

City of
SHELBYVILLE

Tennessee

**PROCLAMATION BY THE MAYOR AND INTERIM CITY MANAGER RENEWING THE
COVID-19 STATE OF EMERGENCY WITHIN THE CITY OF SHELBYVILLE, TENNESSEE**

**City Executive Order No. 2020-42
December 31, 2020**

WHEREAS, since late 2019 a significant global outbreak of the Coronavirus Disease 2019 (“COVID-19”), a respiratory disease caused by the SARS-CoV-2 virus, has occurred causing profound disruptions to institutions, government, and commerce, as broad-ranging and unprecedented measures have been taken at the local, state, and federal government levels to stem the rate of transmission, including governmental declarations of states of emergency beginning in March of 2020, all of which have significantly impacted the health and livelihoods of the citizens of the City of Shelbyville; and

WHEREAS, pursuant to the “Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004” (the “Act”), City Mayor Wallace Cartwright is authorized to declare a local state of emergency by Executive Order and with the declaration of a state of emergency the City may be entitled to cost reimbursement and to waive certain procedures and formalities otherwise required of the City by law; and

WHEREAS, pursuant to *Tennessee Code Annotated (TCA) § 38-9-102* Interim City Manager Lori Saddler is authorized to declare a local state of civil emergency, for which she may declare a curfew for the City of Shelbyville if deemed necessary; and

WHEREAS, on March 20, 2020, pursuant to City Executive Order No. 2020-01, a local state of emergency was declared in the City encompassing both emergency and civil emergency under the purview of the respective TCA Titles 38 and 58, due to the COVID-19 pandemic, and since that time, these local states of emergency/civil emergency have been renewed by subsequent proclamations, City Executive Orders No. 2020-02 through 2020-41; and

WHEREAS, Tennessee has experienced a dramatic rise in COVID-19 positive cases and hospitalizations in the month of December, at one time last week having the highest positive case rate per population in the United States; and

WHEREAS, on December 20, 2020, Tennessee Governor Bill Lee issued Tennessee Executive Order No. 70 extending the continuing state of emergency in Tennessee until 11:59 PM, Central Standard Time (“CST”) on Tuesday, January 19, 2021 and ordering limitations on public social gatherings, to facilitate the response to COVID-19 pandemic, such Executive Order being filed with the Tennessee Secretary of State as of December 21, 2020; and

WHEREAS, on December 22, 2020, Governor Lee issued Executive Orders No. 71, 72, and 73 which extended the state of emergency and the period during which numerous previously issued preventive measures may be taken until 11:59 PM CST on February 27, 2021, such measures including the holding of governmental public meetings by electronic means, remote notarization and the witnessing of documents; and

WHEREAS, as of December 30, 2020, according to the Tennessee Department of Health, there have been 580,809 confirmed or presumptively confirmed positive cases of COVID-19 in the State, resulting in 6,810 deaths, and Bedford County, Tennessee has had a total of 4,500 confirmed and probable positive cases of COVID-19, of which 60 persons have unfortunately died, with an active case count of 461 people currently with a confirmed positive diagnosis of COVID-19 out of which 78 are currently hospitalized; and

WHEREAS, the federal Centers for Disease Control and Prevention (“CDC”) and other leading medical experts continue to encourage social distancing, effective personal hygiene practices, and other measures to contain and slow the spread of the virus, which the City government continues to follow; and

WHEREAS, safeguarding the life and property of its citizens is an innate responsibility of the City government, and as State law bestows police powers upon the City and authorizes it to act and to regulate in the interests of public health and welfare, and due to the continuing necessity of various pandemic response measures implemented at the national, state, and local levels, it is advisable and prudent to continue local measures to contain the virus within our community; and

WHEREAS, the undersigned Mayor and Interim City Manager have made such observations and investigations necessary to determine in their judgment that the state of emergency continues to exist within the City of Shelbyville and that it is necessary and proper for them to exercise their authority to renew a state of emergency as granted by State law.

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY THE MAYOR AND INTERIM CITY MANAGER OF THE CITY OF SHELBYVILLE, TENNESSEE, BY VIRTUE OF THE RESPECTIVE POWERS AND AUTHORITIES VESTED IN THEM, AS FOLLOWS:

Section 1. The City’s local State of Emergency first declared in Executive Order No. 2020-01 on March 20, 2020, which has been extended through January 1, 2021 by subsequent Executive Orders, is hereby renewed for an additional seven (7) days in accordance with TCA § 58-2-110.

Section 2. The provisions of all previous City Executive Orders Nos. 2020-01 through 2020-41, and those in this Proclamation, shall remain in full effect and continue through the duration of the COVID-19 State of Emergency, or extension thereof, unless amended or rescinded here within, or by subsequent Executive Order.

Section 3. All City residents are strongly urged to comply with Governor Lee’s Executive Orders and other State and federal guidance to contain the spread of COVID-19, including adhering to business reopening guidelines in Tennessee Pledge, health and safety protocols such as washing hands and wearing face coverings in public where appropriate, and the practice of social distancing measures and honoring the Governor’s limitations on public social gatherings.

Section 4. This Proclamation shall be promptly filed with the City Recorder in accordance with TCA § 38-9-102 and distributed to all members of the City Council, all City Department Directors, the Bedford County Mayor, and shall be distributed to local media outlets.

Section 5. If any provision, sentence, clause, or word of this Proclamation, or any application of it to any individual, group, organization, or business, regardless of legal entity status, or to any circumstance, is held to be illegal, otherwise invalid, or incapable of being enforced by a court of competent jurisdiction, then such provision, sentence, clause, or word shall be excluded to the extent of such illegality, invalidity or unenforceability; all other terms hereof shall remain in full force and effect; and, to the extent permitted and possible, the invalid or unenforceable provision, sentence, clause, or word shall be deemed replaced by another provision, sentence, clause, or word that is valid and enforceable and that comes

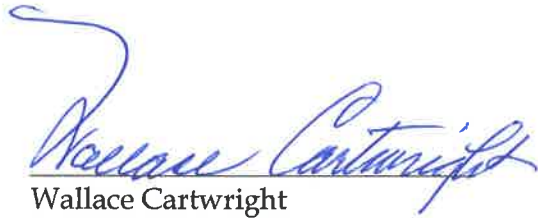
closest to expressing the intention of such illegal, invalid or unenforceable provision, sentence, clause, or word.

Section 6. In accordance with TCA § 58-2-110 the State of Emergency is valid and effective as of Friday, January 1, 2021, at 12:01 AM, CST, and shall continue in full force and effect through Friday, January 8, 2021, at 12:00AM, CST, unless earlier rescinded, and may be incrementally extended for additional seven-day periods as deemed necessary.

ISSUED on this the 31st day of December, 2020, in Shelbyville, Bedford County, Tennessee.

CITY OF SHELBYVILLE MAYOR


CITY OF SHELBYVILLE INTERIM MANAGER



Wallace Cartwright


Lori Saddler

ATTEST:

APPROVED AS TO FORM:


Lisa Smith
Shelbyville City Recorder


Ginger Bobo Shofner
Shelbyville City Attorney

Filed with the Shelbyville City Recorder on: 12/31/2020