



RESOLUTION NO. 2021-xx

A RESOLUTION OF THE CITY OF MOLALLA, OREGON IN FAVOR OF BUSINESSES AND CITIZENS LIBERTIES AND AGAINST MORE SHUTDOWNS OR UNNECESSARY RESTRICTIONS

WHEREAS, The people of the City of Molalla have the rights and liberties afforded to them by the Oregon Constitution, the United States Constitution, and the Declaration of Independence; and

WHEREAS, COVID-19 emergency powers have been used by the State of Oregon to restrict and limit the rights of businesses and individuals over the last fourteen (14) months-far longer than the thirty (30) days allowed in Article 10-A, Section 1 of Oregon's Constitution, and without extension by the legislature in Article 10-A, Section 6, and in opposition to Article 3, Section 1 by assuming powers of the legislative branch by the executive branch; and

WHEREAS, The people of the City of Molalla have specifically endured the State-mandated restrictions and limitations against both local businesses and individual liberties for more than a year, and some of these restrictions on rights and liberties have been held by the courts to be unconstitutionally over-broad, and these measures have not been the least restrictive means available to protect Oregonians; and

WHEREAS, The City of Molalla has no legal ability to disregard the State-mandates, guidelines, or enforcement by OHA, OSHA, OLCC, or Governor's Executive Orders and therefore cannot protect any local businesses from State-directed targeting, repercussions, or penalties if local businesses choose to remain open; and

WHEREAS, The application of certain State-mandated restrictions and limitations have been inequitable and inconsistent, and the people of the City of Molalla should have all rights and liberties afforded to them restored as quickly and equally as possible; and

WHEREAS, Over the course of the past fourteen (14) months, the people and businesses of the City of Molalla have demonstrated their ability to learn and apply safety measures regarding COVID-19, and they should have the freedom to decide for themselves how to proceed forward; and

WHEREAS, The State-mandated limiting of certain rights and liberties has caused severe economic distress and other harms, loss of employment, business closures, food and housing insecurities to businesses and individuals in the City of Molalla, and exhaustion of financial resources; and

WHEREAS, It is also well documented that prolonged social isolation, particularly among children and the elderly, coupled with stresses of economic hardship, have caused a significant rise in domestic violence, mental health impacts, drug abuse, and suicide risks. These have been perpetuated upon the citizens of Molalla by the State's unreasonable and overreaching suspension of rights and liberties; and

WHEREAS, Any continued limitations will certainly cause even more harm to the people of the City of Molalla;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Molalla as follows:

BE IT RESOLVED, the people of the City of Molalla desire and deserve the rights, liberties, and respect afforded to them by the Constitutions of the State of Oregon and the United States of America. These rights and liberties that have been stolen need to be recognized and restored completely and immediately.

Signed this XX day of MONTH 2021.

Scott Keyser, Mayor

ATTEST:

Christie DeSantis, City Recorder