

RESOLUTION NO. 24-20

A RESOLUTION DECLARING AN EMERGENCY AND TEMPORARILY EXEMPTING THE CONSTRUCTION ACTIVITIES IN BEAVERCREEK ROAD ASSOCIATED WITH PAVING ACTIVITIES BY CLACKAMAS COUNTY BETWEEN HIGHWAY 213 AND MAPLELANE ROAD FROM THE PROHIBITION AGAINST UNLAWFUL NOISES

WHEREAS, Oregon City Municipal Code (OCMC) 2.52.020 defines “emergencies” to include “utility or transportation emergencies”; and

WHEREAS, OCMC 2.52.040(L) authorizes the City, in cases of emergency, to “order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency”; and

WHEREAS, the City would be acting in the best public interest by allowing the completion of paving work by Clackamas County within the Beaver Creek Road travel lanes (between Highway 213 and Maplelane Road) (“Project”); and

WHEREAS, transportation in the vicinity of the Projects is vital to the community, and completing the needed work at night is vital to the economic and mobility interests of the City; and

WHEREAS, OCMC 9.12.023(E) declares the construction, demolition, alteration, or repair of any building or the excavation of any streets and highways in a residentially-zoned neighborhood between the hours of 6:00 PM and 7:00 AM, Monday through Friday; and between 6:00 PM and 9:00 AM on Saturday and Sunday, to be a violation.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City Commission declares an emergency, limited to paving activities within Beaver Creek Road associated with the Roadway Reconstruction Project (“Project”) as shown in the **Exhibit A** – Site Map attached to this resolution. Consistent with OCMC 2.52.070 and by this resolution, the Commission declares an emergency from June 12, 2024, at 8:00 PM to June 14, 2024, at 5:00 AM.

Section 2. Based on the emergency identified above, the City Commission grants the construction activities in the Beaver Creek Road right-of way exemption from Section 9.12.020 of the Oregon City Municipal Code for paving activities in Beaver Creek Road, during the period identified above in Section 1 of this resolution.

Section 3. This resolution shall take effect immediately upon its adoption by the City Commission.

Section 4. The City Commission hereby directs the City Manager and City staff to undertake all appropriate and practical measures to lessen the impacts of night-time work on City residents and businesses as authorized by this resolution.

Section 5. The City Commission adopts these procedures to prevent, minimize, respond to, or recover from emergencies consistent with OCMC 2.52.040.


Approved and adopted at a regular meeting of the City Commission held on the 11th day of June, 2024.


Denyse C. McGriff, Mayor

Attested to this 11th Day of June, 2024


Jakob Wiley, City Recorder

Approved as to legal sufficiency:


Carrie Richter (Jun 14, 2024 16:49 PDT)
City Attorney