

City of
SHELBYVILLE
Tennessee

**PROCLAMATION BY THE MAYOR AND CITY MANAGER RENEWING
THE STATE OF EMERGENCY WITHIN THE CITY OF SHELBYVILLE, TENNESSEE,
CONCERNING THE CONTAINMENT OF THE
NOVEL CORONAVIRUS DISEASE (COVID-19) OUTBREAK AND
CONTINUING PHASED RE-OPENING OF CITY SERVICES**

Executive Order No. 2020-15
June 25, 2020

WHEREAS, the Coronavirus Disease 2019 (“COVID-19”) is a respiratory disease caused by the SARS-CoV-2 virus (the “virus”) 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, since late 2019, a significant outbreak of COVID-19 occurred that has spread globally to 217 countries, areas, and territories, deemed a pandemic by the World Health Organization (the “WHO”), which has significantly impacted the health and livelihoods of the citizens of the City of Shelbyville; and

WHEREAS, broad-ranging and unprecedented measures have been taken at the local, state, and federal government levels to stem the rate of transmission of COVID-19, including the declaration of a national state of emergency by United States President Donald J. Trump on March 13, 2020, and the declaration of a state of emergency in the State of Tennessee by Governor Bill Lee on March 12, 2020;

WHEREAS, in response to the identification and spread of COVID-19 in Tennessee, Governor Lee issued numerous Executive Orders throughout March and April, 2020, that significantly curtailed commercial, employment, social, recreational, entertainment, and sports activities and suspended or modified various State laws, rules and regulations to facilitate the treatment and containment of COVID-19, minimize unnecessary person-to-person contact, maintain adequate health care system capacity and supplies, and other measures; and

WHEREAS, Tennessee’s pandemic response measures also included the voluntary physical closure of all public and private educational facilities in the State, including the Bedford County School District, for the remainder of their respective school years at the behest of Governor Lee, with the substitution of an electronic distance learning curriculum, and the suspension of certain in-person court proceedings and certain court rules as mandated by Orders of the Tennessee Supreme Court; and

WHEREAS, the City of Shelbyville's pandemic response measures included the election to afford public officials the means to participate electronically in public meetings, the adoption of health safety protocols and closure of certain facilities, and implementation of a modified work schedule for certain governmental departments, offices, and services, and the suspension of the Shelbyville Municipal Court, all in compliance with State and federal guidance and directives for the safety of the public and employees; and

WHEREAS, since late April, 2020 Governor Lee and his appointed Economic Recovery Group have implemented a phased re-opening of the State under "Tennessee Pledge" and continuing Executive Orders, for 89 of the State's 95 counties, including Bedford County, to keep employees and customers safe during the ongoing COVID-19 pandemic; and

WHEREAS, on May 26, 2020, the Tennessee Supreme Court issued Administrative Order No. ADM2020-00428, "Order Extending State of Emergency and Easing Suspension of In-Person Court Proceedings", which encourages the increased use of electronic means for hearings and other court business while lifting previously imposed restrictions and suspension of rules; and

WHEREAS, since May 26, 2020, many of the City of Shelbyville governmental departments and offices resumed normal working schedules for its employees and began to re-open certain of its facilities to more direct access by the public while continuing to implement any and all necessary measures for the safety of its employees and the public; and

WHEREAS, the United States continues to experience the effects of the COVID-19 pandemic, including the profound disruptions and challenges presented to commerce, employment, healthcare services, governmental services, and the operations of other entities and organizations, and the federal Centers for Disease Control and Prevention (the "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; and

WHEREAS, as of June 25, 2020, according to WHO, there have been 8,242,999 confirmed positive cases of COVID-19 resulting in 445,535 deaths world-wide; and

WHEREAS, as of June 25, 2020, according to CDC, there have been 2,336,615 confirmed or presumptively confirmed positive cases of COVID-19 in the United States, across all 50 states, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands, and US Virgin Islands, resulting in 121,117 deaths; and

WHEREAS, as of June 25, 2020, according to the Tennessee Department of Health, there have been 37,235 confirmed or presumptively confirmed positive cases of COVID-19 in the State of Tennessee, resulting in 556 deaths and 2,386 hospitalizations; and

WHEREAS, as of June 25, 2020, according to the Tennessee Department of Health, Bedford County, Tennessee had a total of 445 confirmed positive cases of COVID-19, out of which 313 persons have recovered and 4 persons have unfortunately died, for an active case count of 128 people currently with a confirmed positive diagnosis of COVID-19, continuing an upward trend over the past few weeks; and

WHEREAS, as of June 25, 2020, the total number of confirmed cases in Bedford County is still significantly higher than the number of confirmed cases in surrounding rural counties of

similar population size, including the adjacent counties of Marshall County with 49 confirmed cases, Lincoln County with 51 confirmed cases, Metropolitan Lynchburg Moore County with 5 confirmed cases, and Coffee County with 102 confirmed cases; and

WHEREAS, the Tennessee Department of Health did identify a cluster of COVID-19 cases in the City of Shelbyville at a food processing and packaging facility, which is of great concern to City officials, and is likely to contribute to the continued spread and identification of additional cases of COVID-19 in Bedford County at a higher rate than most other counties in Tennessee, which 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, while the various pandemic response measures implemented at the national, state, and local levels have slowed the spread of COVID-19 by “flattening the curve” as reflected in declining rates of transmission and current active cases, it is still advisable and prudent to continue local measures to preserve these gains made in the containment of the virus within our community especially in light of the re-opening of the country for business, including certain City governmental offices and services in accordance with State mandates; and

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

WHEREAS, State law and the City Charter bestows police powers upon the City and authorizes it to act and to regulate in the interests of public health and welfare; and

WHEREAS, pursuant to the “*Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004*” (the “*Act*”) found in *Tennessee Code Annotated (“TCA”) § 58-8-101 et. seq*, the Mayor of the City of Shelbyville is authorized by § 58-8-104 to declare a local state of emergency (as defined in § 58-2-101(7) and § 58-8-102(5)) by executive order consistent with and governed by § 58-2-110(3)(A)(v); and

WHEREAS, TCA § 58-2-110(3)(A)(v) authorizes the City, upon the declaration of a state of emergency by the Mayor, to waive certain procedures and formalities otherwise required of the City by law; and

WHEREAS, pursuant to the *Act*, with the declaration of a state of emergency the City may be entitled to cost reimbursement as provided in TCA § 58-8-111; and

WHEREAS, pursuant to TCA § 38-9-102 the City Manager of the City of Shelbyville is authorized to declare a local state of civil emergency as defined in TCA § 38-9-101(2)(B), and for which she may declare a curfew for the City of Shelbyville if deemed necessary; and

WHEREAS, on March 20, 2020, through a proclamation issued under City of Shelbyville, Tennessee Executive Order No. 2020-01, Mayor Wallace Cartwright and City Manager Shanna Boyette declared a local state of emergency in the City of Shelbyville, encompassing both emergency and civil emergency under the purview of the respective TCA Titles 38 and 58, due to the COVID-19 pandemic; and

WHEREAS, since that time, the local state of emergency/civil emergency has been renewed by subsequent proclamations of Mayor Wallace Cartwright and City Manager Shanna Boyette, pursuant to City of Shelbyville, Tennessee Executive Orders No. 2020-02 through 2020-14; and

WHEREAS, the undersigned Mayor and City Manager of the City of Shelbyville have made such observations and investigations necessary, including communications with the Governor's Office, the Bedford County Mayor, the Bedford County Emergency Management Agency, and the Bedford County Health Department, to determine in their judgment that the state of emergency continues to exist 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 to renew a state of emergency/civil emergency as granted by State law to preserve and increase the containment of COVID-19 and 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. The local State of Emergency first declared in Executive Order No. 2020-01 on March 20, 2020 for The City of Shelbyville, which has previously been extended through June 25th by subsequent Executive Orders, is hereby renewed for an additional seven (7) days within the jurisdiction of The City of Shelbyville in accordance with TCA § 58-2-110.

Section 2. The provisions of all of the previously issued City of Shelbyville Executive Orders, Nos. 2020-01 through 2020-14, shall remain in full effect unless otherwise amended, modified, or rescinded here within, or by subsequent executive order, and all orders, provisions, and directives included in this Proclamation shall continue through the duration of the State of Emergency, or any additional extension thereof, until amended, modified or rescinded by executive order.

Section 3. All citizens, businesses, and organizations of the City of Shelbyville are strongly urged to comply with Governor Bill Lee's Executive Orders and other State and federal guidance to contain the spread of COVID-19, including adhering to business re-opening guidelines in Tennessee Pledge, health and safety protocols, and the practice of social distancing measures.

Section 4. This Proclamation shall be promptly distributed to all members of the Shelbyville City Council, all City Department Directors, the Mayor of Bedford County, and shall be distributed to local media outlets.

Section 5. This Proclamation shall be promptly filed with the Shelbyville City Recorder Lisa Smith in accordance with TCA § 38-9-102.

Section 6. 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 7. In accordance with Governor Lee's "Tennessee Pledge" guidance for Exercise Facilities, contact sports may engage in training as long as such does not include any type of close physical contact. The provisions of previously amended Exhibit A are now amended again to allow Senior Olympics to train and practice without close contact at park facilities beginning June 26, 2020. As such, amended Exhibit A to the "Proclamation by the Mayor and City Manager Renewing a State of Emergency Within the City of Shelbyville, Tennessee Concerning the Novel Coronavirus Disease (COVID-19) Outbreak in Order to Preserve the Containment of the Disease While Continuing a Phased Re-opening of City Facilities and Services" in Executive Order 2020-12 issued June 4, 2020 is hereby repealed and replaced with the Exhibit A that is attached to this Proclamation and incorporated within by reference.

Section 8. In accordance with TCA § 58-2-110 the State of Emergency is valid and effective as of Friday, June 26, 2020 at 12:01 AM Central Daylight Savings Time ("CDT") and shall continue in full force and effect until Friday, July 3, 2020 at 12:01 AM CDT, unless earlier rescinded, and may be incrementally extended for additional seven-day periods as deemed necessary.

ISSUED on this the 25th day of June, 2020 in Shelbyville, Bedford County, Tennessee.

CITY OF SHELBYVILLE MAYOR


Wallace Cartwright


CITY OF SHELBYVILLE MANAGER


Shanna Boyette

ATTEST:


Lisa Smith
Shelbyville City Recorder

APPROVED AS TO FORM:


Ginger Bobo Shofner
Shelbyville City Attorney *By Lisa Smith with permission*

Filed with the Shelbyville City Recorder on: 6/25/2020

EXHIBIT A

*to the Proclamation by the Mayor and City Manager Renewing a State of Emergency
Within the City of Shelbyville, Tennessee Concerning the Containment of the Novel Coronavirus
Disease (COVID-19) Outbreak and Continuing Phased Re-opening of Services*

Executive Order 2020-11 Issued May 28, 2020

As Amended by

Executive Order 2020-12 Issued June 4, 2020

As Amended by

Executive Order 2020-15 Issued June 25, 2020

“SUMMARY FOR THE CONTINUED PHASED RE-OPENING OF CITY OF SHELBYVILLE FACILITIES AND SERVICES DURING STATE OF EMERGENCY”

In accordance with the guidance of Governor Bill Lee as issued through his “Tennessee Pledge” initiative for the re-opening of businesses, governments, and organizations throughout the State, the government of the City of Shelbyville is preparing to proceed to the next phase of returning to normal operations by modifying the health safety measures that it put in place in March and April, 2020 in response to the COVID-19 pandemic. In doing so, the City remains dedicated to taking the necessary precautions to prevent exposure in the workplace to the novel coronavirus which causes the COVID-19 disease. The City will continue to follow guidance from public health officials such as the Centers for Disease Control and Prevention (“CDC”), the Tennessee Department of Health, and the Occupational Health and Safety Administration (“OSHA”) to further address safety practices in the workplace to prevent and contain the spread of COVID-19 for the welfare of its employees and the general public, and to ensure the continuity of municipal operations and public services during the on-going COVID-19 pandemic.

On Tuesday, May 26, 2020, the City of Shelbyville halted the temporary modified work schedule put in place on April 6, 2020 and returned to regular work schedules for all employees except for those that work in the Shelbyville Recreation Center. The City re-opened all offices and departments to physical access by the public for in-person counter services, except for the Shelbyville Recreation Center and park facilities.

Beginning Monday, June 1, 2020, the City shall halt the temporary modified work schedule put in place on April 6, 2020 and return to regular work schedules for certain employees that work in the Shelbyville Recreation Center. The City shall also re-open the Shelbyville Recreation Center to physical access by the public for certain services, as more fully outlined below.

The City may modify these decisions at any time.

The City of Shelbyville remains committed to following the health safety guidance of “Tennessee Pledge” and asks for any member of the public who has a confirmed case of COVID-19 or who is experiencing COVID-19 symptoms to refrain from using City facilities and to utilize

alternative means to contact the City. The City further requests that citizens that do use City facilities and conduct business in-person follow good hygiene practices and social distancing guidelines as recommended by public health officials whenever feasible, including wearing a face mask or covering, washing their hands before entering and after leaving any City facility, avoid touching your face with unwashed hands, covering a sneeze or cough with a tissue or their elbow, and avoiding close contact with others.

In order to promote and encourage social distancing guidelines, drive-thru, telephone, mail, email, and on-line services will still be available as previously provided, and citizens are encouraged to call individual departments for administrative assistance in advance.

Shelbyville City Hall Administrative Building - 201 N. Spring Street, Public Square

City Hall offices will open for public access for service at the counter. Drive-thru, telephone, mail, email, and on-line services will still be available.

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 counter or 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

Open for in-person counter service. Inquiries to the department can be made by telephone at 684-9001 or by email. Employee email addresses available at the City's website at www.shelbyvilletn.org.

3. Downstairs Planning and Community Development Department

Telephone 684-9001

Open for in-person counter service. Inquiries to the department can be made by telephone at 684-9001 or by email to doug.caffey@shelbyvilletn.org.

Shelbyville Animal Control - 716 Industrial Parkway

Telephone 684-6552

The office and shelter will open for public access, however no shelter volunteers, TN promise students, or community service volunteer projects will take place in the shelter until further notice. Citizens are still encouraged to call 684-6552 for administrative assistance.

Shelbyville Municipal Airport - 2828 Highway 231 North

Telephone 684-1669

The Airport terminal, runway, and hangars remain open. Citizens are still encouraged to call 684-1669 for administrative assistance.

Shelbyville Fire Department - administrative office at 111 Lane Parkway

Telephone 684-6421

Non-emergency administrative support may be made in person at the Fire Department in addition to telephone or email. Citizens are still encouraged to call 684-6241 or email jason.richardson@shelbyvilletnfire.org for fire report inquiries and questions.

Shelbyville Parks and Recreation Department - 220 Tulip Tree Drive

Telephone 684-9780

The Shelbyville Parks and Recreation Department will have a limited re-opening to the public in accordance with the State's Tennessee Pledge "*Access Guidelines for Exercise Facilities*". Administrative offices remain operational.

The Shelbyville Recreation Center will operate as follows:

1. In-person counter service for administrative assistance will be open.
2. The weight room will open for public use.
3. The gymnasium will open for public use for aerobics classes.
4. The track will open for public use.
5. The indoor pool will be open for public use for lap swimming and exercise classes.
6. The outdoor pool remains closed until further notice.
7. The indoor racquetball court remains closed until further notice.
8. Locker rooms and showers remain closed until further notice.
9. Water fountains shall be closed until further notice.
10. Beginning July 1, 2020, Meeting Room #1 will be open for public use by reservation.
The public can place reservations beginning on June 5, 2020.

Beginning June 26, 2020, the Senior Olympics program may begin noncontact activities at City owned facilities.

Youth and Adult baseball/softball leagues shall have access to department field facilities for practices, scrimmages, and games. Dugouts shall be used for field access only, and shall not be used for equipment storage, breaks or any other activity. Field bathrooms shall be open. Water fountains shall be closed. Team coaches will be required to sign an acknowledgement form stating this his/her team will abide by all safety guidelines and rules put in place by the department, including disinfection of equipment and social distancing.

Parks remain open for general public access. All playgrounds throughout the park system remain closed until further notice. The skate park, walking trail, tennis court facilities, and ballfields remain open.

Citizens are still encouraged to call 684-9780 for administrative assistance.

Shelbyville Police Department - 109 Lane Parkway

Telephone 684-5811

The front lobby of the Police Department will open for public access. Citizens are still 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

The building will open for public access. Citizens are still encouraged to call 684-2644 for administrative assistance.

Willowmount Cemetery - 321 Dover Street

Telephone 684-5682

The cemetery remains open. Citizens are still encouraged to call 684-5682 for administrative assistance.

Please monitor the City's website and social media accounts for further developing information.

City website: www.shelbyvilletn.org

City Facebook: <https://www.facebook.com/The-City-of-Shelbyville-Tennessee-37160-228063107269385/>

City Twitter: @ShelbyvilleTenn