



City of Bartlett

A. Keith McDonald, Mayor

CIVIL EMERGENCY PROCLAMATION AND EXECUTIVE ORDER

BY MAYOR A. KEITH McDONALD, CITY OF BARTLETT

No. 03-2020

WHEREAS, Coronavirus Disease (“COVID-19”) is a communicable respiratory disease that can lead to serious illness or death, particularly in the case of elderly adults and persons with serious chronic medical conditions; and

WHEREAS, on January 21, 2020, following the guidance of Centers for Disease Control and Prevention, the Tennessee Department of Health designated COVID-19 as a reportable disease in Tennessee; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 12, 2020, the Governor for the State of Tennessee issued an Executive Order to facilitate the treatment and containment of COVID-19, pursuant to Tennessee Code Annotated § 58-2-107(e)(1); and

WHEREAS, on March 13, 2020, the President of the United States declared a national state of emergency in response to the COVID-19 pandemic; and

WHEREAS, on March 20, 2020, I declared a state of emergency for the City of Bartlett, pursuant to Tennessee Code Annotated § 38-9-101 *et seq.* and § 58-2-101 *et seq.* and Section 1-201 of the Codified Ordinances of the City of Bartlett in response to the COVID-19 pandemic; and

WHEREAS, pursuant to the authority invested in the Mayor under Tennessee Code Annotated § 38-9-101, *et seq.* and Section 1-201 of the Codified Ordinances of the City of Bartlett, the Mayor may proclaim in writing the existence of a civil emergency, as defined therein; and

WHEREAS, after proclamation of a civil emergency, the Mayor, in the interest of public safety and welfare, may make all orders necessary for the protection of life and property, including but not limited to, the closure of certain establishments; and

WHEREAS, on March 20, 2020, pursuant to the authority invested in the Mayor under Tennessee Code Annotated § 38-9-101, *et seq.* and Section 1-201 of the Codified Ordinances of the City of Bartlett, I issued Civil Emergency Proclamation and Executive Order No. 02-2020 closing restaurants and bars for on-site consumption as well as closing gyms and exercise facilities; and

WHEREAS, as of March 20, 2020, the Shelby County Health Department has reported thirty (30) confirmed cases of COVID-19 in Shelby County, and reported, for the first time, that community transmission may be occurring; and

WHEREAS, as of March 20, 2020, there were at least 154 positive COVID-19 tests reported in the state of Tennessee; and

WHEREAS, COVID-19 presents a severe danger to public health; and

NOW, THEREFORE, I, A. KEITH McDONALD, MAYOR OF THE CITY OF BARTLETT, by virtue of the power vested in me, do hereby proclaim that a civil emergency continues to exist in the City of Bartlett, Tennessee and Executive Order No. 02-2020 shall be amended to direct and order the following:

1. The following establishments are closed for on-site consumption by members of the public, effective at Midnight on March 20, 2020:
 - a. Restaurants, food courts, cafes, coffeehouses, and other establishments offering food or beverage for on-premises consumption; and
 - b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, and other establishments offering alcoholic beverages for on-premises consumption.
2. The restrictions imposed by Section 1 of this Order do not apply to any of the following:
 - a. Grocery stores, pharmacies, convenience stores, gas stations, retail stores and charitable food distribution sites to the extent they sell or distribute prepared food. However, on-site consumption of food or beverage within these facilities is prohibited.
 - b. Health care facilities, residential care facilities, crisis shelters or similar facilities.
3. All gyms and exercise and fitness facilities within the City of Bartlett are to close effective at Midnight on March 20, 2020.
4. The following establishments are closed for use and occupancy by members of the public, effective at Midnight on March 21, 2020:
 - a. Theaters, cinemas, movie theatres, and indoor and outdoor performance venues, and other similar recreational or entertainment facilities; and
 - b. Bowling alleys, arcades, indoor climbing facilities, indoor skating rinks, trampoline parks, and other similar recreational or entertainment facilities; and
 - c. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
5. Nothing in this Order shall prevent establishments subject to this Order from providing food and beverage or other product delivery services, window service, walk-up service, drive-through service, or drive-up service, as long as such establishments use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage or other products, an establishment subject to this Order may permit up to ten members of the public at one time in the establishment for the purpose of picking up food or beverage or product orders, so long as those individuals are at least six feet apart from one another while on premises. However, on-site consumption of food or beverage or other product within these establishments is prohibited.
6. This Order does not prohibit an employee, contractor, vendor, or supplier of the establishments and facilities subject to this Order from entering, exiting, using, or occupying such establishment or facility in their professional capacity.
7. The Bartlett Police Department is authorized to enforce and close those businesses within the City of Bartlett in violation of this Order.

8. This Order shall remain in effect until March 28, 2020 or until rescinded, but shall be limited to seven (7) days unless it is necessary by Executive Order for additional seven (7) day increments as permitted by law.

Upon signature, this Order shall become effective on March 21, 2020.

A. Keith McDonald
A. Keith McDonald, Mayor

Executed this 21st day of March, 2020

Attest: Penny Medlock
Penny Medlock, City Clerk

