



**THIRD AMENDED AND RESTATED ORDER 10
FROM THE CHIEF MEDICAL DIRECTOR
PHASE TWO WITH ADDITIONAL MODIFICATIONS
Pursuant to the Declaration of Public Health Emergency adopted by
the Board of Health for Nashville and Davidson County
on March 15, 2020**

On July 2, 2020, the Chief Medical Director issued Order 9, Phase Two 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.

Order 9 from the Chief Medical Director revised certain sections in Amended and Restated Order 7 from the Chief Medical Director issued on June 29, 2020.

On July 17, 2020, the Chief Medical Director issued Amendment 1 of Order 9 revising Sections 4 and 5 in Amended and Restated Order 7 from the Chief Medical Director and adding a new Section 14.

On July 24, 2020, the Chief Medical Director issued Amendment 2 of Order 9 from the Chief Medical Director revising Sections 4, 5 and 14 of Amended and Restated Order 7 from the Chief Medical Director.

On July 31, 2020, the Chief Medical Director issued Amendment 3 of Order 9 again revising Sections 4, 5 and 14 of Amended and Restated Order 7 from the Chief Medical Director.

On August 8, 2020, the Chief Medical Director issued Order 10 implementing conditions applicable in certain geographic areas in Nashville.

On August 16, 2020, the Chief Medical Director issued Amended and Restated Order 10 modifying conditions applicable in certain geographic areas in Nashville.

On August 31, 2020, the Chief Medical Director issued the Second Amended and Restated Order 10 further modifying conditions applicable in certain geographic areas in Nashville.

Based on considerations contained in the Roadmap, the numbers in Nashville and Davidson County, the origin of clusters of COVID-19 infections, and Metropolitan Government inspectors and law enforcement officers' observations of practices that contribute to or cause violations of the Chief Medical Director's orders and Centers for Disease Control and Prevention guidance on wearing cloth face coverings, social distancing, hand hygiene, and cleaning and disinfecting surfaces, it is appropriate to continue to pause portions of phase three and modify further a hybrid phase two.

Accordingly, the Second Amended and Restated Order 10 from the Chief Medical Director is being further amended and restated to protect public health.

Notwithstanding Section 4 in Second Amended and Restated Order 11 from the Chief Medical Director issued on September 18, 2020, the following conditions apply in the geographic areas in Nashville depicted on the maps attached hereto as Exhibit A, such areas covering Downtown and Midtown:

- No person while in or on a street, alley, sidewalk, parking lot, parking garage or other outdoors area generally open to the public, except a location where a special event permit is in place, shall: 1. consume beer, ale, wine or other alcoholic beverage; or 2. have in their possession beer, ale, wine or other alcoholic beverage in an open container. Notwithstanding any definition of "premises," these prohibitions apply to all such areas in the Central Improvement District.
- An individual, entity or organization that holds a license as a Limited Service Restaurant (defined in T.C.A. § 57-4-102(22)) issued by the Tennessee ABC may operate at up to 50 patrons per floor and 50 patrons outdoors, the number of patrons on premises not to exceed 50% of the maximum capacity authorized by Tennessee's Building and Fire Code, provided the establishment equally distributes patrons throughout the entire amount of indoors space and complies with the conditions listed in the subsequent bullet point.
- 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 hand sanitizing and social distancing. 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.
- Customers and guests shall follow Order 8 from the Chief Medical Director by wearing cloth face coverings or masks, except when seated and consuming food or beverage.
- Customers and guests shall remain seated, except when entering or exiting the premises, or walking to or from the restroom.
- 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.
- Bar counter areas may open to the public at 50% or less of seated counter capacity and in addition must follow CDC guidance on social distancing between parties. The bar may be used to prepare and service orders from patrons seated elsewhere. No customer is allowed to stand at the bar.
- 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 B attached hereto.
 - No self-serve food or condiment station shall be allowed. Water fountains and 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 beverage or physically interacting with the public or other employees.
 - 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.
 - All customers shall be off premises and the premise closed to the public between 11:00 p.m. CDT and 5:00 a.m. CDT.
 - Alcoholic beverages may be sold for consumption on premises, but customers shall not be allowed to remove those beverages from the premises. Services for the preparation of food or non-alcoholic beverages, receiving call-in orders, providing take-out, window, drive-through or curbside service, and off-premises delivery and sale of prepared food or non-alcoholic beverages, remain open and may continue to operate after 11:00 p.m. CDT, subject to any applicable federal, state, or local laws. The sale of alcohol is prohibited, except when sold for consumption on premises or for off-premises delivery.
- Bars that hold an on-premise beer permit but do not hold a license issued by the Tennessee ABC may operate at up to 50 patrons per floor and 50 patrons outdoors, the total number of patrons on premise not to exceed 50% of the maximum capacity authorized by Tennessee's Building and Fire Code, provided the establishment equally distributes patrons throughout the entire amount of indoors space and complies with the conditions listed in the preceding bullet point.

This Third Amended and Restated Order 10 from the Chief Medical Director is hereby issued and effective at 12:01 a.m. CDT on September 18, 2020 and shall remain in effect through 11:59 p.m. CDT on September 30, 2020, subject to extension.

Date: September 17, 2020



Michael C Caldwell MD MPH
Chief Medical Director of Health

