WHEREAS, the Yachats City Council met in a joint meeting with Lincoln County and other cities within Lincoln County on June 19, 2020; and

WHEREAS, the Yachats City Council discussed the impact of limited gathering sizes on the spread of COVID-19.

NOW THEREFORE, the City of Yachats resolves to implement Lincoln County Order 6-20-168 (Attachment A)

This Resolution memorializes action taken by the Council on June 19, 2020 and is effective as of that date.

CITY OF YACHATS

By: [Signature]

W. John Moore, Mayor

ATTESTED TO BY:

[Signature]

Shannon Beaucaire, City Manager
BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON

ORDER NO. 6-20-168

WHEREAS Lincoln County, by Resolution dated March 13, 2020 and ratified and extended by the Board of Commissioners on March 18, 2020¹, declared an emergency in Lincoln County created by the COVID-19 pandemic crisis which is threatening citizens of Lincoln County²; and

WHEREAS the Cities of Lincoln City³, and Newport⁴, have also declared emergencies and the Cities of Toledo, Depoe Bay, Yachats and Waldport adopted declarations and/or have taken precautionary actions including closing public facilities to address the crisis⁵; and

WHEREAS the Governor of the State of Oregon declared a state of emergency for the entire state on March 8, 2020 finding that COVID-19 has created a threat to public


² The Declaration of an Emergency applies throughout Lincoln County since this health issue is not confined to specific geographic portions of the County but threatens county residents across the entire County. On March 11, 2020 the US Center for Disease Control (CDC) declared the threat pandemic in the US and cases have been reported in all 50 states.

³ Resolution No. 2020-06 dated March 16, 2020. Note this has been extended.

⁴ Affirmed by the City Council on March 16, 2020. Note this has been extended.

⁵ The County is unaware of any Lincoln County City not currently operating under a continuing local emergency declaration.

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225 West Olive Street, Room 110
Newport, Oregon 97365
(541) 265-4108

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health and safety and constitutes a statewide emergency under ORS 401.025(1).\textsuperscript{6} That emergency declaration is currently extended through July 6, 2020; and

WHEREAS the President of the United States signed a proclamation declaring a national emergency concerning the novel coronavirus disease (COVID-19) outbreak on March 13, 2020; and

WHEREAS local, state and national public health agencies\textsuperscript{7} have instituted guidelines, recommendations and actions to curb the spread of the disease in an attempt to "flatten the curve" of the disease's progression in the United States. Many of those recommendations have been adopted by States and local governments across the country. In Oregon, the Governor has issued Executive Orders 20-3 through 20-28 to slow the spread of the virus through phased reopening plans for counties, schools, requirements for restaurants and bars services, and continued limitations on public and private gatherings, among many other requirements; and

WHEREAS the implementation of the Governor's social distancing order and public education campaign has not proven completely effective on the Central Oregon Coast in Lincoln County as significant outbreaks of the disease has occurred in the County.\textsuperscript{8}

WHEREAS numerous public health officials in Lincoln County and the state of Oregon have examined the epidemiology of the disease nationally, within the state and the County and have determined that larger sized social gatherings are a potentially risky source of triggering larger scale outbreaks of the disease. Lincoln County continues in Phase 1 requirements which are substantially more restrictive than what is allowed under

\textsuperscript{6} Executive Order No. 20-3

\textsuperscript{7} Including but not limited to Lincoln County Public Health, a division of the Lincoln County Health and Human Services Department (County Public Health), the Oregon Health Authority (OHA), and the federal Center for Disease Control (CDC).

\textsuperscript{8} Confirmed cases in Lincoln County were at 10 persons on May 31, 2020. As of June 18, 2020, at 1:15 pm the number of confirmed cases is 230.
Phase 2. In all phases voluntary social distancing actions are not being followed in many areas including the Central Oregon Coast which exacerbates the risk to the community; and

WHEREAS the Lincoln County Public Health Administrator and Local Health Officer both confirm that limiting the size of social gatherings, especially those where specific guidance is not available, will assist in slowing the spread of the disease during the current outbreaks in our County. They also confirm that acting in anticipation of larger gatherings over the summer months including upcoming holidays will likely decrease the chances of wider spread of the disease; and

WHEREAS state baseline guidance for gatherings now in place allows local, cultural, civic and faith gatherings for up to 25 people provided physical distancing can be in place and prohibits local social gatherings over 10 people. By comparison Lincoln County is in Phase 1 which differs from baseline by also allowing for any purpose, including any social and recreation, gatherings of up to 25 people provided physical distancing is in place and other OHA guidance (such as for restaurants) is followed; and

WHEREAS the County desires to return to baseline guidance for private social gatherings only as a further means to prevent spread of the disease; and

WHEREAS it is necessary that a coordinated and collaborative action be taken by all impacted jurisdictions in Lincoln County and therefore concurrence of the city councils of all County coastal cities (Lincoln City, Depoe Bay, Newport, Waldport, Siletz, Toledo and Yachats) is necessary to fully implement the action authorized by this Order; and

WHEREAS pursuant to the authority granted the Lincoln County Board of Commissioners under ORS Chapter 401, ORS Chapters 431, 431A and 433 as the Local

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9 Governor’s Executive Order # 20-25, paragraph 3. Those gatherings under 10 people must use physical distancing.

10 Governor’s Executive Order # 20-25, paragraph 17.
Public Health Authority, Lincoln County Ordinance # 502\textsuperscript{11} (Emergency Services) and the Lincoln County Emergency Operations Plan\textsuperscript{12}, the Board of Commissioners deems it necessary to institute further restrictions in addition to statewide regulations and guidance.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. This Order shall apply in Lincoln County\textsuperscript{13} until the County moves into Phase 2 of the Governor’s Reopening Plan for Oregon, or the Governor changes statewide baseline requirements concerning gatherings, or the Board otherwise acts to expand, modify, and remove the restrictions.

2. Beginning June 24, 2020, the County will restrict private social gatherings only to no more than 10 persons in accordance with statewide baseline requirements as currently set by the Governor’s Executive Order.\textsuperscript{14} All other gatherings and activities authorized under statewide guidelines, and under Phase 1 including business and activities with specific OHA guidance, shall be allowed to operate at the gathering size set by the state.

3. This Order takes effect on June 24, 2020.

4. This Order may be modified, rescinded or extended by authority of the Board of Commissioners in consultation with the Cities and Local Public Health Administrator. If so modified, a copy shall be provided to Depoe Bay, Newport, Toledo, Siletz, Waldport and Yachats.

5. This Order was presented and concurred to by either authorized city personnel or the direct action of the City Councils of Depoe Bay, Newport, Siletz, Toledo\textsuperscript{15}, and Yachats

\textsuperscript{11} Not yet codified in the Lincoln County Code.

\textsuperscript{12} Adopted by Order # 8-18-206.

\textsuperscript{13} Except for within the Boundaries of any city that does not concur with the Order. See Paragraph 5 of the Order and footnote 15 below.

\textsuperscript{14} As noted in paragraph 1 of this Order, if the Governor changes the statewide baseline requirements for gatherings, that will automatically change the County’s requirements without need of further action.

\textsuperscript{15} To be acted on June 24, 2020.

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on June 19, 2020 at a joint public meeting with the Board of Commissioners and therefore applies within the incorporated boundaries of those cities.\footnote{If a city does not concur, this Order shall not apply within the corporate boundaries of that city. Lincoln City did not concur. Waldport has not scheduled a date to discuss the Order as of June 19, 2020.} At any time, the City Council of any of these cities may opt by Council Action to rescind that concurrence, at which time the Order will have no effect within the boundaries of that city without necessity of any further action.

6. Copies of this Order shall be provided to Jenny Demaris, Emergency Manager, Wayne Belmont, County Counsel, and representatives of each of the cities listed above.

DATED: June 19, 2020

LINCOLN COUNTY BOARD OF COMMISSIONERS

\underline{Kaety Jacobson, Chair}

\underline{Doug Hunt, Commissioner}

\underline{Claire Hall, Commissioner}