

EXECUTIVE ORDER 2020- 01 DATED SEPTEMBER 30, 2020
issued by the
City Administrator of the City of Ashland, Oregon

EXECUTIVE ORDER Addressing temporary use of an occupied Recreational Vehicle (“RV”) as a discrete dwelling unit and temporary use of existing hotel and motel rooms for extended stays on a month to month term (i.e., 30-days or greater). For purposes of this Executive Order, “Recreational Vehicle” or “RV” means a self-propelled or towable mobile unit used for temporary dwelling purposes.

The City Administrator finds that:

- A. On September 8-10, 2020, the Almeda fire devastated significant portions of Phoenix and Talent, Oregon, as well as other areas of unincorporated Jackson County, destroying a significant number of homes and businesses.
- B. The number of individuals displaced by the Almeda fire has been estimated at over 15,000 people. While some have been or will be able to return to their homes, a substantial number of homes have either been destroyed or rendered uninhabitable.
- C. The South Obenchain fire, also beginning on September 8 posed similar risks to communities, towns and cities in northern Jackson County.
- D. The Rogue Valley region already had a very low rental housing vacancy rate before these fires. With this addition of a substantial number of fire-displaced households, meeting the anticipated demand for adequate permanent dwellings will not be possible at least until many new housing units are built.
- E. Generally, Ashland Municipal Code currently does not allow occupancy of Recreational Vehicles as discrete dwelling units on private property within Ashland city limits. Temporarily suspending enforcement of municipal code restrictions on occupied RVs, with safeguards to mitigate impacts on surrounding neighborhoods, would allow for additional temporary housing for displaced households during the term of this Order.
- F. Current Ashland Municipal Code limits stays within hotel and motel units to less than 30-days. Temporarily suspending enforcement of restrictions on existing hotel rooms/units to be used for extended stays on a month to month basis would allow for additional temporary housing for displaced families and individuals during the term of this Order.
- G. On March 17, 2020, pursuant to Ashland Municipal Code Chapter 2.62, Ashland City Council ratified the City Administrator’s Declaration of State of Emergency (“Emergency Declaration”) vesting in the City Administrator authority to take any action and issue any executive order authorized in Ashland Municipal Code 2.68 and deemed by the City Administrator to be necessary to protect public health, safety, and property and to minimize or mitigate the effect of a COVID-19 pandemic emergency. Through subsequent multiple actions by the Ashland City Council, this initial Emergency Declaration was extended through October 20, 2020, and may be extended further as needed. In approving the September 15 extension of the Emergency Declaration, City Council declared the September 8-10 Almeda fire to be an additional emergency situation for which the City Administrator was also given emergency response authority.

Now, therefore, based on the foregoing findings, the CITY ADMINISTRATOR OF THE CITY OF ASHLAND ORDERS AS FOLLOWS:

1. The enforcement of any existing Ashland Municipal Code section that prohibits temporary occupancy of a Recreational Vehicle on private real property for dwelling purposes shall be temporarily suspended provided the holder of title to the real property ("Owner") consents and the following conditions are met:
 - a. For any residential-zoned lot that is 0.5 acres or smaller and already has a permanent residence on it:
 - i. No more than one recreational vehicle shall be occupied on any residential-zoned lot that already has a permanent residence on it;
 - ii. Occupants of any RV on the subject property must be provided access to sanitation facilities, either within the RV or through access to sanitation facilities in the abutting permanent residence on the property;
 - iii. No liquid wastes from any occupied RV may drain onto the surface of private or public property or into the City stormwater system;
 - iv. No debris, rubbish, refuse or other abandoned personal property deposited on the property by residents of occupied RVs may remain on the property for more than two full weeks from the time it is deposited thereon;
 - v. Any offensive odors or unsanitary conditions attendant to any occupied RV must be promptly discontinued;
 - vi. Any occupied RV must prominently display a state-issued registration plate or other visible evidence of authorization for use as a vehicle;
 - vii. Any occupied RV must be parked on a hardscape surface, such as a concrete, pavement, or graveled surface, unless the City Fire Marshal approves a site-specific written exception to this requirement;
 - viii. The entire lot, including any occupied RV and any other structures on the lot, must fully comply with established Fire Code, Building Code, and weed abatement requirements; and
 - ix. Usual City permits must be obtained for any construction or remodeling which could result in a permanent occupancy change on the subject property.
 - b. For any lot which is larger than 0.5 acres and which is zoned residential, commercial (C-1), employment (E-1), mixed light-industrial (CM) or industrial (M-1):
 - i. Occupancy of one or more RVs on a single lot may be authorized by the City Administrator conditioned upon Owner's submittal of and continuing adherence to a satisfactory site plan which includes appropriate sanitation and utility connections, sufficient spacing, minimal impact on surrounding properties, affordability of the space provided, and compliance with items 1.a.iii-ix above. The City Administrator or his designee has sole discretion to determine whether the submitted site plan and adherence thereto are satisfactory.
2. The enforcement of any Ashland Municipal Code section that limits any person's occupancy of a hotel or motel unit (that is, a "building or portion thereof designed and used for transient lodging in a non-residential zone") to fewer than 30 days shall be temporarily suspended, provided the following conditions are met:
 - a. The subject hotel or motel unit must fully comply with established Fire Code and Building Code requirements;

- b. Usual City permits must be obtained for any construction or remodeling which could result in making a motel or hotel unit available for permanent occupancy.
 - c. The operator of the hotel or motel unit and the occupant must agree in writing to exclusive occupancy of the unit by the occupant for a period of 30 days or more; and
 - d. The operator of the hotel or motel unit or the occupant thereof must submit to the City Administration Office within seven calendar days following its full execution a copy of any written agreement providing for occupancy of such a unit for 30 days or more. This submittal will suffice to qualify the occupant for exemption from the obligation to pay the City's Transient Occupancy Tax.
3. This Order shall remain in effect until termination of the Emergency Declaration pursuant to which it is issued, unless this Order is terminated earlier by action of the City Council or by a subsequent Executive Order of the City Administrator.

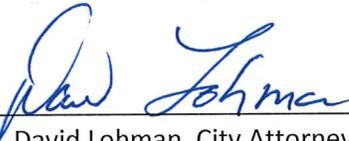
ISSUED BY THE CITY ADMINISTRATOR OF THE CITY OF ASHLAND, OREGON



Adam Hanks, City Administrator

10/1/2020
Date

APPROVED AS TO FORM AND ATTESTED BY



David Lohman, City Attorney

10/1/2020
Date