

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Declaring a  
Local State of Emergency  
and Declaring Emergency Measures



ORDER NO. 2015-134  
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**WHEREAS**, ORS 401.305 provides authority for Clackamas County to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during time of emergency; and

**WHEREAS**, Clackamas County has enacted a local ordinance (County Code Chapter 6.03) pursuant to the authority granted by ORS Chapter 401, that provides for executive responsibility in times of emergency and specifically delegates authority to declare a state of emergency to the County Chair, Vice-Chair (if Chair is unavailable), Remaining Board Member (if Vice-Chair is unavailable) and County Administrator or designee (if Remaining Board Member is unavailable); and

**WHEREAS**, the following conditions have resulted in the need for a state of emergency:

Heavy rains over the past weeks have caused a landslide/mudslide in Oregon City on Beaver Creek Road threatening to destroy or make uninhabitable approximately 10 units in the Berryhill Apartments/Townhome complex and approximately 70 units in the Forest Edge Apartment complex. This is approximately 250 people. The City of Oregon City declared an emergency on December 20, 2015, Resolution No. 12-39; and

**WHEREAS**, the following damage to life and property can be expected from the above conditions:

- Residents of the apartment units referenced above being evacuated and displaced and needing short term sheltering and long-term housing.
- Potential for search and rescue efforts if residents or others somehow get trapped due to the landslide/mudslide.
- Potential for clean-up by Oregon City depending on landslide/mudslide destruction to City property/services.

**WHEREAS**, the entire County is in a state of emergency and if not the entire County, an emergency is declared for the following area(s):

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Oregon City Beaver creek Road slide area. Address includes 14155 S. Beaver creek Road and 13945 S. Beaver creek Road, Oregon City.

**WHEREAS**, County Code Chapter 6.03 and ORS 401.309 authorizes certain actions to be taken during a state of emergency when necessary for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency; and

**WHEREAS**, ORS 401.055 provides that upon request of Clackamas County, the Governor may declare a state of emergency by proclamation; and

**WHEREAS**, a preliminary assessment of property damage or loss, injuries or death is set forth hereinabove; and

**WHEREAS**, Clackamas County has provided or taken the following actions:

- Animal sheltering supplies and staff and enacted the Animal MAC-G
- Assistance with sheltering through the American Red Cross
- Assistance with social services issues including:
  - Assessment Team at the shelter. Team includes County Social Services, Housing Authority, Aging and Disabilities, and staff from similar state agencies
  - Working with individual clients on Section 8 Housing
  - Working with individual clients regarding other resources available to them

**WHEREAS**, all local resources have, or will likely be, expended, and there is need of the following additional resources from the State:

- Assistance with emergency and potentially long-term housing and other social services needs for the displaced populations
- Assistance with emergency clean-up in the slide area if slide continues
- Assistance with sheltering pets for the effected residents

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**NOW, THEREFORE, IT IS HEREBY ORDERED** that

1. Jim Bernard, Vice-Chair, formally declares a state of emergency for Clackamas County, effective on this 22<sup>nd</sup> day of December, 2015 at 3:00 PM, for the area described above.

2. Upon this declaration of a state of emergency the undersigned official is empowered to assume centralized control of and have authority over all departments and offices of the County, and further the County Department of Emergency Management is empowered to carry out the appropriate functions and duties identified in County Code Chapter 6.03 during times of emergency and shall implement the Clackamas County Emergency Operations Plan.

3. Incident Command shall take all necessary steps authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting assistance from the State of Oregon. If this declaration is not ordered by a majority of the Clackamas County Board of Commissioners, it shall be taken before the Board at its next available meeting for ratification.

**IT IS FURTHER ORDERED** that:

4. Emergency procurements of goods or services are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279C.380(4), and Local Contract Review Board Rules C-047-0280 and C-049-0150.

5. The following measures are necessary, or may become necessary as determined by Incident Command, for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency (indicate selected measures):

  X   A. Establish a curfew for the area designated as an emergency area which fixes the hours during which all persons other than officially authorized personnel may be upon the public streets or other public places;

       B. 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;

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       C. Barricade streets and roads, as well as access points onto streets and roads. In addition, prohibit vehicular or pedestrian traffic, or restrict or regulate the same in any reasonable manner in the area designated as an emergency area for such distance or degree of regulation as may be deemed necessary under the circumstances.

  X   D. Evacuate persons from the area designated as an emergency area;

       E. Close taverns or bars and prohibit the sale of alcoholic beverage throughout Clackamas County or a portion thereof;

  X   F. Commit to mutual aid agreements;

  X   G. Redirect funds for emergency use;

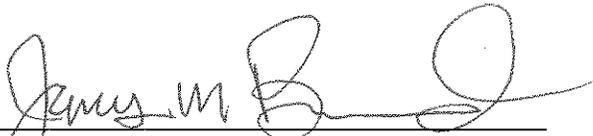
  X   H. Order such other measures as are found to be immediately necessary for the protection of life and/or property. [Codified by Ord. 05-2000, 7/13/00]

6. Emergency measures that are not selected in section 5 above may be implemented by Incident Command, provided however, that such measures shall be taken before the Clackamas County Board of Commissioners at its next available meeting for ratification.

7. This declaration of emergency shall expire on January 8, 2016.

DATED this 22<sup>nd</sup> day of December, 2015

**CLACKAMAS COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Commissioner Jim Bernard, Vice-Chair

  
\_\_\_\_\_  
Recording Secretary

**RESOLUTION NO. 15-39**

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**A RESOLUTION DECLARING AN EMERGENCY IN THE CITY OF OREGON CITY  
AND ADOPTING MEASURES TO PREVENT, MINIMIZE, RESPOND TO OR  
RECOVER FROM THE EMERGENCY**

**WHEREAS**, The City of Oregon City has experienced several significant storms over the course of recent weeks and forecasting shows additional severe weather events in the immediate future; and

**WHEREAS**, The recent storm events have included significant rainfall that has saturated the soil and created dangerous situations throughout the city, including at the Berry Hill Apartments and Forest Edge Apartments; and

**WHEREAS**, The forecasted storms include more rainfall as well as expected high winds, which could further exacerbate the saturated soils and result in further degradation of the conditions, both in Newell Creek Canyon and elsewhere in the City; and

**WHEREAS**, the recently occurring and forecasted storms are natural events that threaten the loss of life, injury to person or property, human suffering or financial loss; and

**WHEREAS**, The City Commission is concerned that the expected conditions will require immediate response by city staff and other measures that are currently unanticipated.

**NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS  
FOLLOWS:**

Section 1. The Oregon City Commission hereby declares an emergency in the City of Oregon City related to the recent and forecasted severe weather events for the next five days, or until Friday December 25, 2015.

Section 2. City staff is directed to activate and carry out the Evacuation Plan for the Forest Edge Apartments, the Berry Hill Townhomes and the Berry Hill Park Apartments, as necessary.

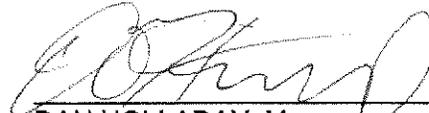
Section 3. City staff shall coordinate access to and use of personnel and equipment of all City departments necessary to assess, alleviate, respond to, mitigate or recover from conditions caused by this emergency.

Section 4. City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

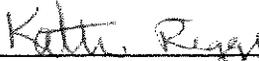
Section 5. The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency:

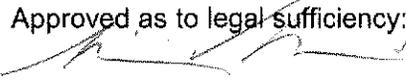
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|--------------|----|---|
| _____        | A. | Redirect city funds for emergency use and suspend standard city procurement procedures;   |
| _____        | B. | Establish a curfew which fixes the hours during which all persons other than officially authorized personnel may not be upon the public streets or other public places;                                       |
| <u>  X  </u> | C. | Prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place;  |
| <u>  X  </u> | D. | Barricade streets and prohibit vehicular or pedestrian traffic, or regulate the same on any public street leading to the emergency area for such distance as may be deemed necessary under the circumstances; |
| <u>  X  </u> | E. | Evacuate persons from the area designated as an emergency area;   |
| _____        | F. | Close taverns or bars and prohibit the sale of alcoholic beverages;   |
| _____        | G. | Prohibit or restrict the sale of gasoline or other flammable liquids;   |
| _____        | H. | Prohibit the sale, carrying, or possession of any weapons or explosives of any kind on public streets, public places, or any outdoor place;   |
| _____        | I. | Curtail or suspend commercial activity;   |
| <u>  X  </u> | J. | Turn off water, gas or electricity;   |
| <u>  X  </u> | K. | Commit to mutual aid agreements;  |
| <u>  X  </u> | L. | Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.  |

Approved and adopted at an emergency special meeting of the City Commission held on the 20th day of December, 2015.

  
 \_\_\_\_\_  
 DAN HOLLADAY, Mayor

Attested to this 20th day of December, 2015:

  
 \_\_\_\_\_  
 Kattie Riggs, City Recorder

Approved as to legal sufficiency:  
  
 \_\_\_\_\_  
 City Attorney