



**ORDER 5**  
**FROM THE CHIEF MEDICAL DIRECTOR**  
**PHASE ONE: REOPENING**

**Pursuant to the Declaration of Public Health Emergency adopted by  
the Board of Health for Nashville and Davidson County on March 15,  
2020**

**From: Dr. Michael C Caldwell, Chief Medical Director of Health**

Social distancing has slowed the rate at which COVID-19 is spreading in Tennessee. In Nashville and Davidson County, and perhaps in certain other parts of the state, the number of new cases has fallen to the point where the rate of new cases may no longer be growing. However, the threat of a return to exponential increases remains.

Epidemiologists and infectious disease experts agree that in the absence of strict social distancing, Tennessee's numbers would once again surge. It's estimated that a single infected person circulating freely could infect more than 4,000 people over the course of a month. COVID-19 will continue to be a serious threat until there is an effective vaccine or more effective therapeutic treatments. Experts estimate that we will not have a COVID-19 vaccine until 2021 at the earliest. For the foreseeable future, living with COVID-19 is our new "normal."

Living with COVID-19 means finding ways for our city to return to work with COVID-19 still circulating. There is an emerging consensus that America's economy should open in phases, with different parts of the economy and different aspects of public life reopening at different times. President Trump, for instance, has suggested a three-phase reopening. The Roadmap for Reopening Nashville (Roadmap) presented a framework for a four-phase reopening reflecting the state of the COVID-19 pandemic in Tennessee and distinctive needs in Nashville. Based on considerations contained in the Roadmap it is now appropriate to allow Nashville and Davidson County to begin to reopen.

Accordingly, this Order is being issued superseding and replacing Amended and Restated Order 1 and Amended and Restated Order 3 from the Chief Medical Director and outlining phase one for reopening Nashville and Davidson County to protect public health.

## **SECTION 1**

Citizens of Nashville and Davidson County at high-risk and those age 65 or older are urged to shelter at home, to be safer at home. All individuals needing to leave their homes or places of residence should practice appropriate social distancing, staying six feet apart, and should assume others are infectious, regardless of whether they exhibit symptoms.

Gatherings with more than 10 people are prohibited unless they relate to essential services or places of worship. Gatherings include any event or convening that brings together groups of individuals, including, but not limited to, community, civic, public, leisure, sporting events, parades, concerts, festivals, conventions, fundraisers, and similar activities.

City parks, greenways, trails, and golf courses will remain open, but playgrounds, dog parks, basketball courts, tennis courts, picnic shelters, and skate parks shall remain closed. 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 (CDC.gov).

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**

The following businesses shall keep their business facilities closed, subject to the exceptions stated and to remain accessible as needed to service computer and other equipment, process mail, and maintain security:

- On-site activities at hospitality, educational, sports and entertainment venues, businesses, and facilities are directed to remain closed to the public. On-line activities and deliveries through these businesses may continue.

- Personal appearance businesses, including hair, nail, massage, tattoo, tanning, waxing, and other such facilities are directed to remain closed, except when the service is medically necessary.
- Public and private social clubs are directed to remain closed.
- Gymnasiums and exercise and fitness facilities that serve the public or facility members remain closed subject to Order 2 from the Chief Medical Director which is not impacted by this Order.
- Fully automated carwashes may continue to operate, and employee-performed exterior wash or detail services may commence. Interior ancillary services, vacuum stations, and customer-operated car wash equipment are directed to remain closed.

Nothing in this Order shall prohibit any business possessing applicable licenses or permits from conducting deliveries pursuant to CDC guidance on social distancing.

An individual, entity or organization conducting take-out, window, drive-through or curbside service shall prohibit gatherings inconsistent with CDC guidance on social distancing and gathering sizes. This prohibition includes, but is not limited to, gatherings of customers waiting for or having received take-out orders.

Nothing in this order is intended to prohibit individuals from performing business functions from their own homes, provided that such business functions comply with existing law and are only performed by residents of that home.

### **SECTION 3**

Retail and other commercial businesses previously closed to the public, except those listed in Section 2 in this Order, may open at 50% or less of store occupancy based on Tennessee's Building and Fire Code, provided the business uses the entire amount of space on which store occupancy is based, and subject to the following conditions:

- Sanitize carts or baskets after each customer's use.
- Adherence to CDC guidance on social distancing and hand hygiene.
- Screen daily all employees with temperature and symptom checks. An employee with any symptom or temperature of 100.4 degrees Fahrenheit or greater must leave the premises immediately.
- Post information about health precautions for patrons, employees and staff (such as maintaining an appropriate social distancing while lining up for checkout).

- Customers and guests should follow Amended Order 4 from the Chief Medical Director by wearing cloth face coverings or masks while in the store or business, except when wearing a mask would be contrary to the health or safety of the wearer.
- Automate doors to the extent possible.
- Limit the number of people in an elevator to allow compliance with CDC guidance on social distancing.
- Provide hand sanitizer to the extent possible.
- Advise employees to not come to work if they feel ill or have any symptom until the employee satisfies CDC guidance for release from isolation and quarantine.
- Employees shall follow Amended Order 4 from the Chief Medical Director by wearing cloth face coverings or masks when physically interacting with the public or other employees, except when wearing a mask would be contrary to the health or safety of the employee.

#### **SECTION 4**

Restaurants and bars previously closed to the public serving food from a menu may open to the public at 50% or less of occupancy based on Tennessee's Building and Fire Code, provided the restaurant or bar uses the entire amount of space on which its occupancy limit is based subject to the following conditions:

- Adherence by employees and patrons to CDC guidance on social distancing and hand sanitizing.
- Tables or booths shall be arranged or closed to provide sufficient space between parties to comply with CDC guidance on social distancing. No party of more than six people shall be allowed.
- Screen daily all employees with temperature and symptom checks. An employee with any symptom or temperature of 100.4 degrees Fahrenheit or greater must leave the premises immediately.
- Post information about health precautions for patrons, employees and staff (such as maintaining proper social distancing while lining up for entry or checkout).
- Automate doors to the extent possible.
- Limit the number of people in an elevator to allow compliance with CDC guidance on social distancing.
- Provide hand sanitizer to the extent possible.

- Advise employees to not come to work if they feel ill or have any symptom until the employee satisfies CDC guidance for release from isolation or quarantine.
- Social distancing must be maintained in kitchens and dining rooms.
- Bar areas must remain closed to the public; the bar may be used to prepare and service orders from patrons seated elsewhere. No interaction between the public and bartender shall be allowed.
- An age-restricted venue should prohibit smoking throughout its premises due to COVID-19's effects on the human respiratory system and the impact smoking has on lung capacity and the body's ability to heal.
- No live music or entertainment shall be allowed. Any dance floor shall remain closed to that purpose.
- Self-service food and shared condiments are not allowed.
- All surfaces shall be sanitized after each completed use by a patron.
- Use disposable, virtual or no-touch menus to the extent possible.
- Employees shall follow Amended Order 4 from the Chief Medical Director by wearing cloth face coverings or masks when preparing food or beverage or physically interacting with the public or other employees, except when wearing a mask would be contrary to the health or safety of the wearer.
- Services for the preparation of food or beverage, receiving call-in orders, providing take-out, window, drive-through or curbside service, and off-premises delivery and sale of prepared food or beverage, including alcohol, remain open.
- Alcohol may be served at tables or booths.
- No ancillary or participatory activities including, but not limited to, arcade games, pool, foosball, darts, amusement rides, laser tag, or similar activities shall be allowed.

## **SECTION 5**

Activities necessary to maintain continuity of operations of critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> continue to be allowed.

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 Nashville and Davidson County.

## **SECTION 6**

The following sectors and businesses and their employees will remain open providing essential services to protect the health and well-being of all individuals residing or working in Nashville and Davidson County.

- 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 and bicycle parts and repair businesses, and vehicle and bicycle sales, leasing and rental businesses;

- Banks, savings and loans, insurance companies, accounting businesses, and other financial institutions, and businesses that directly support the insurance and financial services sectors;
- Real property marketing, leasing, purchase, and sale services;
- Moving and relocation 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. Construction sites shall have no more than two people in an elevator at any time and must have sanitation stations available on every floor where work is under way. Social distancing must be observed to the maximum extent possible;
- 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, including research;
- 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 value of the business's inventory, information systems, accounting, and human resources of any business which is otherwise in substantial compliance with this order;
- Nonprofit entities providing charitable and social services for individuals who are economically disadvantaged or otherwise in need of assistance, including but not limited to entities providing support and assistance to victims of the tornado that struck Nashville on March 3, 2020, and the COVID-19 epidemic; and
- Other businesses and services that may be determined are essential for the continued safety and security of Davidson County.

## **SECTION 7**

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

- Daycare and childcare businesses. They 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 care and health businesses, and senior residential facilities. They shall follow CDC guidance on social distancing and hand hygiene. Non-essential social and educational programs at senior citizen and other assisted living communities and centers shall be discontinued.
- Hotels, short term rental properties, commercial lodges, and dormitories shall cease entertainment, and may provide food and beverage pick-up and room-service. Restaurants within these facilities may operate at 50% or less of occupancy based on Tennessee's Building and Fire Code, subject to the conditions set out in Section 4 in this Order.
- Funeral service establishments shall continue to use universal precautions under industry standards for handling human remains. All objects touched by staff or visitors shall be regularly sanitized. All gatherings, whether indoors or outdoors, shall comply with social-distancing requirements and gathering-size limits. Remote video attendance is strongly encouraged. In person viewings of the deceased are allowable. Any part of the casket that has been touched should be sanitized after closure and before being moved.

## **SECTION 8**

Those businesses, facilities and sectors previously open to the public, especially grocery stores and pharmacies, shall continue best efforts to establish hours of operations during which their services are available only to senior citizens or otherwise vulnerable populations. Grocery stores and other retail establishments previously open to the public shall continue to limit customer occupancy to no more than the number of people who can engage in social-distancing protocols at one time.

Businesses, facilities, and sectors previously open to the public, as well as those allowed to reopen under this Order, are to adhere to Amended Order 4 from the Chief Medical Director regarding wearing cloth face coverings or masks and to CDC guidance, including



social distancing, hand hygiene at all times, and allowing employees when possible to work on-site in shifts to optimize social distancing in the workplace.

Businesses, facilities and sectors are encouraged to utilize, to the maximum extent possible, any telecommuting or work-from-home procedures.

## SECTION 9

Metro Government will use all available enforcement options to assure compliance with this Order, including but not limited to violations of social-distancing requirements or gathering-size limits.

If any provision, sentence, clause, phrase, or word, of this Order or any application of it to any individual, business, or circumstance is held to be invalid by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this Order.

Upon becoming effective, this Order supersedes, and repeals Amended and Restated Order 1, and Amended and Restated Order 3 from the Chief Medical Director.

This Order shall be effective at 12:01 AM CDT on May 11, 2020 and shall remain in effect through 11:59 PM CDT on May 31<sup>st</sup>, 2020, subject to extension.

Date:

May 8, 2020

  
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Chief Medical Director of Health

