



ORDER 9
FROM THE CHIEF MEDICAL DIRECTOR
PHASE 2 WITH MODIFICATIONS: 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

Order 7 from the Chief Medical Director was issued on June 22, 2020, outlining phase three reopening for Nashville and Davidson County and was amended and restated on June 29, 2020. Social distancing and other precautions had slowed the rate at which COVID-19 was spreading. However, the threat of a return to significant increases in numbers remained and unfortunately has occurred. There has been a measurable surge in Tennessee's and Nashville and Davidson County's numbers.

Bars and restaurants have been linked to outbreaks around the country and repeatedly identified as particularly dangerous by experts including Dr. Anthony S. Fauci. Other states experiencing outbreaks have paused reopening and closed bars. Contact tracing in Nashville and Davidson County has connected the origin of multiple clusters of COVID-19 infections to bars and restaurants, affecting employees, musicians, and patrons. The large number of patrons in close proximity creates an environment conducive to spread, and crowds are often not being managed for compliance with appropriate social distancing.

Living with COVID-19 means finding ways for our city to return to work with COVID-19 still circulating. 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, the significant increase in numbers in Nashville and Davidson County, and the origin of clusters of COVID-19 infections, it is appropriate to pause phase three and implement a hybrid phase two.

Accordingly, to protect public health, Amended and Restated Order 7 from the Chief Medical Director issued on June 29, 2020, outlining phase three for reopening Nashville and Davidson County is revised as follows:

- The crowd size limit in Section 1, paragraph two is replaced with the following:

Crowd sizes of more than 25 people are prohibited except for places of worship and as otherwise specified in Amended and Restated Order 7 from the Chief Medical Director. This prohibition applies to any event or convening that brings together groups of individuals, including but not limited to community, civic or sporting events, parades, concerts, festivals, conventions, fundraisers, private gatherings and similar activities. People in attendance 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), and to comply with Order 8 from the Chief Medical Director regarding face coverings or masks.

- Section 4 is replaced with the following:

An individual, entity or organization that holds a license as a Limited Service Restaurant (defined in T.C.A. § 57-5-102(22)) issued by the Tennessee ABC shall be closed to the public until 12:01 a.m. CDT on July 17, 2020, but may continue to provide curbside or off-premise delivery of prepared food or beverages subject to any applicable federal, state, or local laws, provided that no consumption shall occur on premises.

An individual, entity or organization whose primary business is food service (any food service establishment as defined in T.C.A. § 68-14-703(9)) except those subject to the provisions in the preceding paragraph may operate at the lesser of 50% of the maximum capacity authorized by Tennessee's Building and Fire Code or 100 patrons per floor, provided the business equally distributes patrons throughout the entire amount of space, and 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 symptoms checks. An employee with symptoms 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.
- Patrons must remain seated.
- No dance floor is allowed.
- Bar counter areas must be 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, subject to the conditions set out in Exhibit A attached hereto, and the erection of: 1) physical barriers of plexiglass or similar material on stages separating performers from patrons, or 2) physical barriers at least fifteen feet from the stage that prevent patron's from approaching any closer.
- No self-serve food or condiment station shall be allowed. No-touch beverage filling stations are allowed.
- All surfaces shall be sanitized after each party's use.
- Use disposable, virtual or no-touch menus to the extent possible.
- Employees shall follow Order 8 from the Chief Medical Director by wearing cloth face coverings or masks when preparing food or beverages 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 beverages, receiving call-in orders, providing take-out, window, drive-through or curbside service, and off-premises delivery and sale of prepared food or beverages, including alcohol, remain open.
 - Alcohol for on-premises consumption may be served only to seated customers.
 - No ancillary or participatory activities including, but not limited to, arcade games, pool, foosball, darts, axe throwing, amusement rides, laser tag, or similar activities shall be allowed.
- Section 5 is revised to provide that bars that hold an on-premise beer permit but do not hold a license issued by the Tennessee ABC shall close until 12:01 a.m. CDT on July 17, 2020, but may continue to provide curbside or off-premise delivery of beverages subject to any applicable federal, state, or local laws, provided that no consumption shall occur on premises. Otherwise, the provisions in Section 5 remain unchanged.
 - Section 7 is revised to provide that the maximum number of people allowed in event, rental, and music venues, businesses and facilities, except those listed in Section 2 in Amended and Restated Order 7 from the Chief Medical Director, shall not exceed 25. Otherwise, the provisions in Section 7 remain unchanged.

Except as revised herein, Amended and Restated Order 7 from the Chief Medical Director remains unchanged and in effect.

This Order is hereby issued and effective at 12:01 a.m. CDT on July 3, 2020 and shall remain in effect through 11:59 p.m. CDT on July 31, 2020, subject to extension.

Date: July 2, 2020


Michael C Caldwell MD MPH
Chief Medical Director of Health

EXHIBIT A

IN CONJUNCTION WITH METRO'S CURRENT GUIDELINES, THE FOLLOWING STEPS WILL BE IMPLEMENTED TO ENSURE THE SAFETY OF THE PUBLIC, HOSPITALITY WORKERS, AND MUSICIANS/ENTERTAINERS:

- 1) All live musicians/entertainers will operate under the same guidelines as the property/venue's staff. Temperatures will be checked upon arrival and they will be screened with the same questions about wellness, COVID symptoms, and potential exposure. Anyone with a temperature of 100.4 or higher, or anyone with COVID symptoms, will be asked to leave the property and instructed to follow the existing recommendations for testing and self-isolating.
- 2) Management will request periodic testing of musicians/entertainers to ensure they are ahead of any infection risks.
- 3) Venues/properties will continue to operate at reduced capacity (per Phase guidelines). Seating and distancing guidelines must be adhered to.
- 4) Venues/properties will ensure all musicians/entertainers are staged a safe distance from guests/tables defined as a minimum of 15 feet between performers and patrons.
- 5) Musicians/entertainers will not be permitted on stage until the prior musicians/entertainers have exited the stage and the venue has had the opportunity to sanitize.
- 6) The venue/property will fully sanitize the stage between acts: cables and stools must be sanitized.
- 7) No equipment may be shared between performers; each musician is responsible for bringing their own equipment (microphones, mic stands, amplifiers, drumsticks, etc.).
- 8) Social distancing protocols should be observed among performers (can be accomplished with barriers and other techniques).
- 9) No dance floors permitted. When possible, tables will be placed on dance floors or the dance floor area will be cordoned off to deter gathering.
- 10) Staff shall maintain a minimum distance of 6 feet from patrons, except when placing an item on the patron's table. Music volume should not exceed a level that would prohibit staff from maintaining the minimum 6 feet distance while interacting with patrons.