



ORDER 6
FROM THE CHIEF MEDICAL DIRECTOR
PHASE TWO: 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 continue to reopen.

Accordingly, this Order is being issued superseding and replacing Order 2 and Order 5 from the Chief Medical Director and outlining phase two 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 25 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.

Metro parks, greenways, trails, and golf courses will remain open, but playgrounds, dog parks, basketball courts, picnic shelters, splash pads, and skate parks shall remain closed. Metro community centers, clubhouses, museums, Sportsplex, tennis courts, and nature centers may operate. Sports and recreation leagues are not allowed. Citizens using these open spaces or facilities 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.

- Public and private social clubs 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 see that sufficient space is maintained between customers to comply with CDC guidance on social distancing.

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, except those listed in Sections 2 and 5 in this Order, may operate at 75% 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, which may be accomplished through barriers or partitions between individuals, 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 appropriate social distancing while lining up for checkout and frequent hand hygiene).
- 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, including at all entrances.
- 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.
- No sampling or testing of food, beverage, or other product shall be allowed.
- No self-serve food or beverage station, or water fountain shall be allowed.

SECTION 4

Restaurants and bars serving food from a menu may operate at 75% 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, which may be accomplished through barriers or partitions between individuals or parties. 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, including at all entrances.

- 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.
- Live music or entertainment is allowed with no more than two performers performing on one stage at a time to seated diners, or to a gathering of no more than 25 people. CDC guidance on social distancing shall be maintained between each performer, which may be accomplished through barriers or partitions. A minimum distance of 15 feet shall be maintained between performers and the audience. Any dance floor shall remain closed to that purpose.
- No self-serve food or beverage station, shared condiments, or water fountain shall be 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 only at tables or booths for on-premises consumption.
- 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

Notwithstanding Sections 3 and 4 in this Order, the following businesses may open to the public at 50% or less of occupancy based on Tennessee's Building and Fire Code, provided the business uses the entire amount of space on which occupancy is based:

- Close contact personal care and appearance services including, but not limited to, hair, nail, massage, tattoo, tanning, and waxing;
- Gymsnasiums and exercise and fitness facilities that serve the public or facility members including, but not limited to, swimming pools, personal training, martial arts, dance, yoga, Pilates, and climbing;
- Bowling alleys, miniature golf, driving ranges and target golf, go-carts, water parks, zip lines, paintball, ice or roller rinks, and similar attractions or participatory activities; and
- Museums and cinemas.

All such businesses shall comply with the following conditions:

- Sanitize all items, supplies or equipment after use on or by each customer.
- Adherence to CDC guidance on social distancing, which may be accomplished through barriers or partitions between individuals, 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 appropriate social distancing while waiting or lining up for checkout, and frequent hand hygiene).
- 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.
- Provide hand sanitizer to the extent possible, including but not limited to at all entrances.
- 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.
- No sampling or testing of food, beverage, personal hygiene, or similar product shall be allowed.
- No self-serve food or beverage station, or water fountain shall be allowed.

Close contact personal care and appearance services should require appointments or similar methods for customer entry to reduce walk-ins and waiting-customers.

Gymnasiums and exercise and fitness facilities that serve the public or facility members shall adhere to the following additional conditions:

- Social distancing should be extended to a minimum of ten feet, except with regard to low intensity aerobic activities.
- No recreation league or sport tournament shall be allowed.
- No steam room or sauna shall be allowed.
- Indoor and outdoor pools shall limit occupancy to 50% or less of the posted maximum bather load limit, provided CDC guidance on social distancing is maintained between each individual in the pool or deck area.
- Gymnasiums and facilities serving food from a menu shall: 1) Limit the number of customers to 50% of the posted maximum occupancy for each dining area, provided the business uses the entire amount of space on which occupancy is based, and 2) Otherwise comply with the conditions for restaurants and bars contained in Section 4 in this Order.

Bowling alleys, miniature golf, driving ranges and target golf, go-carts, water parks, zip lines, paintball, ice or roller rinks, and similar attractions or participatory activities shall adhere to the following additional conditions:

- No ancillary entertainment to the main business including, but not limited to, arcade games, pool, foosball, darts, axe throwing, or amusement rides.
- No group visits, guided tours, public programs, or special or private events.
- Timed tickets or similar methods should be used for entry and monitoring traffic flow.

- Attractions and participatory businesses serving food from a menu shall: 1) Limit the number of customers to 50% of the posted maximum occupancy for each dining area, provided the business uses the entire amount of space on which occupancy is based, and 2) Otherwise comply with the conditions for restaurants and bars contained in Section 4 in this Order.

Museums and cinemas shall adhere to the following additional conditions:

- No group visits, guided tours, public programs, or special or private events.
- Timed tickets or similar methods should be used for entry and monitoring traffic flow.
- Sanitize interactive exhibit components after each customer's use, provide disposable stylus for interactive touchscreens, and install hand sanitizing stations near these spaces. Alternatively, interactive exhibits shall be closed.
- Museums and cinemas serving food from a menu shall: 1) Limit the number of customers to 50% of the posted maximum occupancy for each dining area, provided the business uses the entire amount of space on which occupancy is based, and 2) Otherwise comply with the conditions for restaurants and bars contained in Section 4 in this Order.

SECTION 6

Day camps may open to the public subject to the following conditions:

- The number of campers and staff inside an enclosed facility shall be limited to 50% or less of occupancy based on Tennessee's Building and Fire Code, provided the camp uses the entire amount of space on which occupancy is based. This capacity limitation may be exceeded in the event of adverse weather, emergency, or similar event.
- Supplies, including but not limited to arts and crafts, should be pre-sorted for each camper's use.
- Sanitize all items, supplies or equipment after each camper's use.
- Adherence to CDC guidance on social distancing, which may be accomplished through barriers or partitions between campers or staff, and hand hygiene.
- Screen daily all employees and campers before they enter the facility, and for camps providing transportation all employees and campers

before they board such transportation, with temperature and symptom checks. An employee or camper with any symptom or temperature of 100.4 degrees Fahrenheit or greater must leave immediately or shall not board.

- Provide an isolation room or area to separate any camper who becomes ill or exhibits COVID-19 symptoms.
- Post information about health precautions for campers, employees, and staff (such as maintaining appropriate social distancing and frequent hand hygiene).
- Assign campers to small groups, a ratio of 1 counselor per 10 campers, to remain intact for the duration of the camp.
- Activities requiring close contact should be eliminated from the curriculum or modified to allow adherence to CDC guidance on social distancing.
- Campers should follow Amended Order 4 from the Chief Medical Director by wearing cloth face coverings or masks while indoors or using camp transportation, except when wearing a mask would be contrary to the health or safety of the wearer.
- Provide hand sanitizer to the extent possible, including at all entrances.
- Camps offering transportation shall provide hand sanitizer for campers' use prior to boarding or disembarking for incoming or outgoing trips.
- 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 campers or other employees, except when wearing a mask would be contrary to the health or safety of the employee.
- No cafeteria or buffet line, self-serve food or beverage station, or water fountain shall be allowed, however, the camp must insure campers have access to adequate hydration served in a safe manner.
- Provide campers and staff single or table-service condiments sanitized between each person's use.

SECTION 7

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 8

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 9

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 75% 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 10

Essential businesses, facilities and sectors previously open to the public, 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. 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 CDC guidance on social distancing, hand hygiene, and cleaning and disinfecting a facility.

Businesses, facilities, and sectors are encouraged to allow employees when possible to work on-site in shifts to optimize social distancing in the workplace, and to the maximum extent possible, utilize any telecommuting or work-from-home procedures.

SECTION 11

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 Order 2, and Order 5 from the Chief Medical Director.

This Order shall be effective at 12:00 AM CDT on May 25, 2020 and shall remain in effect through 11:59 PM CDT on June 7, 2020, subject to extension.

Date:

May 22, 2020



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