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3 **SECTION 3. AMENDMENT. AUTHORIZED EMERGENCY OPERATIONS USES**  
4 **DESIGNATED PARAGRAPH G.** Section 3, Paragraph G of Resolution 2020-22,

5 as amended by Resolutions 2020-26, 2021-06 and 2021-10, is hereby replaced  
6 with the following text:  
7

8 **G. Any special regulations or emergency measures, powers or orders**  
9 **imposed as a result of the declared emergency; and**

10 The City Manager, the City Emergency Preparedness Coordinator, and all  
11 City Department Heads, and their designees, (hereinafter Designated City  
12 Staff) are authorized, without further Order of the City Council to use any  
13 and all emergency powers, including those specifically listed in Lincoln City  
14 Municipal Code [LCMC 2.72.070] to appropriately respond to the  
15 emergency and to minimize loss of life.

16 Designated City Staff are to assist in the implementation of any order of the  
17 federal government, the Governor, State Officer, County or Special District  
18 related to emergency, as directed, ORS 401.165, or other applicable statute  
19 or order.

20 The Emergency Preparedness Coordinator is expressly authorized to take all  
21 actions authorized by law to coordinate the City's response to this  
22 emergency, including but not limited to requesting assistance from State,  
23 County and Federal authorities.

24 The following emergency powers are operative, without limitation or  
25 prejudice to other authorized powers:

- 26
- 27 • Pursuant to the authority granted in LCMC 17.80.140, the following  
28 private property is designated for emergency operations uses for  
29 the duration of the emergency as detailed in Resolution 2020-22, as  
30 amended, specifically for temporary recreational vehicle park use for  
31 suitable recreational vehicle, trailer and camper camping and  
32 associated campground use, subject to the agreement of the owner  
33 and subject to strict compliance with the terms and conditions of  
34 such use included in Exhibit A, attached hereto to Resolution 2020-  
22 and made a part hereof by this reference:



- 1 1. 5040 SE Highway 101, Map #07-11-34-AA-01900-  
2 00/01000-00, [Rachel and Ross Rehberg]
- 3 2. 1029/1037 SE Third Street, Map #07-11-15AC-02100-  
4 00/02200-00, [Chris Dragoo].
- 5 3. 4934 SW Fleet Street, Map #07-11-27-DC-04600-00  
6 Alvin Haunch Trustee c/o Deonna Frichtl, Trustee

- 7
- 8 • Pursuant to the authority granted in LCMC 17.80.140, the following  
9 private property is designated for emergency operations uses,  
10 specifically for extended stay hotel accommodations for fire victims, for  
11 the duration of the housing emergency as detailed in Resolution 2020-  
12 22, as amended:

- 13 ○ Ashley Inn, 3430 NE Highway 101 Lincoln City, OR
- 14 ○ Comfort Inn & Suites, 136 NE HWY 101 Lincoln City, OR
- 15 ○ Motel 6, 3517 NW Hwy 101 Lincoln City, OR
- 16 ○ Seagull Beachfront, 1511 NW Harbor Ave Lincoln City, OR
- 17 ○ Travelodge by Windham, 1713 NW 21st St. Lincoln City, OR
- 18 ○ Paradise Inn, 1014 NE Highway 101 Lincoln City, OR.
- 19 ○ Inn at Lincoln City, 1091 SE 1st St, Lincoln City, OR
- 20 ○ Ocean Breeze Hotel, 1070 SE 1st St, Lincoln City, OR

- 21 • The applicants for such use are solely responsible for obtaining any and  
22 all applicable federal, state and local approvals and authorizations for  
23 the development and operation of temporary use (e.g. county permits  
24 for plumbing) and the City does not waive any such state or local  
25 requirements, except for certain city requirements expressly provided in  
26 LCMC 17.80.140 for such use.
- 27 • All necessary city funds shall be redirected for emergency use, and  
28 standard city procurement procedures shall be suspended for any  
29 contract or purchase necessary to combat the emergency.
- 30 • Price gouging is prohibited – specifically no person or business may sell  
31 or attempt to sell any goods or services [including specifically housing]  
32 for a price in excess of the “normal market price,” which shall mean that  
33 person’s or business’s average of the regular price of the goods or  
34 services for the 30 days preceding the declaration of the State of  
35 Emergency.
- 36 • All mutual aid agreements are operative and Designated Staff may  
37 make application for such emergency assistance as is needed from local,  
38 state or federal sources.

- Without further order of the Council, Designated City Staff may restrict, regulate or prohibit vehicular or pedestrian traffic for such distance or degree as may be deemed necessary under the circumstances, including the closing to the public of any or all public places, including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings.
- The City Manager or his designee may establish a curfew during specified hours in specified geographic areas and locations.
- The City Manager or his designee may prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area.
- The City Manager or his designee may curtail or suspend commercial activity.
- The City Manager or his designee may take such other measures [by written order] as are found to be necessary for the protection of life, property, infrastructure, the environment, or for the recovery from the emergency.

**SECTION 4. NO OTHER AMENDMENT.** All other Sections and Exhibits to Resolution 2020-22, as amended (other than Section 3, Paragraph G), remain in full force and effect.

**SECTION 5. EFFECTIVE DATE.** This resolution is effective as of the date of its adoption and signature by the Mayor.

PASSED AND ADOPTED by the City Council of the City of Lincoln City this 26<sup>th</sup> day of April, 2021.

  
JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

  
CITY RECORDER

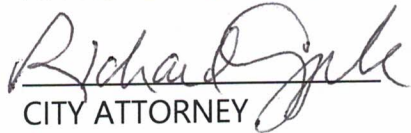
1 APPROVED AS TO FORM:

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CITY ATTORNEY

## REQUEST FOR ORDER ALLOWING FOR EMERGENCY OPERATIONS USES

**Current Use & Property Location:** Ocean Breeze, 1070 SE 1<sup>st</sup> Street, Lincoln City  
Inn at Lincoln City, 1091 SE 1<sup>st</sup> Street, Lincoln City

**Current Owner / Seller:** SM Ziar Rahman, et al (see signature page)

**Contract Purchaser / Applicant:** CV The Haven at D River, LLC

**Request:**

Pursuant to Lincoln City Municipal Code (LCMC) 17.80.140, the Applicant CV The Haven At D River, LLC respectfully requests a temporary emergency operation declaration allowing for extended stay accommodations for fire victims within the above-referenced existing hotel / motels.

**Reason for the Request:**

Over the past few months, this Applicant, by and through its parent-entity, has managed an extended stay-converted hotel in the Medford area hosting victims of the Almeda Fire. This accommodation has been so successful that the Oregon Department of Human Services has encouraged this parent-entity to engage in offering the same shelter opportunity to Echo Mountain Complex Fire victims in Lincoln City. In furtherance of that effort, this Applicant has contracted with the Emergency Management Unit at the Oregon Department of Human Services for the purchase of hotel rooms in Lincoln City to house displaced families and is prepared to operate these emergency accommodations immediately upon authorization by the City Council.

The City has a practice of allowing the use of private hotels and motel property for emergency shelters. LCMC 7.80.140, allows the City to suspend zoning limitations that might otherwise restrict temporary emergency operations upon an emergency declaration. The City has relied on this provision adopting Resolution 2020-22, coupled with subsequent amendments 2020-26 and 2021-06, designating other private hotel properties to accommodate extended stay accommodations for fire victims. The Applicant asks that the two properties identified above be added to this list through the adoption of another emergency order amending those previously adopted.

This emergency accommodation shall be limited in duration and will terminate when either the emergency has ended, the LCMC is amended to allow extended stay emergency accommodation within existing hotels / motels making the declaration unnecessary, or the Applicant ceases this use. The Applicant understands that it may be required to discontinue this emergency shelter use within 60 days after the end of the declared emergency.

The current property owner, along with the applicant, consent to this request:

[SIGNATURE PAGE FOLLOWS]

SELLERS:

Inn at Lincoln City Property

DocuSigned by:  
*Zaur Rahman*  
5094F82D2684404  
SM Zaur Rahman

DocuSigned by:  
*Sazzadur Rahman*  
DB8C25B760DF45  
Sazzadur Rahman

DocuSigned by:  
*Nazmul Kabir*  
5DEEC4A7AF18421  
Nazmul Kabir

DocuSigned by:  
*Masrur Khan*  
Masrur Khan

DocuSigned by:  
*HASAN SHARIKRE*  
52CF3775B890488  
Hasan Shariqre

DocuSigned by:  
*Syed Amin*  
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Syed Amin

DocuSigned by:  
*Raihan M. Tarafdar*  
91EA2A1581704C8  
Raihan M. Tarafdar

DocuSigned by:  
*FARZANA FORHAD*  
4BA2AAAF2F1C41F5  
Farzana Forhad

DocuSigned by:  
*Saqib Ahmed*  
Saqib Ahmed

DocuSigned by:  
*Taslima Sultana*  
EA2E0D4E337246C  
Taslima Sultana

Rodeway Inn & Suites Property

DocuSigned by:  
*Zaur Rahman*  
5094F82D2684404  
SM Zaur Rahman

DocuSigned by:  
*Sazzadur Rahman*  
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Sazzadur Rahman

DocuSigned by:  
*Nazmul Kabir*  
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Nazmul Kabir

DocuSigned by:  
*Masrur Khan*  
Masrur Khan

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*HASAN SHARIKRE*  
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Hasan Shariqre

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*Syed Amin*  
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Syed Amin

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*Raihan M. Tarafdar*  
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Raihan M. Tarafdar

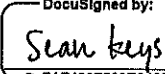
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Bashir Mahmud

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Shafiul Chowdhury

DocuSigned by:  
*Zafed Kausar*  
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Zafed Kausar

**Applicant:**

**CV The Haven at D River, LLC,**  
an Oregon limited liability company

By:   
Name: Sean Keys  
Title: Manager