

CITY OF SALEM
REVISED EMERGENCY ORDER
IMPLEMENTING RESOLUTION NO. 2020-49

FROM: SALEM CITY MANAGER, Salem, Oregon

On January 21, 2020, the Salem City Council declared an emergency relating to unsheltered residents and on November 9, 2020, the Council amended the declaration to allow the waiver of land use regulations for warming centers and emergency shelters, and extended the state of emergency to October 26, 2021 (the “Declaration”). The Declaration, authorized the City Manager, acting as the City’s Emergency Program Manager, to issue certain order, and take other necessary actions to address the emergency conditions set forth in the Declaration. In March 2020, the City Manager issued an emergency order; 1) waiving applicable land use regulations for United Way’s Safe Sleep Shelter to expand capacity to 19 persons, and; 2) implemented a vehicle camping pilot program. Therefore, pursuant to *Salem Revised Code* (SRC) 2.660-2.680, the City Manager issues the following order amending and extending the previously issued emergency order as set forth herein:

1) Authorized Vehicle Camping.

Vehicle-camping is hereby authorized, subject to the standards and requirements set forth below:

- a) Vehicle-camping is limited to properties operated by a non-profit, public, or commercial entity, and not located within or adjacent to a residential zone, or property currently used for a residential use;
- b) Daily hours of operation are limited to 6:00 p.m. to 7:00 a.m.;
- c) The property owner must register the location with the City, Community Development Department;
- d) No more than 12 locations may be registered with the City at any time;
- e) The property owner shall provide on-premises access to a minimum of two

restrooms per location;

- f) The property owner shall provide the equivalent of one 32 cubic foot garbage receptacle for each vehicle on the premises in addition to any garbage receptacles otherwise required for the property;
- g) Camping is limited to vehicles, and not tents or other improvised camps;
- h) Vehicles possessing septic systems (e.g., recreational vehicles) must be emptied and free of leaks prior to admittance to a site;
- i) No more than eight vehicles are allowed per location;
- j) No more than five unrelated people or one family per vehicle is allowed (“family” means two or more people related by blood or marriage);
- k) All vehicles used for camping must be licensed and registered;
- l) All personal property must be managed and stored in compliance with SRC Chapter 50 – Property Maintenance;
- m) All activities shall comply with SRC chapter 93 – Noise;
- n) No open flames will be allowed at the location, including within the vehicles;
- o) The owner-operator of a location may not charge a fee for the use of the property for camping;
- p) The owner-operator has the right to refuse entry or discontinue use for any individual, subject to SRC chapter 97 - Human Rights;
- q) No person may camp at a registered location for more than 29 consecutive days, and;

2) Warming Centers and Emergency Shelters.

“Warming Center” has that meaning set forth in Resolution No. 2020-49, “a short-term emergency shelter, closed during daytime hours, that operates when temperatures or a combination of

inclement weather becomes a threat to human health and safety.

“Emergency Shelter” has that meaning set forth in Resolution No. 2020-49, “a building that provides shelter on a temporary basis for individuals and families who lack permanent housing. Emergency shelters may be open during daytime hours and provide or allow accessory services, such as meals and social services.”

- a) An operator of a warming center or an emergency shelter shall give reasonable prior written notice to the City that prior to opening a warming center. Notice shall be provided to:

City of Salem
Gretchen Bennett, Liaison, Unsheltered Residents and Homelessness
City Manager’s Office
555 Liberty St. SE. Rm. 220
Salem, OR 97301
manager@cityofsalem.net

- b) Warming Centers and Emergency Shelters shall comply with all state and local laws regarding discrimination, including SRC Chapter 97 – Human Rights, for places of public accommodation, the Salem Fire Code and Salem Building Code, and all laws of the State of Oregon, including all applicable executive orders.
- c) An operator of a Warming Center or emergency shelter may not charge a fee to guests.
- d) Warming Center Standards and Emergency Shelters:
- The facility must be operated by a non-profit, public, or commercial entity;
 - The property owner must register the facility with the City’s Community Development Department;
555 Liberty St SE, Rm. 205
Salem, OR 97301
communitydevelopment@cityofsalem.net
 - The facility shall not be located within a residential zone, and the operator shall take reasonable measures as determined by the City to mitigate adverse

impacts of the facility on abutting properties and uses;

- Daily hours of operation: Warming Center - Limited to 7:00 p.m. to 7:00 a.m., when weather and temperature conditions warrant operation of the center; Emergency Shelter - No limit;
 - The facility shall provide a minimum of two restrooms;
 - Emergency Shelters shall provide facilities for showering or bathing
 - The facility shall provide on-site secure storage for carts, bikes, and personal belongings;
 - The facility shall provide access to an on-site refuse container(s) for disposal of trash;
 - The owner-operator has the right to refuse entry for any individual, subject to SRC Chapter 97 - Human Rights;
 - Occupancy limits shall be determined by the Fire Marshall and Building Official consistent with the protection of public health and life safety requirements;
 - No facility shall make exterior changes that would result in the development site becoming non-conforming with respect to SRC development standards, or that would increase the level of non-conformity of the site, including but not limited to setbacks, landscaping, parking, etc.
- e) Operators of Warming Centers or Emergency Shelters are strongly encouraged to coordinate with the Salem Warming Network, administered by the Mid-Willamette Valley Community Action Agency.
- f) Any operator receiving City funds for the operation of a Warming Center or Emergency Shelter shall execute an agreement with the Mid-Willamette Valley

Community Action Agency regarding coordination and minimum standards for services.

- g) Except in single family residential zones, for all Warming Centers or Emergency Shelters operating in compliance with this Order, all City land use regulations that restrict the allowance of the operation of a Warming Center or Emergency Shelter are hereby suspended.

3) The special regulations hereby ordered as a result of the state of emergency are:

Waiver of land use regulations that restrict the allowance of vehicle camping, conducted consistent with this order, all other laws and regulations, including land use regulations that do not otherwise conflict with the allowance of vehicle camping as authorized through this order shall continue in full force and effect.

4) Duration.

This Order shall continue in full force in effect until the state of emergency declared under Resolution No. 2020-49 is rescinded, unless terminated earlier, pursuant to SRC 2.680(c)(8).



Steven D. Powers, City Manager

November 20, 2020

Date