HISTORIC
FRANKLIN
TENNESSEE

EXECUTIVE ORDER 2020-11
April 24, 2020

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory disease that appears to occur through respiratory transmission, presents with similar symptoms to those of influenza, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

WHEREAS, on January 30, 2020, the World Health Organization declared a public health emergency of international concern related to COVID-19; and

WHEREAS, COVID-19 is frequently spread through close contact between persons and respiratory transmission; and

WHEREAS, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and several additional confirmed or presumptively positive cases of COVID-19 have since been identified in Tennessee; and

WHEREAS, on March 5, 2020, the first case of COVID-19 in Williamson County was identified; and

WHEREAS, the spread and identification of additional cases of COVID-19 in Tennessee, and specifically Franklin, is likely to continue, and therefore, taking proactive steps to prevent a substantial risk to public health and safety is paramount; and

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

WHEREAS, on March 12, 2020, pursuant to the authority granted by Tenn. Code Ann. § 58-2-107, the Governor of Tennessee, Bill Lee, issued Executive Order No. 14, declaring a state of emergency to facilitate the response to COVID-19, and

WHEREAS, on March 13, 2020, the President of the United States, Donald J. Trump, declared a national state of emergency with respect to COVID-19; and

WHEREAS, on March 19, 2020, Governor Lee issued Executive Order No. 15, suspending certain statues and rules in response to COVI-19; and

WHEREAS, on March 20, 2020, I issued Executive Order No. 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on March 20, 2020, Governor Lee issued Executive Order No. 16 allowing electronic meetings while continuing to function openly and transparently; and

WHEREAS, on March 22, 2020, Governor Lee issued Executive Order No. 17 limiting social gatherings and the operations of restaurants, bars, and gyms; and

WHEREAS, on March 23, 2020, Governor Lee issued Executive Order No. 18 limiting non-emergency healthcare procedures; and

WHEREAS, on March 24, 2020, I issued the Stay at Home Executive Order 2020-02 requiring citizens to stay in their residences unless they are conducting Essential Activities or Essential Business; and

WHEREAS, on March 24, 2020, Governor Lee issued Executive Order No. 19 suspending certain provisions of statutes and rules; and

WHEREAS, on March 26, 2020, Governor Lee issued Executive Order No. 20 amending Executive Order No. 15 suspending provisions of certain statutes and rules and taking other necessary measures in order to facilitate the treatment and containment of COVID-19;

WHEREAS, on March 27, 2020, I issued Executive Order No. 2020-03 re-issuing Executive Order 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on March 30, 2020, Governor Lee issued Executive Order No. 21 directing Tennesseans to stay home unless engaging in Essential Activities to limit their exposure to and spread of COVID-19; and

WHEREAS, on March 30, 2020, Governor Lee issued Executive Order No. 22 amending Executive Order No. 17 to further mitigate the spread of COVID-19 by limiting non-essential services and gatherings; and

WHEREAS, on March 31, 2020, I issued Executive Order No. 2020-04 re-issuing Executive Order 2020-02 requiring residents to stay in their residences unless they are conducting Essential Activities or Essential Business; and

WHEREAS, on April 2, 2020, Governor Lee issued Executive Order No. 23 amending Executive Order No. 22 requiring Tennesseans to stay home unless engaging in Essential Activity or Essential Services; and

WHEREAS, on April 3, 2020, I issued Executive Order No. 2020-05 re-issuing Executive Order 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on April 3, 2020, Governor Lee issued Executive Order No. 24 amending Executive Order No. 15 suspending provisions of certain statutes and rules and taking other necessary measures in order to facilitate the treatment and containment of COVID-19; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 2020-06 re-issuing Executive Order 2020-02 requiring residents to stay in their residences unless they are conducting Essential Activities or Essential Business; and

WHEREAS, on April 8, 2020, Governor Lee issued Executive Order No. 25 limiting non-emergency healthcare procedures; and

WHEREAS, on April 9, 2020, Governor Lee Issued Executive Order No. 26 suspending provisions of certain statutes and rules in order to facilitate remote notarization and witnessing of documents; and

WHEREAS, on April 10, 2020, I issued Executive Order No. 2020-07 re-issuing Executive Order 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on April 13, 2020, Governor Lee issued Executive Order No. 27 extending temporary social distancing and stay-at-home provisions of Executive Order Nos. 17, 21, 22, and 23 until April 30, 2020, to preserve and increase the containment of COVID-19; and

WHEREAS, on April 14, 2020, I issued Executive Order No. 2020-08 re-issuing Executive Order 2020-02 requiring residents to stay in their residences unless they are conducting Essential Activities or Essential Business; and

WHEREAS, on April 17, 2020, I issued Executive Order No. 2020-09 re-issuing Executive Order 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on April 21, 2020, I issued Executive Order No. 2020-10 re-issuing Executive Order 2020-02 requiring residents to stay in their residences unless they are conducting Essential Activities or Essential Business; and

WHEREAS, on April 24, 2020, Governor Lee shared the Tennessee Pledge, the state's plan to slowly re-open businesses within Tennessee while maintaining safe conditions for employees and consumers; and

WHEREAS, as of April 24, 2020, COVID-19 has spread throughout the world, including 869,172 cases within the United States; 8,266 cases state-wide; and 369 cases within Williamson County; and

WHEREAS, the Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004, Tenn. Code Ann. §§ 58-8-101 *et seq.*, authorizes the mayor to declare a local state of emergency affecting such official's jurisdiction by executive order consistent and in accordance with Tenn. Code Ann. §§ 58-2-110(3)(A)(v); and

WHEREAS, Tenn. Code Ann. §§ 58-2-110(3)(A)(v), among other things, authorizes the City, upon the mayor's declaration of a local state of emergency to waive certain procedures and formalities otherwise required of the City by law; and

WHEREAS, the declaration of a local state of emergency may entitle the City to cost reimbursement as provided in Tenn. Code Ann. § 58-8-11; and

WHEREAS, the Title 1, Chapter 5 of the Franklin Municipal Code provides for Emergency Management upon the declaration of emergency by the Mayor.

NOW, THEREFORE, I, Dr. Ken Moore, Mayor of the City of Franklin, by virtue of the power and authority vested in me by the City Charter, and other applicable law, including specifically Tenn. Code Ann. § 38-9-101 et seq. , Tenn. Code Ann. § 58-2-110, and Tenn. Code Ann. § 58-8-104, do hereby declare a local state of emergency within the City and order the following:

Section 1. To protect public health, the City of Franklin finds it is necessary to request assistance from the President, Governor, and the Tennessee Department of Health to address this public health emergency.

Section 2. All procedures and formalities otherwise required under the Franklin Municipal Code or Tennessee law pertaining to the following are hereby waived:

a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
b. Entering into contracts;
c. Incurring obligations;
d. Employment of permanent and temporary workers;
e. Utilization of volunteer workers;
f. Rental of equipment;
g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
h. Appropriation and expenditure of public funds.

Section 3. All provisions of the Franklin Municipal Code pertaining to emergency situations, including Title 1, Chapter 5, are hereby activated.

Section 4. The City Administrator and his Designees are hereby authorized to request and respond to requests of aid from other jurisdictions.

Section 5. The City Administrator is authorized to conduct the activities of the City and to make all necessary decisions related to personnel and the day-to-day needs of the City. The City Administrator shall also have the authority to administratively suspend permits issued by the City when it is deemed to be in the best interest of the health and welfare of the citizens of Franklin. The City Administrator shall report to the Board of Mayor and Alderman at least weekly. Further, whenever possible, decisions regarding City services shall be shared with the public through the City website and other means as deemed appropriate by the City Administrator.

Section 6. The City Administrator is authorized to settle condemnation lawsuits for up to 40% of the appraisal or up to $50,000, whichever is greater.

Section 7. During the period of this Order, the City shall suspend the addition of penalties for late payment of water, sewer, reclaimed water, sanitation, and stormwater bills. However, all fees and charges remain due and payable during this period.

Section 8. The City shall, to the extent possible and provided by law, shall follow CDC guidance as it relates to COVID-19. City approved events through the months of March and April are hereby cancelled or postponed.

Section 9. All requirements set forth in Executive Order 2020-10 relative to restaurants will expire at midnight on April 27, 2020. Pursuant to Governor Lee's Tennessee Pledge, restaurants will be allowed to re-open on Monday, April 27, 2020, but must operate at 50% capacity and must follow all CDC guidelines. Additionally, restaurants must follow all safeguarding protocols and safeguarding guidance set forth in the Tennessee Pledge and Reopening Tennessee Responsibly Guidelines. Restaurants that re-open must post the following notices, which are also attached as Exhibit A:

https://www.tn.gov/governor/covid-19/economic-recovery/restaurant-guidelines.html

Section 10. All requirements set forth in Executive Order 2020-10 relative to retail establishments will expire at midnight on April 29, 2020. Pursuant to Governor Lee's Tennessee Pledge, retail establishments will be allowed to re-open on Wednesday, April 29, 2020, but must operate at 50% capacity and must follow all CDC guidelines. Additionally, retail establishment must follow all safeguarding protocols and safeguarding guidance set forth in the Tennessee Pledge and Reopening Tennessee Responsibly Guidelines. Restaurants that re-open must publicly post the following notices, which are also attached as Exhibit B:

https://www.tn.gov/governor/covid-19/economic-recovery/retail-guidelines.html

Section 11. Based upon the proclaimed civil emergency and pursuant to Governor Lee's Executive Order No. 17, No. 21, and No. 22 all gyms and exercise and fitness facilities and businesses that provide close personal care within the City of Franklin are ordered to close on March 20, 2020 and shall remain closed until midnight on April 30, 2020.

Section 12. The Building Official, the Franklin Police Department and the Franklin Fire Marshall are authorized by this Order to enforce and close those businesses in violation of this Civil Emergency Order in our City until this Order is withdrawn.

Section 13. Notice of this Declaration and Order will be promptly communicated to all members of the Board of Mayor and Aldermen.

Section 14. This Declaration and Order is valid and effective immediately for a period not to exceed seven days and may be incrementally extended for additional seven-day periods as deemed necessary.

Issued and ordered this the 24th day of April, 2020, pursuant to Tenn. Code Ann. § 38-9-101 et seq., Tenn. Code Ann. § 58-2-110 (3), and Tenn. Code Ann. § 58-8-101 et seq.

CITY OF FRANKLIN, TENNESSEE

DR. KEN MOORE
City of Franklin Mayor

ATTEST:

ERIC S. STUCKEY
City Administrator/City Recorder

Approved as to form by:
Shauna R. Billingsley, City Attorney

Exhibit A:

Tennessee Pledge
Restaurant Guidelines

Restaurant Industry

The "Tennessee Pledge" is a plan to help Tennesseans get back to work in a safe environment, restore their livelihoods and reboot our state's economy.

Tennessee *Pledge*

Tennessee Pledge

Universal Guidelines

For All Businesses

The State is recommending safeguarding protocols for all businesses in Tennessee, including those that are re-opening and those essential businesses that have remained open during the Safer at Home order. These safeguarding protocols are based on the recommendations of the CDC and OSHA. To support the Pledge for Tennessee, all employers and employees should take steps to reopen safely, help other industries be able to open more quickly, and help Tennessee remain healthy and open for business.

Employers

- **Screen all employees reporting to work for COVID-19 symptoms** with the following questions:
    - Have you been in close contact with a confirmed case of COVID-19?
    - Are you experiencing a cough, shortness of breath, or sore throat?
    - Have you had a fever in the last 48 hours?
    - Have you had new loss of taste or smell?
    - Have you had vomiting or diarrhea in the last 24 hours?
- **Temperature screening employees:**
    - Best practice: employers to take temperatures on site with a no-touch thermometer each day upon arrival at work.
    - Minimum: Temperatures can be taken before arriving. Normal temperature should not exceed 100.4 degrees Fahrenheit.
- **Direct any employee who exhibits COVID-19 symptoms** (i.e., answers yes to any of the screening questions or who is running a fever) to leave the premises immediately and seek medical care and/or COVID-19 testing, per CDC guidelines. Employers should maintain the confidentiality of employee health information.
- **Implement workplace cleaning and disinfection** practices, according to CDC guidelines, with regular sanitization of high-touch surfaces at least every two hours
- **Mitigate exposure in the workplace** by implementing social distancing guidelines and modify scheduling
- **Allow employees to work from home as much as possible**
- **Plan for potential COVID-19 cases**, and work with local health department officials when needed (e.g., monitor and trace COVID-19 cases, deep clean facilities)
- **Covered employers and employees should be aware of the provisions of the federal Families First Coronavirus Response Act**, which allows for paid sick leave

or expanded family and medical leave for specified reasons, such as for self-quarantining or seeking a medical diagnosis for COVID-19 symptoms

- **Update the Employee Illness Policy** to include the symptoms of "COVID-19" or create a COVID-19 specific policy. All staff should sign the policy, and the policy should be posted for confirmation
- **Limit self-service options** (customer samples, communal packaging, food/beverages, etc.)
- **Post extensive signage on health policies**, including the following documents in the workplace to help educate building occupants on COVID-19 best practices:
    - CDC guidance to stop the spread of germs
    - CDC guidance on COVID-19 symptoms

Employees

- **Stay home when feeling ill**, when exposed to COVID-19 (e.g., positive household member case), or if diagnosed with a confirmed case of COVID-19. Employees who are particularly vulnerable to COVID-19 according to the CDC (e.g., due to age or underlying conditions) are encouraged to stay home
- **Increase hygiene practices**—wash hands more frequently, avoid touching face, practice good respiratory etiquette
- **Wear a cloth face covering (not an N-95 or medical mask, which should be reserved for healthcare workers)** while at work and in public to help protect against the spread of the virus
- **Practice recommended social distancing** to the greatest extent possible - **"Further is safer"**
- **Abide by guidelines established by employer**, which may include the use of gloves, social distancing practices in the workplace, and increased sanitation

Businesses should follow guidance issued by the Centers for Disease Control and Prevention, as well as any applicable federal or regulatory requirements. In addition to these general guidelines for all Tennessee employers and employees, each employer and employee should refer to their industry-specific guidance, as set forth on the following pages. These industry-specific safeguarding protocols have been created with the input of private sector working groups in partnership with the Economic Recovery Group. Protocols are subject to change and may be released on a rolling basis. Companies doing business in Tennessee should follow Tennessee guidance and best practices outlined in this document.

Tennessee Pledge

Restaurant Industry

Safeguarding Guidance

In addition to strict adherence to CDC guidelines, the State recommends restaurants put into place an assortment of measures to protect consumers and employees, including:

Employee Protection

- Follow sanitation frequency guidance contained in this document at all times
- Have dedicated face coverings and dedicated gloves (i.e., only used by one person) worn by all employees, at all times
    - Should not be N-95 or medical variety – these should be saved for use by healthcare workers
- Require all employees to report any symptoms of illness to supervisor and require notification of COVID-19 positive case in employee's household
- Provide ServSafe COVID-19 training for all food handlers as soon as possible

Consumer Protection

- Limit the number of customers in the restaurant to 50% of seating capacity
- Tables should be spaced at least 6 feet apart
- Limit tables to no more than 6 guests per table
- Mark any indoor or outdoor waiting area so that social distancing standards are met (options can include a text system to alert guests of available seating, an intercom system, or only one member of a party being allowed to wait in the waiting area)
- Bar areas should remain closed
- Live music should not be permitted
- Screen customers for illness upon their entry into the restaurant:
    - Best practice: Temperature checks for every customer. Customers with temperatures above 100.4 degrees Fahrenheit should not be permitted on premise
    - Minimum: Question customers regarding COVID-19 symptoms
        - Have you been in close contact with a confirmed case of COVID-19?
        - Are you experiencing a cough, shortness of breath, or sore throat?
        - Have you had a fever in the last 48 hours?

Tennessee Pledge

Business Process Adaptations

- Place hand sanitizer stations in restaurant lobby and bathrooms, as well as at cashier stations
- Sanitize all front-of-house contact surfaces including door handles, screens, phones, pens, keyboards and other areas of hand contact every two hours, at a minimum
- Use menus that are disposable or sanitized between each use
- Use rolled silverware/napkins stored in sealed bins (gloves should be used by staff while rolling silverware in designated sanitary areas)
- Sanitize all tabletop items, including condiments, after each table turns (or use disposables)
- Sanitize chairs, especially where contact occurs, after each table turns
- Do not offer self-serve buffets, condiments on a counter for use by multiple tables, or beverage station re-use

Exhibit B:

Tennessee Pledge Retail Guidelines

Retail Industry

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Employers

- **Screen all employees reporting to work for COVID-19 symptoms** with the following questions:
    - Have you been in close contact with a confirmed case of COVID-19?
    - Are you experiencing a cough, shortness of breath, or sore throat?
    - Have you had a fever in the last 48 hours?
    - Have you had new loss of taste or smell?
    - Have you had vomiting or diarrhea in the last 24 hours?
- **Temperature screening employees:**
    - Best practice: employers to take temperatures on site with a no-touch thermometer each day upon arrival at work.
    - Minimum: Temperatures can be taken before arriving. Normal temperature should not exceed 100.4 degrees Fahrenheit.
- **Direct any employee who exhibits COVID-19 symptoms** (i.e., answers yes to any of the screening questions or who is running a fever) to leave the premises immediately and seek medical care and/or COVID-19 testing, per CDC guidelines. Employers should maintain the confidentiality of employee health information.
- **Implement workplace cleaning and disinfection** practices, according to CDC guidelines, with regular sanitization of high-touch surfaces at least every two hours
- **Mitigate exposure in the workplace** by implementing social distancing guidelines and modify scheduling
- **Allow employees to work from home as much as possible**
- **Plan for potential COVID-19 cases**, and work with local health department officials when needed (e.g., monitor and trace COVID-19 cases, deep clean facilities)
- **Covered employers and employees should be aware of the provisions of the federal Families First Coronavirus Response Act**, which allows for paid sick leave

or expanded family and medical leave for specified reasons, such as for self-quarantining or seeking a medical diagnosis for COVID-19 symptoms

- **Update the Employee Illness Policy** to include the symptoms of "COVID-19" or create a COVID-19 specific policy. All staff should sign the policy, and the policy should be posted for confirmation
- **Limit self-service options** (customer samples, communal packaging, food/beverages, etc.)
- **Post extensive signage on health policies**, including the following documents in the workplace to help educate building occupants on COVID-19 best practices:
    - CDC guidance to stop the spread of germs
    - CDC guidance on COVID-19 symptoms

Employees

- **Stay home when feeling ill**, when exposed to COVID-19 (e.g., positive household member case), or if diagnosed with a confirmed case of COVID-19. Employees who are particularly vulnerable to COVID-19 according to the CDC (e.g., due to age or underlying conditions) are encouraged to stay home
- **Increase hygiene practices**—wash hands more frequently, avoid touching face, practice good respiratory etiquette
- **Wear a cloth face covering (not an N-95 or medical mask, which should be reserved for healthcare workers)** while at work and in public to help protect against the spread of the virus
- **Practice recommended social distancing** to the greatest extent possible - **"Further is safer"**
- **Abide by guidelines established by employer**, which may include the use of gloves, social distancing practices in the workplace, and increased sanitation

Businesses should follow guidance issued by the Centers for Disease Control and Prevention, as well as any applicable federal or regulatory requirements. In addition to these general guidelines for all Tennessee employers and employees, each employer and employee should refer to their industry-specific guidance, as set forth on the following pages. These industry-specific safeguarding protocols have been created with the input of private sector working groups in partnership with the Economic Recovery Group. Protocols are subject to change and may be released on a rolling basis. Companies doing business in Tennessee should follow Tennessee guidance and best practices outlined in this document.

Tennessee Pledge

Retail Industry

Safeguarding Guidance

In addition to strict adherence to CDC guidelines, the State recommends retail industries put into place an assortment of measures to protect consumers and employees, including:

Employee Protection

- Staff should wear face coverings (not N-95 or medical masks, which should be reserved for healthcare workers) and other personal protection items as recommended by the CDC
- Provide training on personal protective equipment based on CDC guidelines
- Provide a sanitizing station such as a wash basin with soap and/or bottle of hand sanitizer
- Stagger shifts, breaks, and meals, in compliance with wage and hour laws and regulations, to maintain social distancing
- Provide regular updates and training for employees about personal COVID-19 mitigation and store safeguards based on CDC guidelines
- Require all employees to report any illness to supervisor and require notification of COVID-19 positive case in employee's household
- Prohibit congregating in break rooms or common areas and limit capacity of such areas to allow for safe social distancing minimum of 6 feet whenever possible

Consumer Protection

- Limit the number of customers inside a store at a given time, excluding employees and representatives of third-party delivery companies, to 50 percent or less of store occupancy based on Tennessee's Building and Fire Code
- Customers should wear face coverings inside the store
- Consider dedicated shopping hours or appointment times for the elderly, medically vulnerable, and health care workers
- Establish one-way aisles and traffic patterns for social distancing
- Increase curbside, pickup, and delivery service options to minimize contact and maintain social distancing
- Assign dedicated staff to prompt customers regarding the importance of social distancing

- Add social distancing "reminder" signs, personal stickers, floor decals, and audio announcements

Business Process Adaptations

- Establish enhanced cleaning protocols that follow CDC guidelines including sanitizing shared resources (such as carts) after each use, and sanitizing all high traffic / high touch areas (such as counters check-out lanes, keypads, break rooms, dressing rooms, rest rooms) every two hours and when visibly dirty
- Use a clearly designated entrance and a separate clearly designated exit to maintain social distancing
- Use plastic shields or barriers between customers and clerks at service counters, and clean them frequently (every 2 hours and when visibly dirty)
- Adjust store hours to allow time for enhanced cleaning
- Prohibit the use of reusable bags (reusable bags may carry COVID-19)
- Suspend the sampling of food and personal hygiene products
- Task management-level employees within a store to monitor compliance