

RESOLUTION NO. 22-14

A RESOLUTION DECLARING AN EMERGENCY AND TEMPORARILY EXEMPTING THE CONSTRUCTION ACTIVITIES IN WASHINGTON STREET AND 14TH STREET ASSOCIATED WITH THE OC BREWING PATIO 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 paving within the Washington Street and 14th Street travel lanes required of the OC Brewing Patio Development (“Project”); and

WHEREAS, transportation 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 ten p.m. and seven a.m., Monday through Saturday; and between eight p.m. and nine a.m. on 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 the Washington Street and 14th Street associated with the OC Brewing Patio Development (“Project”) as shown in the site map attached to this resolution. Consistent with OCMC 2.52.070 and, by this resolution, the Commission declares an emergency from April 18, 2022, at 8:00 PM to April 30, 2022, at 5:00 AM.


Section 2. Based on the emergency identified above, the City Commission grants the construction activities in the Washington Street and 14th Street rights-of way exemption from Section 9.12.020 of the Oregon City Municipal Code for paving activities in Washington Street and 14th Street, 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 6th day of April 2022.



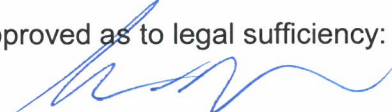
RACHEL LYLES SMITH, Mayor

Attested to this 6th Day of April 2022



Jakob Wiley, City Recorder

Approved as to legal sufficiency:



City Attorney



1401

1414

1402

1400

14th St

Washington St

08