

City of  
**SHELBYVILLE**  
Tennessee

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

Executive Order No. 2020-09  
May 14, 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 spread globally to 213 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 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, including the closing of restaurants for in-person dining, closing certain non-essential businesses, closing certain other businesses for in-person shopping, mandating that citizens stay at home unless engaging in essential activities or services, encouraging businesses to allow employees to telecommute from home, allowing governments and other public bodies to hold meetings through electronic means, limiting access to some public services and the closure of State parks, restricting social gatherings, entertainment, recreational activity and sports events, allowing for remote notarization and the witnessing of documents, and the waiving certain rules and regulations to assist in State and local responses; and .

**WHEREAS**, as part of the State's response to the pandemic, Governor Lee also recommended that all public and private pre-K schools, K through 12 schools, colleges, and universities across the State close for the remainder of their respective school years and instead engage in distance learning through electronic means; and

**WHEREAS**, the Bedford County School District has complied with Governor Lee's request and has closed for in-person classroom instruction for the remainder of the 2019-2020 school year; and

**WHEREAS**, Tennessee's pandemic response measures have also included the suspension of certain in-person court proceedings as mandated by Order of the Tennessee Supreme Court; and

**WHEREAS**, the Shelbyville Municipal Court suspended all in-person court proceedings in compliance with said Order; and

**WHEREAS**, on April 16, 2020, President Donald Trump did announce his "Guidelines for Opening Up America Again", a set of criteria composed of three (3) phases for states or regions to satisfy before easing restrictions on the conduct of business and activities which focus on key data points of symptoms, cases, and hospital capacity; and

**WHEREAS**, on April 16, 2020, Governor Lee established the Economic Recovery Group, a joint effort between State departments, members of the Tennessee General Assembly, and leaders from the private sector to build guidance to safely reboot Tennessee's economy, to be led by Tennessee Department of Tourism Development Commissioner Mark Ezell; and

**WHEREAS**, on April 24, 2020, Governor Lee and the Economic Recovery Group did issue "Tennessee Pledge", the State's rollout of guidance and best practices for Tennessee businesses in 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 April 24, 2020, the Tennessee Supreme Court issued Order No. ADM2020-00428, "Order Modifying Suspension of In-Person Court Proceedings and Further Extension of Deadlines", which remains in effect until May 31, 2020; and

**WHEREAS**, the Shelbyville Police Department, in conjunction with the Judges of the 17th Judicial District comprised of Bedford, Lincoln, Marshall, and Moore Counties, has established a plan for the re-introduction of non-emergency in-person court proceedings to begin in July, 2020 at the Shelbyville Recreation Center to allow for greater adherence to health guidelines as required by the Tennessee Supreme Court; and

**WHEREAS**, Governor Lee has now issued several additional Executive Orders relaxing certain previously imposed prohibitions and allowing for the reopening of certain businesses and activities in 89 of Tennessee's 95 counties, including Bedford County; and

**WHEREAS**, on May 6, 2020 Governor Lee issued Executive Order No. 34 "An Order Extending Until June 30, 2020, Executive Order No. 16 Temporarily Permitting Safe, Open, and Transparent Public Meetings by Electronic Means to Preserve and Increase the Containment of COVID-

19" allowing local governments the option of conducting public meetings through electronic means; and

**WHEREAS**, on May 12, 2020, Governor Lee issued Executive Order No. 36 *"An Order Suspending Provisions of Certain Statutes and Rules and Taking Other Necessary Measures in Order to Facilitate the Treatment and Containment of COVID-19"* to be effective May 18, 2020 through June 30, 2020, which consolidated multiple provisions contained in Executive Orders Nos. 15, 19, 20, 24, 28, and 32 and extended certain state deadlines; 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

**WHEREAS**, 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 May 12, 2020, according to WHO, there have been 4,179,479 confirmed positive cases of COVID-19 resulting in 287,525 deaths world-wide; and

**WHEREAS**, as of May 13, 2020, according to CDC, there have been 1,363,061 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 82,246 deaths; and

**WHEREAS**, as of May 13, 2020, according to the Tennessee Department of Health, there have been 16,370 confirmed or presumptively confirmed positive cases of COVID-19 in the State of Tennessee, resulting in 273 deaths and 1,388 hospitalizations; and

**WHEREAS**, as of May 13, 2020, according to the Tennessee Department of Health, Bedford County, Tennessee had 246 confirmed positive cases of COVID-19, and unfortunately three (3) confirmed deaths as a result of COVID-19; and

**WHEREAS**, the number of confirmed cases in Bedford County is significantly higher than the number of confirmed cases in surrounding rural counties of similar population size, including the adjacent counties of Marshall County with 24 confirmed cases, Lincoln County with 16 confirmed cases, Metropolitan Lynchburg Moore County with 3 confirmed cases, and Coffee County with 56 confirmed cases; and

**WHEREAS**, the Tennessee Commissioner of Health, Dr. Lisa Piercey, announced that a food processing and packaging facility in Shelbyville has been confirmed to have a cluster of COVID-19 cases associated with its employees and their contacts according to the State Health Department guidelines; and

**WHEREAS**, the corporate owner of this facility in Shelbyville has another processing and packaging plant located in middle Tennessee that has also been identified as having a cluster of COVID-19 related cases; and

**WHEREAS**, the identification of a cluster of COVID-19 cases in Bedford County and the circumstances surrounding it 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**, it is advisable and prudent to continue to be proactive in adopting local measures to prevent the spread of the virus and to aid in its containment within our community; 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**, 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**, pursuant to *Tennessee Code Annotated* ("TCA") § 58-8-104 the Mayor of the City of Shelbyville is authorized to declare a local state of emergency as defined in § 58-2-101(7) and § 58-8-102(5); 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

**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**, 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 issued on March 26, 2020, No. 2020-03 issued on April 2, 2020, No. 2020-04 issued on April 9, 2020, No. 2020-05 issued on April 16, 2020, No. 2020-06 issued on April 23, 2020, No. 2020-07 issued on April 30, 2020, and No. 2020-08 issued on May 7, 2020; 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

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 May 15<sup>th</sup> 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 the previously issued City of Shelbyville Executive Orders No. 2020-01 issued on March 20, 2020, No. 2020-02 issued on March 26, 2020, No. 2020-03 issued on April 2, 2020, No. 2020-04 issued on April 9, 2020, No. 2020-05 issued on April 16, 2020, No. 2020-06 issued on April 23, 2020, No. 2020-07 issued on April 30, 2020, and No. 2020-08 issued on May 7, 2020 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.** During the current phased in re-opening of the economy, all citizens of the City of Shelbyville are strongly urged to comply with all of Governor Bill Lee's Executive Orders pertaining to the containment of the spread of COVID-19, including adhering to health guidelines 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 TCA § 58-2-110 the State of Emergency is valid and effective as of Friday, May 15, 2020 at 12:01 AM Central Daylight Savings Time ("CDT") and


shall continue in full force and effect until Friday, May 22, 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 14<sup>th</sup> day of May, 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 Permission

Filed with the Shelbyville City Recorder  
on: 5/14/2020