

RESOLUTION NO. 21-07

A RESOLUTION OF THE CITY OF SODAVILLE DECLARING A LOCAL DISASTER AND EMERGENCY FOR THE PURPOSE OF ASSESSMENT, EVALUATION, AND ACQUIRING THE ABILITY TO PROVIDE AVAILABLE RESOURCES

WHEREAS, The City of Sodaville ("City") has all the powers, statutes, and common law of the United States and Oregon expressly or implied grant or allow City; and,

WHEREAS, annual water supplies are significantly lower than normal due to extreme drought; and,

WHEREAS, those conditions have resulted in a loss of municipal water supply and potable drinking water for the people of Sodaville; and,

WHEREAS, the Sodaville City Council ("Council") has

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SODAVILLE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Findings. The above stated findings contained in this resolution are hereby adopted.

Section 2. Emergency Declaration. A local disaster due to a lack of municipal water is hereby declared within City's incorporated limits. Pursuant to ORS 401.032(2), the Council finds that an appropriate response to the disaster is beyond City's capability. City is declaring a state of emergency for the purpose of assessment, evaluation, and acquiring the ability to provide appropriate available resources.


Section 3. City Request. The Council requests, through Linn County, in accordance with ORS 401.165(2) that (a) Governor Kate Brown declare a "State of Emergency" exists in Sodaville under the provisions of ORS 401.165 due to a lack of municipal water beginning at this time and continuing thereafter until municipal water collection resumes at a level supporting the needs of City, and (b) direct all relevant state agencies to respond as necessary to alleviate the harm caused by the ongoing disaster.

Section 4. Miscellaneous. All pronouns contained in this Resolution and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identities of the party may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," or "including" are not limiting. The provisions of this Resolution are hereby declared severable. If any section, subsection, sentence, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by the order of the Council to sure editorial and/or clerical errors.

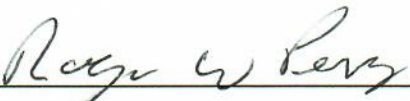
Approved, adopted, and made effective by the Common Council of the City of Sodaville on this 19th day of August, 2021.

4 Ayes 0 Nays

Signed by:



Mayor



President of the Council

Attest:



City Administrator