



**EXECUTIVE ORDER 2020-12**  
**May 1, 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 statutes and rules in response to COVID-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**, on April 24, 2020, I issued Executive Order No. 2020-11 re-issuing Executive Order 2020-01 Declaring a State of Emergency and Civil Emergency; and

**WHEREAS**, on April 24, 2020, Governor Lee issued Executive Order 29 to amend Executive Order 17 to reopen dining in restaurants; and

**WHEREAS**, on April 28, 2020, Governor Lee issued Executive Order 30 allowing Tennesseans to return to work safely while encouraging continued adherence to health guidelines to limit the spread of COVID-19; and

**WHEREAS**, on April 29, 2020, Governor Lee issued Executive Order 31 to reduce the spread of COVID-19 by limiting non-emergency dental procedures; and

**WHEREAS**, as of May 1, 2020, COVID-19 has spread throughout the world, including 1,031,659 cases within the United States; 10,735 cases state-wide; and 411 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.** The City asks that businesses that open follow the Tennessee Pledge guidelines, as may be amended by Governor Lee. For reference, please see <https://www.tn.gov/governor/covid-19/economic-recovery/tennessee-pledge.html>.

**Section 10. Permits for Peddlers and Solicitors.** All permits for peddlers and solicitors provided pursuant to Franklin Municipal Code § 9-201 et seq. and permits for charitable solicitors provided pursuant to Franklin Municipal Code § 9-301 et seq. are suspended temporarily and will be reinstated once this Order expires.

**Section 11. Wearing Masks.** Franklin Municipal Code § 11-804 relative to wearing masks in public is suspended until this Order expires. Consistent with Health Guidelines of the CDC and Tennessee Pledge, residents are strongly encouraged to wear masks when going out in public and when coming within 6 feet of other people.

**Section 12.** City parks shall remain open but Physical Distancing Requirements shall be observed. Congregating or playing on certain parks equipment presents a unique risk for the spread of COVID-19 and therefore the City Administrator in consultation with the Parks Director may open and close equipment as needed.

**Section 13.** 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.

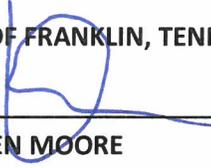
**Section 14.** Notice of this Declaration and Order will be promptly communicated to all members of the Board of Mayor and Aldermen.

**Section 15.** If any provision of this Order conflicts with any Executive Order issued by Governor Lee, Governor Lee's Executive Order(s) shall supersede.

**Section 16.** 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 1st day of May, 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



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DR. KEN MOORE  
City of Franklin Mayor

ATTEST:



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ERIC S. STUCKEY  
City Administrator/City Recorder

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