

#### CURRY COUNTY BOARD OF COMMISSIONERS

94235 Moore Street Gold Beach, Oregon (541) 247-3296

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#### AGENDA WORKSHOP

August 30, 2023 10:00 a.m.

Items may be taken out of sequence to accommodate staff availability and the public.

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE
- 2. AMENDMENT AND APPROVAL OF THE AGENDA
- **3.** PRESENTATION (10:00 a.m.)
  - A. Camping Regulations
    - i. Ordinance 23-03 (Camping Regulations)
    - ii. HB 3115
    - iii. ORS 195.500
- 4. PRESENTATION (1:00 p.m.)
  - A. Warming Center Policy
    - i. City of Brookings Warming Center Policy
    - ii. City of Coos Bay Warming Center & Shelter Policy
- 5. ADJOURN



#### **CURRY COUNTY BOARD OF COMMISSIONERS** REQUEST FOR AGENDA ITEM

Workshop

Agenda Date:	Agenda Item Title:
August 30, 2023	Prohibited Camping Regulations
Financial Impact:	Description and Background:
None	The Ordinance 23-03 codifies a policy regarding prohibited camping within
Category:	the unincorporated areas of the County. The policy enacts reasonable
	restrictions on the time, place and manner in which individuals are able to
	camp on public property. Community input is an important part of
	determining the best manner in which to proceed with the development &
	enforcement of this Ordinance.

#### **Attachments:**

- 1. Ordinance 23-03 (Camping Regulations) 2. HB 3115
- 3. ORS 195.500

Contact Person – Name and Department:	Date Submitted:
Ted Fitzgerald, DCO	August 24, 2023

# BEFORE THE BOARD OF COUNTY COMMISSIONERS IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of an Ordinance Adopting Article Six, Division Eleven of County Code (Camping Regulations)	,	ORDINANCE NO. 23-03
-	)	

WHEREAS, pursuant to ORS 195.500 and Oregon House Bill 3115, Curry County must develop and implement a policy that recognizes the social nature of the problem of homeless individuals camping on public property and that any regulations enacted pursuant to such a policy must be objectively reasonable; and

WHEREAS, the County desires to establish regulations regarding authorized camping in the unincorporated areas of the County to allow for legal camping subject to supervision and regulation during reasonable time periods; and

WHEREAS, because of the nature of the allowances made by local, state, and federal law, Curry County must set in place reasonable regulations to protect public resources that are the backbone of the County, such as water, wildlife and transportation infrastructure.

## NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

#### SECTION I TITLE

This Ordinance shall be known as Ordinance No. 3-63 and may be cited as "Ordinance Adopting Article Six, Division Eleven of Curry County Code regarding Camping Regulations."

#### SECTION II AUTHORITY

This Ordinance is enacted pursuant to the authority of ORS 195.500 and any subsequent amendments thereto.

#### SECTION III PURPOSE

The purpose of this Ordinance is to codify certain reasonable time, place, and manner restrictions in relation to any individual's ability to camp within the unincorporated areas of Curry County.

#### SECTION IV ADOPTION

The provisions of this Ordinance and the attached Article Four, Division Three, incorporated herein by reference, are hereby adopted and shall be effective upon the date of this Ordinance and shall remain in force and effect until otherwise ordained by the Board of Curry County Commissioners.

Curry County Clerk, Shelley Denney
Filed Date 6 30 33
Time 1133 AM - 8 Pages
Deputy Stratugh

#### SECTION V SEVERANCE CLAUSE

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The legislative body hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any provision be declared unconstitutional or otherwise invalid.

#### SECTION VI EMERGENCY CLAUSE

The Curry County Board of Commissioners deems the adoption of this Ordinance to be necessary for the immediate preservation and protection of the public peace, health, safety, and general welfare for Curry County. Therefore, it is declared that an emergency exists, and this Ordinance shall be in full force and effect upon its adoption.

#### SECTION VII EFFECTIVE DATE

First Reading:

Effective Date:

This Ordinance shall become effective upon its date of passage.

June 28, 2023

June 28, 2023

DATED this 28 <sup>th</sup> day of June, 2023.	John Herzog, Chair
Approved as to Form:  Michael E. Fitzgerald, OSB #950738  Curry County Legal Counsel	Brad Alcorn, Vice Chair  Jay Trost, Commissioner

#### ARTICLE SIX

**DIVISON ELEVEN** 

**CAMPING REGULATIONS** 

**SECTION 6.06.010** 

Reserved

**SECTION 6.06.020** 

**DEFINITIONS** 

The following terms used in this Division shall have the meanings set forth below:

"Board" means the Curry County Board of Commissioners.

"Camp" or "Camping" means to pitch, erect, create, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.

"Campsite" means any place where one or more persons have established temporary sleeping accommodations by use of camp facilities and/or camp paraphernalia.

"Camp Facilities" include, but are not limited to, tents bivouacs, huts, other temporary or portable shelters, and vehicles or recreational vehicles as defined by Oregon law.

"Camp Paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or other sleeping material, or non-County designated cooking facilities and similar equipment.

"Campground" means a location where one or more campsites are located.

"County Property" includes all real property, land and public facilities owned, leased, controlled, or managed by the County, including rights of way.

"Intersection" means where two or more Roads converge, diverge, meet, or cross at the same height.

"Open to the Public" means County property that may be used by the public without the payment of any fee. The County Fairgrounds property, gated or otherwise, is not considered to be Open to the Public.

"Outdoors" means in the open air outside of any building or other permanent structure, which includes the parking lot of any park or public building.

"Park Areas" means publicly owned grounds providing passive and active recreation opportunities, including but not limited to Boice Cope Park and Lobster Creek.

"Parking Lot" means a developed location that is designated for parking motor vehicles, whether developed with asphalt, concrete, gravel, or other material.

- "Playground" means a portion of Public Property prepared primarily for children to play in.
- "Public Property" means any real property or structure owned, leased or managed by a local, state, or federal agency, including public rights-of-way, waters of the State, and utility easements.
- "Rest Activities" means the acts of sitting, lying, sleeping, or keeping warm and dry.
- "Right-of-Way" means all County-owned or controlled right-of-way, whether in fee title or as holder of a public easement for right-of-way, utilities, or public access purposes. Public right-of-way include but are not limited to, any Road, street, sidewalk, or private street or other property that is subject to a public access or utility easement dedicated or granted to the County for vehicular, pedestrian, utility or other uses, and any planter strip or landscaped area located adjacent to or contained within streets that is part of the public right-of-way.
- "School" means a public or private institution for the purpose of education, or a public or private child care facility.
- "Store" or "Storage" means to put aside or accumulate for use when needed, to put for safekeeping, and/or to place or leave in a location.
- "Road" means the improved part of the public right-of-way that provides ingress to or egress from property by means of vehicles or other means or that provides travel between places by means of vehicles; including but not limited to ways described as streets, highways, throughways, or alleys, road related-structures that are in the right of way such as tunnels, culverts, or similar structures, and structures that provide for continuity of the right of way such as bridges.
- "Tent" means a portable shelter made of fabric stretched tight and supported by one or more poles, cords, rope, or loops.
- "Trash" means what a reasonable person would consider worthless or discarded material or objects, refuse or rubbish; and does not include weapons, contaminated or filthy materials, drug or drug-related paraphernalia, or items that reasonably could be considered as constituting a danger to human life or safety.
- "Waterway" or "Body of Water" means any ocean, lake, estuary, river, stream or tributary, creek, pond, reservoir, wetland, canal; with distance being measured from the regular high water line.

#### SECTION 6.06.030 EXCEPTIONS FROM CAMPING REGULATIONS

This section's regulations are meant strictly to regulate the use of public property within the unincorporated areas of Curry County and are not intended to directly regulate activities conducted on private property by the property owner or their designee. Specifically, any prohibition enacted by this Division shall not apply to:

a. Individuals who have paid to camp in a County-designated campground. Camping in County parks shall be subject to the rules and regulations of the County Parks Department.

- b. Individuals camping as specifically authorized by a contract with the County or an agreement to provide voluntary services to the County.
- c. Individuals camping as specifically authorized by a permit approved by the Curry County Board of Commissioners.
- d. Individuals camping as specifically authorized and directed by an emergency or disaster declaration adopted by the Curry County Board of Commissioners.

#### SECTION 6.06.040 TIME RESTRICTIONS

#### Section 6.06.041 Authorized Hours

Except as expressly authorized by Curry County Code, it shall be unlawful for any person to camp or maintain a campsite on any public property during the hours of 6:00 a.m. to 10:00 p.m. Campsites must be packed up, cleared of all camp materials and trash, and vacated no later than 6:00 a.m.

#### Section 6.06.042 Storage of Personal Property

Except as expressly authorized by Curry County Code, it shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, on any public property during the hours of 6:00 a.m. to 10:00 p.m.

#### Section 6.06.043 Unattended Personal Property

Except as expressly authorized by Curry County Code, it shall be unlawful to knowingly leave personal property unattended on public property during the hours of 6:00 a.m. to 10:00 p.m. Personal property left unattended may be removed and disposed of by the County, in accordance with Oregon law and Section 6.06.070, if the property poses a threat to public health, safety, or welfare; or if the property has been posted with a written notice in accordance with Oregon Law.

#### SECTION 6.06.050 PLACE RESTRICTIONS

#### Section 6.06.051 Location of Camps

Camping and Rest Activities shall only take place Outdoors, on property Open to the Public, and in compliance with the following place requirements:

#### Section 6.06.052 Size of Camps

Campsites shall be limited to an area of not more than 100 square feet. All Camp Materials and other personal property must be contained within a single campsite.

#### Section 6.06.053 Prohibited Camp Locations

Except as specifically allowed by Curry County Code, it shall be unlawful for any person to establish or occupy a campsite at any time if such camp is:

a. Within any park area or athletic field.

- b. On sidewalks or roadsides in a manner that reduces the clear, continuous width of less than five (5) feet, or otherwise contrary to County Code, specifically such provisions regarding rights of way or "Clear Zones" as defined by Article Three, Division Four.
- c. Within 1,000 feet of a school.
- d. Within 250 feet of a waterway.
- e. Within 250 feet of a playground.
- f. Within 75 feet of any Intersection.
- g. On County Property that is permanently closed to public use, or during days or hours that County Property is closed to the Public.
- h. Obstructing any portion of any Road, bike lane, bike path, or other premises that are used or usable in connection to transportation.
- i. Within four feet of the shoulder of any Road that does not have a curb.

#### Section 6.06.053 Authority of Board of Commissioners

Notwithstanding the provisions of this Division, the County Board of Commissioners, the Director of County Operations, or the designee of either may temporarily authorize camping or storage of personal property by written order that specifies the period of time and location in the event of emergency circumstances; in conjunction with a special event permit; or upon finding it to be in the public interest and consistent with County goals and policies.

#### Section 6.06.054 Camping Restrictions

No more than three campsites shall be permitted at the same time in any Campground. While Camping or engaging in Rest Activities, no individual shall:

- a. Engage in conduct that violates State or Federal law.
- b. Camp without paying in an area designated for paid Camping.
- c. Attach Camp Materials or personal property to fences, trees, vegetation, vehicles, buildings, utility poles, or any other infrastructure.
- d. Use an unauthorized connection to tap into electrical, water or other utilities.
- e. Use any permanent structure for the storage of personal property unless the structure has been designated for that purpose.
- f. Erect any permanent or semi-permanent structures, or incorporate any existing structures, fixtures, or other existing infrastructure in any type of Camp Facility.

- g. Use a fire or flame for any purpose, unless outdoors and confined to a Camp Stove or County-provided fireplace or fire ring; with the following restrictions:
  - The fire or flame may not be left unattended.
  - The fire or flame shall be extinguished before leaving the campsite.
  - The fire or flame may not be used when burning or fire restrictions are put in place by a local authority such as Coos Forest Protective Association.
  - The fire or flame shall not cause damage to public property, private property, vegetation, or infrastructure of any kind.

#### SECTION 6.06.060 MITIGATION OF UNLAWFUL CAMPSITES

#### **6.06.063 Mitigation**

Cleanup of unlawful campsites will be scheduled at the discretion of the Curry County Board of Commissioners or their designee(s).

#### 6.06.063 Emergency Mitigation

Notwithstanding the provisions of this section, cleanup of campsites may occur immediately and without notice if the Board or their designee determines that any of the following conditions exist:

- a. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring at an established campsite.
- b. In the event of an exceptional emergency at an established campsite, including, but not limited to, possible site contamination by hazardous materials, a public health emergency, or other immediate danger to human life or safety.
- c. If a funeral service is scheduled with less than 72 hours' notice at a cemetery at which there is a camping site, or a camping site is established at the cemetery less than 72 hours before the scheduled service, the written notice required under subsection 6.06.062 of this section may be posted at least 24 hours before the cleanup.

#### **6.06.062 Posted Notice**

Permanent signs may be posted advising that camping is prohibited on certain public property. Whether or not a permanent sign is posted, a notice containing a specific date and time will be posted and distributed in the area of a scheduled cleanup at least 72 hours before the cleanup.

# SECTION 6.06.070 REMOVAL, STORAGE & RETRIEVAL OF PERSONAL PROPERTY

#### 6.06.072 Abandoned Property

Any property removed by the County in accordance with the provisions of this Division shall be held and disposed of pursuant to the provisions of ORS Chapter 98 if not claimed within thirty (30) days after removal.

#### 6.06.072 Claiming Property

Individuals may claim their property, without a fee, by contacting the Curry County Sheriff's Office within thirty (30) days.

#### 6.06.073 Exceptions to Storage of Abandoned Property

Items that have no apparent utility or are in unsanitary condition may be immediately discarded. Weapons, controlled substances (not including prescription medication specifically prescribed to the possessor) and items that appear to be stolen or that are evidence of a crime shall be retained and disposed of by the Curry County Sheriff's Office in accordance with applicable legal requirements for the property in question; and shall not be subject to thirty (30) days' storage.

#### SECTION 6.06.080 PENALTIES & ENFORCEMENT

#### 6.06.081 Fine

Violation of any provision of this Division is punishable by a fine not less than \$100.00 nor more than \$1,000.00 for the first offense, and for the second and subsequent offenses, not less than \$500.00, nor more than \$5,000.00.

#### 6.06.082 Separate Offenses

Each day that a violation occurs will be considered a separate offense.

#### 6.06.083 Violation Constitutes Public Nuisance

In addition to any other penalties that may be imposed, any campsite used for overnight sleeping in a manner not authorized by this Division or other provisions of this code shall constitute a public nuisance and may be abated in accordance with Oregon law.

#### SECTION 6.06.090 NONEXCLUSIVE REMEDY

The remedies described in this chapter shall not be the exclusive remedies of the County for violations of this Division.

# Enrolled House Bill 3115

Sponsored by Representative KOTEK; Representatives DEXTER, MARSH, MCLAIN, POWER, REYNOLDS, WILDE, Senators DEMBROW, MANNING JR, RILEY

CHAPTER	
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#### AN ACT

Relating to the regulation of public property with respect to persons experiencing homelessness; and declaring an emergency.

#### Be It Enacted by the People of the State of Oregon:

#### SECTION 1. (1) As used in this section:

- (a) "City or county law" does not include policies developed pursuant to ORS 203.077 or 203.079.
- (b)(A) "Keeping warm and dry" means using measures necessary for an individual to survive outdoors given the environmental conditions.
- (B) "Keeping warm and dry" does not include using any measure that involves fire or flame.
  - (c) "Public property" has the meaning given that term in ORS 131.705.
- (2) Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.
- (3) It is an affirmative defense to a charge of violating a city or county law described in subsection (2) of this section that the law is not objectively reasonable.
- (4) A person experiencing homelessness may bring suit for injunctive or declaratory relief to challenge the objective reasonableness of a city or county law described in subsection (2) of this section. The action must be brought in the circuit court of the county that enacted the law or of the county in which the city that enacted the law is located.
- (5) For purposes of subsections (2) and (3) of this section, reasonableness shall be determined based on the totality of the circumstances, including, but not limited to, the impact of the law on persons experiencing homelessness.
- (6) In any suit brought pursuant to subsection (4) of this section, the court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff if the plaintiff:
  - (a) Was not seeking to vindicate an interest unique to the plaintiff; and
- (b) At least 90 days before the action was filed, provided written notice to the governing body of the city or county that enacted the law being challenged of an intent to bring the action and the notice provided the governing body with actual notice of the basis upon which the plaintiff intends to challenge the law.
- (7) Nothing in this section creates a private right of action for monetary damages for any person.

SECTION 2. Section 1 of this 2021 Act becomes operative on July 1, 2023.

Enrolled House Bill 3115 (HB 3115-INTRO)

Page 1

SECTION 3. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 15, 2021	Received by Governor:
	, 2021
Timothy G. Sekerak, Chief Clerk of House	Approved:
	, 2021
Tina Kotek, Speaker of House	
Passed by Senate June 9, 2021	Kate Brown, Governor
	Filed in Office of Secretary of State:
Peter Courtney, President of Senate	, 2021
	Shemia Fagan, Secretary of State

# ORS 195.500 Policy for removal of homeless individuals camping on public property

All municipalities and counties shall:

- (1) Develop a policy that recognizes the social nature of the problem of homeless individuals camping on public property.
- (2) Implement the policy as developed, to ensure the most humane treatment for removal of homeless individuals from camping sites on public property. [Formerly 203.077]

Note: 195.500 (Policy for removal of homeless individuals camping on public property) to 195.510 (Sites not subject to ORS 195.500 to 195.510) were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 195 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.



#### **CURRY COUNTY BOARD OF COMMISSIONERS** REQUEST FOR AGENDA ITEM

Workshop

Agenda Date:	Agenda Item Title:
August 30,2023	Warming Center Policy
Financial Impact:	Description and Background:
None	The need for a warming shelter during the cold or inclement weather has
Category:	been a topic throughout the State. This Policy would allow an entity to open
	up a warming shelter under guidelines and restrictions from the governing
	body creating clear standards. Attached are policies that have been
	implemented by the City of Brookings and the City of Coos Bay.

#### **Attachments:**

- City of Brookings Warming Center Policy
   City of Coos Bay Center & Shelter Policy

Contact Person – Name and Department:	Date Submitted:
Ted Fitzgerald, DCO	August 24, 2023

### **WARMING CENTER POLICY**



#### Purpose:

The purpose of a warming center policy is to provide standards for temporary protection when the National Weather Service projects a temperature of 36 degrees or less or inclement weather (such as high wind warnings or heavy rain and wind events or wind chills at or below 32 degrees) warranting the opening of the warming center as determined by the City Manager or his designee.

Protocol to activate the warming center is as follows: Standby is called 72 hours out if the night time average forecast is below 36 degrees. The first night of an activation is called 48 hours out if the average forecasted temperature is still below 36 degrees. Consecutive activation nights will be called 24 hours out if the average forecasted temperature remains under 36 degrees.

#### Requirements:

- 1) Meeting with the Fire Chief and Building Official and a walk-through of the proposed facility. Approval of the State Fire Marshal.
- 2) Located within a commercial or industrial zone
- 3) Compliance with requirements of the warming center to:
  - A. Accept responsibility for the safety of anyone using the facility.
  - B. Designate a responsible person with authority to insure order and security as well as watch for hazardous conditions. This responsible person must remain alert at all times while the warming center is operational.
  - C. Limit areas authorized for warming center use within the business/building area to the space identified by the Fire Chief and Building Official walk-through. Access shall be denied to areas where people cannot be adequately supervised.
  - D. Limit the maximum occupancy based on the area and number identified by the Fire Chief and the Building Official during the walk-through. This occupancy will include staff.
  - E. Contact the City of Brookings Police Department (541-469-2218) with the estimated time of opening and expected closure time of the warming center.
  - F. Prohibit beds or private spaces.

#### Coos Bay

#### **Warming Centers and Shelters**

#### Section 1 Warming Center

#### Definition

A short-term emergency shelter that operates when temperatures or weather conditions become dangerously inclement. A warming center does not provide beds or private spaces. The purpose of a warming center is the prevention of death or injury from exposure to the elements.

#### **Approval Process**

A business or organization that would like to operate a warming center within their building or facility must have the written approval from the City of Coos Bay prior to operation. Approval must be renewed annually.

The business or organization must submit an operation plan that includes security, procedures, staffing, contact information, and a map of the facility.

The Building Official and/or Fire Marshal will conduct a site inspection of the proposed warming center. This site inspection will verify accessibility, identify potential hazards, and determine an allowable occupancy for the warming center.

The sponsoring business or organization must provide a responsible person with the authority to insure order and security as well as watch for hazardous conditions. This responsible person must remain alert at all times while the warming center is operational. Access to areas where people cannot be adequately supervised shall be restricted.

#### **Activation Criteria**

The warming center is a temporary use and should only be opened for the temporary and emergency housing of persons during severe weather. Therefore, housing of persons is allowed only when temperatures fall, or are forecasted to fall <u>below 36 degrees</u> Fahrenheit or for <u>extreme weather</u> conditions.

When opening the warming center, a representative of the business or organization must notify the dispatch center in the Coos Bay Police Department by calling 541-269-8911. This notification should include the address, anticipated hours of operation, and the maximum number of people allowed in the shelter.

#### **Warming Centers and Shelters**

#### Section 2 Temporary Shelter

#### Definition

The short-term (less than 30 days) housing of individuals or families. Temporary shelters typically offer beds, meals, showers, laundry, and privacy for individuals or families. The purpose of a temporary shelter is to provide interim housing for individuals or families transitioning to a long-term residential solution.

#### **Approval Process**

A business or organization that would like to operate a temporary shelter within their building or facility must have the written approval from the City of Coos Bay prior to operation.

A business or organization that has a primary purpose of providing temporary shelter must meet City zoning and code requirements. Fire and Life Safety inspections of these facilities will be conducted annually.

A business or organization that does not operate as a temporary shelter as the primary function may apply to the City to operate a temporary shelter on an occasional basis or as a peripheral service. Approval must be renewed annually. The business or organization must submit an operation plan that includes security, procedures, staffing, contact information, and a map of the facility. The building official and/or Fire Marshal will conduct an on-site inspection of the facility prior to approval to operate a temporary shelter. The Building Official will determine the allowable occupancy of the temporary shelter.

#### **Activation Criteria**

A business or organization approved to operate a temporary shelter on an occasional basis or as a peripheral service must notify the Community Services department at City Hall when the temporary shelter is being occupied. This notification should include the number of occupants, length of stay, and an emergency contact number. Community Services will notify the Fire Department and Police Department of the temporary shelter activation.

#### **Warming Centers and Shelters**

#### Section 3 Emergency Shelter

#### Definition

The temporary (mass) housing of individuals or families that have been displaced from their primary residence due to a disaster or significant calamity impacting the community. Potential emergency shelters are identified pre-disaster and typically include schools, churches, or other large assembly occupancies.

#### **Approval Process**

Emergency Shelters are identified and approved by the City prior to being listed in the Emergency Operations Plan. The Building Official and/or the Fire Marshal have the authority to determine the suitability and potential occupancy load for an emergency shelter.

Activation of an Emergency Shelter is at the discretion of the City Council and the Emergency Management Overhead Team as outlined in the Emergency Operations Plan.

When it is determined that an Emergency Shelter is to be opened, City staff will work with the American Red Cross and a site representative to determine that the prospective shelter is safe for occupation. Factors to consider include structural stability, condition of utilities, location of the shelter, accessibility, sanitary limitations, and available resources.

#### **Activation Criteria**

Activation procedures and other guidelines for emergency shelters are identified within the City Emergency Operations Plan



# **City of Coos Bay Fire Department**

450 Elrod Avenue Coos Bay, Oregon 97420 ● (541) 269-1191

October 31,2022



Thank you for again expressing an interest in serving the community by offering the Center as a warming center during this winter season. Although the building is not designed or zoned for that type of use, the City recognizes that there is a need for protecting people from the elements during periods of harsh weather and therefore we would like to work with you to provide a safe environment if you would like to provide this service. With this in mind, I conducted a walk-through inspection of the Center with our Fire Marshal on Friday, October 21, 2022.

There were three issues that need to be addressed immediately:

- 1. The emergency exit sign that hangs above the door that leads back into the building should be covered or removed. A room that size does not need a second exit and we don't want to direct people further into the building.
- 2. Housekeeping. The room that serves as the seasonal warming center is cluttered with piles of donations and other unorganized items. This excessive fuel load creates an unsafe condition and must be removed or sorted and organized before the room can be utilized as a warming center.
- 3. The extension cord to the television, while heavy enough cannot be plugged into one appliance. I recommend replacing with a long-corded power strip (temporary fix) or having an outlet wired to the area (permanent fix) where the tv is used.

Travis was present during the inspection and is aware of the issues that need correction. Provided these items are corrected, it is my recommendation to allow you to operate a temporary warming shelter within the Center at Avenue under the following guidelines:

The warming center is a temporary use and should only be opened for the temporary protection of persons during severe weather. Therefore, the warming center is allowed only when temperatures are forecasted to fall below 36 degrees Fahrenheit or for <u>extreme weather</u> conditions. The agreed upon authority for official temperatures is the National Weather Service (www.weather.gov).

When opening the warming center, you are accepting the responsibility for the safety of anyone using your facility. You are required to <u>provide a responsible person</u> with authority to insure order and security as well as watch for hazardous conditions. This responsible person must remain alert at all times while the warming center is operational. A warming center does not provide beds or private spaces.

Approved areas for housing people are <u>limited to the public areas</u> of the business/building as identified during the walk-through inspection. Access to areas where people cannot be adequately supervised shall be restricted. The maximum capacity for the room approved for operating the warming center is 49 persons, including staff.

When opening the warming center, you must <u>notify the dispatch center</u> in the Coos Bay Police Department by calling 541-269-8911. This notification should include the estimated time of opening and expected closure of the warming center.

Provided that you comply with these guidelines, the City of Coos Bay will approve the use of the Center as an emergency warming center for this winter season. This approval expires 6/30/2023.