



# City of Chattanooga

Mayor Andy Berke

## CITY OF CHATTANOOGA CIVIL EMERGENCY PROCLAMATION AND ORDER BY MAYOR ANDY BERKE

### EXECUTIVE ORDER 2020-02

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that appears to occur through respiratory transmission and presents with similar symptoms to those of influenza; and

**WHEREAS**, as of March 18, 2020, COVID-19 has spread throughout China and to 150 other countries and territories, including 7,038 cases and 97 deaths within the United States; and

**WHEREAS**, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

**WHEREAS**, on January 30, 2020, the World Health Organization declared a public health emergency of international concern related to COVID-19; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services declared that a public health emergency exists nationwide as a result of confirmed cases of COVID-19 in the United States; and

**WHEREAS**, as of March 18, 2020, there were 98 positive tests in Tennessee and three (3) Hamilton County residents have tested presumptively positive for COVID-19; and

**WHEREAS**, implementation of basic precautions of infection control and prevention, including staying at home when ill and practicing respiratory and hand hygiene, are necessary to slow or prevent the spread of COVID-19; and

**WHEREAS**, COVID-19 is a communicable disease with significant morbidity and mortality, and presents a severe danger to public health; and

**WHEREAS**, pursuant to City of Chattanooga Charter, Article 2.1, the City of Chattanooga has the power by ordinance to make regulations to secure the general health of the inhabitants, and to prevent, abate and remove nuisances, and to make regulations to prevent the

introduction of contagious disease in the City; to make quarantine laws for that purpose, and to enforce same within the corporate limits and within the City's police jurisdiction; and

**WHEREAS**, pursuant to Tennessee Code Ann. § 38-9-102 the Mayor may proclaim in writing the existence of a civil emergency as defined in Tenn. Code Ann. § 38-9-101, which will be filed with the clerk of the municipality; and

**WHEREAS**, after proclamation of a civil emergency, the Mayor, in the interest of public safety and welfare, pursuant to Tenn. Code Ann. § 38-9-104, may order the closure of certain establishments and issue such orders as are necessary for the protection of life and property due to the current civil emergency and

**WHEREAS**, on March 12, 2020 the Governor signed and caused the Great Seal of the State of Tennessee to be affixed to Executive Order No. 14 declaring that a state of emergency exists to facilitate the response to COVID-19.

**NOW, THEREFORE**, the Mayor of the City of Chattanooga, by virtue of Tennessee Statutes and the City Charter, does hereby proclaim that a public health civil emergency exists in the City of Chattanooga, Tennessee.

In order to respond to this civil emergency, the Mayor issues the following **ORDERS** for the City of Chattanooga:

**Section 1.** In response to this civil emergency, the Mayor finds it is necessary to advise people in Chattanooga, Tennessee who have traveled to an area for which the Centers for Disease Control and Prevention has issued Warning Level 3 or Alert Level 2 Travel Health Notice, or have been in close contact with a person who has traveled to such an area, and who develop symptoms of fever, cough, shortness of breath, or difficulty breathing within 14 days of such travel or close contact, that they should immediately contact their health care provider and self-isolate until advised otherwise.

**Section 2.** Based upon the proclaimed civil emergency, the Mayor Orders those establishments whose primary business is alcohol service or food service (other than pick-up, delivery, or drive-through service) within the City of Chattanooga to close for on-site consumption, effective at midnight on March 19, 2020 and shall remain in effect until this Order is withdrawn. Nothing in this order shall be intended to prevent pick-up, delivery, or drive-through service.

**Section 3.** Based upon the proclaimed civil emergency, the Mayor Orders all gyms and exercise and fitness facilities within the City of Chattanooga to close effective at midnight on March 19, 2020 and shall remain in effect until this Order is withdrawn.

**Section 4.** The Building Official, the Chattanooga Police Department and the Chattanooga Fire Marshall are authorized by this Order to enforce and close those businesses in violation of this Civil Emergency Order in our City until this Order is withdrawn.

Issued this 19th day of March 2020, pursuant to Tenn. Code Ann. §§ 38-9-101, et seq. and 58-8-104 and 58-2-110 (3) by the Mayor of the City of Chattanooga, Tennessee.



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ANDY BERKE, MAYOR OF THE CITY OF CHATTANOOGA