

RESOLUTION NO. 2020-18

A RESOLUTION DECLARING A STATE OF EMERGENCY RELATING TO COVID-19 PANDEMIC

Whereas, on March 8, 2020, Governor Kate Brown declared an emergency due to the public health threat posed by the novel infectious coronavirus (COVID-19);

Whereas, on March 11, 2020, the World Health Organization announced that COVID-19 is a global pandemic;

Whereas, on March 12, 2020, the Governor issued an executive order prohibiting large social, spiritual, and recreational gatherings of 250 people or more, statewide;

Whereas, on March 12, 2020, the Governor ordered all public schools to close from March 16 to at least April 28, 2020;

Whereas, on March 12, 2020, the President of the United States declared a national state of emergency related to COVID-19;

Whereas, on March 15, 2020, the Centers for Disease Control and Prevention (CDC) recommended no gatherings greater than 50 people;

Whereas, on March 16, 2020, the Governor prohibited gatherings of more than 25 people and further ordered the closure of all restaurants and bars;

Whereas, on March 16, 2020, the federal government recommended that gatherings of people be limited to less than ten people;

Whereas, COVID-19 spreads person-to-person through coughing and sneezing, close personal contact, such as touching or shaking hands, or touching an object or surface with the virus on it, and then touching your mouth, nose, or eyes. The symptoms are fever, cough and difficulty breathing;

Whereas, this emergency and guidance from public health officials is rapidly evolving;

Whereas, the gathering of groups of people for extended periods of time is contrary to the guidance and best practices provided by public health authorities; and

Whereas, consistent with mitigation strategies for communities recommended by the Centers for Disease Control and Prevention, the U.S. Housing and Urban Development, and the Oregon Health Authority with regard to COVID-19, in order to slow the spread of the disease, and to protect residents who are at the highest risk for contracting the disease, it is necessary to implement social distancing and community mitigation measures immediately.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON,
RESOLVES AS FOLLOWS:

Section 1. A state of emergency is declared within the city of Salem related to COVID-19, pursuant to Salem Revised Code (SRC) 2.660-2.680.

Section 2. The emergency or threatened conditions are:

- a) The COVID-19 Pandemic, and the risk of spread of COVID-19 throughout the community, and infection of community members.

Section 3. The damage or potential damage is:

- a) Threats to the health and safety of unsheltered residents of the city,
- b) Increased risk of spreading COVID-19 throughout the community, and
- c) Increased risk to vulnerable populations contracting COVID-19 through public gatherings.

Section 4. The location or geographic area affected is: the city of Salem.

Section 5. The actions initiated by the City are:

- a) Definitions.
 - i. "Public space" means the Salem Civic Center, publicly owned right-of-way, including sidewalks and landscape strips, and City parks.
 - ii. "Public gathering" means any assembly of two or more people remaining in the same area for ten minutes or more.
 - iii. "Active pedestrian use" means walking or other human-powered transportation, such as bicycling.
- b) To mitigate the spread of COVID-19, and consistent with the guidance provided by public health authorities, public gatherings of two or more people are hereby prohibited in or on any public space within the city of Salem, unless a permit for a public gathering has been issued by the Salem Chief of Police.
- c) To mitigate the spread of COVID-19, publicly owned sidewalks, including landscape strips, are limited to active pedestrian use. Loitering on public sidewalks and landscape strips is prohibited.
- d) Upon written application the Chief of Police shall issue a permit for a public gathering if, the Chief of Police determines that the proposed gathering will not pose a threat to public health or safety, through the implementation of adequate measures to mitigate the spread of COVID-19, consistent with guidance from public health authorities, including the CDC, or the Oregon Health Authority.

- e) Exceptions.
 - i. Individuals experiencing a medical emergency;
 - ii. Individuals, as the result of a physical disability, who use a wheelchair, walker, or similar movement-supporting device for mobility purposes, and their companions or caregivers;
 - iii. A child in a stroller or similar movement-supporting device;
 - iv. Sitting on a fixed chair or bench located on the public sidewalk or park;
 - v. Sitting on a public sidewalk, at a marked bus stop while waiting for public or private transportation;
 - vi. Public safety personnel performing work in the course of their duties, or;
 - vii. Performing a City approved or permitted activity.

- f) Violation of this Section constitutes a Trespass as defined by SRC 95.550.

Section 6. To mitigate the impact of the prohibition on public gatherings, and as provided in SRC 95.720(b), the prohibition on maintaining a campsite provided in Salem Revised Code SRC 95.720 is hereby suspended in all unimproved areas in Wallace Marine and Cascade Gateway parks. Individuals and groups of less than ten people may maintain a campsite in unimproved areas of the parks listed herein but remain subject to all other laws and City park rules. Campsites maintained under this Section shall be separated by at least 50 feet. Campsites shall be at least 50 feet from any improved area within the park and from other abutting properties.

Section 7. The City Manager, acting as the City's Emergency Program Manager, is authorized to issue orders and take other necessary steps to implement this Declaration, including emergency procurement of goods and services, execution of agreements and other measures necessary for the protection of life, property, and the economy.

Section 8. This declaration shall terminate, unless expressly extended by the Salem City Council, on **APRIL 28, 2020**.

Section 9. This resolution is effective upon adoption.

ADOPTED by the City Council this 17 day of March, 2020.

ATTEST:

City Recorder

Approved by City Attorney: _____

Diana Ann McMahon CMC
[Signature]