

CIVIL EMERGENCY PROCLAMATION AND EXECUTIVE ORDER

BY MAYOR JIM STRICKLAND, CITY OF MEMPHIS

No. 01-2020

WHEREAS, Coronavirus Disease 2019 (“COVID-19”) is a communicable respiratory disease that can lead to serious illness or death, particularly in the case of elderly adults and persons with serious chronic medical conditions; and

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

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 12, 2020, the Governor for the State of Tennessee issued an Executive Order to facilitate the treatment and containment of COVID-19, pursuant to Tennessee Code Annotated § 58-2-107(e)(1); and

WHEREAS, on March 13, 2020, the President of the United States declared a national state of emergency in response to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, I declared a state of emergency for the City of Memphis, pursuant to Tennessee Code Annotated § 38-9-101 et seq. and § 58-2-101 et seq. and City of Memphis Code §§ 9-8-4 and 2-58-7 in response to the COVID-19 pandemic; and

WHEREAS, pursuant to the authority invested in the Mayor under Tennessee Code Annotated § 38-9-101, et. seq. and Memphis Code §9-24, et. seq., the Mayor may proclaim in writing the existence of a civil emergency, as defined therein; and

WHEREAS, after proclamation of a civil emergency, the Mayor, in the interest of public safety and welfare, may make all orders necessary for the protection of life and property, including but not limited to, the closure of certain establishments; and

WHEREAS, as of March 19, 2020, there were 98 positive COVID-19 tests reported in the state of Tennessee; and

WHEREAS, as of March 19, 2020, the Shelby County Health Department has reported ten (10) confirmed cases of COVID-19 in Shelby County, and reported, for the first time, that community transmission may be occurring; and

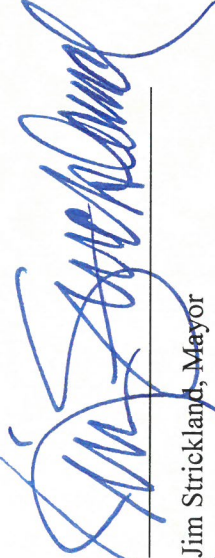
WHEREAS, COVID-19 presents a severe danger to public health.

NOW, THEREFORE, I, JIM STRICKLAND, MAYOR OF THE CITY OF MEMPHIS, by virtue of the power vested in me, do hereby proclaim that a civil emergency exists in the City of Memphis, Tennessee, and direct and order the following:

1. The following establishments are closed for on-site consumption by members of the public, effective at Midnight on March 19, 2020:
 - a. Restaurants, food courts, cafes, coffeehouses, and other establishments whose primary business is offering food or beverage for on-premises consumption; and
 - b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, and other establishments who primary business is offering alcoholic beverages for on-premises consumption.
2. Nothing in this Order shall prevent establishments subject to this Order from providing food and beverage delivery services, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage, an establishment subject to this Order may permit up to ten members of the public at one time in the establishment for the purpose of picking up food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.
3. This Order does not prohibit an employee, contractor, vendor, or supplier of subject establishments from entering, exiting, using, or occupying that establishment in their professional capacity.

4. The restrictions imposed by this Order do not apply to any of the following:
 - a. Grocery stores, pharmacies, convenience stores, gas stations, retail stores and charitable food distribution sites to the extent they sell or distribute prepared food. However, on-site consumption of food or beverage within these facilities is prohibited.
 - b. Health care facilities, residential care facilities, crisis shelters or similar facilities; and
 - c. Food courts inside the Memphis-Shelby County Airport.
5. All gyms and exercise and fitness facilities within the City of Memphis are to close effective at Midnight on March 19, 2020.
6. The Memphis Police Department is authorized to enforce and close those businesses within the City of Memphis in violation of this Order.
7. This Order shall remain in effect until withdrawn.

Upon signature, this Order shall become effective on March 19, 2020.



Jim Strickland, Mayor

Executed this 19th day of March, 2020