

Rhea Little
MAYOR

Ken Travis
VICE MAYOR

Kirk Bednar
CITY MANAGER



BRENTWOOD
TENNESSEE

COMMISSIONERS

Nelson Andrews

Anne Dunn

Mark Gorman

Susannah Macmillan

Regina Smithson

EXECUTIVE ORDER

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory disease that appears to occur through respiratory transmission, presents with similar symptoms to those of influenza, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

WHEREAS, on January 30, 2020, the World Health Organization declared a public health emergency of international concern related to COVID-19; and

WHEREAS, COVID-19 is frequently spread through close contact between persons and respiratory transmission; and

WHEREAS, on March 5, 2020, the first case of COVID-19 in the State of Tennessee was identified in Williamson County, and over two hundred additional confirmed or presumptively positive cases of COVID-19 have since been identified in Tennessee, including at least 35 in Williamson County; and

WHEREAS, the spread and identification of additional cases of COVID-19 in Tennessee, and specifically Brentwood, is likely to continue, and therefore, taking proactive steps to prevent a substantial risk to public health and safety is paramount; and

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

WHEREAS, on March 12, 2020, pursuant to the authority granted by Tenn. Code Ann. § 58-2-107, the Governor of Tennessee, Bill Lee, issued Executive Order No. 14, declaring a state of emergency to facilitate the response to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States, Donald J. Trump, declared a national state of emergency with respect to COVID-19; and

WHEREAS, COVID-19 continues to spread throughout the world; and

WHEREAS, the Charter of the City of Brentwood, in Tenn. Code Ann. §6-19-101(22) provides that the City has the power to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the city, and to exercise general police powers; and

WHEREAS, Tenn. Code Ann. §38-9-101, *et seq.*, authorizes the City Manager to proclaim a civil emergency when he deems one exists pursuant to such statute; and

WHEREAS, the Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004, Tenn. Code Ann. §§ 58-8-101 *et seq.*, authorizes the mayor to declare a local state of emergency affecting such official's jurisdiction by executive order consistent and in accordance with Tenn. Code Ann. §58-2-110(3)(A)(v); and

WHEREAS, the declaration of a local state of emergency may entitle the City to cost reimbursement as provided in Tenn. Code Ann. §58-8-111; and

WHEREAS, Chapter 24, Article I of the Brentwood Municipal Code provides for Emergency Management upon the declaration of emergency by the Mayor, State Governor, or President of the United States, and provides that the City Manager may perform certain duties upon the declaration of an emergency.

NOW, THEREFORE, We, Kirk E. Bednar, City Manager of the City of Brentwood, and Rhea E. Little, III, Mayor of the City of Brentwood, by virtue of the power and authority vested in us by all applicable laws, including Tenn. Code Ann. §6-19-101(22); Tenn. Code Ann. §38-9-101, et seq.; Tenn. Code Ann. § 58-2-110; and Tenn. Code Ann. §58-8-104; do hereby declare a civil emergency and a local state of emergency within the City and order the following:

Section 1. In order to protect public health, the City of Brentwood finds it is necessary to request assistance from the President, Governor, and the Tennessee Department of Health to address this public health emergency.

Section 2. All procedures and formalities otherwise required under the Brentwood Municipal Code or Tennessee law pertaining to the following are hereby waived:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- b. Entering into contracts;
- c. Incurring obligations;
- d. Employment of permanent and temporary workers;
- e. Utilization of volunteer workers;
- f. Rental of equipment;

- g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- h. Appropriation and expenditure of public funds.

Section 3. All provisions of the Brentwood Municipal Code pertaining to emergency situations, including Chapter 24, Article I, are activated.

Section 4. The City Manager and his designees are hereby authorized to request and respond to requests of aid from other jurisdictions when necessary.

Section 5. The City Manager is authorized to conduct the activities of the City and to make all necessary decisions related to personnel and the day-to-day needs of the City. The City Manager shall report to the Board of Commissioners at least weekly. Further, whenever possible, decisions regarding City services shall be shared with the public through the City website and other means as deemed appropriate by the City Manager.

Section 6. The City shall, to the extent possible and provided by law, shall follow CDC guidance as it relates to COVID-19. City approved events through the month of April are hereby cancelled or postponed.

Section 7. Based on the proclaimed civil emergency, those establishments whose primary business is alcohol service or food service (other than pick-up, delivery, or drive-through service) within the City of Brentwood to close for on-site consumption, effective at 6:00 p.m. on March 21, 2020, and shall remain in effect until this Order is withdrawn. Nothing in this Order shall be intended to prevent pick-up, delivery, or drive-through service.

Section 8. Based upon the proclaimed civil emergency, all gyms and exercise and fitness facilities within the City of Brentwood shall close effective 6:00 p.m. on March 21, 2020, and shall remain closed until this Order is withdrawn.

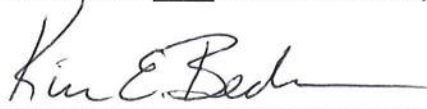
Section 9. All residents, businesses, and organizations should, to the extent possible and practicable, follow CDC guidance as it relates to COVID-19 and public gatherings and social distancing.

Section 10. Notice of this Declaration will be promptly communicated to the Mayor, the Vice-Mayor, and the Board of Commissioners, and the Order will be filed with the Office of the City Recorder.

Section 11. This Declaration is valid and effective immediately for a period not to exceed seven days and may be incrementally extended for additional seven-day periods as deemed necessary.

Issued and ordered this the 20th day of March, 2020, pursuant to §6-19-101(22); Tenn. Code Ann. §38-9-101, *et seq.*; Tenn. Code Ann. § 58-2-110; and Tenn. Code Ann. § 58-8-104.

ORDERED THIS 20th DAY OF MARCH, 2020



KIRK E. BEDNAR
City Manager



RHEA E. LITTLE III
Mayor