

**BEFORE THE CITY COUNCIL  
FOR THE CITY OF MOSIER, OREGON**

**Resolution No. 2022-09**

**Resolution Declaring a State of Emergency  
Due to Severe Weather Conditions and Increased Risk of Fire  
JUNE 30, 2022**

WHEREAS, under ORS 401.025 an emergency exists when a human created or natural event or circumstance causes or threatens widespread loss of life, injury to person or property, human suffering, or financial loss, including fire, drought, and severe weather conditions;

WHEREAS, pursuant to ORS 401.309, the governing body of a city may declare an emergency and establish procedures to prepare for and carry out any activity to prevent, minimize, respond to, or recover from the emergency;

WHEREAS, on June 29, 2021, through Executive Order No. 21-16 Oregon Governor Kate Brown declared a state of drought emergency in Wasco County due to lack of precipitation and unusually low snowpack and streamflow;

WHEREAS, in addition to the existence of a current drought emergency in the region, the area in and around the City of Mosier has been experiencing unseasonably high temperatures such that the National Weather Service has issued an excessive heat warning for the region through at least 8:00pm Sunday, July 4, 2022;

WHEREAS, on June 30, 2021, through Executive Order No. 21-17 Oregon Governor Kate Brown declared a statewide state of emergency due to the imminent threat of wildfire;

WHEREAS, according to a 2020 report of the National Fire Protection Association, an estimated 19,500 fires were started by fireworks in 2018;

WHEREAS, the Mosier City Council recognizes the existence of drought conditions, extreme weather conditions, and a high risk of fire at this time;

WHEREAS, the Mosier City Council acknowledges that the July 4th Independence Day weekend is a time when there is an increased use of fireworks in and around the City;

WHEREAS, the City has issue community warnings about the use of fireworks and fires around this time, and finds that declaring a state of emergency will allow for greater cooperation by the City with other jurisdictions in their collaborative efforts to reduce and mitigate the risk of wildfire as well as to react to fires that may begin in this emergency state;

**NOW, THEREFORE, BE IT RESOLVED BY THE MOSIER CITY COUNCIL:**

**Section 1. Declaration of State of Emergency.** Pursuant to ORS 401.309, the Mosier City Council hereby declares the City of Mosier to be in a State of Emergency due to severe weather conditions and increased threat of fire.

**Section 2. Order Prohibiting the Use and Display of Fireworks within the City of Mosier.** Use and display of fireworks as defined by ORS 480.111(7) within the City of Mosier during this State of Emergency is strictly prohibited. Use includes the lighting, exploding, or igniting of fireworks in any way. Violations of this Order shall be deemed a nuisance and shall be subject to enforcement and prosecution under the Mosier Municipal Code, in addition to being subject to all other civil and criminal enforcement and prosecution available under state and federal laws and regulations.

**Section 3. Authorization for City Manager to Respond and Mitigate Risks.** The Mosier City Manager is authorized to take reasonable actions to mitigate the risks associated with this State of Emergency including, but not limited to: coordinating services and response with public bodies; sending and receiving resources (with or without intergovernmental agreements in place) to respond to the State of Emergency; requesting assistance from other jurisdictions and the State of Oregon to the extent that assistance may be available; entering into intergovernmental agreements to mitigate damage or risk of damage to persons or property; entering into contracts for enforcement and prosecution of violations of the Order in Section 2 of this Resolution; and implementing other reasonable protective measures. The City Manager is specifically authorized to enforce the Order contained herein and to prosecute violations of the same.

**Section 4: Effective Date.** This Resolution is effective immediately upon adoption and remains in effect until 11:59 P.M July 16, 2022

**INTRODUCED AND ADOPTED** this 30<sup>th</sup> day of June, effective as of the date of adoption.

**CITY OF MOSIER**



Mayor, City of Mosier

BY: \_\_\_\_\_ TITLE: \_\_\_\_\_



Interim City Manager

**Attest:** BY: \_\_\_\_\_ TITLE: \_\_\_\_\_