



Bernie Ash
Mayor

CITY OF LEBANON

Office of the Mayor

106 North Castle Heights Avenue

Lebanon, TN 37087

bernie.ash@lebanontn.org

615-443-2839

Debbie Jessen
Mayoral Assistant

Executive Order No. 05 of The Mayor of Lebanon

Proclamation Declaring Local State of Emergency and Implementing Gov. Bill Lee's Executive Order No. 27

WHEREAS, beginning in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China, and has since spread throughout the world; and

WHEREAS, on March 11, 2020, the World Health Organization declared the outbreak a global pandemic; and

WHEREAS, on March 12, 2020, Gov. Bill Lee declared a statewide state of emergency for Tennessee; and

WHEREAS, on March 18, 2020, the first confirmed case of COVID-19 was reported in Wilson County, Tennessee; and

WHEREAS, on March 30, 2020, Gov. Bill Lee issued his Executive Order No. 22 identifying businesses and services in the state deemed essential that are permitted to remain open; and

WHEREAS, Gov. Lee's Executive Order No. 22 mandates the statewide closure of all businesses and services not identified as essential in the Order; and

WHEREAS, Gov. Lee's Executive Order No. 22 additionally strongly encourages the citizens of Tennessee to shelter in place and only leave their homes when absolutely essential; and

"This institution is an equal opportunity provider and employer."

WHEREAS, on April 02, 2020, Gov. Lee issued Executive Order No. 23 mandating that all citizens of Tennessee remain in their homes unless traveling outside their homes was essential, as defined in his Executive Order No. 22; and

WHEREAS, on April 13, 2020, Gov. Lee issued Executive Order No. 27 extending his Executive Orders Nos. 16, 17, 22, and 23 through April 30, 2020; and

WHEREAS, pursuant to Tenn. Code Ann. § 58-8-104, the State of Tennessee has provided for the declaration of an Emergency as defined in Tenn. Code Ann. § 38-9-101(2); and

WHEREAS, by ordinance, the City of Lebanon (the “City”) has similarly provided for the declaration of an Emergency as defined in Title 1, Chapter 4 of the Lebanon Municipal Code; and

WHEREAS, the COVID-19 virus is a condition of danger to the health, welfare and economic well-being of the citizens of the City and may result in an interruption of municipal services affecting the public peace, property, health and safety of our citizens; and

WHEREAS, the undersigned Bernie Ash is the duly elected Mayor of the City of Lebanon; and

WHEREAS, the undersigned has made such observations, inquiries, and investigations necessary to determine that an Emergency exists under the law of the State of Tennessee and the Municipal Code of the City of Lebanon; and

WHEREAS, in the judgment of the undersigned an Emergency currently exists within the City of Lebanon as defined in Tenn. Code Ann. § 38-9-101(2) and § 58-2-110 and Lebanon Municipal Code § 1-401; and

WHEREAS, said Emergency constitutes an immediate and significant danger to the health, safety and welfare of the citizens of the City of Lebanon; and

WHEREAS, it is necessary and appropriate for the undersigned to exercise the authority granted by Tenn. Code Ann. §§ 58-8-104, 58-2-110, 38-9-103 and 38-9-104 and Lebanon Municipal Code Title 1, Section 4, respectively, to minimize the immediate and significant danger to the health, safety and welfare of the citizens of the City of Lebanon; and

WHEREAS, a local state of emergency was declared on March 20, 2020, by the undersigned Mayor Bernie Ash.

NOW THEREFORE, I, Bernie Ash, Mayor of the City of Lebanon, Tennessee, by virtue of the power and authority vested in me pursuant to Tenn. Code Ann. § 58-8-104 and Lebanon Municipal Code 1-402, do hereby proclaim a continuation of the local state of emergency declared on March 20, 2020, and continue to direct and order the following:

1. A local State of Emergency is proclaimed within the area of the City of Lebanon, Tennessee.

2. The duration of this local state of emergency will continue until rescinded but shall be limited to seven (7) days from this date unless it is necessary to extend it by Executive Order.

3. As authorized by Tenn. Code Ann. § 58-2-110(3)(A), the City of Lebanon will:

a. As necessary, appropriate and expend funds; make contracts; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the federal and state emergency management agencies;

b. As necessary, appoint, employ, remove, or provide, with or without compensation, coordinators, rescue teams, fire and police personnel, and other emergency management workers;

c. In addition to a primary emergency operating center, should one be needed, establish, as necessary, one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations;

d. As necessary, assign and make available for duty the offices and agencies of the City of Lebanon, including the employees, property, or equipment relating to health, medical and related services, police, transportation, and similar items or services for emergency operation purposes, as the primary emergency management forces of the City of Lebanon for employment within or outside the area of the City of Lebanon;

e. Request state assistance or, as needed, invoke emergency-related mutual-aid assistance in the event of an emergency affecting another political subdivision.

4. The City of Lebanon, to the extent necessary to protect the health of citizens related to this emergency, invokes its authority under state law, Tenn. Code Ann. § 58-2-110(3), to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

a. Performance of public services and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;

b. Entering into contracts;

c. Incurring of obligations;

d. Employment of temporary workers;

e. Utilization of volunteer workers;

f. Rental of equipment;

g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;

h. Appropriation and expenditure of public funds; and

i. Consider certain commercial vehicles engaged in the distribution of electric power, the supply of fuel, or telecommunications services to residences and businesses to be participating in an emergency relief effort for the purpose of the federal hours-of-service regulations promulgated by the federal motor carrier safety administration.

5. Pursuant to Tenn. Code Ann. § 58-8-105, the director or the director's designee of the following departments, agencies, and instrumentalities of the City of Lebanon is authorized to request assistance as the "requesting party" as defined in Tenn. Code Ann. § 58-8-102(12):

- a. The Mayor's Office;
- b. The City of Lebanon Fire Department and its Emergency Medical Services division;
- c. The City of Lebanon Police Department;
- d. The City of Lebanon Departments of Water and Sewerage Services;
- e. The City of Lebanon Department of Public Works;
- f. The City of Lebanon General Services Department; and
- g. The City of Lebanon Natural Gas Department

6. The Lebanon Commissioner of Finance is directed to monitor the expenditure of any funds by the City of Lebanon related to this State of Emergency, prepare requests as appropriate for financial assistance and reimbursement of such expenditures by federal and state governments, and conduct a review of such expenditures following conclusion of the State of Emergency.

7. Additionally, pursuant to Tennessee Governor Bill Lee's Executive Order No. 17, the following conditions are imposed within the corporate limits of the City of Lebanon, Tennessee:

a. Establishments whose primary business is alcohol service or food service (other than pick-up, take-out, delivery, or drive-through service) within the City of Lebanon shall close for on-site consumption, effective at 12:00 a.m. Monday, March 23, 2020, and shall remain closed for on-site consumption until the Order is withdrawn.

b. Any City of Lebanon beer permittee that holds an on-site sales beer permit only that is affected by the above provision 7(a) shall be allowed to sell or deliver beer for off-site consumption as long as the beer is in a closed container when it leaves the premises and or is delivered to the consumer and the consumer is twenty-one (21) years of age or older.

c. All gyms and exercise and fitness facilities within the City of Lebanon shall close to the public effective at 12:00 a.m. on Monday, March 23, 2020, and shall remain closed until this Order is withdrawn.

d. The City of Lebanon, to the extent possible and provided by law, shall follow CDC guidance as it relates to COVID-19, and the Mayor of Lebanon is specifically authorized to take reasonably necessary steps to limit person-to-person public access to City offices and facilities and to develop and implement alternative work arrangements and schedules to protect City employees during this pandemic;

e. Certain procedures and formalities otherwise required under the Lebanon City Code or Tennessee law pertaining to how the City conducts its operations is hereby suspended as those procedures and formalities relate to protecting the health, safety, and welfare of the citizens of Lebanon.

f. All members of the public and businesses are encouraged to follow and comply with guidance and directives issued by the federal CDC as well as the Tennessee and Wilson County Departments of Health.

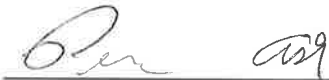
g. Effective at 12:00 a.m. on Monday, March 23, 2020, all social gatherings of ten (10) or more people within the city limits of Lebanon, Tennessee, are prohibited until this Order is withdrawn.

f. All members of the public are encouraged to remain calm, to resist panic purchasing, to consider their neighbors who have needs, and look after and help those most at risk to this pandemic to include the elderly and those with compromised immune systems.

8. Gov. Bill Lee's Executive Order No. 27 extending the duration of his Executive Orders Nos. 16, 17, 22, and 23 is hereby implemented in the City of Lebanon, Tennessee in full. All Lebanon businesses and services not deemed essential in Gov. Lee's Executive Order No. 22 are to close and cease such services until further notice.

9. Pursuant to Gov. Bill Lee's Executive Order No. 23, as extended by Executive Order No. 27 through April 30, 2020, all citizens of the City of Lebanon are required to stay at home unless engaging in essential activities or essential services as those activities and services are defined in Gov. Lee's Executive Order No. 22.

Ordered, effective, and issued this 14th day of April, 2020.



Mayor Bernie Ash
City of Lebanon, Tennessee