

**THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**JOHN COOPER, MAYOR**

**EXECUTIVE ORDER NO. 21**

**SUBJECT: REQUIREMENT THAT FACE COVERINGS BE WORN AT METROPOLITAN GOVERNMENT BUILDINGS**

**WHEREAS**, COVID-19 is a disease caused by a novel coronavirus, previously unknown in humans, and causes upper-respiratory tract illnesses that can range from mild to severe, spread quickly, and may cause death, particularly in older adults and persons with certain medical conditions; and,

**WHEREAS**, the World Health Organization declared COVID-19 to be a global pandemic as of March 15, 2020; and,

**WHEREAS**, a national emergency has been declared by the President of the United States, and a limited state of emergency by the Governor of Tennessee, and continue to exist; and,

**WHEREAS**, the Metropolitan Board of Health has advised that a public health emergency continues to exist in Metropolitan Nashville and Davidson County, Tennessee; and,

**WHEREAS**, as of August 3, 2021, Nashville and Davidson County has a total of 2,718 active cases, and a 7-day moving average of 190 new cases per day; and,

**WHEREAS**, it is critical while indoors to continue physical distancing to slow the spread of COVID-19, and that the additional use of cloth face coverings or masks, as recommended by the Centers for Disease Control and Prevention, can further aid in slowing the spread of the virus.

**NOW THEREFORE**, I, John Cooper, Mayor of the Metropolitan Government of Nashville and Davidson County, by virtue of the power and authority vested in me, do hereby proclaim, direct, and order the following:

1. All persons entering a building or indoor space owned or controlled by the Metropolitan Government and in which Metropolitan Government employees regularly work shall wear a cloth face covering or mask. Persons who do not have a cloth face covering or mask will be provided with one at the entrance, subject to availability. Persons who refuse to wear a mask and/or decline the complimentary one offered will be denied entry unless one of the listed exceptions applies.

2. Once a person has entered the building, he or she shall continue to wear the cloth face covering or mask while in the building. Should a person remove his or her cloth face covering or mask while in the building, an office may ask that person to leave. Employees working alone in their respective offices or workspaces are excepted from this rule and may remove their masks while in their offices or individual workspaces, as long as they are able to maintain appropriate physical distancing.

3. The following exceptions shall apply:

A. Cloth face coverings or masks are not required to be worn by

- i. Children under the age of two,
- ii. Older children who are unable to wear a mask properly or safely,
- iii. A person who can show either that (a) a medical professional has advised that wearing a mask may pose a risk to the person for health-related reasons; or (b) wearing a mask would create a risk to the person related to their work as determined by local, state, or federal regulators or workplace safety guidelines. A mask also should not be used by anyone unable to remove the mask without assistance,
- iv. Persons who are seated and actively consuming food or beverage, or
- v. Persons in courtrooms or chambers of a State Trial Court judge.

B. Additional exemptions that do not endanger the public or employees in the building should be allowed based on individual circumstances. Alternatives may vary depending on the office, facility, or building and the type of business or activity being conducted.

- i. Persons may request such an exemption by presenting a request to the security officer, facility manager, attendant at the front desk, or other designated person at the entrance of the building or indoor space.
- ii. The person receiving the request will notify the appropriate officials for the office the requestor seeks to visit.
- iii. The office will consider the request through a phone or in-person communication with the requester and may permit entry upon a determination that the circumstances do not endanger the public or employees of the building. The office may refuse entry if a proposed accommodation may pose a danger to the health and safety of the public or employees of the building.

- C. Each Metropolitan Government Department is given discretion to design and implement alternatives to these directives, in order to appropriately meet the needs of its department while providing reasonable public access to government facilities and services. The alternatives shall be made in consultation with and approval by the Department of Health.
- 4. If any provision, sentence, clause, phrase, or word of this Order or any application of it to any individual, business, or circumstance is held to be invalid by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this Order.
- 5. This Order is issued under the authority of Executive Order 6, Declaration of a State of Civil Emergency Related to the COVID-19 Epidemic. Each extension of Executive Order 6 shall likewise extend this Order. This Order is hereby issued and effective at 6:00 a.m. CDT on August 5, 2021, and shall remain in effect until it is rescinded, superseded, amended, or otherwise withdrawn.

DATE: \_\_\_\_\_

John Cooper  
Mayor

Date: \_\_\_\_\_

DATE FILED IN OFFICE OF THE METROPOLITAN

CLERK: