

**RESOLUTION NO. 20-34**

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**A RESOLUTION DECLARING AN EMERGENCY AND EXEMPTING THE FATHER’S HEART STREET MINISTRY FROM PLANNING CODE REQUIREMENTS ON A TEMPORARY BASIS**

**WHEREAS**, Oregon City Municipal Code (OCMC) 2.52.020 defines “emergencies” to include “any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering...., and includes, but is not limited to, severe weather”; 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 has received information from Clackamas County health officials and existing homeless service providers that there is a need for additional shelter resources during cold weather events; and

**WHEREAS**, The Father’s Heart Street Ministry (TFHSM) located at 603 12<sup>th</sup> Street has available resources and space to provided needed shelter during the extremely cold weather (Exhibit A); and

**WHEREAS**, TFHSM is willing to provide shelter and is not requesting any monetary commitment or reimbursement from the City; and

**WHEREAS**, the zoning designation of the site requires that overnight use of the facility receive Conditional Use land use approval. TFHSM submitted a Pre-Application Conference request, which is the first step in a Conditional Use process; and

**WHEREAS**, The Father’s Heart Street Ministry indicated that the COVID-19 pandemic, recent wildfires, and new Planning Division address have delayed the ability to submit required land use review; and

**WHEREAS**, TFHSM facility has previously been approved to house up to 49 individuals from 6 p.m. to 7 a.m. each day that the outside temperature is 33 degrees or below, including wind chill factor, as measured by the National Oceanic and Atmospheric Administration during the duration of the emergency; and

**WHEREAS**, the capacity of TFHSM facility over the winter is unknown due to the spacing requirements associated with COVID-19; and

**WHEREAS**, the forecast identifies freezing weather; and

**WHEREAS**, the forecasted weather events are natural events that threaten the loss of life, injury to person or property or human suffering; and

**WHEREAS**, the City Commission is concerned that the expected conditions will require immediate shelter needs, response by city staff and other measures that are currently unanticipated.

**NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:**

**Section 1.** The Oregon City Commission hereby declares an emergency, limited to the Father's Heart Street Ministry (TFHSM) located at 603 12th Street due to forecasted severe cold weather. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from 6 p.m. on November 5<sup>th</sup> until 7 a.m. January 21, 2021.

**Section 2.** Based on the emergency identified above, the City Commission grants to TFHSM an exemption from the Oregon City Zoning Code for the sheltering of individuals from 6 p.m. to 7 a.m. each day the temperature 33 degrees or below, including wind chill factor, for the duration of the emergency, from November 5, 2020 to January 21, 2021. The number of individuals allowed shall not exceed the number of individuals allowed pursuant to the Oregon Health Authority under Section 4.

**Section 3.** TFHSM must be authorized to temporarily provide shelter provided the facilities comply with the City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy (Exhibit B).

**Section 4.** TFHSM must comply with COVID-19 regulations by the state and the Oregon Health Authority which will likely limit the number of individuals onsite.

**Section 5.** City staff shall request, as necessary, any assistance required from other agencies, including the state of Oregon, Clackamas County, Clackamas County Fire District No. 1, the American Red Cross or other agencies.

**Section 6.** The City Commission adopts the following procedures to prevent, minimize, respond to or recover from the emergency consistent with OCMC 2.52.040:

- X              L.        Order such other measures as are necessary for the protection of life or property, or for the recovery from the emergency.

**Section 6.** This resolution shall take effect November 5<sup>th</sup>, 2020.

Approved and adopted at a regular meeting of the City Commission held on the 4th day of November 2020.

  
\_\_\_\_\_  
RACHEL LYLES SMITH,  
Commission President

Attested to this 4<sup>th</sup> day of November 2020:

  
\_\_\_\_\_  
Kattie Riggs, City Recorder

Approved as to legal sufficiency:

  
\_\_\_\_\_  
City Attorney

Attachment:

Exhibit A – The Father’s Heart Street Ministry Request

Exhibit B- The City of Oregon City and Clackamas Fire District #1 Temporary Emergency Policy

# The Father's Heart Street Ministry

Dear Mayor, Oregon City Commissioners, Building Division and Fire Department, Oct. 26,2020



Thank you for the opportunity to serve our community for the last 8 years with offering an emergency warming shelter during severe cold weather of 33-degree wind chill. We would like that opportunity once again.

Due to operating within COVID guidelines and then dealing with level 2 evacuations, we have been delayed in our applying for an Emergency Warming permit. We applied and sent the preapplication fee in September, but the address had not been updated and was incorrect. The application and check were returned.

We are currently waiting for more information from Clackamas county for COVID safety guidelines for operating an emergency warming shelter. This delay of information has made it difficult to move forward with Oregon City's new process of applying for a permit in a timely fashion. We request an approval of resolution as in years past as we simultaneously apply for a newly required application for a conditional use permit.

We are applying again, with the preapplication fee of \$1,184 in hopes that we will be granted permission as we complete the process of application rather than wait for the application for permit to be completed. We ask for the process of a resolution approval through the completion of a Fire permit and Building Division inspection with COVID capacity and other COVID/social distancing requirements.

We are requesting to open November 1st, 2020 – March 31, 2021 to offer as many beds that COVID guidelines will allow each night when the temperatures reach 33 degrees wind chill factor for those living without shelter.

Please know that to this date, we have had no known cases of COVID amongst the people we serve, our volunteers or staff.

The following would be our COVID safety plan for operating our emergency warming shelter:

- Temperature of volunteers, employees and guests taken before permission to enter facility.
- All people inside the facility will be required to wear a mask, maintain a 6ft. distance when wearing a mask is not possible, wash their hands with soap regularly and water often and use hand sanitizer when soap and water are not available.
- All bathroom facilities will be sanitized after each use.
- All surfaces will be sanitized throughout the facility.
- All fire safety requirements will be met.
- All required allotted space per COVID guidelines for emergency warming shelters will be met.

Robin Keating, Executive Director  
The Father's Heart Street Ministry

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**His Hands Extended in Love**

[www.tfhstreetministry.com](http://www.tfhstreetministry.com)

Marty & Teri Gant  
Founders

Robin Keating  
Executive Director

Office :503-722-9780

603 12<sup>th</sup> St.

Oregon City, OR 97045

***"I was hungry  
and you gave me  
something to eat,***

***I was thirsty  
and you gave me  
something to drink,***

***I was a stranger  
and you invited me in,***

***I needed clothes  
and you clothed me, ...***

Matthew 25:35



## TEMPORARY EMERGENCY SHELTER POLICY

### City of Oregon City and Clackamas Fire District #1 Joint Policy

The following policy is a collaboration between the City of Oregon City Building Official and the Clackamas Fire District #1 Fire Marshal for Temporary Warming Shelter's within the jurisdictional boundary of the Oregon City city limits.

This policy contains the minimal guidelines to allow a building not normally designated as an "R" (Residential) Occupancy (use of a building or structure, or a portion thereof, for sleeping purposes) to be used as a temporary shelter.

#### **Registration:**

Each year prior to opening as an emergency shelter the building manager shall contact the City of Oregon City Building Division to request approval. The approval will be subject to an on-site inspection to verify the building meets the minimum requirements of this policy. Written approval will be provided for building(s) being requested to be used as a Temporary Shelter. All buildings are subject to applicable Land Use Regulations and require written approval from the City of Oregon City Planning Division approving the use of the structure as a Temporary Shelter.

#### **Time Limits:**

If approved, a building may be used as a temporary shelter for a maximum of ninety (90) days within any twelve (12) month period of time beginning on the first (1<sup>st</sup>) day of occupancy or as approved by the local authority having jurisdiction. A thirty (30) day extension may be requested and will be reviewed by the authority having jurisdiction and a determination made depending on the weather requiring a need for additional temporary shelters availability.

#### **Maximum Number of Occupants Allowed:**

The maximum number of allowable temporary shelter occupants shall be calculated using an occupant load factor of one (1) individual for every thirty-five (35) square feet of room area.

**Life Safety Requirements:** The following minimum life safety requirements apply to all buildings being used as a temporary shelter.

**1. Fire Sprinklers:**

It is not necessary for a building to have fire sprinklers installed to allow it to be used as a temporary shelter. However, buildings with an approved fire sprinkler system installed may have sleeping located on any building or floor area.

In buildings without fire sprinklers installed, the temporary sleeping areas may only be located on the first (ground) or second floor. Sleeping areas are not permitted in basement areas of a non-fire-sprinklered building.

**2. Smoke Alarms and Detection:**

- All temporary shelter sleeping areas shall be provided with approved smoke alarms or a complete approved smoke detection system.
- All other areas of the building used for temporary shelter operations shall be equipped with smoke alarms or a smoke detection system as approved by the authority having jurisdiction.
- Smoke alarms or Smoke Detection may be battery operated.

**3. Carbon Monoxide (CO) Alarms and Detection:**

- All temporary shelter sleeping areas shall be provided with approved carbon monoxide alarms or a complete approved detection system in buildings that have a carbon monoxide source such as heater, fireplace, furnace, appliance or cooking source that uses, coal, wood, petroleum products and other fuels that emit carbon monoxide as a by-product of combustion. This would include buildings with an attached garage with a door, ductwork or ventilation shaft that communicates with the rooms intended for sleeping.
- Carbon monoxide maybe battery operated.

**4. Means of Egress (Exits):**

All floor levels with temporary shelter areas shall have a minimum of two means of egress (exits) from each floor level. All means of egress (exits) paths shall be maintained free of obstructions at all times. Exits from sleeping areas shall be as follows:

- Sleeping areas located on the ground floor of a temporary shelter with an occupant load of 49 or less shall have at least one (1) exit and at least one(1) window qualifying as an escape or rescue window as defined by the current Oregon Residential Specialty Code.
- All other floor levels used as temporary shelter sleeping areas that have an occupant load of ten (10) or more shall have at least two (2) exits from the area. The exits

serving the areas shall be separated by a distance equal to at least one-third (1/3) of the longest diagonal distance of the area.

**5. Emergency Evacuation Plan:**

All temporary shelters shall create and maintain an approved emergency evacuation plan which provides evacuation of all occupants in an emergency event. At a minimum, the emergency evacuation plan shall contain the following:

- Building floor plans. Building floor plans for each floor of the temporary shelter with sleeping areas clearly identified.
- Room size. The square footage of all rooms of the temporary shelter.
- Egress (exit) path. Building floor plans shall clearly show the egress (exit) paths from all areas of the temporary shelter. Egress (exit) path floor plans shall be posted throughout the temporary shelter.
- Life-safety systems. The emergency evacuation plan shall also include information about the fire sprinkler system, fire alarm system of the smoke detection systems.
- Location of the required fire extinguishers placed within the building.

**6. Fire Extinguishers:**

- Appropriately sized fire extinguishers shall be placed adjacent to the means of egress with clearly marked indicators as to the location.

**7. Fire Watch:**

- During sleeping hours a fire watch shall be maintained continuously. This means at least one responsible person at least 18 years of age shall be awake and assigned this responsibility. The fire watch person shall be equipped with a working flash light and have access to a phone or carry a cell phone on their person.

**8. Smoking or Open Flames:**

- Smoking shall not be allowed at any time inside the temporary shelter.
- Open flames shall not be allowed within the temporary shelter except for approved cooking appliance which require a flame for combustion fuel to operate.

**9. Documentation:**

- Documentation of all fire safety requirements including copies of the temporary shelter evacuation plan shall be maintained on site and shall be available for review at the request of the authority having jurisdiction.

**10. Responsible Person In Charge:**

- The authority having jurisdiction shall be notified of the Responsible Person In Charge of the temporary shelter and be provided with a means of contact. An alternate Responsible Person In Charge may be listed.

- The responsible Person In Charge is responsible to maintain the list of the aforementioned requirements are complied with.

**11. Revocation:**

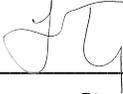
- Failure to maintain the minimum requirements of the policy can result in the temporary shelter approval being revoked by the authority having jurisdiction.

Signed off by Mike Boumann - See Application

11/12/2020

City of Oregon City Building Official

Date



11/20/2020

City of Oregon City Community Development Director

Date

Signed off by Mike Roberts - See Application

11/20/2020

Clackamas Fire District #1 Fire Marshal

Date