

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. 1305

Amending Multnomah County Code Chapter 21 – Health Amending § 21.452 and § 21.453 and Declaring an Emergency.

(Language stricken is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

1. Residential wood smoke is a major contributor to human-caused air pollution in Multnomah County and is a leading source of fine particulate matter pollution.
2. Disproportionate exposure to air pollution is part of the public health crisis of racism, contributing to large racial disparities in illness and premature death.
3. A stakeholder work group convened by the Board in 2021 recommended that the County strengthen air pollution protections and expand the wood smoke curtailment program.
4. Since the adoption of the curtailment program in 2018, new research has demonstrated harmful health effects of fine particulate pollution at low concentrations. These effects include cancer, cardiovascular disease, diabetes, dementia, and adverse birth outcomes. Long term exposure may also increase the risk of illness from COVID-19. In recognition of this improving science, the World Health Organization recommended lower ambient air quality standards for fine particulate pollution in September 2021.
5. High levels of air pollution outside of the wood smoke season as originally adopted in 2018 (which had extended from just October 1 to March 1) also warrant action by the County to reduce exposure to harmful pollutants. This includes high ozone levels on warmer days.
6. Multnomah County is the Local Public Health Authority. A core responsibility of the Local Public Health Authority is to adopt ordinances necessary to administer any public health matter not expressly preempted by Oregon law.

Multnomah County Ordains as Follows:

Section 1. MCC § 21.452 is amended as follows:

§ 21.452 – DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

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BURN STATUS: A temporal designation of ~~Green~~, Yellow or Red, determined by the Multnomah County Health Department that is associated with forecasted levels of certain pollutants.

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~~**GREEN DAY AIR QUALITY ADVISORY:** Air quality is currently, or is forecasted to be, good.~~

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Section 2. MCC § 21.453 is amended as follows:

§ 21.453 – PROHIBITIONS.

The Department shall perform air quality forecasting and issue air quality advisories daily. ~~during the winter heating season, October 1st through March 1st.~~ Air quality advisories will be made available to the public.

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Section 3. MCC § 21.454 is amended as follows:

§ 21.454 – EXEMPTIONS FROM PROHIBITION.

A wood burning device may be operated during a red day air quality advisory if one or more of the following circumstances applies to a residential unit or commercial building:

* * *

~~(E) The wood burning device has an Environmental Protection Agency or Oregon Department of Environmental Quality certified emissions rating of 2.5 grams/hour or less.~~

Section 4. This ordinance being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and this ordinance will take effect immediately upon being signed pursuant to Section 5.50 of the Multnomah County Home Rule Charter.

FIRST READING and ADOPTION:

February 17, 2022



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

REVIEWED:
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FOR MULTNOMAH COUNTY, OREGON

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