


PORTLAND INTERNATIONAL AIRPORT

EMERGENCY TEMPORARY RULE AND REGULATION

Pursuant to the authority delegated to me by the Port of Portland Commission, I hereby adopt the attached *Emergency Temporary Rule and Regulation* to be effective May 18, 2020. The *Emergency Temporary Rule and Regulation*, adopted pursuant to Ordinance No. 423-R, Section 4.1.2, will remain in effect for the duration of relevant directives from the State of Oregon and Multnomah County, including Oregon Governor Executive Order 20-12 and Oregon Governor's May 7, 2020 guidance entitled *Reopening Oregon: Details on Restarting Public Life and Business*. The *Emergency Temporary Rule and Regulation* will be terminated or modified consistent with State of Oregon and Multnomah County directives.

THE PORT OF PORTLAND

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By: _____
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Curtis Robinhold
Executive Director

Date: 5/13/2020

EMERGENCY TEMPORARY RULE AND REGULATION

1. PURPOSE

On March 23, 2020, in response to the public health threat posed by the coronavirus ("COVID-19"), the Oregon Governor "(Governor)" issued Executive Order 20-12 ("EO 20-12"), *Stay Home, Save Lives*, which closes specific business and requires Oregonians to stay home. EO 20-12 also requires physical distancing measures in public and private facilities. On May 7, 2020, the Governor announced a framework for reopening businesses and activities within the state, entitled *Reopening Oregon: Details on Restarting Public Life and Business* ("Framework"). The Framework includes a statewide Face Covering policy, which requires employees in certain businesses where physical distancing cannot be maintained (including grocery stores, pharmacies, public transit, salons/personal services, and ridesharing services) to wear a mask or cloth material that covers the nose and mouth. Further, it is "strongly recommended" that these businesses "establish a mandatory face-covering policy for their customers as well." In addition, the Framework "strongly recommends" that a mask or cloth material that covers the nose and mouth be worn in any indoor public space, especially where six feet of physical distance cannot be maintained.

This *Emergency Temporary Rule and Regulation* ("Emergency Rule") is designed to respond to the COVID-19 public health threat and to promote compliance with EO 20-12 and to the Framework. This Emergency Rule is also designed to: (a) protect the public health, safety, interest, and general welfare at Portland International Airport ("Airport"); (b) restrict or prevent any activity or action that would interfere with the safe, orderly, and efficient use of the Airport by its passengers, operators, tenants, and authorized users; (c) promote consistency with the actions by airlines and airports nationally; and (d) support similar actions by businesses and governmental authorities operating at the Airport.

2. DEFINITIONS

2.1 Airport

"Airport" means the Portland International Airport and adjacent areas as described in color in the Map of Terminal, Landside Area and Airside Area attached to the *Portland International Airport Rules* ("PDX Rules") as Appendix B and attached hereto for reference; also referred to as PDX.

2.2 Face Covering

"Face Covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A covering that hides or obscures the wearer's eyes or forehead is not a Face Covering. Examples of Face Coverings include: (a) a scarf or bandana; (b) a neck gaiter; (c) a homemade covering made from a t-shirt, sweatshirt, or towel, held on with rubber bands or otherwise; or (d) a mask, which need not be medical-grade. A Face Covering may be factory-made or handmade, and improvised from ordinary household materials. The Face Covering should be comfortable, so that the wearer can breathe comfortably through the nose and does not have to adjust it frequently, so as to avoid touching the face. For as long as medical grade masks such as N95 masks and surgical masks are in short supply, members of the public should not purchase those masks as Face Coverings under this Emergency Rule. N95 masks and surgical masks should be reserved for health care providers and first responders. In general, even when not required by this Emergency Rule, people are strongly encouraged to wear Face Coverings when in public. Face Coverings that are not disposed of after

each use should be cleaned frequently. Note that any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate easy exhaling is not a Face Covering under this Emergency Rule and is not to be used to comply with the requirements of this Emergency Rule. Valves of that type permit droplet release from the mask, putting others nearby at risk. A video showing how to make a Face Covering and additional information about how to wear and clean Face Coverings may be found at the website of Centers for Disease Control and Prevention, at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

2.3 Public Areas

"Public Areas" means all non-sterile areas on Airport property including, without limitation, the Terminal, the Terminal Roadway, public parking lots and garages, Tri-Met facilities, and all sidewalks, corridors, elevators, escalators, pedestrian bridges, tunnels and walkways connecting the Terminal, Terminal Roadway, public parking garages and lots, and Tri-Met facilities.

2.4 Terminal

"Terminal" means the primary building at the Airport where Airport Customers come to fly in and fly out of the Airport.

2.5 Terminal Roadway

"Terminal Roadway" means the roadway adjacent to the Airport providing access to the Terminal and intended for Airport use by the general public and Ground Transportation Permitted Businesses.

3. GENERAL CONDUCT AND USE OF PUBLIC AREAS

3.1 Terminal Access

In order to ensure the safety, security and health of airline passengers, employees, and contractors working at the Airport, no person may enter or be present in the Public Areas of the Airport, except for persons who can demonstrate they fall within one or more of the following: (a) ticketed airline passengers; (b) individuals accompanying or assisting ticketed passengers on an arriving or departing flight; (c) individuals whose employment requires their presence in one or more Public Areas; (c) any Port of Portland employee during their regular working hours; and (d) other individuals who have been authorized by Airport officials to enter and be present in one or more Public Areas. Persons whose only purpose is to greet an arriving passenger are required to remain outside the Terminal unless the arriving passenger requires assistance. Free speech activities at the Terminal remain subject to the permit requirements of the PDX Rules, Chapter 8, and locations for free speech activities may be assigned or modified based on the purposes identified in this Emergency Rule, and all participants in such activities must comply with the Face Covering requirements, and state and local laws, orders, and public health guidance.

3.2 Face Coverings

All members of the public and all those working at the Airport are required to wear a Face Covering in the Terminal and in all interior locations in the Public Area, including but not limited to the Rental Car Center and tunnels. The following persons are exempt from the Face Covering requirement: (a) children under the age of two years; (b) anyone with a medical condition that prevents them from wearing a Face Covering; (c) anyone complying with an official requirement to

remove Face Coverings for security or identification purposes; (d) anyone temporarily removing a Face Covering in accordance with State or local directives (e.g. when dining or taking medications).

4. ENFORCEMENT

4.1 Enforcement Officers

Pursuant to Section 5.1 of Port of Portland Ordinance No. 423-R, *An Ordinance Regulating Use and Operation of Airports and Their Facilities* ("Ordinance 423-R"), Port of Portland Police ("Port Police") may remove or evict from the Airport any person who enters or is present at the Airport in violation of this Emergency Rule. Additionally, pursuant to Section 5.3.2 of Ordinance 423-R, the Executive Director of the Port of Portland appoints Airport Operations Specialists and Airport Duty Managers as enforcement officers (in addition to Port Police) for the purpose of enforcing this Emergency Rule.

4.2 Enforcement Process and Sanctions

Enforcement of this Emergency Rule shall be consistent with the enforcement procedures in Chapter 1, Enforcement of Rules, of the PDX Rules. Failure to comply with the Face Covering and access requirements of this Emergency Rule is a Class A misdemeanor under ORS 778.990. In addition, failure to comply with a direction to leave the Airport may result in the individual being excluded from the Airport for a period of up to ninety (90) calendar days and/or arrested and charged for trespass under ORS 164 or other applicable law.