

RESOLUTION NO. 22-11

A RESOLUTION DECLARING AN EMERGENCY AND TEMPORARILY EXEMPTING THE CONSTRUCTION ACTIVITIES IN BEAVERCREEK ROAD RIGHT-OF-WAY AND TRAVEL LANES ASSOCIATED WITH THE BEAVERCREEK NORTH CAMPUS DEVELOPMENT PROJECT 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 facilitating the completion of the water main construction serving the Beaver Creek North Campus (“Project”) by limiting water shut off period to night time; and

WHEREAS, water services in the vicinity of the Project 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 10:00 PM and 7:00 AM, Monday through Saturday; and between 8:00 PM and 9:00 AM on Sunday to be a violation.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City Commission declares an emergency, limited to the water utility construction within Beaver Creek Road associated with the Beaver Creek North Campus Development (“Project”) as shown in the map attached as Exhibit A to this resolution. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from March 21, 2022 at 8:00 PM to March 25, 2022 at 5:00 AM.

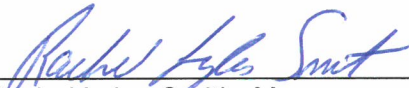
Section 2. Based on the emergency identified above, the City Commission grants the construction activities in the Beaver Creek Road rights-of-way exemption from Section 9.12.020 of the Oregon City Municipal Code for construction activities associated with constructing the water lines in the Project area and affecting the water services 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 the emergency consistent with OCMC 2.52.040.

Approved and adopted at a regular meeting of the City Commission held on the 16th day of March 2022.



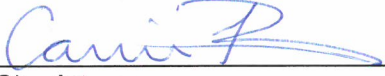
Rachel Lyles Smith, Mayor

Attested to this 16th Day of March 2022



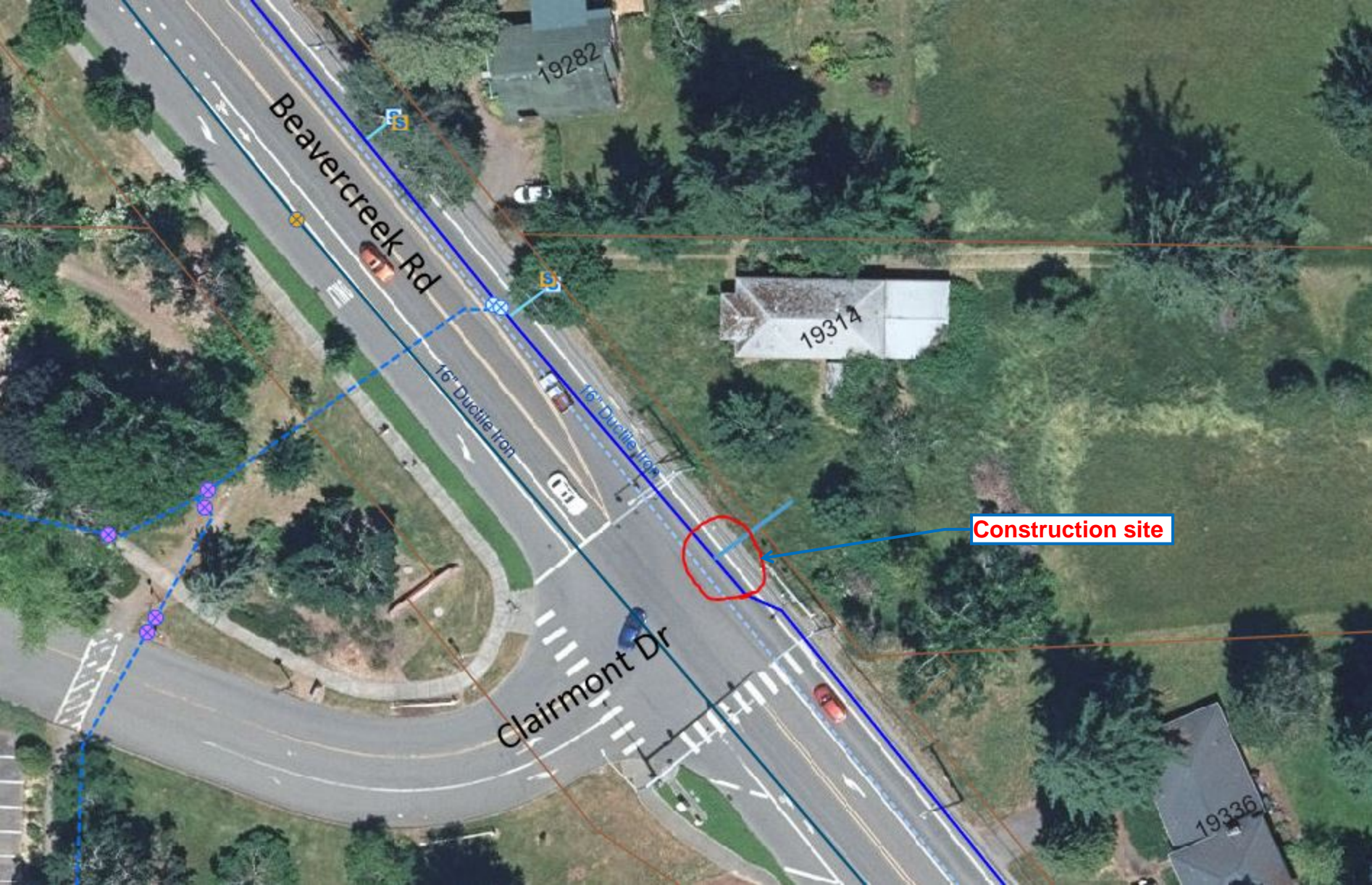
Jakob Wiley, City Recorder

Approved as to legal sufficiency:



Carin P.
City Attorney

Attachment:
Exhibit A – Site Map



Beaver Creek Rd

16" Ductile Iron

16" Ductile Iron

Clairmont Dr

Construction site

19282

19314

19336