



**AMENDED AND RESTATED ORDER 8  
FROM THE INTERIM CHIEF MEDICAL DIRECTOR  
CLOTH FACE COVERINGS OR MASKS ORDER**

**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. Gill C. Wright III, Interim Chief Medical Director of Health**

**WHEREAS**, the Interim Chief Medical Director of Health (“Medical Director”) recognizes the emergency declarations of the President of the United States, the Governor of the State of Tennessee, and the Board of Health for Nashville and Davidson County related to the spread of COVID-19 disease in our community; and,

**WHEREAS**, COVID-19 is a disease caused by a novel coronavirus, previously unknown in humans, and causes upper-respiratory tract illnesses that can range from mild to severe, spread quickly, and may cause death, particularly in older adults and persons with certain medical conditions; and,

**WHEREAS**, the World Health Organization declared COVID-19 to be a global pandemic as of March 15, 2020; and,

**WHEREAS**, states of emergency have been declared by the President of the United States, the Governor of Tennessee, and the Mayor of Nashville and Davidson County, and continue to exist; and,

**WHEREAS**, the Medical Director finds that the coronavirus remains a threat in Nashville and Davidson County; and,

**WHEREAS**, as of April 7, 2021, Nashville and Davidson County had seen a total of 95,400 cases, and 889 fatalities; and,

**WHEREAS**, the Medical Director recognizes that it is critical to continue maintaining 6-foot social distancing to slow the spread of COVID-19, and that the additional use of simple cloth face coverings or masks, as recommended by the Centers for Disease Control and Prevention, can further aid in slowing the spread of the virus; and,

**WHEREAS**, in reopening certain businesses, places of work, and venues and other activities in the Nashville and Davidson County, it is in the best interest of public health for individuals to continue to use social distancing and the additional precaution of cloth face coverings or masks while in public contact with other persons; and,

**WHEREAS**, it continues to be extremely important to protect individuals from contracting the virus; and,

**WHEREAS**, the risks of inaction are high for serious and possibly fatal illness for elderly persons and individuals with underlying health conditions, including persons with serious heart conditions; pregnant women; smokers and those with asthma, scarred or damaged lungs or chronic lung disease; diseases that affect blood flow to the brain; cystic fibrosis; high blood pressure; dementia; liver disease; diabetes; obesity; sickle cell disease; and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy; and,

**WHEREAS**, on June 25, 2020, the Board of Health for Nashville and Davidson County unanimously approved a policy of requiring the use of face coverings and masks; and

**WHEREAS**, medical evidence indicates that indoor spaces are more conducive to the spread of the virus; and,

**WHEREAS**, the Medical Director finds that it is in the best interest of the public peace, health, welfare, and safety, and to preserve the lives and protect the health of citizens of Nashville and Davidson County, to require that cloth face coverings or masks be worn by persons when interacting in indoor public places in Nashville and Davidson County.

**NOW, THEREFORE, BE IT ORDERED** by the Medical Director of Nashville and Davidson County that: 1) cloth face coverings or masks shall be required within Nashville and Davidson County as set forth in this Order to slow the spread of the novel coronavirus disease, known as COVID-19; and 2) this Order supersedes and replaces Order 8 from the Medical Director.

## **SECTION 1.**

(a) “Face Covering” is a cloth face covering, mask or other device to cover the nose and mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned from scarves, bandanas, or other suitable fabrics. The Face Covering must cover the mouth and nose of the wearer.

(b) Face Coverings shall be worn at all times by members of the public except as specifically exempted herein.

(c) Face Coverings are not a substitute for social distancing. Even if wearing a Face Covering, persons should practice appropriate social distancing, stay six feet apart, clean their hands frequently, and take other everyday preventive actions.

(d) Fully vaccinated individuals are encouraged to be aware of and follow CDC guidance on safe interpersonal interactions that may be found at:

<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>

## **SECTION 2.**

A Face Covering is not required in the following settings and circumstances:

(a) Within one's own residence or another's residence;

(b) By persons younger than two years;

(c) By persons who cannot medically tolerate wearing a Face Covering. No person declining to wear a Face Covering because of a medical condition shall be required to produce verifying medical documentation;

(d) Within one's own or another's motor vehicle, provided the vehicle is not being used for public transportation or a vehicle for hire;

(e) By persons working alone in separate office spaces or in non-public workplaces that have more than adequate area for social distancing based on the size of and number of people in the space (either indoors or outdoors). Such persons must be prepared to wear a Face Covering when interacting with others when social distancing of more than six (6) feet cannot be consistently maintained;

(f) When wearing a Face Covering poses a safety risk or security risk. "Safety risk" includes, but is not limited to, where wearing a Face Covering may pose a risk to persons working on ladders or at height, wearing other respiratory protection, engaging in heavy physical exertion, operating heavy equipment, or operating in an environment where a Face Covering hinders communications. "Security risk" includes, but is not limited to, an activity or transaction where establishing the identity of the customer or employee is important. However, employers are encouraged to structure work to promote social distancing and limit close contact as much as possible within workplaces where Face Coverings may pose such risks;

(g) When actively eating or drinking in public at a restaurant, bar, or other food or beverage establishment;

(h) While outdoors in public spaces. Maintaining a physical distance of six feet from persons who are not members of the same household or residence is still strongly recommended; if that is not feasible, the wearing of a Face Covering is strongly recommended;

(i) While engaged in outdoor work or recreation, such as swimming, walking, hiking, bicycling, or running, unless maintaining a physical distance of six feet from persons who are not members of the same household or residence is not feasible;

(j) While in a place of worship. Places of worship are strongly encouraged to follow the health guidelines in paragraph 3 of Governor Lee's Executive Order No. 38, issued on May 22, 2020; and

(k) While in a building or indoor space owned, managed, or leased by the State of Tennessee or federal government.

### **SECTION 3.**

(a) Businesses or facilities open to the public shall post conspicuous signage at all public entrances stating to the effect:

"Dear Customers/Visitors,

Pursuant to Order 8 from the Chief Medical Director of Health for the Metropolitan Government of Nashville and Davidson County, you are **REQUIRED** to wear a cloth face covering or mask while in this

business/facility. This will help PROTECT our EMPLOYEES and EACH OTHER.”

(b) Except for the circumstances specified in Section 2, all businesses, facilities, commercial venues, and critical infrastructure sectors (including first responders) as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> shall require:

- i. Customers and visitors to wear a Face Covering while inside the business, facility, or workplace, or at a worksite; and
- ii. Employees to wear a Face Covering when physically interacting with the public or other employees.

(c) Persons entering or walking through interior "Common Areas" of commercial buildings, residential apartment or condominium buildings, and residential cooperative buildings are required to wear Facial Coverings. "Common Areas" include lobby/reception areas, hallways, elevators, mailrooms, clubhouse/meeting rooms, and stairwells. The respective property managers/building managers shall be required to enforce this requirement.

(d) K-12 schools shall require Face Coverings be worn at all times in school buildings when social distancing is not occurring, as well as on buses to and from school. Face Coverings may be removed in school when students are actively eating or drinking; if the student cannot medically tolerate wearing a face covering. Schools should have an internal appeal process for students who wish to request a Face Covering exemption.

(e) Mayor John Cooper’s Executive Order No. 7, “Requirement that Face Coverings be Worn at Metropolitan Government Buildings,” issued on May 18, 2020, shall continue to apply and is incorporated herein by reference.

#### **SECTION 4.**

Violations of this Order shall be subject to civil and criminal penalties, including punishment as a Class C Misdemeanor pursuant to Tenn. Code Ann. § 68-2-602.

#### **SECTION 5.**

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

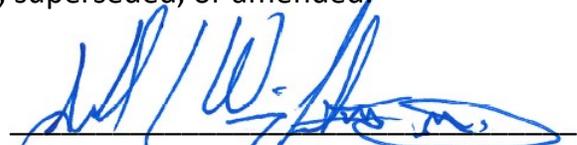
of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this Order.

**SECTION 6.**

Upon becoming effective, this Order supersedes, and replaces Order 8 from the Medical Director.

This Order is hereby issued and effective at 12:00 p.m. CDT on April 9, 2021, and the Order shall remain in effect until it is rescinded, superseded, or amended.

Date: April 9, 2021

  
Gill C. Wright, III, MD, FAAFP, MMM  
Interim Chief Medical Director of Health