

RESOLUTION NO. 20-08

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BANDON, OREGON, FOR THE PURPOSE OF LIMITING TRANSMISSION OF COVID-19

WHEREAS, Governor Kate Brown, on March 8, 2020, declared a state of emergency due to the COVID-19 virus, finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1); and

WHEREAS, the World Health Organization, on March 11, 2020, declared COVID-19 to be a pandemic that causes respiratory distress with the potential to cause serious illness and loss of life; and

WHEREAS, according to the Center for Disease Control, COVID-19 is spread mainly from person-to-person (a) between people who are in close contact with one another (within about 6 feet) and (b) through respiratory droplets produced when an infected person coughs or sneezes. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. As a result, the federal and state governments have taken measure to encourage and/or order individuals to maintain social distancing; and

WHEREAS, from March 16, 2020 through March 22, 2020 the City of Bandon experienced a heavy influx of visitors from outside the City; and

WHEREAS, visitors congregated throughout the City without following social distancing guidelines issued by state and federal health authorities and caused a depletion of critical resources such as food and supplies at local vendors; and

WHEREAS, many Bandon residents are retired and therefore the City's population skews older than the general population. As a result, the local population is more vulnerable to the deadly effects of COVID-19; and

WHEREAS, the southern Oregon coast has limited medical resources, which further endangers the local population when there are large influxes of visitors during times of declared emergencies; and

WHEREAS the implementation of the Governor's social distancing order and public campaign has not proven effective in the City of Bandon as significant numbers of out of town visitors have continued to come to the Coast in recent days despite the stay at home order/directive. Repeated instances of violation of the social distancing norms have placed city resources and residents at much greater risk of the spread of the virus. Closure of short-term rentals in northern parts of the Oregon Coast¹ threaten to move significant vacationers south to the City of Bandon if no actions are taken; and

¹ To date, the Cities of Warrenton, Seaside, Astoria, and Tillamook and Clatsop counties have all acted to limit or prohibit short term occupancies in their respective jurisdictions during this emergency.

WHEREAS numerous public and private health officials in the state of Oregon² and beyond have called for more stringent and aggressive social distancing measures including stay at home/shelter at home mandates because the voluntary social distancing actions are not being followed in many areas including the Central Oregon Coast; and

WHEREAS, ORS 401.309(2) provides that a city may carry out any activity to minimize the impact of emergency conditions during a declared emergency; and

WHEREAS, ORS 401.309(4) provides that a city may authorize officials to order an evacuation of residents or other individuals after a state of emergency is declared when necessary for public safety or when necessary to mitigate the effects of the emergency; and

WHEREAS, the Mayor has declared an emergency pursuant to Bandon Municipal Code Chapter 1.06;

NOW THEREFORE, the Bandon City Council, resolves as follows:

Section 1: All overnight +visitors within the City’s jurisdiction are ordered to evacuate within twenty-four hours of the effective date of this Resolution and remain evacuated while this Resolution is in effect. A visitor is defined as any individual who is spending time in the City for pleasure, recreation or non-business reasons and is not a resident, property owner or business owner.

Section 2: Although not an exclusive list, this order does not apply to the following individuals:

- a. Local residents and property owners;
- b. Invitees of local residents and property owners; subject to Section 3, below;
- c. Local business owners;
- d. Employees of local business owners;
- e. Vendors, agents and service providers of local residents, property owners, and businesses;
- f. Essential workers, including but not limited to doctors, nurses and other health care workers, US Coast Guard members, delivery drivers and other persons providing essential services to the City; and
- g. People staying in lodging for medical purposes.
- g. Stays for 30 days or longer are allowed.
- h. Families or individuals residing in lodging for less than 30 days if this is their only means of shelter. Includes, but is not limited to, vouchers for stay provided by local or regional governments or nonprofit agencies.
- i. Patients or families of patients receiving medical care at local facilities.

² Including but not limited to the Oregon Public Health Association, the Oregon Nurses Association, and the Oregon Academy of Family Physicians.

- j. Essential workers, including but not limited to doctors, nurses, other health staff, home and health care workers, Coast Guard members, truck drivers and supply providers, workers in the county whose employer pays for lodging, construction workers on local projects (including public contractors), utility crews, and other persons whose work in the city requires temporary accommodations.
- k. Lodging property owners or managers are required to keep a log of what exception is met by current lodgers. This list will be made available upon request to city officials.

Section 3. Except as provided in Sections 2 and 4, Hotels, Inns, Bed and Breakfast establishments, temporary vacation rentals and short-term rentals are prohibited from operating while the City's emergency declaration is in effect. All pools, spas and other public bathing facilities are closed at lodging properties for the duration of this Order.

Section 4. Property owners and managers of Bandon Hotels shall take all reasonable steps to terminate the occupancy of any transients not exempted by Section 4 of this Resolution.

Section 5: This declaration is effective immediately and shall remain in effect until at least May 1, 2020, but may be extended as necessary.

Section 6: Nothing in this resolution is intended to limit or diminish the powers granted to the City Manager under Resolution 20-16, and Bandon Municipal Code Chapter 1.06.

Section 7: Violations of this Resolution and Order are a violation of Chapter 1.06 of the Bandon Municipal Code, and may be subject to fines of up to \$750.00 per day. In addition, violations are Class C misdemeanors.

Section 8: This resolution supersedes and replaces Resolution 20-05.

Dated and effective this 23rd day of March, 2020.

ADOPTED by unanimous vote of the City Council and **APPROVED** by the Mayor of the City of Bandon, this 25th day of March 2020.


Mary Schamehorn, Mayor

ATTEST:


Denise Russell, City Recorder