

SPECIAL ORDINANCE NO. 24-601

**A SPECIAL ORDINANCE TEMPORARILY BANNING THE USE
OF FIREWORKS AS A RESULT OF EXTREME WEATHER CONDITIONS AND
DECLARING AN EMERGENCY**

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 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, at its June 5, 2024, regular meeting, the Wasco County Board of County Commissioners adopted Resolution 24-012 (*In the Matter of Declaring a Local State of Emergency in Wasco County as a Result of Adverse Climate Conditions and Declaring a Ban on the Use of Fireworks*) and Order #24-031 (*In the Matter of Declaring a Ban on Residential Burning in Wasco County, Oregon*);

WHEREAS, according to the National Fire Protection Association, fireworks cause over 19,000 fires in the United States each year;

WHEREAS, the National Oceanic and Atmospheric Administration’s Seasonal Temperature Outlook for Eastern Oregon indicates above-average temperatures from June through August 2024;

WHEREAS, the National Oceanic and Atmospheric Administration’s Seasonal Precipitation Outlook for Eastern Oregon indicates below-average precipitation from June through August 2024; and

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.

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


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

2. Emergency Program Manager. The City Council appoints the City Manager as the emergency program manager to address mitigating risks associated with extreme heat.
3. Emergency Services. 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. The City Manager may take any other actions within this and their other authorities for the protection of safety, health, life, or property during this emergency.
4. Use of Fireworks Prohibited. To preserve limited public safety and water resources, and to prioritize emergency preparedness and response to maximize the public welfare (including those related to extreme weather conditions) use of all fireworks as defined by ORS 480.111 within the City’s corporate limits during this emergency is strictly prohibited.
5. Violations. Any person who violates Section 4 of this Special Ordinance 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 firework 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. Immediate Effect. The City Council finds this Special Ordinance necessary to have immediate effect for the preservation of the peace, health, and safety of the City.
7. Sunset. This Special Ordinance and its declaration of a local State of Emergency shall remain in effect until September 30, 2024. The local State of Emergency 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.

PASSED AND ADOPTED THIS 10TH DAY OF JUNE, 2024,

Voting Yes	Councilors:	<u>Richardson, Randall, Long, McGlothlin</u>
Voting No	Councilors:	_____
Abstaining	Councilors:	<u>Runyon</u>
Absent	Councilors:	<u>Runyon</u>

AND APPROVED BY THE MAYOR THIS 10TH DAY OF JUNE, 2024.



 Richard A. Mays, Mayor

ATTEST:


 Amie Ell, City Clerk