

RESOLUTION NO. 23-021

A RESOLUTION DECLARING A STATE OF EMERGENCY IN THE CITY OF THE DALLES AS A RESULT OF EXTREME WEATHER CONDITIONS AND RESTRICTING USE OF FIREWORKS

WHEREAS, ORS 401.025(1)(a) defines “emergency” as a natural event or circumstance causing or threatening widespread loss of life, injury to person or property, human suffering, or financial loss, including but not limited to “fire” and “severe weather”;

WHEREAS, ORS 401.025(3) defines “emergency services” as activities engaged in by local government agencies to prepare for an emergency and to prevent, minimize, respond to, or recover from an emergency, including but not limited to coordination, preparedness planning, firefighting, interagency liaison, and law enforcement;

WHEREAS, ORS 401.305 provides authority for the City of The Dalles to act as an emergency management agency, including authority to appoint an emergency program manager who is responsible for the organization, administration, and operation of the emergency program, and establish policies and protocols for defining and directing responsibilities during the time of emergency;

WHEREAS, on March 15, 2023, Wasco County requested the Governor of the State of Oregon to declare a drought throughout the county and on April 6, 2023, the Governor of the State of Oregon so declared;

WHEREAS, on June 11, 2023, Wasco County imposed a burn ban for all outdoor burns in the county;

WHEREAS, on June 21, 2023, the Wasco County Board of County Commissioners adopted Wasco County Resolution No. 23-010 to declare a state of emergency to exist throughout Wasco County as a result of severe drought conditions;

WHEREAS, The Dalles Municipal Code Section 5.08.030(C) adopts the provisions of the Oregon Fireworks Law, as set forth in Chapter 480 of the Oregon Revised Statutes;

WHEREAS, according to the National Fire Protection Association, fireworks cause over 19,000 fires and require emergency room treatment for over 9,000 people in the United States each year; and

WHEREAS, the City of The Dalles, like many other regions in the western United States, is experiencing low water levels and cannot afford to use its limited water supply for fighting fires caused by fireworks;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF THE DALLES
RESOLVES AS FOLLOWS:**

1. A local State of Emergency is declared to exist through the City of The Dalles as a result of severe weather conditions.

2. This Declaration of a State of Emergency is effective immediately and shall remain in effect until September 30, 2023. It may be amended, modified, supplemented, and/or extended in additional increments by the City Council so long as conditions continue to pose an ongoing, immediate, and substantial threat to life, safety, health, or property in the City of The Dalles.
3. The City Council appoints the City Manager as the emergency program manager to address mitigating risks associated with extreme heat.
4. The City Council authorizes the City Manager to coordinate emergency services connected with response to and recovery from this emergency, including but not limited to requesting assistance from the State of Oregon, Wasco County, and Mid-Columbia Fire and Rescue, to the extent available.
5. To preserve limited public safety and water resources, and to prioritize emergency preparedness and response to maximize public safety, including those related to extreme weather conditions, use of all fireworks as defined by ORS 480.111 within the city limits of the City of The Dalles during this emergency is strictly prohibited. Any person who violates this Resolution shall be subject to a Class A civil infraction punishable by a fine of up to \$750.00 per use. For purposes of this section, "use" includes lighting, exploding, or igniting in any way. Commercial fireworks displays approved by local or state government, including the Oregon State Fire Marshall, are exempt from this restriction. Use of fireworks illegal under Oregon law continues to be prohibited at all times.
6. The City may take any other actions within its authority for the protection of safety, health, life, or property during this emergency.
7. This Resolution is effective upon adoption.

PASSED AND ADOPTED THIS 26TH DAY OF JUNE, 2023.

Voting Yes, Councilors: Richardson, Long, Randall, McGlothlin

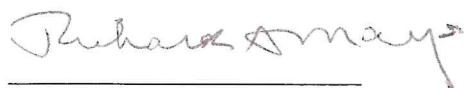
Voting No, Councilors: _____

Absent, Councilors: Rungon

Abstaining, Councilors: _____

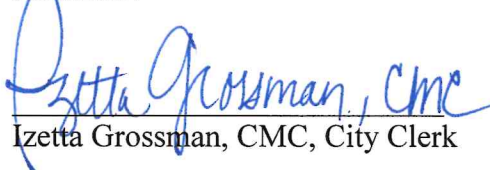
AND APPROVED BY THE MAYOR THIS 26TH DAY OF JUNE, 2023.

SIGNED:



Richard A. Mays

ATTEST:



Izetta Grossman, CMC, City Clerk