

ORDINANCE NO. 475

AN ORDINANCE OF THE NORTH PLAINS CITY COUNCIL EXTENDING THE SIXTY-DAY PROTECTION IN SENATE BILL 278 (2021) TO 90 DAYS

WHEREAS, the State of Oregon, and Washington County have ongoing declarations of emergency related to the COVID-19 pandemic; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has explained that COVID-19 presents a historic threat to public health and eviction moratoriums can be an effective public health measure to prevent the spread of COVID-19; that an eviction moratorium is necessary to ensure people are able to follow best practices recommended by the CDC to cut down on coronavirus transmission, including quarantine, isolation, and social distancing; and that housing stability helps protect public health because homelessness increases the likelihood of individuals moving into congregate settings, such as homeless shelters, which then puts individuals at higher risk of COVID-19; and

WHEREAS, to address these impacts of COVID-19 on the community, the Federal Government, State of Oregon and numerous local communities have imposed limitations on evictions as well as provided funding for rental assistance; and

WHEREAS, the State of Oregon extended statewide renter protections by enacting Senate Bill 278 (2021) (“SB 278”), which states that if a tenant provides a landlord with documentation that the tenant has applied for rental assistance, a landlord may not, for a period of sixty days: (1) deliver a termination notice for nonpayment; or (2) initiate or continue an action for possession based on a termination notice for nonpayment; and

WHEREAS, there are currently approximately 6,500 Washington County households who have applied for rental assistance, which has created a current backlog at the State and local level that is causing delays beyond the 60 days provided by SB 278 for rental assistance application approvals; and

WHEREAS, due to the backlog, individuals who have applied for rental assistance could face eviction if they do not receive approval before the 60-day period set in Senate Bill 278 expires; and

WHEREAS, Washington County adopted Ordinance No. 880, which extends the 60-day protection period in SB 278 to 90 days for unincorporated areas of the County, but the extension does not provide additional protection to renters who live within incorporated cities such as North Plains; and

WHEREAS, historically, recovery from an economic downturn takes longer for low-income areas, rural areas and communities of color, and such areas have faced

disproportionate barriers to economic opportunities that allow them to pay rising rents and other housing costs; and

WHEREAS, the COVID-19 pandemic has created additional obstacles for those communities, which will continue to exist beyond the lifting of public health restrictions and the statewide eviction moratorium; and

WHEREAS, statewide landlord data on renters' ability to pay rent has shown consistent volatility in properties that are generally more affordable to low-income households; and

WHEREAS, by extending the protection from eviction established by SB 278 will ensure that providers have sufficient time to reach these households and process rent assistance applications, the City can mitigate further disproportionate impacts of the COVID-19 pandemic on vulnerable populations in the City; and

WHEREAS, this Ordinance in no way relieves tenants of the obligation to pay rent, but is designed to provide sufficient time for both tenants and landlords to secure emergency financial assistance as provided by funding designed to respond to the economic impacts of the COVID-19 pandemic; and

WHEREAS, the City of North Plains is committed to responding to the impacts of the COVID-19 pandemic; and

WHEREAS, this ordinance is necessary to avoid mass evictions for non-payment of rent directly attributed to the lingering impacts of COVID-19 pandemic, promote housing stability, and protect the health and safety of community members in the City of North Plains.

Now, therefore, based on the foregoing,

THE CITY OF NORTH PLAINS ORDAINS AS FOLLOWS:

Section 1. Sections 2, 3, and 5 of SB 278 (2021Regular Session) are hereby adopted and incorporated by reference into this Ordinance; and the timeline of 60 days established by SB 278 in Sections 2(2)(c) and 2(5)(b) is extended to 90 days.

Section 2. In order to maintain the health, peace and welfare of the City of North Plains, an emergency is declared, and this ordinance shall take effect immediately upon its passage and approval by the Mayor.

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Section 3. An emergency being hereby declared, this Ordinance shall become effective immediately upon its adoption.

ADOPTED by the North Plains City Council this 19th day of October, 2021.

CITY OF NORTH PLAINS, OREGON



By: _____
Teri Lenahan, Mayor

ATTEST:



By: _____
Lori Lesmeister, City Recorder