

**EMERGENCY EXECUTIVE ORDER NO. 4
BY THE MAYOR OF THE CITY OF KNOXVILLE**

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency to aid the nation’s healthcare community in responding to the COVID-19 outbreak; 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 of the State of Tennessee declared a state of emergency to facilitate the response to the COVID-19 pandemic; 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 16, 2020, I, Indya Kincannon, Mayor of the City of Knoxville, declared a civil emergency within the City of Knoxville pursuant to Tennessee Code Annotated §§ 39-9-101(2) and 58-2-110 and Knoxville Code § 9-1 in response to the COVID-19 pandemic; and

WHEREAS, on March 19, 2020, when there were at least 154 COVID-19 cases in Tennessee, I issued Emergency Executive Order No. 1, which restricted restaurants, bars, gyms and commercial event venues within the City of Knoxville; and

WHEREAS, on March 22, 2020, the Governor of the State of Tennessee issued Executive Order No. 17 to mitigate the spread of COVID-19 by limiting social gatherings, dine-in service, and gym use, and exposure at nursing and retirement homes and providing flexibility for restaurants regarding the sale of alcohol; and

WHEREAS, on March 23, 2020, the Knox County Health Department adopted a “Safer at Home Order” to protect the public health of the citizens of Knox County, with the goal of saving lives and reducing strain on regional healthcare resources; and

WHEREAS, on March 23, 2020, I issued Emergency Executive Order No. 2, which extended the City’s declaration of civil emergency another seven (7) days until March 30, 2020, and on March 30, 2020, I issued Emergency Executive Order No. 3, which extended the City’s declaration another seven (7) days until April 6, 2020; and

WHEREAS, as of March 31, 2020, there were at least 1834 COVID-19 cases in Tennessee, with sixty-three (63) cases in Knox County and evidence of continued community transmission; and

WHEREAS, public health experts anticipate the further spread of COVID-19 throughout the State of Tennessee and the nation, with potentially catastrophic impact on the state's and the nation's health care system; and

WHEREAS, the transmission of COVID-19 remains a continuing severe danger to public health; and

WHEREAS, the purpose of this Emergency Executive Order No. 4 is to adopt the Knox County Health Department's Safer at Home Order by reference, showing the City's support for the Health Department's enforcement efforts, and requiring compliance within the City of Knoxville with the requirements set forth in the Safer at Home Order; and

NOW, THEREFORE, I, INDYA KINCANNON, MAYOR OF THE CITY OF KNOXVILLE, pursuant to the authority invested in the Mayor under Tennessee Code Annotated §§ 38-9-101 *et seq.* and 58-2-110 and Knoxville Code §§ 9-1, 9-5, and 9-6, the pursuant to the aforesaid powers and the Proclamation of Emergency declared on March 16, 2020 and extended on March 23, 2020 and March 30, 2020, do hereby adopt and incorporate by reference the restrictions set forth in the Knox County Safer at Home Order and direct and order the following:

SECTION 1

- Residents of Knoxville are urged to shelter at home as much as possible. When individuals leave their homes or places of residence, they should practice appropriate social isolation, staying six feet apart, and should assume others are infectious, regardless of whether they exhibit symptoms.
- All gatherings are strongly discouraged, and those with more than 10 people are prohibited. Gatherings include any event or convening unrelated to essential services that brings together groups of individuals, including, but not limited to, community, civic, public, leisure, faith-based, or sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities.
- City parks will remain open. Citizens using these open spaces are directed to adhere to Centers for Disease Control and Prevention (CDC) guidance on social distancing and hand hygiene, remaining 6 feet apart.
- Individuals experiencing homelessness, who may include individuals in shelters and homeless encampments, shall not be subject to this order but shall be encouraged to follow CDC guidance on social distancing and hand hygiene.

SECTION 2

- All businesses not performing essential services shall close their business facilities, subject to exceptions stated in this Order. Facilities shall remain accessible as needed to service computer and other equipment, process mail, and maintain security.
- This closure order includes, but is not limited to:
 - a) On-site activities at hospitality, educational, and entertainment venues, businesses, and facilities are directed to close to the public. On-line activities and deliveries through these businesses may continue.
 - b) Personal appearance businesses, including hair, nail, massage, tattoo, tanning, waxing, and other such facilities are directed to close, except when the service is medically necessary.
 - c) Public and private social clubs are directed to close.
- Nothing in this Order shall prohibit any business possessing applicable licenses or permits from conducting deliveries; however, CDC guidance on social distancing shall be followed when possible.
- Nothing in this order is intended to prohibit individuals from performing business functions of nonessential businesses from their own homes, provided that such business functions comply with existing law and are only performed by residents of that home.

SECTION 3

This Order does not apply to activities necessary to maintain continuity of operations of critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>. As set forth by the United States Department of Homeland Security in the link above the federal government has identified 16 critical infrastructure sectors whose assets, systems and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof. Individuals working in these 16 critical infrastructure sectors may continue their work because of the importance of these sectors to the health and well-being of individuals residing or working in Knoxville.

SECTION 4

This Order does not apply to the following sectors and businesses and their employees as essential services to protect the health and well-being of all individuals residing or working in Knoxville.

- Federal and state offices and services, and private companies or individuals performing under federal, state, or local government contracts;

- Essential government functions including, but not limited to, law enforcement, public transportation, and businesses that provide government programs and services, including functions assisting economically disadvantaged populations and individuals experiencing homelessness;
- Companies providing media, communication and telecommunication services;
- Grocery and beverage stores, farmers markets, food banks, caterers, convenience stores selling food, agriculture, food manufacturing and processing, feed mills, and other businesses that directly support the food supply, including but not limited to farming, livestock, and food cultivation;
- Health care, mental and behavioral health, biomedical research, laboratory services, and other businesses that directly support the healthcare industry including, but not limited to, health information technology, staffing and supplies;
- Sanitation and waste removal;
- Energy, water, and sewage businesses and services;
- Pharmacies, medical supply, and other businesses that directly support the drug and medical supply pipeline;
- Vehicle fuel, support, and service stations, vehicle parts and repair businesses, and vehicle sales, leasing and rental businesses;
- Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sectors;
- Real property marketing, leasing, purchase, and sale services;
- Legal and judicial services;
- Laundromats, laundry, and cleaning services;
- Home and business structure and equipment repair, hardware, building supply, and appliance sale and repairs;
- Warehousing and storage facilities;
- Construction, architectural, engineering, or surveying services;
- Product logistics, transport, and distribution businesses;
- Parcel transportation and delivery businesses;
- Veterinary and pet supply business and services;
- Home and business cleaning and maintenance services;
- Educational institutions, public and private K-12 schools, private colleges and universities, trade schools, post-secondary, and technical colleges, but only as needed to facilitate online or distance learning and essential functions;
- Landscaping and nurseries;
- Production, distribution, and sale of household consumer goods such as cleaning and personal care products;
- Essential building maintenance and security;

- Individuals whose job functions require them to be at their work location and who are essential to preserving the information systems, accounting, and human resource infrastructures of any business which is otherwise in substantial compliance with this order;
- Nonprofit entities providing support and assistance for the COVID-19 epidemic; and
- Other businesses and services that may be determined are essential for the continued safety and security of Knoxville.

SECTION 5

The following businesses may remain open subject to compliance with the following conditions:

- Daycare and childcare business shall prioritize children of parents working for essential infrastructure sectors, businesses, or service providers to the extent practicable.
- Assisted living facilities, nursing homes, adult daycare centers, home health businesses, and senior residential facilities shall follow CDC guidance on social distancing and hand hygiene to the extent practicable. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall end until further notice.
- Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment or dine-in services, subject to allowing food and beverage pick-up and room-service.

SECTION 6

- Essential services, especially grocery stores and pharmacies, shall make best efforts to establish hours of operations during which their services are available only to senior citizens or otherwise vulnerable populations.
- Essential services shall continue to adhere to CDC guidance on social distancing and hand hygiene in the workplace, including encouraging work-from-home and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace, where possible.
- Essential services are encouraged to utilize, to the maximum extent possible, any telecommuting or work-from-home procedures they can safely utilize.

SECTION 7

This Order shall take effect from 5 a.m. on April 1, 2020 and shall remain in effect through April 6, 2020 unless modified or rescinded by further mayoral action as circumstances require.

SECTION 8

All City departments, boards, commissions, offices, and agencies that exercise enforcement or regulatory authority, including but not limited to the Knoxville Police Department, are authorized

and directed to take immediate action to enforce this Order and order any persons violating this Order to cease and desist such violation and to otherwise enforce this Order as provided by law.

Nothing in this Order shall, in any way, alter or modify any existing legal authority allowing the federal, state, or county governments to order (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency.

SECTION 9

If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, such invalidity shall not affect any other provision or application of this Order which can be given effect without the invalid provision or application.

ORDERED, EFFECTIVE, AND ISSUED:



INDYA KINCANNON
Mayor, City of Knoxville

Date: 31 March 2020