

RESOLUTION NO. 5532-21

A RESOLUTION DECLARING A STATE OF EMERGENCY RELATED TO WINTER STORM EVENTS

WHEREAS, under Tualatin Municipal Code (TMC) Chapter 1-7, the City established an emergency operations plan;

WHEREAS, the City activated its emergency operations plan in response to the heavy snow and ice, tree falls, and power outages that resulted from the winter storm occurring on February 12-15, 2021;

WHEREAS, under ORS 401.309 and TMC 1-07, the City may declare a state of emergency by resolution of the City Council; and

WHEREAS, a declaration of state of emergency is necessary to ensure the City of Tualatin has the appropriate resources to respond to the emergency, to protect life and property, and to minimize danger to life and property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

**Section 1.** A State of Emergency for the entire City of Tualatin is immediately in effect and will remain in effect until March 31, 2021, unless sooner terminated or extended by the Tualatin City Council.

**Section 2.** The following conditions have resulted in the need for a state of emergency:

- A. Several inches of ice and snow;
- B. A significant portion of Tualatin residents without power;
- C. Streets and throughways completely or partially blocked;
- D. Extensive damage to trees and property, some trees remaining hazardous;
- E. Traffic signals and other electronic safety signs are down;
- F. Hazardous driving and walking conditions; and
- G. Widespread damage throughout the City which will last for the foreseeable future, requiring extensive cleanup and repairs.

**Section 3.** The City Manager, or designee, is authorized to take all necessary steps authorized by law to coordinate response and recovery efforts from this emergency, including, but not limited to, requesting public assistance from United States of America federal government the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended (Stafford Act), Title 42 of the United States Code (U.S.C.) § 5121 et seq., the State of Oregon, and Washington and Clackamas Counties.

**Section 4.** The City Manager, or designee, is authorized to take the following measures as necessary, or as may become necessary, to protect public safety or to efficiently

conduct activities to minimize or mitigate the effects of the emergency:

- A. Continue to implement its emergency operations plan, in accordance with TMC 1-7;
- B. Coordinate and utilize mutual aid agreements;
- C. Redirect funds for emergency use;
- D. Close or restrict access to public streets, City parks, and City facilities as necessary where dangerous conditions may exist, due to power outages, or other dangers.
- E. Communicate public information about the emergency, closures, clean-up efforts, and other mitigation efforts;
- F. To respond to damage, procure needed goods and services in accordance with ORS 279B.080 (Emergency Procurements) and TMC 1-21-110(7) (Contracts Required by Emergency Circumstances) and without compliance with normal procurement; and
- G. Order such other measures as are found to be immediately necessary for the protection of life and/or property.

**Section 5.** The emergency provisions above regarding City closures are enforceable as code violations and may be prosecuted in municipal court by municipal citation, as provided in TMC 1-7-070 and other relevant provisions of the Tualatin Municipal Code.

**Section 6.** This resolution is effective upon adoption.

Adopted by the City Council this 22<sup>nd</sup> day of February, 2021.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder