

1 **BEFORE THE BOARD OF COMMISSIONERS**
2 **FOR LINCOLN COUNTY, OREGON**

3
4 In the Matter of)
5) **ORDER NO. 5-20-136**
6 *Modifying Order 4-20-118 Exercising Authority*)
7 *to Act to Protect Lincoln County Citizens and Minimize*)
8 *the Effects of the COVID-19 Emergency*)
9

10
11 WHEREAS Lincoln County, by Resolution dated March 13, 2020 and ratified and
12 extended by the Board of Commissioners on March 18, 2020, and extended again by the
13 Board of Commissioners on April 20, 2020 to May 8, 2020¹ declared an emergency in
14 Lincoln County created by the COVID -19 pandemic crisis which is threatening citizens
15 of Lincoln County²; and

16 WHEREAS by Order No. 3-23-85 dated March 23, 2020 Lincoln County with the
17 concurrence of authorized personnel or the direct action of city councils for the Cities of
18 Lincoln City, Depoe Bay, Newport³, Siletz, Toledo, Waldport, and Yachats adopted
19 provisions limiting short term rentals (with exceptions) as set forth in the Order which by
20 this reference is incorporated herein as if fully set forth; and

21 WHEREAS by Order No. 4-20-118 dated April 27, 2020 Lincoln County with the
22 concurrence of authorized personnel or the direct action of city councils for the Cites of

¹ Resolution # 20-18-3A, signed by Chair Jacobson on March 13, 2020, ratified by the full Board on March 18, 2020. Resolution # 20-18-3B adopted by the Board on March 18, 2020 extended the declaration through April 30, 2020. Resolution # 20-20-4B adopted on April 20, 2020 extended the declaration through May 8, 2020. By motion on April 27, 2020, the Board extended the declaration through May 31, 2020.

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 Newport adopted its own Order mirroring the County requirements, Newport Order 2020-01 adopted March 24, 2020.

1 Lincoln City, Depoe Bay, Newport, Siletz, Toledo, Waldport and Yachats extended the
2 provisions limiting short term rentals in the original Order to May 31, 2020.⁴

3 WHEREAS the state of Oregon declaration of an emergency now continues through
4 July 6, 2020 and Executive Orders issued by the Governor including those requiring social
5 distancing, stay at home, closing certain businesses, and other responses to the COVID
6 crisis are being reviewed, modified and amended. Restrictions on non-essential travel
7 have not been changed as of the date this Order; and

8 WHEREAS the County has applied to the Governor of the State to reopen Lincoln
9 County and move into Phase 1 of the Governor's Plan to Reopen Oregon⁵; and

10 WHEREAS that Plan includes science driven requirements for phasing in the return
11 of businesses for Oregon; and

12 WHEREAS while conditions which warranted the original action of the County and
13 the Cities continue to be of concern in the County including the recommendations of the
14 Local Public Health Administrator and Local Public Health Officer as set forth in Order
15 3-23-85; the elected officials of the County wish to develop and enact a plan to restart
16 county businesses including local lodging properties and short term rentals; and

17 WHEREAS pursuant to paragraph 2 of Order No. 4-20-118 it was recognized by the
18 County and the Cities that the Order could be rescinded, extended, or modified; and

19 WHEREAS after discussion and consultation with the Cities at a joint public meeting
20 of the County and Cities held on May 14, 2020, 3:00 pm the Board determined that it is
21 necessary to modify the Order to establish a framework for reopening lodging and short
22 term rentals over a period of time.

23 NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

- 24 1. That Order No. 4-20-118 is hereby modified beginning June 1, 2020 as follows:

⁴ Waldport by separate action extended the Order to May 15, 2020 but is considering whether to further extend the Order on May 14, 2020.

⁵ The application was approved on May 13, 2020 by the Governor. The Board of Commissioners by motion made and adopted at their meeting on May 14, 2020 entered into Phase 1 on May 15, 2020.
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1 a. The framework plan for reopening short term rentals and lodging properties as
2 set forth in the attached Exhibit “A” is hereby adopted to allow for the phased reopening of
3 properties to rental which were prohibited from renting by Order No. 3-23-85 as extended
4 by Order No. 4-20-118, both of which are incorporated herein as if fully set forth.

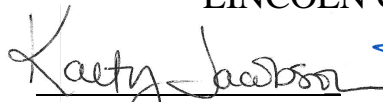
5 b. That this framework plan and this Order may be modified, rescinded or extended
6 by authority of the Board of Commissioners in consultation with the Cities and Local Public
7 Health Administrator as more information from the Governor on Phase 2 and 3 restrictions
8 is developed. If so modified, a copy shall be provided to the Cities of Lincoln City, Depoe
9 Bay, Newport, Toledo, Siletz, Waldport and Yachats.

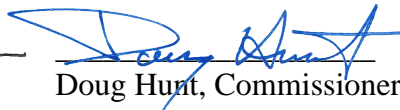
10 2. This Order was presented and concurred to by either authorized city personnel or
11 the direct action of the City Councils of the City of Lincoln City and Yachats on May 14,
12 2020 at a joint public meeting with the Board of Commissioners and therefore applies within
13 the incorporated boundaries of those cities.⁶ At any time, the City Council of any of these
14 cities may opt by Council Action to rescind that concurrence, at which time the Order will
15 have no effect within the boundaries of that city without necessity of any further action.

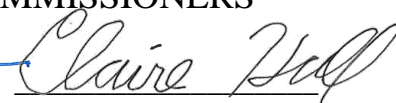
16 3. Copies of this Order shall be provided to Jenny Demaris, Emergency Manager,
17 Wayne Belmont, County Counsel, and representatives of each of the cities listed above.

DATED: May 14, 2020

LINCOLN COUNTY BOARD OF COMMISSIONERS


Kaety Jacobson, Chair


Doug Hunt, Commissioner


Claire Hall, Commissioner

⁶ The City of Newport concurred with restrictions in Exhibit “A” but voted to establish a reopening date of May 23, 2020. The City of Siletz later in the evening of May 14, 2020 voted to concur with the Order. The City of Waldport held a separate meeting and voted to extend Order #4-20-118 to May 22, 2020 but has taken no action on the restrictions, if any, beginning that date. The Cities of Depoe Bay and Toledo will take action, if any, next week.

Exhibit A
Lincoln County
and
Cities of Yachats, Waldport, Newport, Depoe Bay, Lincoln City, Toledo, and Siletz
Reopening Framework Plan for Short Term Rentals, Hotels/Motels, RV parks and
Campgrounds

Lodging Reopens June 1, 2020¹

Applicable Requirements for Lodging Properties including Hotels, Motels, Bed and Breakfasts, Homestays, Short Term Residences (STRs and aka Vacation Rental Dwellings, VRDs), RV Parks and Campgrounds to reopen on June 1, 2020:

Service Changes

Hotels Motels

- Remote check in if available
- Alternative: curbside check in with conditions below
- Touch free check-in instituted
- Barrier in place at check in – i.e. plexiglass
- Hand sanitizer in lobby
- Owner/Employee wellness checks
 - Health questions and Temp checks – start of each day
- Breakfast
 - Grab and go / sealed items / room service
 - No public space consumption

STRS/VRDs

- Remote check in

RV PARKS / CAMPGROUNDS

- Remote check in or alternative as described above for Hotels/Motels

¹ This framework plan is based on Lincoln County continuing to move forward to phases 1, 2 and 3 of the State of Oregon reopening plan. If there is a reemergence of COVID cases which requires reinstating restrictions on social distancing under state guidelines, the County and cities may revisit the original prohibitions. Note in Paragraph 2 of this Order and the associated footnote 6 that there are different operative dates and requirements for some cities.

Signage

Hotels Motels

- Covid health sign at entrances and check in. Sign templates to be provided.
- Public spaces closed (more detailed designation - - no public in pools, spas, gyms, lounges or seating areas) all cordoned off and signed appropriately)

STRs/VRDs, Homeshares and Bed and Breakfasts

- Covid health signage posted on front entrance. Sign templates to be provided.

Restrictions

Hotels Motels

- Owners/Employees required to wear face covering when in public areas when in presence of guests
- Guests encouraged to wear face covering in public places while in town per State of Oregon's guidance (Template language to be provided)
 - Communicated prior to arrival – electronically and via phone
- No stayover guest room service (daily room cleaning for multiple day stays)
- Pools, spas, gyms and any other recreational amenities stay closed unless otherwise authorized by the state
- A minimum 24 hours hold be maintained between check out and the time the room is cleaned and put out for rental again
- Staff must be able to maintain social distance from each other in work stations and meet all other business guidelines as set by the state or local health authority

STRs/VRDs, Homeshares and Bed and Breakfasts

- Owners/Employees required to wear face covering at all times when in presence of guests
- Guests required to wear a face covering when in shared spaces in Homeshares and Bed and Breakfasts-and encouraged to wear while in public via State of Oregon guidance
 - Communicated prior to arrival – electronically and via phone
- A minimum 24 hours hold be maintained between check out and the time the room is cleaned and put out for rental again
- Bed and Breakfasts and Homestays, no communal meals.

Housekeeping Minimums for Both STRs/VRDs and Hotels

- Use of CDC/EPA approved disinfectant
 - Sanitizing all high touch items in guest rooms
 - Door handles, elevator buttons...
 - Gloves for housekeepers

- Linen washed with approved disinfectant chemicals at correct temperatures
- Removal of paper products
 - Any required items are laminated and cleaned or replaced
- Hair dryers removed from bag
 - Dryer cleaned at each checkout
- All unused linen and terry are removed and exchanged

Required clean up if Guest is suspected of having COVID 19 (positive, presumptive or symptomatic) for all lodging properties and types

- Clean room in accordance with OHA guidelines. Current guidelines shown in link below:
<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2288y.pdf>

RV Parks and Campgrounds

- RV parks and Campgrounds
 - all group and public areas closed
 - camping allowed except no group tent camping in this phase
 - restrooms cleaned in accordance with state guidance; patrons bring own soap, hand sanitizer and toilet paper
 - check in and check out contact free
- Employees required to wear face covering at all times when in public areas when guests are present
- Guests encouraged to wear face coverings while in town per State of Oregon’s guidance (Template language to be provided)
 - Communicated prior to arrival

Phase 2

- Leisure travel resumes based on Phase 2 requirements – unless this changes
- Limitations on number of nights and occupancy lifted but cleaning practices remain except 24 hour minimum between cleaning
- Limitations on grouping (up to 50 persons and conferences)
 - Pools, spas other amenities open with appropriate restrictions

Phase 3

- Limitations lifted except for state law requirements including but not limited to group size limitations (may apply to conferences, meetings, events, etc.)

Each establishment that will reopen shall submit a plan detailing how they will meet the minimum requirements established in this Order. The plans will be sent to the respective jurisdictions via email at the addresses below. Failure to adhere to the plan shall be grounds for revocation of permission to open and may subject owner/operator to other remedies available under state and local law.

Lincoln County's website for submitting a plan is found at:

<https://www.co.lincoln.or.us/boc/page/lodging-reopen-application>

Detailed information and application forms, and links to City processes will be posted on this website as developed.