

**EXECUTIVE ORDER No. 5
REQUIRING FACE COVERINGS
IN CARTER COUNTY, TENNESSEE
BY
CARTER COUNTY MAYOR RUSSELL BARNETT**

JULY 15, 2020

WHEREAS, this Executive Order is issued by Russell Barnett, Mayor of Carter County, Tennessee, pursuant to the authority granted via Executive Order No. 54 issued by Tennessee Governor Bill Lee which delegated to county mayors without locally run health departments the authority to issue orders requiring face coverings to be worn in public for the protection of the public health, safety, and welfare during the ongoing COVID-19 pandemic; and

WHEREAS, on January 21, 2020, the Tennessee Department of Health designated the Novel Coronavirus Disease (COVID-19) as a reportable disease in Tennessee; and

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

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

WHEREAS, on March 12, 2020, the Governor of the State of Tennessee issued an Executive Order declaring a state of emergency pursuant to Tennessee Code Annotated § 58-2-107(e)(1); and

WHEREAS, on March 13, 2020, the President of the United States declared a national state of emergency in response to the COVID-19 pandemic; and

WHEREAS, on March 30, 2020, Carter County Mayor Russell Barnett issued an Executive Order that declared a local state of emergency in response to the COVID-19 pandemic; and

WHEREAS, in the months that have followed Governor Lee has issued multiple Executive Orders temporarily suspending select state laws, limiting social gatherings, permitting new methods of conducting public meetings, preventing non-essential work or travel and placing restrictions on the operation of restaurants and other businesses within Tennessee, all in an effort to limit the spread of COVID-19; and

WHEREAS, Governor Lee, the Unified Command Group (UCG) and Tennessee's Economic Recovery Group (ERG) with input from health experts, state and local partners and business and industry leaders also developed the "Tennessee Pledge" to help reboot our state's economy, and this plan incorporates recommendations from the Centers for Disease Control and Prevention (CDC) such as social distancing and wearing face coverings among other measures; and

WHEREAS, unfortunately COVID-19 remains an ongoing and intensifying threat to the citizens of Carter County as evidenced by the recent spike in the rate of new and active infections and hospitalizations due to COVID-19 in our county and throughout the Northeast Tennessee region; and

WHEREAS, on July 3, 2020, Governor Lee issued Executive Order No. 54 which specifically delegates the authority to the county mayors in the 89 Tennessee counties without a locally run county health department to issue orders requiring the wearing of face coverings within their jurisdictions with certain exemptions; and

WHEREAS, Carter County citizens should continue to protect themselves and others by adhering to the health guidance and recommendations provided by the CDC and other medical experts in an effort to prevent further spread of COVID-19 within our region, which includes practicing social distancing, effective personal hygiene practices and wearing cloth face coverings in public settings and when around people who don't live in your household, especially when other social distancing measures are difficult to maintain; and

WHEREAS, following these simple recommendations can help reduce or prevent the continued spread of the virus and may prevent the need for more drastic measures which could be devastating for the local, state and national economies; and

WHEREAS, in consideration of the ongoing COVID-19 pandemic and the health, safety, and welfare of residents of Carter County, and after extensive consultation with other local government officials and our local and state health experts, there is a consensus that the wearing of cloth or other face coverings should be required in certain circumstances in Carter County, and therefore it is in the public interest that this Executive Order Requiring Face Coverings in Carter County, Tennessee be issued.

NOW, THEREFORE, I, Russell Barnett, Mayor of Carter County, Tennessee, by virtue of the power and authority vested in me as the Mayor of Carter County, and specifically pursuant to the authority delegated to me via Executive Order No. 54 issued by Tennessee Governor Bill Lee, do **HEREBY ISSUE THIS EXECUTIVE ORDER** and direct the following:

1. Face coverings are required to be worn over the nose and mouth of all persons in Carter County in public settings consistent with CDC guidelines, especially when in close proximity to others and social distancing measures are difficult to maintain.
2. This requirement to wear face coverings extends to all persons inside or upon the grounds of government buildings, private businesses, organizations, or venues open to or accessible by the public within Carter County, Tennessee.
3. Face coverings may include commercially sold masks made from cloth or similar materials, homemade masks, scarfs, bandanas, or handkerchiefs.
4. All persons in Carter County should also continue to maintain social distancing of at least six feet while in public settings and around other people who don't live in their household.

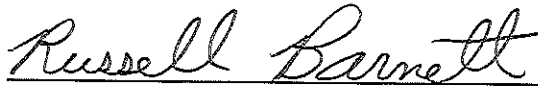
IT IS FURTHER ORDERED that there is no requirement that a face covering be worn:

1. Within one's residence or automobile, unless transporting others for hire;
2. By a child twelve (12) years of age or younger;
3. By someone who has trouble breathing due to an underlying health condition or another bona fide medical or health-related reason for not wearing a face covering;
4. By someone who is incapacitated or otherwise unable to remove a face covering without assistance;
5. While eating or drinking;
6. While outdoors, unless the person cannot substantially maintain appropriate social distancing from others outside of the person's household;
7. While working under conditions where appropriate social distancing from others outside of the person's household is substantially maintained;
8. In situations in which wearing a face covering poses a safety or security risk;
9. While in a house of worship unless required by that house of worship, but wearing a face covering in such locations is strongly encouraged;
10. While in a voting site for the purpose of voting or administering an election, but wearing a face covering in such locations is strongly encouraged; or
11. While in a Municipal, County, or State courtroom while court is in session if so instructed or ordered within the discretion of the presiding judge or magistrate.

IT IS FURTHER ORDERED that nothing contained herein requires any businesses, organizations or public venues to supply face coverings to employees or members of the public.

This Order is declared to be effective at 12:01 a.m., Eastern Daylight time, on July 17, 2020, and shall remain in effect until 11:59 p.m., Eastern Daylight time on August 3, 2020, unless it is necessary by subsequent Order to modify, withdraw or extend the same as permitted by law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County of Carter, Tennessee, to be affixed this the 15th day of July, 2020.

A handwritten signature in cursive script that reads "Russell Barnett". The signature is written in black ink and is positioned above a horizontal line.

Russell Barnett

Carter County, Tennessee Mayor