



Surf Pines Association
33317 Surf Pines Lane
Warrenton, OR 97146



April 11, 2020

Subject: Gov. Brown's Executive Order No. 20-12

Dear Fellow Homeowners,

Several members of our community have approached me about our compliance with Governor Kate Brown's executive order to "Stay Home, Save Lives." About 50% of our members live permanently in Surf Pines. Clearly, the Governor's directive implies that people should stay in their domicile (primary or permanent residence). While the Board of Directors (BOD) has no authority or intention to halt out of town members from using their SPA properties during this time, it is helpful to understand the Governor's order and that of other local communities.

On March 23, Governor Brown issued Executive Order No. 20-12. Pertinent excerpts include:

- "It is essential to the health, safety, and welfare of the State of Oregon during the state of emergency that, to the maximum extent possible, individuals stay at home or at their place of residence, consistent with the directives set forth in my Executive Orders and guidance issued by the Oregon Health Authority."
- "Individuals are directed to minimize travel, other than essential travel to or from a home, residence, or workplace; for obtaining or providing food, shelter, essential consumer needs, education, health care, or emergency services; for essential business and government services; for the care of family members, household members, elderly persons, minors, dependents, persons with disabilities, or other vulnerable persons, pets or livestock; travel as directed by government officials, law enforcement, or courts; and other essential travel consistent with the directives of my Executive Orders and guidance from the Oregon Health Authority."

On April 5, Gearhart posted on its blog, "Despite what you may have heard Gearhart DOES NOT have the authority to make a second homeowner leave Gearhart or to enter someone's home to enforce indoor social distancing, count occupants, or issue tickets if multiple cars are parked LEGALLY outside someone's home. We also do not have the ability or resources to close streets and set up checkpoints to inspect everyone's ID coming in and out of town. We value all property owners and we want to keep everyone safe by limiting contact between people within and outside of the City."

On April 7, Cannon Beach passed Resolution 20-14. Jeff Adams, Community Development Director stated to Lodging and Short-Term Rental Operators, "Short term rental owners may use their units during this emergency declaration, but any guests, must be accompanied by an owner and must not provide payment for their stay."

It's important that all members understand the following:

- Surf Pines' Board authority is strictly governed by its Articles of Incorporation, Bylaws and applicable State and Federal laws.
- Anecdotally, it appears some homes in Surf Pines' are being used by extended families and friends for short periods of time.
- Non-essential home maintenance and construction is not explicitly sited in the Governor's Executive Order, but social distancing is.

Members need to reach their own conclusions about what constitutes compliance with Governor Brown's Executive Order. Allowing extended families and friends to use their SPA residences without members on site and/or for short periods of time may conflict with the spirit of the Governor's order.

Your Board reviewed and approved issuance of this letter to homeowners.

Best Regards,

A handwritten signature in black ink that reads "John F. Yerke". The signature is written in a cursive, flowing style.

John Yerke
President
Surf Pines Association BOD