

RESOLUTION NO. 3436

A Resolution declaring a public emergency and delegating authority to the City Manager.

WHEREAS, ORS 401.309 authorizes the governing body of a city to declare, by ordinance or resolution, that a state of emergency exists within the city; to establish procedures to prepare for and carry out any activity to prevent, minimize, respond to or recover from an emergency; and designate the official charged with carrying out emergency duties or functions under the resolution; and

WHEREAS, pursuant to Dallas City Code Section 2.650 and the City of Dallas Emergency Operations Plan (Plan), the Dallas City Council has designated the City Manager as the Emergency Management Director for the City of Dallas, with authority to appoint and manage the City Emergency Management Organization; and

WHEREAS, a Public Health Incident is recognized as an Emergency under the Plan; and

WHEREAS, the Dallas City Council is authorized pursuant to the Plan to declare or ratify a local state of emergency and make policy decisions dictated by an emergency; and

WHEREAS, the Governor of the State of Oregon has declared a public emergency under ORS 401.605, *et seq*, due to the public health threat posed by the novel infectious coronavirus (COVID-19);

WHEREAS, the Dallas City Council finds that the general population of Dallas is at risk from the novel infectious coronavirus (COVID-19), creating a threat to public health and safety; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. There is hereby declared a STATE OF EMERGENCY within the City of Dallas, effective immediately.

Section 2. During the continuance of the emergency, the City Manager or the City Manager's designee shall have authority to:

(1) Exercise, within the City, all reasonable police powers necessary to reduce vulnerability of the City to loss of life, injury to persons or property and human suffering and financial loss resulting from emergencies, and to provide for recovery and relief assistance for the victims of such occurrences;

(2) Suspend provisions of any order or rule of the City, if the City Manager or the City Manager's designee determines and declares that strict compliance with the

provisions of the order or rule would in any way prevent, hinder or delay mitigation effects of the emergency;

(3) Impose a curfew;

(4) Close streets, alleys and parking areas to motor vehicle and/or pedestrian traffic;

(5) Control, restrict and regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale or distribution of food, water, feed, fuel, clothing and other commodities, materials, goods and services;

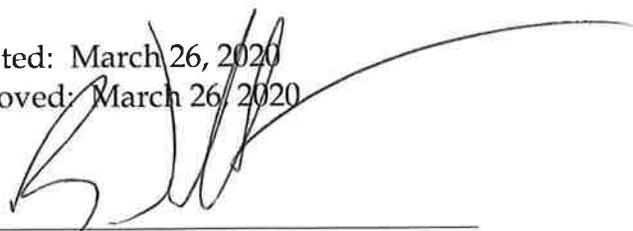
(6) Prescribe and direct activities in connection with the use, conservation, salvage and prevention of waste of materials, services and facilities, including, but not limited to, production, transportation, power and communication facilities, training, and supply of medical care, nutrition, housing, rehabilitation, education, welfare, child care, recreation, consumer protection and other essential civil needs; and

(7) Take any other action that may be necessary for the management of resources during a state of emergency.

Section 3. Section 7.6(d) of the Dallas City Council Rules, providing for "Comments From the Audience" as a standing item of regular City Council meeting agendas is suspended for the duration of the emergency declared by this resolution, and no public comment, at any regular, special or emergency meeting of the City Council will be taken unless specifically allowed by the Council or Mayor.

Section 4. This resolution shall be effective upon adoption and approval, and shall continue until the Council determines that the emergency has passed and this resolution is repealed by the Council.

Adopted: March 26, 2020
Approved: March 26, 2020



BRIAN W. DALTON, MAYOR

APPROVED AS TO FORM:



LANE P. SHETTERLY,
CITY ATTORNEY

ATTEST:



BRIAN LATTA
CITY MANAGER