PROCLAMATION BY THE MAYOR AND CITY MANAGER DECLARING A STATE OF EMERGENCY WITHIN THE CITY OF SHELBYVILLE, TENNESSEE, CONCERNING THE NOVEL CORONAVIRUS DISEASE (COVID-19) OUTBREAK

Executive Order No. 2020-01
March 20, 2020

WHEREAS, in December, 2019, a novel (new) coronavirus known as SARS-CoV-2 (the “virus”) was first detected in Wuhan, Hubei Province, the People’s Republic of China, causing outbreaks of the Coronavirus Disease 2019 (“COVID-19”) that has now spread globally; and

WHEREAS, the COVID-19 disease is a respiratory disease that can result in mild or severe symptoms including fever, cough, and shortness of breath, 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 (the “CDC”) has recommended that all states and territories implement aggressive measures to slow and contain the transmission of the virus within the United States; and

WHEREAS, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (“SHOC”); and

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

WHEREAS, on January 31, 2020, the Secretary of the Department of Health and Human Services for the United States of America, Alex M. Azar, II, did declare that a public health emergency exists in the United States due to the spread of the virus; and

WHEREAS, on March 4, 2020, Tennessee Governor Bill Lee did announce the State’s first confirmed case of COVID-19 disease in a patient in Williamson County; and

WHEREAS, on March 4, 2020, Governor Lee did announce the formation of a Coronavirus Task Force to enhance Tennessee’s coordinated efforts to prevent, identify, and treat potential cases of COVID-19 disease; and

WHEREAS, on March 10, 2020, the Bedford County Emergency Management Agency did organize and convene the Bedford County Coronavirus Task Force, to include representatives of the City of Shelbyville; and

WHEREAS, on March 11, 2020, the World Health Organization announced that the COVID-19 disease outbreak could be characterized as a pandemic; and
WHEREAS, on March 12, 2020, Governor Lee did issue Executive Order No. 14 “An Order Suspending Provisions of Certain Statutes and Rules in Order to Facilitate the Treatment and Containment of COVID-19” declaring a state of emergency within the State of Tennessee; and

WHEREAS, on March 13, 2020, the President of the United States of America, Donald J. Trump, did issue the “Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak” which found that a COVID-19 outbreak in the United States constituted a national emergency;

WHEREAS, on March 13, 2020, the Supreme Court of the State of Tennessee did issue “Order Suspending In-Person Court Proceedings,” Order No. ADM-2020-00428, In re: Covid-19 Pandemic, declaring a state of emergency for the Judicial Branch of Tennessee government and activating a Continuity of Operations Plan for the Courts of Tennessee, including that of the City of Shelbyville Municipal Court; and

WHEREAS, on March 16, 2020, the Bedford County Department of Education did announce the closure of all schools and the cancellation of all school activities as of March 17, 2020, through March 31, 2020, upon the request of Tennessee Governor Bill Lee; and

WHEREAS, on March 16, 2020, President Trump did issue a strict set of Coronavirus Guidelines to be followed for the next 15 days to help slow the spread of the COVID-19 disease; and

WHEREAS, as of March 19, 2020, according to the Tennessee Department of Health, there are 155 confirmed or presumptively confirmed positive cases of COVID-19 disease in Tennessee; and

WHEREAS, while there are no confirmed cases of COVID-19 disease in the City of Shelbyville or Bedford County at this time, it is advisable and prudent to be proactive in adopting local measures to prevent the spread of the virus and to aid in its containment should it spread to the City; and

WHEREAS, safeguarding the life and property of its citizens is an innate responsibility of the City of Shelbyville, the Mayor, the City Council, its officers and employees; and

WHEREAS, empirical medical evidence and expert reports strongly indicate and advise that the spread of the virus and the development of its resultant COVID-19 disease is effectively slowed by frequent handwashing, social distancing, self-isolation or quarantine, and the reduction of public interactions and gatherings of groups of people; and

WHEREAS, the spread of the virus is a condition of danger to the health, welfare, safety, and economic wellbeing of the citizens of the City of Shelbyville and may result in an interruption of municipal services to the public; and

WHEREAS, further extraordinary measures may be required to protect the property and the health, safety, and welfare of the citizens of the City; and

WHEREAS, the City desires and intends to continue to provide municipal services of the highest quality to its citizens, residents, and visitors while effectively managing the challenges presented by the COVID-19 pandemic through a reasoned, proactive, and flexible response to slow the spread of the virus and lessen its impact on the public health, safety, and welfare, and on local economic activity; and
WHEREAS, State law and the City Charter bestow police powers upon the City and authorize it to act and to regulate in the interests of public health and welfare; and

WHEREAS, Tennessee Code Annotated ("TCA") § 58-2-101(7) defines "Emergency" to mean "an occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, that results or may result in substantial injury or harm to the population, or substantial damage to or loss of property; provided, that natural threats may include disease outbreaks and epidemics"; and

WHEREAS, TCA § 58-8-102(5) defines "Emergency" to mean "an occurrence or threat of an occurrence, whether natural or man-made, that results in or may result in substantial injury or harm to the population or substantial damage to or loss of property and which results in a declaration of a state of emergency by a municipal mayor, a county mayor or executive, the governor, or the president"; and

WHEREAS, pursuant to TCA § 58-8-104, the State of Tennessee has provided for the declaration of a local state of emergency by the mayor of a municipality by executive order consistent with and governed by TCA § 58-2-110(3)(A)(v), which grants a municipality the authority to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to certain requirements; and

WHEREAS, the undersigned Wallace Cartwright is the duly elected Mayor of the City of Shelbyville; and

WHEREAS, TCA § 38-9-101(2)(B) defines "Civil Emergency" to mean any natural disaster or man-made calamity, including, but not limited to the occurrences listed in those sections, within the geographic limits of a municipality resulting in the death or injury of persons, or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare; and

WHEREAS, by statute, the State of Tennessee has provided for the declaration of a local state of civil emergency in accordance with TCA § 38-9-102 within a municipality by the chief administrative officer of the municipality; and

WHEREAS, pursuant to City Charter Article VII § 7-1, the City Manager is designated as the chief administrative officer of the City of Shelbyville; and

WHEREAS, the undersigned Shanna Boyette is the duly appointed City Manager of the City of Shelbyville; and

WHEREAS, the Mayor and City Manager have made such observations and investigations necessary, including consultations with the Bedford County Mayor, the Bedford County Emergency Management Agency, and the Bedford County Health Department, to determine in their judgment that a state of emergency exists within the jurisdiction of the City of Shelbyville that has resulted or may result in substantial injury or harm to the population, or substantial damage to or loss of property; and

WHEREAS, it is necessary and proper for the Mayor and City Manager to exercise their respective authorities granted by State law to minimize the immediate and significant danger to the health, safety and welfare of the citizens, residents, visitors, and employees of the City of Shelbyville.
NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY THE MAYOR AND CITY MANAGER OF THE CITY OF SHELBYVILLE, TENNESSEE, BY VIRTUE OF THE RESPECTIVE POWERS AND AUTHORITIES VESTED IN THEM, AS FOLLOWS:

Section 1. A State of Emergency is declared within the jurisdiction of the City of Shelbyville.

Section 2. This Proclamation shall be promptly communicated to all members of the Shelbyville City Council, all City Department Directors, the Mayor of Bedford County, and shall be distributed to the local media outlets.

Section 3. This Proclamation shall be promptly filed with the Shelbyville City Recorder in accordance with TCA § 38-9-102.

Section 4. In accordance with TCA § 58-2-110 the State of Emergency is valid and effective as of Friday, March 20, 2020, until rescinded, but shall be limited to a period of seven days from this date, and may be incrementally extended for additional seven-day periods as deemed necessary.

Section 5. All orders and directives included in this Proclamation shall continue through the duration of the State of Emergency, or any extension thereof, until rescinded or amended by executive order unless otherwise stated.

Section 6. All members of the public are strongly encouraged to follow the guidance of and comply with the directives issued by the CDC, other Federal government branches and agencies, and the departments of health for the State of Tennessee and Bedford County.

Section 7. All members of the public are strongly encouraged to remain calm, to resist panic purchasing, to consider their neighbors who have need, and to look after and help those most at risk to this pandemic, including the elderly and those with underlying chronic health conditions and suppressed immune systems.

Section 8. All members of the public are strongly encouraged to monitor the City’s website and social media accounts, including Facebook and Twitter, for information related to on-going pandemic responses and municipal service updates.

Section 9. All events, activities, and programs of the Parks and Recreation Department are cancelled or suspended. All recreational facilities of the Parks and Recreation Department, including the Shelbyville Recreation Center, the Celebration Station Playground, the H.V. Griffin Park Skate Park, the Never Rest Playground, the Purdy Court Playground, as well as all batting cages, pavilions, and athletic fields are closed to the public. In addition, no group gatherings are permitted on park properties.

Section 10. All City of Shelbyville Department Directors are directed to be proactive and are authorized upon approval by the City Manager to take any lawful action pertaining to their departments as they may deem necessary to effectuate the provisions of this Proclamation in furtherance of the purpose of preventing the spread of the COVID-19 disease, or aiding in its suppression, or in the treatment of City residents, visitors, and employees, while continuing to provide and maintain municipal services.

Section 11. The public’s physical access to City properties and facilities of may be limited. All City departments and offices, to the maximum extent possible, shall limit person-to-person public
access, and instead shall use drive-through window service and electronic, telephonic, and mail methods of communication whenever possible. Department Directors are authorized to develop and implement policies and procedures to carry out any necessary measures to protect the public and City employees during this pandemic while allowing person-to-person public access as may be absolutely necessary for the conduct of City business and as may be required by law. Procedures for each department as of March 20, 2020, are outlined in Exhibit A attached to this Proclamation, but may be amended by the Department Director or City Manager as necessary. Members of the public are strongly encouraged to call ahead to the respective department if they are not certain how to access services or assistance.

Section 12. City employees whose job functions and duties can be adequately performed from home as determined and authorized by their Department Directors and the Shelbyville City Manager, may work from home. Department Directors shall take steps to ensure this requirement is not abused and that healthy workers perform their job functions and duties while working from home.

Section 13. Pursuant to TCA § 58-2-110(3)(A), the City of Shelbyville will:

(a) As necessary, appropriate and expend funds; make contracts; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal, State, and County emergency management agencies;

(b) As necessary, appoint, employ, remove, or provide, with or without compensation, coordinators, rescue teams, fire and police personnel, and other emergency management workers;

(c) As necessary, establish a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations;

(d) As necessary, assign and make available for duty the offices and agencies of the City of Shelbyville, including the employees, property, or equipment relating to health, medical and related services, police, transportation, and similar items or services for emergency operation purposes, as the primary emergency management forces of the City of Shelbyville for employment within or outside the area of the City of Shelbyville;

(e) Request State assistance or, as needed, invoke emergency-related mutual-aid assistance in the event of an emergency affecting another political subdivision.

Section 14. The City of Shelbyville, to the extent necessary to protect the health, safety, and welfare of the public, invokes its authority under TCA § 58-2-11-(3) to waive the procedures and formalities otherwise required of the City by law pertaining to:

(a) Performance of public services and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the City and its citizens;

(b) Entering into contracts;

(c) Incurring of obligations;

(d) Employment of temporary workers;
(e) Utilization of volunteer workers;
(f) Rental of equipment;
(g) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;
(h) Appropriation and expenditure of public funds; and
(i) Consider certain commercial vehicles engaged in the distribution of electric power, the supply of fuel, or telecommunications services to residences and businesses to be participating in an emergency relief effort for the purpose of the federal hours-of-service regulations promulgated by the Federal Motor Carrier Safety Administration.

Section 15. The Shelbyville City Treasurer, Kay Parker, is directed to monitor the expenditures of funds by the City related to the State of Emergency, prepare requests as appropriate for financial assistance and reimbursement of such expenditures by Federal and State governments, and conduct a review of such expenditures following the conclusion of the State of Emergency.

Section 16. The Shelbyville City Manager shall confer regularly with the Mayor and State and County emergency management authorities regarding the likelihood that public protection from the COVID-19 disease pandemic may require an order of curfew pursuant, a shelter-in-place order, or other restrictions on travel within the City.

CITY OF SHELBYVILLE MAYOR

Wallace Cartwright
Date: 3/20/20

CITY OF SHELBYVILLE MANAGER

Shanna Boyette
Date: 3/20/20

Date filed in the Office of the Shelbyville City Recorder: March 20, 2020

APPROVED AS TO FORM:

Ginger Bobo Shofner
Shelbyville City Attorney
EXHIBIT A

to the Proclamation by the Mayor and City Manager Declaring a State of Emergency
Within the City of Shelbyville, Tennessee Concerning the Novel Coronavirus
Disease (COVID-19) Outbreak

“SUMMARY OF PROCEDURES FOR LIMITED ACCESS TO SHELBYVILLE CITY FACILITIES AND
SERVICES DURING STATE OF EMERGENCY”

Shelbyville City Hall Administrative Building - 201 N. Spring Street, Public Square
City Hall offices are operational, but public access to the building is limited. For assistance, see as follows:

1. Upstairs Administrative Offices – including the Mayor’s Office, City Manager, City Recorder,
   and City Treasurer
   Telephone 684-2691
   Payments for property taxes may be made on-line at www.shelbyvilletn.org or by the other
   following methods.
   Submission of documents, applications, or payments for all other items can be made in-person
   at the drive-through window located to the south of the building off Holland Street or mailed
   to: The City of Shelbyville, P.O. Box 185, Shelbyville, TN 37162.

2. Downstairs Building and Codes Department
   Telephone 684-9001
   Applications and other documents as well as fees may be submitted in-person in the secured
downstairs lobby for processing by department staff. All inquiries to the department can be
made by telephone at 684-9001 or by email. Please utilize employee email addresses available
at the City’s website at www.shelbyvilletn.org.

3. Downstairs Planning and Community Development Department
   Telephone 684-9001
   Applications and other documents as well as fees may be submitted in-person in the secured
downstairs lobby for processing by department staff. All inquiries to the department can be
made by telephone at 684-9001 or by email to doug.affey@shelbyvilletn.org.

Shelbyville Animal Control – 716 Industrial Parkway
Telephone 684-6552
The office and shelter are on limited operations, and are closed to the public. For administrative support
please call 684-6552.

No shelter volunteers, TN promise students, or community service volunteer projects will take place
in the shelter until further notice. The Department will not be taking owner surrenders. Only
employees of the Department are permitted in the shelter to care for animals. Animal Control officers
will not proactively patrol for stray dogs or cats.
When responding to nuisance animals or stray dog calls, the Department will make every effort to limit the number of animal intakes into the shelter by attempting to find the owner. Should the owner not be found the Department will use officer discretion as to whether or not the dog is brought into the shelter. Officers will still respond to aggressive and/or dangerous dogs, dogs in distress from injury or illness, or cases of suspected neglect.

**Shelbyville Municipal Airport – 2828 Highway 231 North**  
**Telephone 684-1669**  
The Airport terminal, runway, and hangars shall remain open until further notice.

**Shelbyville Fire Department – administrative office at 111 Lane Parkway**  
**Telephone 684-6421**  
Emergency services remain fully functional, but non-emergency administrative support will be made by telephone or email only. Fire report inquiries and questions can be made by telephone to 684-6241 or by email to jason.richardson@shelbyvilletnfire.org.

**Shelbyville Parks and Recreation Department – Tulip Tree Drive**  
**Telephone 684-9780**  
Administrative offices are operational, but the facilities are closed to the public and all events, activities, and programs are cancelled or suspended. For administrative assistance, please call 684-9780.

**Shelbyville Police Department – 109 Lane Parkway**  
**Telephone 684-5811**  
Emergency services remain fully functional. Citizens are encouraged to call the Police Records office at 684-9948 to make arrangements for reports to be mailed, faxed, or emailed. In addition, for fine inquiries and payments, please call the Records office at 684-9948.

**Shelbyville Public Works Department – Industrial Parkway**  
**Telephone 684-2644**  
Sanitation and street services remain operational at this time. The building is closed to the public. For assistance, please call the Department office at 684-2644.

**Willowmount Cemetery – 321 Dover Street**  
**Telephone 684-5682**  
The cemetery shall remain open until further notice. For administrative assistance, please call 684-5682.

City website: [www.shelbyvilletn.org](http://www.shelbyvilletn.org)  
City Facebook: [https://www.facebook.com/The-City-of-Shelbyville-Tennessee-37160228063107269385/](https://www.facebook.com/The-City-of-Shelbyville-Tennessee-37160228063107269385/)  
City Twitter: [@ShelbyvilleTenn](https://twitter.com/ShelbyvilleTenn)