EXECUTIVE ORDER NUMBER 10

TOWN OF COLLIERVILLE, TENNESSEE

BY COLLIERVILLE MAYOR STAN JOYNER

May 15, 2020

WHEREAS, on March 20, 2020, I, Stan Joyner, Mayor of the Town of Collierville, Tennessee, issued an Executive Order (titled Resolution 2020-11, Order No. 1-2020), declaring a Local State of Emergency for the Town of Collierville ("Town") with respect to Coronavirus Disease 2019 ("COVID-19"); and,

WHEREAS, on March 23, 2020, I issued Executive Order No. 2-2020 Regarding Safer at Home Directive and Closure of Non-Essential Services and Businesses; and,

WHEREAS, on March 27, 2020, I issued Executive Order No. 3-2020, declaring a State of Emergency continued to exist in the Town and extending the provisions of Executive Order Nos. 1-2020 and 2-2020; and,

WHEREAS, on April 3, 2020, I issued Executive Order No. 4-2020, declaring a State of Emergency continued to exist in the Town and extending the provisions of Executive Order Nos. 1-2020 and 2-2020; and,

WHEREAS, on April 10, 2020, I issued Executive Order No. 5-2020, declaring a State of Emergency continued to exist in the Town and extending the provisions of Executive Order Nos. 1-2020 and 2-2020; and,

WHEREAS, on April 17, 2020, I issued Executive Order No. 6-2020, declaring a State of Emergency continued to exist in the Town and extending the provisions of Executive Order Nos. 1-2020 and 2-2020; and,

WHEREAS, on April 24, 2020, I issued Executive Order No. 7-2020, declaring a State of Emergency continued to exist in the Town and extending the provisions of Executive Order Nos. 1-2020 and 2-2020; and,

WHEREAS, on May 1, 2020, I issued Executive Order No. 8-2020, declaring a State of Emergency continued to exist in the Town; and,

WHEREAS, on May 8, 2020, I issued Executive Order No. 9-2020, declaring a State of Emergency continued to exist in the Town; and,

WHEREAS, a State of Emergency continues to exist in the Town of Collierville with respect to COVID-19; and,

WHEREAS, Tennessee Attorney General Herbert H. Slatery, III, has opined that, absent an express delegation or authorization by Governor Bill Lee, local health departments

or other local governmental entities may not take any action inconsistent with the Governor's executive orders; and,

WHEREAS, on April 28, 2020, Governor Lee issued his Executive Order No. 30, which allows the reopening of certain businesses with conditions and expressly delegates to locally-run health departments, specifically the Shelby County Health Department, the exclusive authority to promulgate rules for the emergency situation created by the COVID-19 pandemic, including the conditions for reopening businesses; and,

WHEREAS, on May 4, 2020, the Shelby County, Tennessee Health Department issued its Health Directive No. 3 (attached as Ex. 1), which, inter alia, sets forth safety measures and parameters for individuals and businesses and shall expire on May 18, 2020, unless superseded before then;

THEREFORE, IT IS HEREBY ORDERED AND DECLARED that a State of Emergency as described in my previous Executive Orders continues to exist in the Town of Collierville, and all of the powers conferred by State law and the Charter and Ordinances of the Town of Collierville are hereby invoked and put into full force and effect as if set forth in full.

IN WITNESS THEREOF, by authority vested in me, I have here unto set my hand and signed this Executive Order this 15th day of May, 2020.

Stan Joyner, Mayor

Attest:
Lynn Carmack, Town Clerk

SHELBY COUNTY HEALTH DEPARTMENT

LEE HARRIS
MAYOR

ALISA R. HAUSHALTER, DNP, RN, PHNA-BC
DIRECTOR

BRUCE RANDOLPH, MD, MPH
HEALTH OFFICER

Public Health
Prevent. Promote. Protect.

May 4, 2020

FORMAL ISSUANCE OF HEALTH DIRECTIVE NO. 3

Pursuant to the Declarations of a State of Emergency
by Shelby County Mayor Lee Harris
and the Necessity of a Communicable Disease Control Threat Procedure
by the Shelby County Health Department

TO: Residents and Visitors of Shelby County, Tennessee

FROM: Lee Harris, Shelby County Mayor
Bruce Randolph, M.D., M.P.H, Shelby County Health Officer
Alisa Haushalter, DNP, RN, PHNA-BC, Shelby County Health Director

RE: Public Health Announcement on COVID-19 Response

Pursuant to the emergency management authority vested in Shelby County, Tennessee, for coordination of relief efforts in the event of a countywide emergency that may result in substantial injury or harm to the population, and the necessity to respond to public health emergencies vested in the Shelby County Health Department, this Health Directive No. 3 is being issued to protect the public health for all citizens and businesses in Shelby County, Tennessee. Those citizens and owners of businesses described herein and currently within Shelby County, Tennessee serve as the class of people subject to this Directive. This Directive No. 3 supersedes all prior written or oral Health Directives and shall remain in effect for fourteen (14) days, expiring May 18, 2020, unless superseded before then.

This Directive removes certain restrictions on the ability to return to work and engage in essential activities. It is intended to be a guide toward developing long term safety measures, as detailed below, to slow and end the transmission of COVID-19, which continues to be a direct and deadly threat to the population of Shelby County, Tennessee.

In order to facilitate evolving efforts to expand the opening of services and businesses in Shelby County, this Directive provides the following guidance on:

1) Safety Measures for Individuals;

2) Safety Measures for all Services and Businesses; and

3) Specific Parameters for Services and Businesses.

Those services or businesses that are not listed are not permitted to operate and should remain fully closed at this time.

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1) Safety Measures for Individuals:

- Individuals should cooperate with health authorities' efforts to prevent and control the spread of COVID-19. Adopting safe habits benefits you and those around you.
- Individuals are encouraged and permitted to return to work while adopting the safety precautions expressed in this Directive.
- Individuals should stay at home when possible and limit unnecessary activity. Although this Directive allows some individuals to return to work (as provided for below), the threat of COVID-19 remains very serious. Because avoiding unnecessary public interactions is critical to protecting the health and safety of everyone in Shelby County, all persons are still strongly encouraged to continue to stay at home and to minimize in-person contact with people not in the same household, except when engaging in essential activities such as employment or exercise or other activates as outlined in this Directive.
- Individuals should wear cloth face coverings that cover the nose and mouth in public settings where being in close proximity to others is anticipated and particularly where other social distancing measures are difficult to maintain at all times. Cloth face coverings should not be placed on young children under age

two, anyone who has trouble breathing, or anyone who is incapacitated or otherwise unable to remove the mask without assistance. Surgical masks and N-95 respirators should be reserved for health care workers and first responders.

- Individuals should not participate in "social/recreational gatherings" of more than ten (10) people. Social and recreational gatherings include, but are not limited to: house parties, festivals, fairs, parades, youth and adult sporting/arena events, theaters, overnight camps, other types of social or recreational assemblies, or patronizing businesses that should not be open at this time.

- Religious services, rites, weddings, or funerals are not "social/recreational gatherings" as described above, and nothing in this Directive mandates closure of a place of worship or prohibits weddings or funerals as a matter of law. However, places of worship are strongly encouraged to continue to utilize virtual or online services and gatherings and strongly encouraged to follow guidelines as issued by the State of Tennessee's Office of Faith-Based and Community Initiatives regarding any in-person services that can be conducted safely. Further, it is strongly encouraged that the public celebration component of weddings and funerals be postponed or attended only by close family members. Any modification by the State of Tennessee to this provision must also be followed.

- Individuals may engage in activities essential to:

  a) the individual's health or safety;

  b) the safety of the individual's family, household members, or pets; or

  c) the health or safety of individuals who are unable or should not leave their home.

  Such activities include, but are not limited to, seeking emergency services, obtaining medical supplies or assistance, obtaining and delivering groceries, and obtaining supplies required to work from home.

- Individuals may engage in outdoor activities, provided that persons adhere to the CDC, Tennessee Department of Health, and Shelby County Health Department

health guidelines, including, but not limited to physical activities that utilize public areas while maintaining the aforementioned safety precautions. By way of example, activities on playgrounds and basketball courts present unique risks for the spread of COVID-19 and therefore, these types of activities are not permitted at this time.

- Individuals may assist all businesses that are closed under this Directive with minimum basic operations consisting in performing activities at their own residences (i.e., working from home) or at their workplaces in order to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for other related, necessary business functions.

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2) Safety Measures for all Services and Businesses

The following safety measures must be in place for services and businesses to remain open or to reopen as further specified under "Specific Parameters for Services and Businesses." Services and Businesses that may not reopen should consider adopting these safety measures to prepare for reopening in the future.

- Cooperate with health authorities' efforts to prevent and control the spread of COVID-19.
- Comply with all federal and state business COVID-19 safety requirements, whether industry-specific or not, such as, for example, Occupational Safety and Health Administration (OSHA) requirements. Wherever "building capacity" is referenced, that means the capacity set by the Memphis and Shelby County Office of Construction Code Enforcement or comparable municipal office.
- Place prominent informational signs at entrances and high-traffic areas to educate and encourage a partnership of safety for businesses and the public. Signs should explain that the business is compliant with the Health Department's safety measures and that people should 1) avoid entering a public facility if they have a cough, fever, or other symptoms of COVD-19, 2) maintain social distancing from

people who are not household members, and 3) engage in respiratory etiquette, including covering up coughs and sneezes and properly disposing of tissues.

- Require all customers and any employees who work in public areas or around coworkers to wear a cloth face covering that covers the nose and mouth. Cloth face coverings should not be placed on young children under age two, anyone who has trouble breathing, or anyone who is incapacitated or otherwise unable to remove the mask without assistance. Surgical masks and N-95 respirators should be reserved for health care workers and first responders.
- Continue promoting frequent and thorough handwashing, providing workers, customers, and visitors a place to wash their hands or use alcohol-based hand sanitizer at or near entrances to a facility, high-traffic areas, and other appropriate areas where there are frequent employee/public interactions (e.g., cash registers and shopping carts/baskets). Employers should have assigned employees who are responsible for ensuring that this safety measure is met.
- Where feasible, implement contactless transactions.
- Close all self-service customer bulk-item food and/or supply bins.
- Require workers to stay home if they are sick and ask employees to do health checks by taking and recording their temperature before coming to work or entering the workplace. Engage in screening of personnel for fever or other signs and symptoms of COVID-19 so that any employee that exhibits such symptoms may not enter any workplace.
- Require any employee who has had contact with a person who tests or has tested positive for COVID-19 to self-quarantine according to the Shelby County Health Department's guidance.
- As determined by the employer and where feasible, allow employees to work from home or permit flexible worksites and hours (including staggered shifts) to increase physical distancing among and between employees.

- Discourage workers from using other employee's phones, desk, offices or other work tools and equipment, when possible. When this is not possible, sanitizers should be used both prior to use of communal items and immediately after, and care should be taken not to touch the face.
- Increase regular housekeeping practices for all areas, including routine cleaning and disinfecting of surfaces, equipment, high-touch surfaces, work areas, break rooms, bathrooms, common areas, and any other areas of the work environment.
- Limit the number of people who can enter a facility at any time to ensure that people inside can easily maintain a minimum six-foot distance from each other at all times, except when necessary to complete a business transaction such as payment or delivery of goods.
- Place an employee at entrances to ensure any applicable building occupancy thresholds (as further delineated below) are not exceeded.
- Indicate where lines may form at a facility, marking six-foot increments as guides for where individuals should stand to maintain social distancing.
- Make best efforts to establish hours when they are only available to senior citizens age 55 and older, pregnant women, and otherwise vulnerable populations and consider implementing other measures to help serve vulnerable populations, such as offering delivery services.
- Practice limited re-openings as further described below.

3) Parameters for Specific Services and Businesses

The following service providers and/or businesses may remain open or reopen as listed below, with any additional limitations as specified. If any service or business is not listed, it should remain closed:

- Federal and state offices and services, including post offices and airports, as prescribed by federal and state guidelines.

- Essential County and municipal government functions including law enforcement, transportation, and businesses/operations that provide government programs and services.
- Any services or businesses that the State of Tennessee has mandated statewide uniformity in a manner that does not permit a local health department to monitor shall operate according to State guidance (such as churches and certain dental or medical practices and procedures).
- To the extent not mandated by the State of Tennessee, health care, mental and behavioral health, and biomedical research, as well as businesses that directly support the healthcare industry, including health information technology, staffing, and supplies.
- Critical Infrastructure businesses already operating under the Cybersecurity & Infrastructure Security Agency (CISA) and/or Occupational Safety and Health Administration (OSHA) guidance for employee and workplace safety.
- Businesses that provide social services and other necessities of life for seniors, adults, children, or people with disabilities, substance use disorders, or mental illness. This includes residential facilities and shelters.
- Veterinary and pet supply businesses and services including the caring and feeding pets, livestock, and farm animals.
- Agricultural and horticultural operations, including those businesses that directly support the food supply, including food processing, feed mills, nurseries, greenhouses, farmers' markets, food banks, community gardens, garden centers, and landscape architectural services.
- Non-contact sports facilities such as parks, golf courses, and tennis courts, provided that shared equipment is prohibited and any dining facilities are limited to restaurant and curb-side pickup as set forth above.
- Sanitation and waste removal services and businesses.

- Energy, water, and sewage services and businesses.
- Pharmacies and medical supply businesses, and other related-businesses that directly support the drug and medical supply pipeline.
- Vehicle fuel, support, and service stations.
- Banks, savings and loans, insurance companies, accounting businesses, and other businesses that directly support the insurance and financial services sector.
- Legal and judicial services as prescribed by state and federal courts.
- Laundromats, laundry, and dry-cleaning services.
- Warehousing and storage.
- Construction and facilities design businesses.
- Transportation services including buses, taxis, and other private transportation providers.
- Home and business cleaning and maintenance services.
- Parcel/mailings transportation and delivery businesses.
- Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).
- Print, online, and broadcast media.
- Funeral and burial services.
- Civic facilities, such as libraries, may reopen at 25% building occupancy with all safety measures outlined above followed.
- Legally permitted businesses that provide goods or services exclusively through curbside pick-up or drive-thru are permitted to continue current operations, with

the limitation that there are no more than ten (10) employees within the establishment at any one time with these additional accommodations:

1. If necessary, these businesses may permit patrons to enter the premises to pick up an order.

2. Businesses that do not offer a "drive-thru" order service are strongly encouraged to avoid allowing lines to form by requesting that patrons place their food or other orders in advance by telephone, online, or other remote means, and request that they wait in their vehicle until the order is ready. If patrons do not have a vehicle, or if they must enter the premises for order, payment, and/or pick-up, access should be restricted to one patron at a time whenever possible. Should patrons have a need to form a line outside of the business, they must remain a minimum of six-feet apart.

3. This provision includes any fully automated car wash, but any ancillary self-service vacuum or equipment tools must remain closed.

- Restaurants may return to in-restaurant dining in the following manner:

1. Restaurants whose primary, legally permitted business is food service may reopen to 50% of building occupancy. Tables should be spaced, and seating arrangements coordinated to maintain a distance of at least six feet between groups of customers.

2. Bar areas should remain closed at this time.

3. All communal use of items and products should be prevented, including, for example, writing utensils, condiment containers, self-service stations, and buffets.

4. All menus should be disposable, single-patron usage, and/or accessible by personal electronic devices (internet website, QR Code, etc.).

5. All employees should be required to take their temperature or perform a quick health check before entering the work area.

6. Employees involved in food preparation or service are required to wear cloth face coverings that cover the nose and mouth.

7. Live entertainment is not permitted.

- Retail and Grocery, including legally permitted food and beverage businesses, grocery stores, convenience stores selling food, home/business repair, and hardware supply stores.

  1. The number of customers must be limited to 50% of the building occupancy of each location.

  2. Distancing markers must be placed throughout the store, and outside where customers may be waiting in line to remind customers to maintain a safe distance from other patrons.

  3. Consideration should be given to reopening with reduced hours to ensure ample time for proper cleaning, sanitizing, and disinfecting.

  4. All communal use items and products should be prevented including store bags and writing utensils (ex: customers may package their own items in their own bags).

  5. Employees must be required to take their temperature or perform a quick health check before reporting to work.

  6. Sales by curbside pick-up, drive-thru, or delivery should be encouraged and promoted.

- Health Clubs that do not involve contact-fitness or sports (including gyms and dance/fitness studios) may reopen in the following manner:

  1. Facilities should have restricted access to staffed hours only and must be limited to 25% of building occupancy.

  2. Adjustments should be made to equipment layout with closed or restricted access to equipment as necessary so as to permit six-feet physical distancing.

3. Facilities should conduct regular and thorough cleaning of all equipment, surfaces and areas of the facility using disinfectant cleaning supplies.

4. Facilities should require that patrons wash or sanitize their hands upon entering the facility and maintain six-foot physical distancing between themselves and others while at the facility.

5. Patrons or facility personnel should be required to clean equipment with disinfecting wipes before and after each use, and facilities must provide hand sanitizing stations for use upon patron entry and exit to/from the facility.

6. No sick patrons and employees should be allowed to enter the facility.

- Barber shops and hair salons may reopen on May 6, 2020 with additional parameters set forth below or as otherwise dictated by the State of Tennessee. No other close contact business is permitted to operate at this time, including nail, tattoo, and massage services. When opened, barber shops and hair salons should adhere to CDC general and industry-specific safety guidelines, and these businesses must follow these additional requirements:

  1. Employees must have their temperatures checked before entering the work area and cannot be permitted to enter if they have a fever or any other symptoms of COVID-19.

  2. Salons and shop owners must sufficiently stock their place of business with hand sanitizer, soap, and/or sanitizing wipes before reopening.

  3. Owners must maintain an appointment book that includes, at a minimum, customer name, date, and time of service.

  4. Face coverings should be worn by stylists and customers whenever practical. All employees (including stylists and barbers) should wear face coverings and gloves while providing services.

  5. Items such as capes, smocks, drapes, and neck strips should be one-time-use between cleanings or disposable as much as possible.

6. Salon and shop owners must make appropriate modifications to accommodate social distancing. For instance, active workstations should be at least six-feet apart, with additional measures taken as necessary to ensure that all people stay six-feet apart at all times except for a staff member providing a service to a client. Physical barriers should be used where necessary.

7. Stylists should be encouraged to get tested before coming to work and to stay home if they test positive or have COVID-19 related symptoms.

8. Customers must be served by appointment only, except walk-ins may be permitted if walk-in customers wait in their vehicle for their turn.

9. There must be at least 15 minutes between client appointments for sanitizing the client area.

10. Salon and shop owners must perform regular disinfection of high-touch surface areas and equipment (e.g., door handles, counter space, light switches, tools and instruments).

11. Unless the customer is a minor, barber shops and hair salons must not allow non-customer companions to accompany customers during a service.

12. Owners are encouraged to implement other precautions provided for by the State here: https://www.tn.gov/governor/covid-19/economic-recovery/close-contact-business-guidelines.html (current as of May 4, 2020).

- Daycare and childcare businesses, provided that they prioritize children of parents working as emergency/first responders or in essential services, implement screening procedures, develop safe drop-off and pickup procedures, ensure additional steps are taken to enhance personal hygiene of employees, (including wearing face coverings that cover the nose and mouth), and provide extraordinary sanitization efforts within the facilities themselves.

- Hotels and commercial lodges will remain open with a ten-person limitation on the number of people allowed in common areas. Pick-up and room-service food

services may continue. If there is a hotel restaurant, guidance in this Directive regarding restaurants should be followed.

- Housing and rental services.
- Manufacturing, Product Logistics, Transport/Distribution Centers, Call-Centers and other similar businesses that are not open to the public or do not rely on in-person interaction with its customers are allowed to reopen provided that they arrange workspaces/work stations to allow physical distancing, regularly sanitize equipment, prevent use of shared devices and implements, and observe all other general safety measures as specified above.
- Nursing homes, assisted living facilities, and any other such facilities housing, treating, or caring for senior citizens or other vulnerable populations shall remain operational but closed to all visitors unless, at the discretion of the facility, visitors are permitted to see residents receiving end-of-life care, provided that such visits may be accomplished without unreasonable risk to other residents or staff. In all other respects, only employees and residents of such facilities will be permitted in the facility. Employees must not be permitted to enter if they have a fever or any other symptoms of COVID-19, and these establishments must ensure additional steps are taken to enhance personal hygiene of employees and to provide extraordinary sanitization efforts within the facilities themselves. Facilities must establish and maintain an Infection Control and Prevention Program including testing of employees and residents in accordance to CDC, State, and Shelby County Health Department guidance.
- Businesses related to the pursuit of essential activities may operate in furtherance of those activities as provided for in this Directive.
- Public and private non-residential schools are to remain closed, however, further guidance on reopening schools will be provided well in advance of when schools are scheduled to reopen for the Fall 2020 school year.

In conclusion, the aforementioned guidelines set forth in this Directive present, at this time, the least restrictive means by which transmission of COVID-19 may be slowed, while also permitting businesses to reopen.

Limiting close contact with others is the best way to reduce the spread of COVID-19. Everyone should practice social distancing. Social distancing, also called "physical distancing," means keeping space between yourself and other people outside of your home. To practice social/physical distancing, do this:

- Stay at least six feet (two meters) from other people; and
- Wear a cloth face covering (covering your nose and mouth) when you are outside of your home and encountering other people.

Please keep in mind that the goal is safety while balancing the needs of citizens to receive the necessities of life, i.e., food and shelter, allowing people to work in a safe manner, and further ensuring the availability of resources to the community. Every effort should be made by providers of essential and other services to take steps to stop the spread of this deadly disease. These prophylactic actions are meant to protect everyone.

Requirement to Collect Demographic Data.

Any health care provider located in Shelby County, Tennessee that provides COVID-19 testing or clinical care shall provide to the Shelby County Health Department (SCHD), as requested by the SCHD, demographic data regarding individuals tested or cared for by the provider. Such data shall be in such forms, formats and/or schedules that the SCHD will reasonably specify to the provider by written guidelines, including by way of example and without limitation the following data: gender, race, ethnicity, date of birth or other indicia of age, and such other demographic-based clinical information that the SCHD deems relevant and necessary to respond to and serve the needs of Shelby County related to the COVID-19 pandemic.

The Shelby County Health Department, with the assistance of the Shelby County Sheriff's Office, is authorized to take emergent and immediate action to enforce this Directive.

Approved and adopted by:

LEE HARRIS,
SHELBY COUNTY MAYOR

BRUCE RANDOLPH, M.D., M.P.H.,
SHELBY COUNTY HEALTH OFFICER

ALISA HAUSHALTER, DNP, RN, PHNA-BC,
SHELBY COUNTY HEALTH DIRECTOR

Your Right of Review

If you feel this Directive has been issued in error, you may request a review by the Chief Medical Officer, Dr. Tim Jones, for the Tennessee Department of Health (TDH), or his designee, at (615) 741-3111. Dr. Jones, or a designee, will review your request within five (5) business days of its receipt, and you will receive a decision in writing. You may also request that the TDH obtain a court order containing the provisions of this Directive. If you request this option, the TDH will take the matter to an available and appropriate court of record. Please be aware you are still required to abide by all of the provisions contained in this Health Directive during any review process. A copy of the rules setting forth the Health Directive procedure and related rights is available on the Shelby County Health Department website.