals (e.g. dogs, cats) are allowed for each recreational vehicle.
- 17 7. No tenant or other person may discharge graywater (e.g. sink drainage, shower
18 drainage, washing machine drainage) onto the ground. Graywater may be discharged
19 only into a sanitary sewer via a method approved by the city engineer, or into an
20 approved wastewater pumping vehicle.
- 21 8. No tenant or other person may discharge sewage in any manner other than into an
22 approved dump station or wastewater pumping vehicle. Dump stations are located at
23 the city's SE 50th Street parking lot and at the city's wastewater treatment plant.
- 24 9. Operators of emergency recreational vehicle camps must provide trash receptacles for
25 the disposal of solid waste materials. These must be provided in convenient locations
26 for the use of guests of the camp in such number and of such capacity that there is no
27 uncovered accumulation of trash at any time.
- 28 10. The emergency recreational vehicle camp must be maintained in a neat appearance at
29 all times. Except for vehicles, there shall be no outside storage of materials or
30 equipment belonging to the camp operators, tenants of the camp, or any other
31 person.
- 32 11. All recreational vehicles and associated vehicles must be set back from perimeter
33 property lines by at least five feet.
- 34 12. It is the responsibility of the property owner to obtain all required permits from all
35 Federal, State and local agencies (e.g. County plumbing permits).
- 36 13. Additional specific requirements for individual designated Properties may be issued
37 by Order of the City Manager or included in the authorizing Resolution. To the extent
38 specific requirements differ from general requirements, specific requirements control.

1 14. BE ADVISED: It is a violation of zoning and the emergency operations ordinance to
2 use property inconsistent with the terms and requirements of an emergency order or
3 resolution. Such violations are punishable by fines and are subject to citation.
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