



OFFICE OF MAYOR
TED WHEELER

City of Portland

IN THE MATTER OF THE)
LOCAL EMERGENCY) **Emergency Declaration Due to**
WITHIN THE CITY OF PORTLAND) **Cold Weather and Snow**
DECLARED FOR FEBRUARY 21-26, 2023) **“ED-2023-03”**

WHEREAS, the Portland metropolitan area is forecast to be impacted by cold temperatures, snowfall, and/or freezing rain beginning on February 22, 2023, and continuing through February 26, 2023; and

WHEREAS, the COVID-19 pandemic has severely impacted capacity for traditional surge capacity sheltering services; and

WHEREAS, severe cold weather and snowfall pose a threat to the health and safety of Portlanders, particularly those experiencing homelessness; and

WHEREAS, the inclement weather will pose a risk to those travelling throughout the city; and

WHEREAS, the inclement weather also poses a risk of power outages, and other interruptions in utility services including heating; and

WHEREAS, the emergency caused by inclement weather is also compounded by the existing Housing Emergency; and

WHEREAS, the following conditions exist, or are projected to exist, justifying an emergency declaration due to inclement weather: emergency shelters becoming overwhelmed, transportation routes blocked, transit service disrupted, water mains damaged, resources for transporting vulnerable people becoming depleted, emergency

workers unable to travel, downed trees blocking roads and causing power outages, and Bureau of Transportation resources being depleted; and

WHEREAS, the City of Portland must marshal any and all available resources to confront the immediate threats posed by inclement weather to the city and its inhabitants.

THEREFORE, pursuant to my authority under the Portland City Charter, City Code, and any other applicable law, I hereby Order as follows:

1. **State of Emergency.** A State of Emergency exists within the City of Portland under Portland City Code Chapter 15.04 effective at **8:00 a.m. on February 21, 2023.**
2. **Unified Command.** The City's response to the emergency shall be managed under a unified command led by the Director of the Bureau of Emergency Management.
3. **Warming Centers.** The unified command led by the Director of the Bureau of Emergency Management is hereby authorized to designate appropriate City-owned or operated indoor facilities to be open to the public, including without limitation appropriate community centers and other public buildings, but excluding public safety critical infrastructure, for the purpose of providing a safe indoor space for members of the public to avoid the snow and cold temperatures. Any costs associated with opening the City-owned or operated indoor facilities for purposes of responding to this emergency shall be tracked and borne by the respective bureau owning or operating the facility, and bureaus are authorized to request funding in the Budget Monitoring Process, if necessary, to offset any budget impacts resulting from the City's response to the emergency.
4. **Additional Responses.** The unified command led by the Director of the Bureau of Emergency Management is authorized to provide additional services to the public and vulnerable communities in response to the threats caused by the snow and severe cold temperatures. These additional services may include but are not limited to blankets, clothing, and transportation to warming centers.
5. **Closure of City Office Buildings.** Pursuant to HRAR 4.11, the Mayor will decide and announce if City office buildings will be closed to the public, except those facilities that are under the sole direction and control of City Bureaus that are outside of the City of Portland downtown area. Pursuant to HRAR 4.11, these facilities include: Bureau of Parks and Recreation Community Centers, Parks Natural Areas and Pools; Columbia Boulevard Wastewater Treatment Plant, Tryon Creek Wastewater Treatment Plant, Water Pollution Control Lab; Portland Water Bureau Bull Run Headworks; and other locations as designated by the operating bureau and Commissioner in Charge. For those facilities only, the Commissioner in Charge is authorized to make the decision to close during periods of inclement weather.

6. **City Employees.** HR Administrative Rule 4.11, Inclement Weather, is in effect for the duration of this emergency, and the Director of the Bureau of Human Resources is authorized to provide additional guidance to City employees regarding the requirements of HRAR 4.11. City employees are encouraged to assist at an indoor facility to support the City's effort to address this emergency. City employees who are exempt from the Fair Labor Standards Act, but who work extended hours to meet the needs of the City during this emergency are authorized to receive hour for hour overtime. Expenses incurred for this emergency may be charged to the city's emergency expense fund, as allowable. Bureaus will be provided further instructions.
7. **Financial Resources.** The Director of the Bureau of Emergency Management, or their designee, is hereby directed to pursue any and all available financial resources from any lawful source whatsoever that may be used to protect and promote the public health, safety and welfare from the threats of inclement weather, and otherwise respond to the threats giving rise to this Emergency Declaration.
8. **Other Provisions.**
 - a. In addition to any other power that may lawfully be exercised by local government, the powers listed in PCC 15.08.020.B are vested in the Mayor.
 - b. For the duration of this emergency, unless otherwise specified by the Mayor and subject to the terms of this Emergency Declaration, the unified command, and any orders issued under the authority of this declaration, the current bureau assignments to the members of the City Council shall remain in effect as delegated authority under PCC 15.08.020.A.
 - c. This State of Emergency shall remain in effect through **11:59 p.m. on February 26, 2023**, unless otherwise extended, modified, or terminated.
 - d. The PBEM Director is delegated authority to determine whether and when to open warming centers as weather conditions continue to develop during the period covered by this emergency declaration.
 - e. If any provision of this Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, or their application to any person or circumstance is held to be invalid, then the remainder of the duly exercised authority, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, are severable.

IT IS SO ORDERED:

Dated this 17th day of February, 2023

City of Portland, Oregon

By: _____

A handwritten signature in black ink, appearing to read "Ted Wheeler", is written over a solid black horizontal line.

Ted Wheeler, Mayor

APPROVED AS TO FORM:

**Robert Taylor, City Attorney
For Portland, Oregon**