



EXECUTIVE ORDER

OF WARREN L. GOOCH

MAYOR OF THE CITY OF OAK RIDGE

March 23, 2020

AN ORDER DECLARING A LOCAL STATE OF EMERGENCY DUE TO THE NOVEL CORONAVIRUS IN ORDER TO PREVENT THE SPREAD OF, AND TO FACILITATE THE CONTAINMENT OF, THE COVID-19 DISEASE

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus that can result in mild or severe symptoms, including fever, cough, and shortness of breath, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, in late 2019, a significant outbreak of COVID-19 occurred, and this disease has since spread to many countries; and

WHEREAS, to date, according to the Tennessee Department of Health there have been over 500 cases of COVID-19 identified in the State of Tennessee; and

WHEREAS, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (SHOC), and on January 21, 2020, following CDC guidance, the Department designated COVID-19 as a reportable disease in Tennessee; and

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 4, 2020, Governor Bill Lee of the State of Tennessee announced the formation of a Coronavirus Task Force to enhance Tennessee's coordinated efforts to prevent, identify, and treat potential cases of COVID-19; and

WHEREAS, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and several additional confirmed or presumptively positive cases of COVID-19 have since been identified in Tennessee; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the novel coronavirus (COVID-19) outbreak a global pandemic; and

WHEREAS, several states, counties, and cities throughout the country have declared states of emergency to facilitate their responses to COVID-19; and

WHEREAS, a state of emergency has been declared through Executive Order #14 issued March 12, 2020, by Governor Bill Lee of the State of Tennessee in connection with the COVID-19 disease outbreak; and

WHEREAS, the Governor has also issued Executive Order #17 on March 22, 2020 in connection with limiting social gatherings, Dine-in service, and gym use, and exposure at nursing and retirement homes, and providing flexibility for restaurants regarding the sale of alcohol; and

WHEREAS, the spread and identification of additional cases of COVID-19 in Tennessee is likely to continue, and therefore, taking proactive steps to prevent a substantial risk to public health and safety is paramount; and

WHEREAS, the City Manager of Oak Ridge deems it is advisable to be pro-active in adopting local measures to prevent the spread of COVID-19, and to aid in its containment should it spread to Oak Ridge; and

WHEREAS, the Mayor, the City Manager, and the City Council of Oak Ridge have a responsibility to take all reasonably possible actions to ensure public health, safety, and welfare of the City and its residents in the event of an infectious disease pandemic; and

WHEREAS, empirical medical evidence and expert reports strongly indicate and advise that the spread of the COVID-19 disease is effectively slowed by frequent hand washing, social distancing, self-quarantine, and the reduction of public interactions and gatherings of groups of people; and

WHEREAS, the provisions of this Order are necessary to maximize efforts to protect the health and safety of City employees and all Oak Ridge residents and visitors; and

WHEREAS, the City government desires and intends to continue to provide exemplary government services of the highest quality to Oak Ridge residents and visitors while dealing effectively with the challenges presented by the pandemic through a reasoned, flexible response and pro-active steps to stem the spread of the pandemic and lessen its impact on public health, safety, and welfare, and on local economic activity; and

WHEREAS, Tennessee Code Annotated §58-2-101 et. seq. including, but not limited to, §58-2-110 and §58-8-104 and §38-9-101 et. seq. provides the City Mayor with the power and authority to declare a local state of emergency, to include in cases of disease outbreaks and epidemics; and

WHEREAS, Tennessee state law, and the City Charter confer general police powers upon the City, and authorizes the City to act and to regulate in the interests of public health and welfare; and

WHEREAS, Tennessee Code Annotated §58-2-110 and §58-8-104 provides the City Mayor with the power and authority to declare a local state of emergency, to include in cases of disease outbreaks and epidemics, which shall have an immediate effect when declared for a period of seven (7) days, but may have continuing effect beyond seven (7) days in seven (7) day increments upon approval by the City Council; and

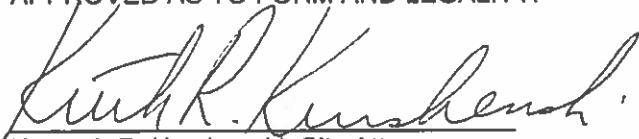
WHEREAS, the City Council finds that the Mayor's Executive Order is in the public interest and serves public health and welfare.

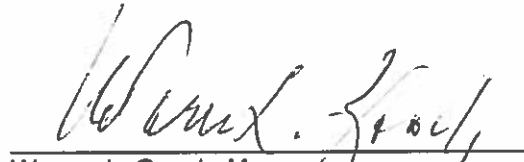
NOW, THEREFORE, I, Warren L. Gooch, Mayor of the City of Oak Ridge, Tennessee, by virtue of the power and authority vested in me by the Charter for the City of Oak Ridge, Tennessee, the City Code, and laws of the State of Tennessee, do hereby declare a state of emergency exists in the City of Oak Ridge to facilitate an effective response to prevent the spread of COVID-19 and to aid in its containment, and do hereby order the following:

1. The City Manager is authorized to direct all Department Heads to be pro-active and are authorized to take any lawful action pertaining to their departments they deem necessary to effectuate the provisions of this Executive Order and Declaration of a Local State of Emergency, in furtherance of the purpose of preventing the spread of the COVID-19 disease, or aiding in its suppression or in the treatment of City residents, visitors, and employees, while continuing to provide and maintain City services. A copy of the update from the City Manager on the Coronavirus precautions for City facilities dated March 20, 2020 is attached as Exhibit A to this Executive Order and incorporated herein.
2. All members of the public and businesses are strongly encouraged to follow and comply with guidance and directives issued by the federal CDC and state and local departments of health.
3. All members of the public are strongly encouraged to remain calm, to resist panic purchasing, consider their neighbors who have need, and to look after and help those most at risk to this pandemic to include the elderly and those with suppressed immune systems.
4. This Executive Order and Declaration of a Local State of Emergency shall remain in force and effect, and shall continue, in seven (7) day increments as approved by City Council Resolution #3-23-2020 dated March 23, 2020, unless sooner terminated, or extended, by written amendment hereof, or by subsequent written order issued, in accordance with law.

IN WITNESS WHEREOF, I have subscribed by signature and caused the Seal of the City of Oak Ridge to be affixed this 23rd day of March 2020.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Mary Beth Hickman, City Clerk

