



CITY OF YACHATS
RESOLUTION NO. 2020-133
A RESOLUTION IN IN SUPPORT OF LIMITING GATHERING SIZES

WHEREAS, the Yachats City Council met in a joint meeting with Lincoln County and other cities within Lincoln County on June 19, 2020; and

WHEREAS, the Yachats City Council discussed the impact of limited gathering sizes on the spread of COVID-19.

NOW THEREFORE, the City of Yachats resolves to implement Lincoln County Order 6-20-168 (Attachment A)

This Resolution memorializes action taken by the Council on June 19, 2020 and is effective as of that date.

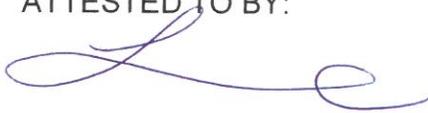
CITY OF YACHATS

By:



W. John Moore, Mayor

ATTESTED TO BY:



Shannon Beaucaire, City Manager

ATTACHMENT A

BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON

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In the Matter of)
) **ORDER NO. 6-20-168**
Exercising Authority to Act to Protect Lincoln County)
Citizens and Minimize the Effects of the COVID-19)
Emergency: Gathering Sizes)

10 WHEREAS Lincoln County, by Resolution dated March 13, 2020 and ratified and
11 extended by the Board of Commissioners on March 18, 2020¹, declared an emergency in
12 Lincoln County created by the COVID -19 pandemic crisis which is threatening citizens
13 of Lincoln County²; and

14 WHEREAS the Cities of Lincoln City³, and Newport⁴, have also declared
15 emergencies and the Cities of Toledo, Depoe Bay, Yachats and Waldport adopted
16 declarations and/or have taken precautionary actions including closing public facilities to
17 address the crisis⁵; and

18 WHEREAS the Governor of the State of Oregon declared a state of emergency for
19 the entire state on March 8, 2020 finding that COVID-19 has created a threat to public

¹ Resolution # 20-18-3A, signed by Chair Jacobson on March 13, 2020, ratified by the full Board on March 18, 2020. It has now been extended by Resolutions # 20-20-3B, 20-20-4B, 20-20-5A, 20-20-5B and 20-15-6B through July 8, 2020.

² The Declaration of an Emergency applies throughout Lincoln County since this health issue is not confined to specific geographic portions of the County but threatens county residents across the entire County. On March 11, 2020 the US Center for Disease Control (CDC) declared the threat pandemic in the US and cases have been reported in all 50 states.

³ Resolution No. 2020-06 dated March 16, 2020. Note this has been extended.

⁴ Affirmed by the City Council on March 16, 2020. Note this has been extended.

⁵ The County is unaware of any Lincoln County City not currently operating under a continuing local emergency declaration.

1 health and safety and constitutes a statewide emergency under ORS 401.025(1).⁶ That
2 emergency declaration is currently extended through July 6, 2020; and

3 WHEREAS the President of the United States signed a proclamation declaring a
4 national emergency concerning the novel coronavirus disease (COVID -19) outbreak on
5 March 13, 2020; and

6 WHEREAS local, state and national public health agencies⁷ have instituted
7 guidelines, recommendations and actions to curb the spread of the disease in an attempt to
8 “flatten the curve” of the disease’s progression in the United States. Many of those
9 recommendations have been adopted by States and local governments across the country.
10 In Oregon, the Governor has issued Executive Orders 20-3 through 20-28 to slow the
11 spread of the virus through phased reopening plans for counties, schools, requirements for
12 restaurants and bars services, and continued limitations on public and private gatherings,
13 among many other requirements; and

14 WHEREAS the implementation of the Governor’s social distancing order and public
15 education campaign has not proven completely effective on the Central Oregon Coast in
16 Lincoln County as significant outbreaks of the disease has occurred in the County.⁸

17 WHEREAS numerous public health officials in Lincoln County and the state of
18 Oregon have examined the epidemiology of the disease nationally, within the state and
19 the County and have determined that larger sized social gatherings are a potentially risky
20 source of triggering larger scale outbreaks of the disease. Lincoln County continues in
21 Phase 1 requirements which are substantially more restrictive than what is allowed under

⁶ Executive Order No. 20-3

⁷ Including but not limited to Lincoln County Public Health, a division of the Lincoln County Health and Human Services Department (County Public Health), the Oregon Health Authority (OHA), and the federal Center for Disease Control (CDC).

⁸ Confirmed cases in Lincoln County were at 10 persons on May 31, 2020. As of June 18, 2020, at 1:15 pm the number of confirmed cases is 230.

1 Phase 2. In all phases voluntary social distancing actions are not being followed in many
2 areas including the Central Oregon Coast which exacerbates the risk to the community;
3 and

4 WHEREAS the Lincoln County Public Health Administrator and Local Health
5 Officer both confirm that limiting the size of social gatherings, especially those where
6 specific guidance is not available, will assist in slowing the spread of the disease during
7 the current outbreaks in our County. They also confirm that acting in anticipation of larger
8 gatherings over the summer months including upcoming holidays will likely decrease the
9 chances of wider spread of the disease; and

10 WHEREAS state baseline guidance for gatherings now in place allows local,
11 cultural, civic and faith gatherings for up to 25 people provided physical distancing can be
12 in place and prohibits local social gatherings over 10 people.⁹ By comparison Lincoln
13 County is in Phase 1 which differs from baseline by also allowing for any purpose,
14 including any social and recreation, gatherings of up to 25 people provided physical
15 distancing is in place and other OHA guidance (such as for restaurants) is followed¹⁰; and

16 WHEREAS the County desires to return to baseline guidance for private social
17 gatherings only as a further means to prevent spread of the disease; and

18 WHEREAS it is necessary that a coordinated and collaborative action be taken by
19 all impacted jurisdictions in Lincoln County and therefore concurrence of the city councils
20 of all County coastal cities (Lincoln City, Depoe Bay, Newport, Waldport, Siletz, Toledo
21 and Yachats) is necessary to full implement the action authorized by this Order; and

22 WHEREAS pursuant to the authority granted the Lincoln County Board of
23 Commissioners under ORS Chapter 401, ORS Chapters 431, 431A and 433 as the Local

⁹ Governor's Executive Order # 20-25, paragraph 3. Those gatherings under 10 people must use physical distancing.

¹⁰ Governor's Executive Order # 20-25, paragraph 17.
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1 Public Health Authority, Lincoln County Ordinance # 502¹¹ (Emergency Services) and the
2 Lincoln County Emergency Operations Plan¹², the Board of Commissioners deems it
3 necessary to institute further restrictions in addition to statewide regulations and guidance.

4 NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

5 1. This Order shall apply in Lincoln County¹³ until the County moves into Phase 2 of
6 the Governor's Reopening Plan for Oregon, or the Governor changes statewide baseline
7 requirements concerning gatherings, or the Board otherwise acts to expand, modify, and
8 remove the restrictions.

9 2. Beginning June 24, 2020, the County will restrict private social gatherings only to
10 no more than 10 persons in accordance with statewide baseline requirements as currently set
11 by the Governor's Executive Order.¹⁴ All other gatherings and activities authorized under
12 statewide guidelines, and under Phase 1 including business and activities with specific OHA
13 guidance, shall be allowed to operate at the gathering size set by the state.

14 3. This Order takes effect on June 24, 2020.

15 4. This Order may be modified, rescinded or extended by authority of the Board of
16 Commissioners in consultation with the Cities and Local Public Health Administrator. If so
17 modified, a copy shall be provided to Depoe Bay, Newport, Toledo, Siletz, Waldport and
18 Yachats.

19 5. This Order was presented and concurred to by either authorized city personnel or
20 the direct action of the City Councils of Depoe Bay, Newport, Siletz, Toledo¹⁵, and Yachats

¹¹ Not yet codified in the Lincoln County Code.

¹² Adopted by Order # 8-18-206.

¹³ Except for within the Boundaries of any city that does not concur with the Order. See Paragraph 5 of the Order and footnote 15 below.

¹⁴ As noted in paragraph 1 of this Order, if the Governor changes the statewide baseline requirements for gatherings, that will automatically change the County's requirements without need of further action.

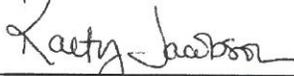
¹⁵ To be acted on June 24, 2020.
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1 on June 19, 2020 at a joint public meeting with the Board of Commissioners and therefore
2 applies within the incorporated boundaries of those cities.¹⁶ At any time, the City Council
3 of any of these cities may opt by Council Action to rescind that concurrence, at which time
4 the Order will have no effect within the boundaries of that city without necessity of any
5 further action.

6 6. Copies of this Order shall be provided to Jenny Demaris, Emergency Manager,
7 Wayne Belmont, County Counsel, and representatives of each of the cities listed above.

DATED: June 19, 2020

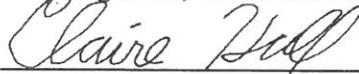
LINCOLN COUNTY BOARD OF COMMISSIONERS



Kaety Jacobson, Chair



Doug Hunt, Commissioner



Claire Hall, Commissioner

¹⁶ If a city does not concur, this Order shall not apply within the corporate boundaries of that city. Lincoln City did not concur. Waldport has not scheduled a date to discuss the Order as of June 19, 2020.